



**EB-2011-0272**

**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 Norfolk Power  
Distribution Inc. for an order approving just and reasonable  
rates and other charges for electricity distribution to be  
effective May 1, 2012.

### **DECISION ON CONFIDENTIALITY**

Norfolk Power Distribution Inc. (“Norfolk Power”) filed an application with the Ontario Energy Board (the “Board”), received on August 29, 2011 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), seeking approval for changes to the rates that Norfolk Power charges for electricity distribution, to be effective May 1, 2012. The Board assigned File Number EB-2011-0272 to the application.

As part of its Application, Norfolk Power filed a number of documents in confidence. These documents, listed below, are related to smart meter contracts with outside parties:

- Consulting Contract between Norfolk Power and Util-Assist;
- Metering Supply Contract between Norfolk Power and Sensus Metering Systems Inc.;
- Purchase Agreement between Norfolk Power and General Electric Meters;
- Smart Meter Installation Contract between Norfolk Power and Olameter Inc;
- Software Agreement between Norfolk Power and N. Harris Computer Corporation; and

- Smart Meter Audit Security agreement between Norfolk Power and Bell Canada.

In its pre-filed evidence, Norfolk Power noted that Util-Assist, Sensus Metering Systems Inc., General Electric Service Inc, Olameter Inc., N. Harris Computer Corporation and Bell Canada are corporations which are engaged in competitive businesses. Norfolk Power submitted that the disclosure of the terms of these Agreements could reasonably be expected to prejudice the economic interests of, significantly prejudice the competitive positions of, cause undue financial loss to, and be injurious to the financial interests of these respective businesses, since it would enable their competitors to ascertain the scope and pricing of services provided by these companies.

The Board issued Procedural Order No.1 on October 7, 2011, which among other things, made provision for submissions regarding the request for the confidential treatment of the documents referenced above by October 14, 2011 and for Norfolk Power to reply to any submissions by October 19, 2011.

The Board did not receive any submissions on the request for confidential treatment of the documents.

### **Board Findings**

The Board has determined that it will grant confidential treatment for the documents as requested by Norfolk Power.

**DATED** at Toronto, October 21, 2011

### **ONTARIO ENERGY BOARD**

*Original Signed By*

Karen Taylor  
Presiding Member

*Original Signed By*

Ken Quesnelle  
Member