



EB-2011-0128

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 or orders approving or fixing just and
reasonable distribution rates related to Smart Meter
deployment, to be effective November 1, 2011.

DECISION AND ORDER ON CONFIDENTIALITY

PowerStream Inc. ("PowerStream") filed an application ("the Application") with the Ontario Energy Board (the "Board") on June 24, 2011 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B) (the "Act"), seeking approval for smart meter expenditures.

The Board issued Procedural Order No.1 on August 4, 2011 making provision for submissions regarding the request for confidential treatment of any or all documents for which PowerStream is claiming confidentiality by August 10, 2011 and for PowerStream to reply by August 15, 2011. PowerStream requested that the following four documents be treated as confidential:

1. Advanced Metering Infrastructure Services Agreement between PowerStream Inc. and Sensus Metering Systems Inc.;
2. Residential Smart Meter Pricing from Sensus Metering Systems Inc.;
3. Smart Meter Installation Contract between PowerStream Inc. and Olameter Inc.;
and
4. Olameter Inc. price quote for the installation of 3-phase meters.

No submissions were received from VECC or Board staff with respect to PowerStream's claim for confidentiality.

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 the competitive supply of meters. According similar treatment has been the Board's practice in subsequent applications regarding review and disposition of smart meter costs. The Board therefore will grant PowerStream's request for confidentiality for the named documents.

THE BOARD ORDERS THAT:

1. PowerStream shall provide all confidential materials to VECC subject to VECC executing a Declaration and Undertaking pursuant to the Board's *Practice Direction on Confidential Filings*. The Board expects VECC and Board staff 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. VECC and Board staff 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. If parties are not able to frame submissions in a manner that allows them to be placed on the public record, those submissions must be marked confidential.
2. Parties in receipt of confidential information shall treat all confidential materials in accordance with the signed Declaration and Undertaking and the Board's *Practice Direction on Confidential Filings*.

DATED at Toronto, August 17, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary