



EB-2009-0209

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 PowerStream Inc. for an order approving just and reasonable rates and other charges for electricity distribution to be effective November 1, 2010.

DECISION ON CONFIDENTIALITY

PowerStream Inc. ("PowerStream") filed an application ("the Application") with the Ontario Energy Board (the "Board") on June 11, 2010 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (the "Act"), seeking approval for certain smart meter expenditures and a change to its smart meter funding adder.

The Board issued Procedural Order No.1 on July 27, 2010 making provision for submissions regarding the request for confidential treatment of any or all documents for which PowerStream is claiming confidentiality by July 30, 2010 and for PowerStream to reply by August 4, 2010. PowerStream requested that the following four items be treated as confidential:

- Advanced Metering Infrastructure Services Agreement between PowerStream Inc. and Sensus Metering Systems Inc.;
- Residential Smart Meter Pricing from Sensus Metering Systems Inc.;
- Smart Meter Installation Agreement between PowerStream Inc. and Honeywell Limited, and Amendment No. 1 thereto; and
- Smart Meter Installation Contract between PowerStream Inc. and Olameter Inc.

No submissions were received by any party pursuant to Procedural Order No. 1 with respect to PowerStream's claim for confidentiality for detailed smart metering costing information contained in the referenced documents.

The Board has in the past provided confidential treatment for similar detailed smart meter costing information. In the combined Smart Meter Proceeding (EB-2007-0063) the Board determined that detailed information was commercially sensitive because of competitive supply of meters. Similar treatment has been the Board's practice in subsequent applications regarding review and disposition of smart meter costs. For example, the Board accepted the claim for confidentiality of detailed smart meter costs in a joint application by Chatham-Kent Hydro Inc. and Middlesex Power Distribution Corporation (EB-2008-0155). The Board therefore will grant PowerStream's request for confidentiality for the named documents.

As ordered in Procedural Order No. 1, PowerStream shall provide all confidential materials to parties that have executed a Declaration and Undertaking pursuant to the Board's Practice Direction on Confidential Filings. The Board expects those parties to, where possible, frame interrogatories related to the confidential material in a manner that will allow the interrogatories to be placed on the public record. Parties will also be expected to make best efforts to frame submissions related to the confidential material in a manner that will allow the submissions to be placed on the public record.

DATED at Toronto, August 5, 2010

ONTARIO ENERGY BOARD

Original signed by

Ken Quesnelle
Presiding Member

Original signed by

Cynthia Chaplin
Vice-Chair and Member