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August 7, 2012

**Via Courier** 

Kirsten Walli Board Secretary Ontario Energy Board 2300 Yonge Street, Suite 2700 Toronto ON M4P 1E4

Dear Madame:

## Re: Board File No.: EB-2012-0033 Confidentiality

We are Counsel for Enersource Hydro Mississauga in relation to the above noted matter. This letter is in response to Procedural Order #3.

In that order, the Board directed Enersource to file submissions on the confidentiality claims in respect of documents produced in this proceeding as responses to three interrogatory responses, namely:

SEC IR No. 3 under Issue: General;

SEC IR No. 5 under Issue: General; and

SEC IR No. 27 under Issue: 4.1.

Enersource has reviewed the submissions filed by counsel for SEC on August 3, 2012. In response to counsel's request, Enersource confirms that SEC's submission does not reveal confidential information and has no objection to it being placed on the public record.

Enersource is also prepared to withdraw its request for confidentiality with respect to the documents at SEC IRs 3 and 5.

With respect to the document at SEC IR 27, it is a third party contract. The third party has expressed concerns about the redacted information going on the public record in light of its treatment of commercially sensitive pricing information. Enersource appreciates the Board's preference to have material evidence on the public record. However, in light of the limited probative value of this information in setting rates, and in light of the continued concern about

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disclosing third party pricing information on the public record, Enersource respectfully requests that only the redacted version of the document go on the public record.

All of which is respectfully submitted.

George Vegh

GAV:mt att. Cc: All parties