



Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4

May 4, 2016

Sent via RESS and Courier

Dear Ms. Walli:

**RE: EB-2016-0058 Brantford Power Inc.
Application to the Ontario Energy Board for Electricity Distribution Rates and Charges
effective January 1, 2017.**

Brantford Power Inc. (BPI) is pleased to present its Application for Electricity Distribution Rates effective January 1, 2017 ("the Application").

BPI is hereby requesting confidential treatment, pursuant to section 10.01 of the OEB's *Rules of Practice and Procedure* (most recently revised April 24, 2014) for all of *Exhibit 4, Tab 4, Schedule 3: Changes to Compensation Not Yet Negotiated* (the "Schedule") as well as *Attachment 4-K: CONFIDENTIAL Hay Group Presentation* (the "Attachment").

BPI requests that the documents be kept in confidence by the Board, but is prepared to provide a full copy of the Schedule and a redacted copy of the Attachment to individuals who have executed and delivered the OEB's Form of Declaration and Undertaking regarding confidential material, subject to BPI's right to oppose any request for access to the confidential materials.

In accordance with Section 4.3.1 of the OEB's *Practice Direction on Confidential Filings* (the "Practice Direction") BPI has redacted some information included in the Attachment, as it is related to personal information. The redacted items represent recorded information about an identifiable individual relating to financial transactions in which the individual has been involved. This is consistent with section (b) the definition of personal information under section 2. (1) of the *Freedom of Information and Protection of Privacy Act* ("FIPPA"). Specifically, the information BPI has redacted contains position-specific salaries, salary ranges and other compensation-related items. For the majority of the positions in the non-union group, BPI only has one incumbent with each, making the information for each position identifiable to a specific individual.

BPI will file with the OEB two versions of the Attachment in accordance with Rule 9A.01 of the *Rules of Practice and Procedure*. BPI expects the un-redacted version of the Attachment will be held in confidence and will not be placed on the public record, or provided to any other party, including those



who have executed and delivered the OEB's Form of Declaration and Undertaking. BPI is requesting that the un-redacted version be kept in confidence by the OEB as well.

Consistent with Section 5.1.4 of the Practice Direction, BPI has filed this cover letter which discusses in the sections that follow why the issue is considered confidential and the public disclosure of the information would be detrimental.

Appendix B of the Practice Direction outlines the factors which the OEB may consider in addressing confidentiality of filing. BPI believes the information included in the Schedule and the Attachment is confidential as it contains labour relations information which could reasonably be expected to prejudice BPI's competitive position, interfere significantly with contractual negotiations, and result in significant undue loss or gain to BPI and its employee groups. These outcomes correspond with sections (a) i, (a) iii, and (a) iv of Appendix B.

BPI is entering contractual negotiations with all three of its employee groups as each of their current agreements is scheduled to expire during the bridge or test years. The disclosure of BPI's budgetary provisions for labour cost increases and compensation strategy (set out in the Schedule), or the recommendations upon which these provisions were based (out in the Attachment), could compromise the collective bargaining process, placing BPI in a disadvantageous position.

A confidential, un-redacted version of **Exhibit 4, Tab 4, Schedule 3: Changes to Compensation Not Yet Negotiated**, containing all of the information for which confidentiality is requested is being filed with the OEB on colored paper. Two confidential copies of **Attachment 4-K** are being filed: one is contained in a separate envelope and marked as containing personal information, not to be released to any party; the other redacted confidential attachment is filed on colored paper and is being proposed for confidential treatment.

BPI has provided a summary of the Schedule and the Attachment below. As a result, BPI is submitting its complete application and related evidence on a non confidential basis with the exception of the above noted items that are the subject of this confidentiality request pending the decision of the OEB.

Non Confidential Summary Schedule

The document in question outlines the compensation strategy for its union groups, as well as the non-union group BPPAE. This includes BPI's compensation strategy, including budgeted adjustment rates for the employee groups in 2016 and 2017 and a discussion of the rationale for these strategies.

Non Confidential Summary of Attachment

The presentation from the Hay Group outlines the job evaluation and "banding" process used by Hay Group to evaluate each position, the targeted and current salary ranges per position, and discusses Hay's suggested changes to BPI's compensation strategy and their implementation.



BPI has submitted its Application via RESS and two (2) hard copies will follow via courier.

Please do not hesitate to contact me with any questions.

Sincerely,

Original Signed By

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