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Vice President and Chief Regulatory Officer
Regulatory Affairs



BY COURIER

March 15, 2011

Ms. Kirsten Walli
Secretary
Ontario Energy Board
Suite 2700, 2300 Yonge Street
P.O. Box 2319
Toronto, ON.
M4P 1E4

Dear Ms. Walli:

EB-2010-0332/0331 – Hydro One Networks and Hydro One Brampton Networks’ Board-Approved CDM Programs Application – Response to Submission of the School Energy Coalition dated March 11, 2011

This letter is in response to the March 11th submission of counsel on behalf of the School Energy Coalition (“SEC”).

Hydro One Networks Inc. and Hydro One Brampton Networks Inc. (collectively, “the Applicants”) have each filed an application and interrogatory responses with the Ontario Energy Board (the “Board”), dated November 1, 2010 and January 27, 2011 respectively. The Applicants have sought confidential treatment for certain information. Sections of the applications and several interrogatory responses filed on the public record were redacted in an effort to maintain confidentiality in the applicants’ procurement process. In the SEC’s March 11th submission, Mr. Shepherd has requested that the Board complete its ruling on whether this information should be treated as confidential.

The Applicants submit that this information should be treated as confidential based on the following reasons:

1. Request for Proposal (“RFP”) Process

The confidential costing information is commercially sensitive. The Applicants submit that the release of this information to potential service providers would compromise the integrity of the Applicants’ upcoming Request for Proposal (“RFP”) process.

The Applicants view cost-effectiveness as a key element of their CDM plans and believe that CDM programs should be delivered in the most cost-effective manner in order to minimize the impact on ratepayers.

2. Timing of Request

The Board had already established a formal process to address the confidentiality issue in this proceeding. As stated in Procedural Order No. 1 (issued on December 21, 2010), the Board allowed parties to file submissions on whether the information in question meets the confidentiality thresholds established in the Board's *Practice Direction on Confidential Filings* by December 24, 2010.

No party filed any submission within the timeline specified by the Board and therefore this matter was considered closed. The applicants believe that it is not appropriate to reopen this issue.

3. Withdrawal of Application

As stated in the March 11th letter, Mr. Shepherd indicated to the Board that releasing the Applicants' detailed costing information would allow parties to compare Toronto Hydro's proposed budgets to the Applicants' proposed budgets.

The Applicants have withdrawn their applications for Board-approved programs. The Applicants are currently reassessing their CDM plans and may choose to revise their CDM budgets.

4. Toronto Hydro's Disclosure of Costing Information

Toronto Hydro's view on what is and what is not considered confidential should not have any bearing on the Board's decision on this matter.

Sincerely,

ORIGINAL SIGNED BY SUSAN FRANK

Susan Frank

Cc Board Staff
EB-2010-0332 Intervenor