

SEC  
1.1.1  
20.06.10

## ATTACHMENT C

### Form of Declaration and Undertaking

EB-2010-0008

IN THE MATTER OF the Ontario Energy Board Act, 1998;

AND IN THE MATTER OF an Application by Ontario Power Generation Inc.  
for an order or orders approving payment amounts for prescribed  
generating facilities commencing March 1, 2011

### DECLARATION AND UNDERTAKING

I, MARK GARNER, am counsel of record or a consultant for  
SEC.

### 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 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 on to 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 this 5th day of JULY, 2010.

Signature: M. Garner

Name:

Company/Firm: GO/ SEC

Address:

Telephone: 647-408-4501

Fax:

E-mail: markgarner@rogers.com.

FROM: MARK GARNER

SCHOOL ENERGY COALITION

TO: ONTARIO POWER GENERATION – REGULATORY AFFAIRS

RE: EB-2010-008

CONFIDENTIALITY AGREEMENT

MESSAGE

Attached confidentiality agreement. Please forward all unredacted copies to  
address/email as per OEB procedural order 1.

Thank you

Mark Garner  
[markgarner@rogers.com](mailto:markgarner@rogers.com)  
647-408-4501

THIS FAX HAS 3 PAGES INCLUDING THIS COVER SHEET

FAX 416-592-5419