



ONTARIO ENERGY BOARD

BOARD STAFF SUBMISSION

Union Gas Limited

2013 Rates Application

Confidentiality Status

Board File No. EB-2011-0210

May 24, 2012

Introduction

Union Gas Limited (“Union”) filed a cost of service application on November 10, 2011 with the Ontario Energy Board (the “Board”) under section 36 of the Ontario Energy Board Act, 1998, S.O. c.15, Schedule B, as amended. The application is for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of natural gas, effective January 1, 2013.

In Procedural Order No. 3, the Board established May 4, 2012 as the deadline for Union to respond to written interrogatories. Union filed its written responses on May 4, 2012.

In Procedural Order No. 6, the Board noted that Union’s interrogatory responses filed on May 4, 2012 included certain information filed in confidence. The Board noted that Union requested that the following interrogatory responses be held in confidence by the Board pursuant to the Board’s *Practice Direction on Confidential Filings* (the “Practice Direction”):

- Exhibit J.H-12-2-1 (d); and
- Exhibit J.O-4-1-11 (a).

The Board noted that, in accordance with section 5.1.5 of the Practice Direction, Union has filed a copy of the cover letter requesting confidentiality which identifies the above noted documents. Union also provided a description of the basis upon which confidentiality is claimed in the above noted exhibits.

The Board noted that Union filed redacted copies of Attachment 1 and Attachment 2 to Exhibit J.B-1-7-8 (e) but did not request confidential treatment for these documents. The Board directed Union to file unredacted copies of the noted documents with the Board under confidential cover.

Also in Procedural Order No. 6, the Board allowed any parties that want to review the confidential documents to do so after signing a copy of the Board’s Declaration and Undertaking with respect to confidential documents. The Board also set out a process for parties to make submissions on Union’s requests for confidential treatment of the above noted documents.

Board staff notes that Union filed unredacted copies of Attachment 1 and Attachment 2 to Exhibit J.B-1-7-8 (e) with the Board on May 23, 2012.

Board Staff Submission - Proposed Confidential Treatment of Noted Documents

Board staff has no concerns with Exhibit J.H-12-2-1 (d), Exhibit J.O-4-1-11 (a), and the unredacted versions of Attachment 1 and Attachment 2 to Exhibit J.B-1-7-8 (e) being granted confidential treatment pursuant to the Practice Direction as proposed by Union. Board staff submits that the noted exhibits include information that is properly considered confidential in accordance with Appendix A of the Practice Direction.

Board staff is of the view that intervenors who wish to review the confidential materials have that ability through the signing of the Board's Declaration and Undertaking with respect to confidential documents.

All of which is respectfully submitted.