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Reply To: Thomas Brett
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Our File No. 173431

VIA RESS, EMAIL AND COURIER

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
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Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: EB-2017-0049: Hydro One Networks Inc., 2018-2022 Distribution Custom IR Application

BOMA is writing to suggest the Board deny confidential treatment to the PSE Working Papers, as requested by HONI Distribution in its response to Exhibit I, Tab 8, Schedule Staff-23(a), in HONI's evidence in this case. The HONI Distribution request is based upon the claim that the requested data is "proprietary technical information" and that some of the requested information is based on "raw data" purchased from SNL, which SNL does not allow to be made public.

The material in question, including excel calculations or program code, the names of the variables that PSE has used in their analysis, and the ID numbers of the companies that have been used as comparators, and whose FERC reports have been used in the PSE analysis, are critical information for an informed critique of the PSE work, including verification of its calculations, the appropriateness of the comparators used, and the analysis of some of the extraordinary proposals made by PSE, including the so-called "third dimension" of its productivity study. This information requested is not a product but rather data that PSE has

obtained from public sources, and have manipulated to reach their conclusions. This is not proprietary information that should have legal protection. It should simply be considered part of the study.

As for the request for confidential treatment for specific data obtained from the company, SNL, which data is not identified in the HONI submission of March 15, 2018 beyond the fact that it was purchased from SNL, PEG has made a commitment to afford such information the same treatment it affords to comparable data, if any, that it has purchased from third party suppliers. However, PEG does not say that the data it purchases, if any, from third party suppliers, requires confidential treatment. That conclusion, drawn by HONI, is erroneous. Moreover, the claim for confidentiality is made for commercial purposes which can, and should, be subject to compliance with any order of a court or regulatory tribunal, and confidentiality agreements normally provide for that exception.

For these reasons, BOMA believes the information should be released.

Yours truly,

FOGLER, RUBINOFF LLP



Thomas Brett

TB/dd

cc: All Parties (*via email*)