

# AIRD BERLIS

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January 25, 2018

By email and courier

**COURIER VERSION INCLUDES CD THAT IS NOT TO BE FILED ON THE PUBLIC RECORD**

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto ON M4P 1E4

Dear Ms Walli:

**Re: EB-2017-0182: Upper Canada Transmission, Inc. (UCT or NextBridge)  
(the "Applicant") Leave to Construct, Confidential Information filed in response to  
interrogatories**

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In accordance with Procedural Order No. 1, the Applicant has now filed its responses to interrogatories. These were filed under cover of a separate letter.

Pursuant to the OEB's *Practice Direction on Confidential Filings* (Revised October 28, 2016), the Applicant hereby requests that portions of certain attachments to its interrogatory responses be treated as confidential information. Specifically, the Applicant requests confidential treatment for portions of Attachments #2 and #3 to OEB Staff Interrogatory No. 7 (copies of the documents provided to parties as part of the general contractor RFP process, as well as a copy of the executed contract that resulted from the general contractor RFP process (i.e., the Engineering, Procurement and Construction Contract ("EPC")), as well as for portions of the attachment to CCC Interrogatory No. 8 (requesting detailed budget information).

Portions of the RFP material, the EPC, and detailed budget are confidential, and, therefore, in accordance with the OEB's *Practice Direction on Confidential Filings*, Section 5.1.4, the Applicant is providing the OEB (via CD given the volume of the material) confidential, un-redacted versions of the documents containing all of the information for which confidentiality is requested. This CD is marked "confidential" and identifies all portions of documents for which confidentiality is claimed by using shading. The materials on the CD are not to be filed on the public record. The Applicant's publically filed responses to the relevant interrogatories include redacted versions of the documents that can be posted.

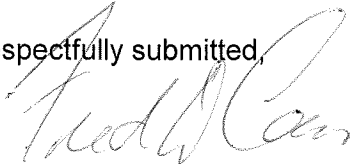
The portions of these documents that the Applicant claims are confidential involve material that is competitive sensitive information which if disclosed to the public or a competitor would be detrimental to NextBridge and to the general contractor. Specifically, this information contains trade secrets, proprietary, and/or commercial information, and if disclosed on a public basis or to competitors could: (1) adversely impact the Applicant's transactions, and the Applicant's costs of

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doing business, resulting in higher costs to customers, (2) give competitors information useful in making their own marketing decisions, without expending the time and money necessary to gather and develop the data, and (3) would allow competitors to profit or otherwise derive benefits at the expense of the Applicant and its customers.

Respectfully submitted,



Fred Cass

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Encl.

cc. All parties in EB-2017-0182 (without attached CD)  
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