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File No. T1010538

January 27, 2017

**VIA RESS and COURIER**

Ms. Kirsten Walli  
**ONTARIO ENERGY BOARD**  
P.O. Box 2319, 27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

**Re: EB-2016-0152: Application by Ontario Power Generation Inc. (OPG) for 2017-2021 Payment Amounts.**

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**Declaration and Undertaking – Confidential Filings.**

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By letter of even date, we have advised the Board of our retainer by AMPCO to support its intervention in the captioned proceeding in respect of certain of the issues of interest to AMPCO herein.

OPG has claimed confidentiality in respect of certain materials filed in support of its application. AMPCO's consultant, Shelley Grice, has previously executed a Declaration and Undertaking for access to these materials. In order to allow us to share the confidential information already obtained by Ms. Grice with her we are enclosing Declaration and Undertakings for each of the writer as external counsel and Cathy Galler, my administrative assistant who manages our regulatory files. It is intended that these Declaration and Undertakings will also cover any further confidential information that we may determine as potentially relevant to AMPCO's interests herein, though we are not asking for any further materials from OPG at this time.

Pursuant to section 6.1.4 of the Board's *Practice Direction*, the attached Declaration has not been served on any other parties to this proceeding.

Thank you for your assistance.

Yours truly,

  
Ian Mondrow

- c. Colin Anderson (President, AMPCO)
- Shelley Grice (Consultant, AMPCO)
- Barbara Reuber (Vice President, Regulatory Affairs, OPG)
- John Beauchamp (Counsel to OPG)
- Charles Keizer (Torys)
- Crawford Smith (Torys)
- Violet Binette (OEB Staff)

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**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act* 1998, S.O. 1998, c. 15,  
Schedule B, as amended;

**AND IN THE MATTER OF** Ontario Power Generation Inc.'s Application for  
Payments Amounts for the period from January 1, 2017 to December 31,  
2021.

**DECLARATION AND UNDERTAKING**

I, Ian Mondrow, am counsel of record for ASSOCIATION OF MAJOR POWER  
CONSUMERS IN ONTARIO.

**DECLARATION**

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

## UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.
3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:
  - (a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or
  - (b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
  - (a) promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Board Secretary a certificate of destruction in the form prescribed by the Board pertaining to the expunged documents and materials; and
  - (b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.

7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.
8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario this 27<sup>th</sup> day of January, 2017.

  
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Ian Mondrow

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**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act* 1998, S.O. 1998, c. 15,  
Schedule B, as amended;

**AND IN THE MATTER OF** Ontario Power Generation Inc.'s Application for  
Payments Amounts for the period from January 1, 2017 to December 31,  
2021.

**DECLARATION AND UNDERTAKING**

I, Cathy Galler, am the legal administrative assistant to Ian Mondrow, counsel of record  
for ASSOCIATION OF MAJOR POWER CONSUMERS IN ONTARIO.

**DECLARATION**

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

## UNDERTAKING

I undertake that:

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7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.
8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario this 27<sup>th</sup> day of January, 2017.

*Cathy Galler*

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Cathy Galler

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