



ONTARIO ENERGY BOARD

BOARD STAFF SUBMISSION

Great Lakes Power Transmission LLP

EB-2014-0238

September 16, 2014

Background

Great Lakes Power Transmission LP (“GLPT”) filed its 2015 and 2016 COS application on July 14, 2014. Concurrently, GLPT filed a letter requesting confidential treatment for certain sections of Exhibit 3 Tab 1 Schedule 2 (“Schedule 2”) of the application and also enclosed, on a confidential basis, the confidential sections of Schedule 2. GLPT indicated that the public disclosure of the historical and forecasted charge determinant data contained in Schedule 2 would prejudice GLPT’s load customers. GLPT noted that substantially the same information received confidential treatment in prior rate applications. On August 26, 2014 GLPT filed an unredacted version of Schedule 2 on a confidential basis.

In Procedural Order No.1 the Board provided intervenors and Board staff the opportunity to make submissions on GLPT’s request for confidential treatment and GLPT the opportunity to reply.

Submission

Board staff concurs with GLPT’s view that the making public the specific load information of its customers could be prejudicial to these customers, and as such should be afforded confidential treatment.¹ As indicated by GLPT, the Board in the GLPT’s last cost of service proceeding granted a similar request for confidential treatment.

Board staff however does question the extent of the redactions to its evidence that GLPT proposes. GLPT proposes to redact virtually everything from sections 1.1, 1.2, and 1.3. In Board staff’s view, much of the information GLPT proposes to redact does not actually reveal any customer specific load information. For example, Board staff sees no apparent reason why redaction is required for the full first paragraph in section 1.1, which contains only general information that is not tied to any particular customer. Similarly, it is not clear why the Grand Total Load column from Table 3-1-2A should be redacted.

Board staff acknowledges that it is generally quicker and easier to redact whole paragraphs and tables as opposed to a more selective approach whereby only the words and numbers that are truly confidential are redacted. However, the Board’s expectation in this regard is clearly articulated in Section 5 of the Board’s Practice Direction on Confidential Filings, dated April 24, 2014:

¹ Board staff assumes that the customer load information for which confidential treatment is sought excludes the direct connected customers who are distributors.

It is also the expectation of the Board that parties will make every effort to limit the scope of their requests for confidentiality to an extent commensurate with the commercial sensitivity of the information at issue or with any legislative obligations of confidentiality or non-disclosure, **and to prepare meaningful redacted documents or summaries so as to maximize the information that is available on the public record.** This will provide parties with a fair opportunity to present their cases and permit the Board to provide meaningful and well-documented reasons for its decisions. [Emphasis added]

In light of the above Board staff requests that GLPT reconsider in its reply submission what content in Schedule 2 actually needs to be redacted to ensure that confidential treatment is only for the specific information which, if made public, would prejudice its load customers.

In the alternative, if GLPT declines this reconsideration, Board staff submits that the Board directs GLPT to file a revised redacted Schedule 2 in order to be more in keeping with Board's expectations regarding requests for confidential treatment.

-All of which is respectfully submitted-