



August 31, 2016

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

Dear Ms. Walli;

**Re: Enersource, Horizon Utilities and PowerStream (collectively, the “Applicants”) MAADs
Application (EB-2016-0025) – Undertaking JTC1.1 – Material being filed in confidence**

At pages 59 and 60 of the material filed publicly today in response to Undertaking JTC1.1 (material related to the “Deloitte Model”), the Applicants provided “Savings and Costs Summary” tables illustrating total synergy savings and avoided costs related to the proposed consolidation. Among other information, values are shown for total labour-related synergy savings and total labour-related avoided costs. Similar tables, prepared on an operational area basis, are being filed in confidence, for reasons similar to those given in respect of the Applicants’ request for confidential treatment of Table 1 of their response to Interrogatory B-Staff-7(a).

As with that table, the Applicants acknowledge that the information about anticipated labour-related savings and avoided costs in specific operational areas is not presented on an employee specific basis; rather, it is aggregated by operational area/function. However, its public disclosure may reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, in that it may create unfounded speculation about continued employment within those operational areas/functions. Final decisions about staffing within the various operational areas/functions have not yet been made. The OEB’s *Practice Direction on Confidential Filings* recognizes that these are among the factors that the Board will take into consideration when addressing the confidentiality of filings. They are also addressed in section 17(1) of the *Freedom of Information and Protection of Privacy Act* (“FIPPA”) and section 10 of the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA”), and the Practice Direction (at Appendix B) indicates that third party information as described in section 17(1) of FIPPA is among the types of information previously assessed or maintained by the OEB as confidential. Additionally, both FIPPA (for example, at clauses 18(1)(f) and (g) of FIPPA) and MFIPPA (for example, at clauses 11(1)(f) and (g) of MFIPPA) provide for the refusal to disclose information containing plans relating to the management of personnel or the administration of an institution that have not yet been put into operation or made public; and information including the proposed plans, policies or projects of an institution where the disclosure could reasonably be expected to result in premature disclosure of a pending policy decision or undue financial benefit or loss to a person.

Confidential unredacted copies of the operational area tables will be delivered to the OEB tomorrow.



If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "Indy J. Butany-DeSouza".

Indy J. Butany-DeSouza, MBA
Vice President, Regulatory Affairs
Horizon Utilities Corporation

Gia M. DeJulio
Enersource Hydro Mississauga Inc.
(905) 283-4098
gdejulio@enersource.com

Indy J. Butany-DeSouza
Horizon Utilities Corporation
(905) 317-4785
indy.butany@horizonutilities.com

Colin MacDonald
PowerStream Inc.
(905) 532.4649
colin.macdonald@powerstream.ca

cc: Maureen Helt, OEB
Judith Fernandes, OEB
Daniel Kim, OEB
Gia DeJulio, Enersource
Colin MacDonald, PowerStream
Fred Cass, Aird & Berlis LLP
James Sidlofsky, Borden Ladner Gervais LLP
Intervenors of Record