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September 6, 2016

Delivered by RESS and Courier

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
26th Floor, Box 2319
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Enersource Hydro Mississauga Inc., Horizon Utilities Corporation,
PowerStream Inc. (collectively, the “Applicants”) – Application under
Section 86 of the *Ontario Energy Board Act, 1998***

Board File No. EB-2016-0025

We, together with Aird & Berlis LLP, are counsel to the Applicants in the above-captioned matter. In its Decision on Confidentiality Requests dated September 2, 2016, the OEB made a series of determinations in respect of certain interrogatory responses (or portions thereof) that the Applicants had requested be maintained in confidence. Specifically:

- The OEB found that the Applicants’ responses to B-AMPCO-6(c) and B-BOMA-8(f), and Table 1 of their response to B-Staff-7(a) should be made public;
- The Applicants are not required to file the Excel version of the Deloitte Business Case Model as it is proprietary;
- The Smart Meter Service Agreement between Hydro One Brampton Networks Inc. and 437967 Ontario Limited, operating as Savage Data Systems, is not relevant, and while it had been filed in confidence, the Applicants may wish to withdraw it from the public record;
- The presentations made to the councils of the Applicants’ municipal shareholders filed in response to MUN-CCC-11 (portions of which were filed in confidence) are not relevant to this proceeding and need not be produced. The Board advised that “as the Panel has determined the documents to be out of scope, the applicants may wish to request that the documents be removed from the public record”;
- The Business Plan filed as an attachment to the response to B-Staff-1 is to be filed publicly in its entirety, subject to the exception of redactions that are the subject of solicitor-client privilege. The Panel advised that it “will ensure that cross examination on parts of the document that are out of scope will not be permitted during the course of the hearing”; and

- The Board reviewed its previous Confidentiality Decision of August 12, 2016 and allowed the pricing and fees sections of the Financing Commitment Letter (Schedule 5.4(15) to the Merger Participation Agreement) to remain confidential. We note that a public version of the Financing Commitment Letter with the pricing and fees section redacted was placed on the public record by the Applicants on August 24, 2016.

Further to the Board's Decision, please find accompanying this letter the following items:

- Unredacted versions of the Applicants' responses to Interrogatories B-AMPCO-6(c), B-BOMA-8(f), and B-Staff-7(a);
- A public version of the Business Plan, with the only redactions being matters that are the subject of solicitor-client privilege; and
- Unredacted versions of "Savings and Costs Summary" tables illustrating synergy savings and avoided costs related to the proposed consolidation, prepared on an operational area basis. These were filed in confidence on September 1, 2016 as part of the Applicants' response to Technical Conference Undertaking JTC1.1, 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). In light of the Board's decision to make the response to that Interrogatory public, the Applicants are providing the operational area tables on the public record.

The Applicants hereby withdraw the Excel version of the Deloitte Business Case Model. We request that disks provided to the OEB and intervenor representatives in confidence be returned to the undersigned, and that all electronic copies in the possession of the OEB (including OEB Staff) and any intervenor representatives or any other person to whom a copy of the Excel version of the model may have been provided be deleted, with confirmation of such deletion to be provided to the Applicants and the OEB.

The Applicants hereby withdraw the Smart Meter Service Agreement from the record of this proceeding. We request that paper copies of the Agreement provided to the OEB and intervenor representatives in confidence be returned to the undersigned or destroyed, with confirmation of destruction to be given to the OEB and the Applicants; and that all electronic copies in the possession of the OEB (including OEB Staff) and any intervenor representatives or any other person to whom a copy of the Agreement may have been provided be deleted, with confirmation of such deletion to be provided to the Applicants and the OEB.

The Applicants hereby request that all material provided to the councils of the municipal shareholders of the Applicants that was provided in response to Interrogatory MUN-CCC-11, whether provided in response to that interrogatory publicly or in confidence, be removed from the record of this proceeding. We request that paper copies of any material provided to the OEB and intervenor representatives in response to this interrogatory, whether publicly or in confidence, be returned to the undersigned or destroyed, with confirmation of destruction to be given to the OEB and the Applicants; and that all electronic copies in the possession of the OEB (including OEB Staff) and any intervenor representatives or any other person to whom a copy of the material may have been provided be deleted, with confirmation of such deletion to be provided to the Applicants and the OEB.

Finally, in response to Mr. Brett's recent email message in which he requested CVs for Messrs. Bentz and Cananzi, we have enclosed those CVs. We have also enclosed a revised CV for Ms. Butany-DeSouza, which corrects the period of her employment with Direct Energy Marketing Limited.

Yours very truly,

BORDEN LADNER GERVAIS LLP

Per:

Original signed by James C. Sidlofsky

James C. Sidlofsky

Encls.

cc: G. DeJulio, Enersource
I. Butany-DeSouza, Horizon Utilities
C. Macdonald, PowerStream
F. Cass, Aird & Berlis LLP
Intervenors of Record