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July 5, 2010

BY FAX & BY COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge St, Suite 2701
Toronto ON M4P 1E4

Ms. Walli:

Board File No. EB-2010-0008
Payment Amounts for Ontario Power Generation Inc.'s Prescribed Facilities
Energy Probe Confidentiality Declarations

Pursuant to Procedural Order No. 2, issued July 5, 2010, Energy Probe Research Foundation (Energy Probe) is hereby providing Confidentiality Declarations in the EB-2010-0008 proceeding for the Board's consideration. An electronic version of this communication will be forwarded in PDF format.

Should you require additional information, please do not hesitate to contact me.

Yours truly,

David S. MacIntosh
Case Manager

cc. Barbara Reuber, Ontario Power Generation Inc. (By email)
Carlton D. Mathias, Ontario Power Generation Inc. (By email)
Charles Keizer, Torys LLP (By email)
Norm Rubin, Consultant to Energy Probe (By email)
Larry Schwartz, Consulting Economist (By email)
Peter T. Faye, Counsel to Energy Probe (By email)
Intervenors of Record (By email)

Energy Probe Research Foundation 225 BRUNSWICK AVE., TORONTO, ONTARIO M5S 2M6

Phone: (416) 964-9223 Fax: (416) 964-8239 E-mail: EnergyProbe@nextcity.com Internet: www.EnergyProbe.org

Appendix D
Form of Declaration and Undertaking

EB-2010-0008

IN THE MATTER OF the *Ontario Energy Board Act, 1998*; S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF an application by Ontario Power Generation Inc. pursuant to section 78.1 of the *Ontario Energy Board Act, 1998* for an order or orders determining payment amounts for the output of certain of its generating facilities.

DECLARATION AND UNDERTAKING

I, David S. MacIntosh, am a consultant for Energy Probe Research Foundation.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.

3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.

4. I will protect Confidential Information from unauthorized access.

5. I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:

(a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or

(b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.

For this purpose, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.

6. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario, Canada this 2nd day of July 2010.

Signature: 

Name: David S. MacIntosh

Company/Firm: Borealis Energy Research Association

Address: 225 Brunswick Avenue
Toronto ON M5S 2M6

Telephone: (416) 964-9223 ext. 235

Fax: (416) 964-8239

E-mail: DavidMacIntosh@nextcity.com

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1998; S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF an application by Ontario
Power Generation Inc. pursuant to section 78.1 of
the *Ontario Energy Board Act*, 1998 for an order or
orders determining payment amounts for the output
of certain of its generating facilities.

DECLARATION AND UNDERTAKING

I, Peter T. Faye, am Counsel for Energy Probe Research Foundation.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

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6. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Markham, Ontario, Canada this 2nd day of July 2010.

Signature: 

Name: Peter T. Faye

Company/Firm: Barrister and Solicitor

Address: 42 Eastwood Cres
Markham, ON
L3P 5Z7

Telephone: (905) 294-2013

E-mail: pfaye@rogers.com

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AND IN THE MATTER OF an application by Ontario Power Generation Inc. pursuant to section 78.1 of the *Ontario Energy Board Act, 1998* for an order or orders determining payment amounts for the output of certain of its generating facilities.

DECLARATION AND UNDERTAKING

I, Lawrence P. Schwartz, am a consultant for Energy Probe Research Foundation.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

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6. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario, Canada this 2nd day of July 2010.

Signature:



Name: Lawrence P. Schwartz, PH.D.

Company/Firm: Consulting Economist

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