



EB-2010-0152
EB-2010-0153

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

AND IN THE MATTER OF an application under section 50 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B to renew Just Energy Ontario L.P.'s gas marketer licence;

AND IN THE MATTER OF an application under section 60 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B to renew Just Energy Ontario L.P.'s electricity retailer licence.

By delegation, before: Jennifer Lea

DECISION ON A REQUEST THAT CERTAIN INFORMATION BE HELD IN CONFIDENCE

On March 30, 2010, Just Energy Ontario L.P. ("Just Energy") filed an application with the Ontario Energy Board under section 50 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B to renew its gas marketer licence. Just Energy also filed an application under section 60 of the Act to renew its electricity retailer licence. The Board provided for an interrogatory process in order to gather additional information that is relevant to the Board's consideration of the application.

On June 10, 2010, Board staff filed written interrogatories. Just Energy responded to Board staff interrogatories on June 24, 2010. In its response, Just Energy requested that certain interrogatory responses be treated as confidential. Specifically, Just Energy requested that portions of the responses to interrogatories 2(c), 5 and 7 be treated as confidential as the responses contained proprietary and highly sensitive competitive information.

Board staff did not oppose the request for confidentiality.

In considering the request for confidentiality, I have reviewed the Board's *Practice Direction on Confidential Filings*, which seeks to strike a balance between the objectives of transparency and openness and the need to protect information that has been properly designated as confidential

The factors considered by the Board in addressing confidentiality of filings include the commercial sensitivity of the information and the potential harm that could result from the disclosure of the information, including any prejudice to a person's competitive position.

Interrogatory responses 2(c), 5 and 7 contain customer numbers and sales related information that is proprietary to the applicant and commercially sensitive. I find that information in those interrogatory responses that Just Energy seeks to keep confidential will be held in confidence.

Just Energy filed a version of the interrogatory responses with the commercially sensitive information redacted. I direct that the redacted version of the interrogatory responses be placed on the public record of this application and the complete version of the interrogatory responses be held in confidence.

In making their submission in this application, Board staff and Just Energy are directed to prepare both complete and redacted versions of their submission if the submission contains the information found to be confidential in this decision.

DATED at Toronto, July 16, 2010

ONTARIO ENERGY BOARD

Original Signed By

Jennifer Lea
Counsel, Special Projects