

February 8, 2011

Ontario Energy Board  
PO Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

**VIA EMAIL & COURIER**

Attention: Ms. Kirsten Walli  
Board Secretary

Re: Notice of Hearing for Cost Awards  
Implementation of the Consumer Protection (Retailer/Marketer)  
Provisions of the Energy Consumer Protection Act, 2010  
Board File No.: EB-2010-0245

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Dear Kirsten:

Please accept this letter as Just Energy's submission in response to the Ontario Energy Board's ("Board") communication dated February 1, 2011 regarding Notice of Hearing for Cost Awards. This submission is made on behalf of both Just Energy and Universal Energy Corporation.

In that letter the Board requested that suppliers concerned about the disclosure of their relative market share information for purposes of the Board's ultimate decision on the awarding of costs and the apportionment of those costs notify the Board.

Just Energy Ontario L.P. ("Just Energy") believes that the Board must act as a clearinghouse to facilitate the payment of cost awards to eligible participants in order to avoid the disclosure of relative market share. Just Energy submits that its customer count and the market share is proprietary and confidential information of a competitively sensitive nature and should not in any way or at any time be disclosed.

Further, the manner in which the cost awards are apportioned or communicated should not be presented or referenced in such a manner as to provide the ability for external parties to derive the respective market share of Just Energy.

Additionally, Just Energy Group Inc. ("Just Energy Group") (Just Energy's publicly traded parent company) does not publicly disclose its market share information by jurisdiction. Just Energy Group always aggregates all of its financial and competitive information, including the residential customer equivalent counts, in its public disclosure documents. For the Board to publish this information would provide Just Energy Group's North American competitors an unfair competitive advantage that they would not otherwise have. It is unnecessary for the Board to publicly disclose Just Energy's proprietary and confidential information, since an alternative option is available, and the Board must therefore act

as a clearinghouse to facilitate the payment of cost awards to eligible participants without disclosing this information.

Given the sensitive nature of the market share and customer count information Just Energy asserts that this information must be held in strict confidence owing to the proprietary and confidential nature of the information and the commercially competitive value. Any communication as to cost apportionment must be in a manner that does not allow external parties to derive the respective market share of Just Energy.

Yours truly,  
**JUST ENERGY**

A handwritten signature in black ink, appearing to read 'N. Ruzycki', is positioned below the company name.

Nola Ruzycki  
Director, Regulatory Affairs