



EB-2011-0250

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 Lakefront
Utilities Inc. for an order approving just and reasonable
rates and other charges for electricity distribution to be
effective May 1, 2012.

DECISION AND ORDER ON CONFIDENTIALITY

Lakefront Utilities Inc. ("Lakefront") filed an application ("the Application") with the Ontario Energy Board (the "Board") on October 17, 2011 under section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, (Schedule B) (the "Act"), seeking approval for changes to the rates that Lakefront charges for electricity distribution, to be effective May 1, 2012.

The Board issued Procedural Order No. 2 on January 16, 2012 making provision for submissions regarding the request for confidential treatment of any or all documents for which Lakefront is claiming confidentiality by January 18, 2012 and for Lakefront to reply by January 20, 2012. Lakefront requested that the following four documents be treated as confidential:

- Advanced Metering Infrastructure Services Agreement between LUI and Sensus Inc.;
- Smart Meter Installation Agreement between LUI and Olameter Inc.;
- Operational Data Store Agreement between LUI and Kinetiq Inc.; and
- Util-Assist Report.

No submissions were received from School Energy Coalition ("SEC"), the Vulnerable Energy Consumers Coalition ("VECC") or Board staff with respect to Lakefront's claim for confidentiality.

In other recent cases, such as PowerStream's stand-alone smart meter application (EB-2011-0128), the Board granted confidential treatment for smart meter information

which relates to agreements with suppliers, but not to cost data. In Enersource's 2012 IRM application (EB-2011-0100) the Board also considered a request for confidential treatment of smart meter information - not as it relates to agreements with suppliers but the evidence contained in the Smart Meter model – and denied the request for confidential treatment of such data.

In the present case Lakefront is seeking confidential treatment of the actual agreements with its smart meter providers for which the Board has consistently granted confidential treatment in past decisions. The Board does not see any reason to depart from its past practice in this instance.

The Board therefore will grant Lakefront's request for confidentiality for the named documents subject to the conditions set out below.

THE BOARD ORDERS THAT:

1. Lakefront shall provide all confidential materials to SEC and VECC subject to SEC and VECC executing a Declaration and Undertaking pursuant to the Board's *Practice Direction on Confidential Filings*. The Board expects SEC, 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. SEC, 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, January 24, 2012

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary