



Jay Shepherd

Professional Corporation
2300 Yonge Street,
Suite 806
Toronto, Ontario M4P 1E4

BY EMAIL

October 15, 2010
Our File No. 20100132

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2010-0132 – Hydro One Brampton 2011 COS

We are counsel for the School Energy Coalition. Pursuant to Procedural Order #2 in this proceeding, the Board required parties who wish to make submissions on whether the response to SEC Interrogatory #5 should be treated as confidential, must do so by 4:30 PM on October 15, 2010. The response is approximately 200-300 pages of business plans of the Applicant.

At the Technical Conference on October 13th, the Applicant was asked for the redacted version of the response, as contemplated by the Practice Direction on Confidential Filings, and advised [Tr.TC:174-5] that it had not prepared a redacted version. Aside from the Board's desire to have a public document to support the transparency of the process, the value of the redacted version is that it identifies with precision what information in what are voluminous documents should actually be considered confidential, in the opinion of the Applicant.

There followed a request by SEC for clarification as to whether the Applicant is claiming that all 200-300 pages are confidential, or only some of the information contained in those pages. We were advised by counsel for the Applicant that we would be advised of their response "in a prompt manner" [Tr.TC:176], in consideration of the deadline for submissions on confidential treatment.

It is SEC's intention to make submissions with respect to whether, or to what extent, the information contained in this interrogatory response should be considered confidential.

However, until we know the extent of the confidentiality claimed, it is essentially impossible to determine what submissions to make.

We have now been advised by the Applicant this afternoon that we will not have a response until 4:30 PM today. We are therefore writing to request that we be permitted an extension of one business day, until Monday, October 18, 2010 to make those submissions.

All of which is respectfully submitted.

Yours very truly,
JAY SHEPHERD P. C.

Jay Shepherd

cc: Wayne McNally, SEC (email)
Interested parties (email)