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September 19, 2018

## **Delivered by RESS & Courier**

Ms. Kirsten Walli Board Secretary Ontario Energy Board P.O. Box 2319 2300 Yonge Street, 27<sup>th</sup> Floor Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: OEB File No. EB-2018-0028 Energy+ Inc. Application for Approval of Distribution Rates and Other Charges Effective January 1, 2019 (the "Application") Responses to TMMC Clarification Questions Confidentiality Matters

As part of the Responses to the Clarification Questions for the above captioned Application, Energy+ Inc. ("**Energy+**") is filing redacted versions of the following documents on the public record:

## Category 1

IR	Details
Clarification TMMC-2	Cost Allocation 2019_EnergyPlus_Cost_Allocation_Model_No Standby_TMMC_4.xlsm
Clarification TMMC-3	Load Details

Energy+ is filing the above documents in confidence pursuant to the Ontario Energy Board's (the "**Board**") Practice Direction on Confidential Filings (the "**Practice Direction**").

For the Category 1 information, the third parties whose information has been redacted are engaged in competitive business activities. The information that has been redacted is consistently treated in a confidential manner. Disclosure of the third-party information in the documents listed in Category 1 above could reasonably be expected to prejudice the economic interest of, significantly prejudice the competitive position of, cause undue financial loss to, and be injurious to the financial interest of the applicable third party.

The Practice Direction recognizes that these are both among the factors that the Board will take into consideration when addressing the confidentiality of filings. They are also addressed in subsection 17(1) of the *Freedom of Information and Protection of Privacy Act* ("FIPPA"), and the Practice Direction notes (at Appendix C of the Practice Direction) that third party information as described in subsection 17(1) of FIPPA is among the types of information previously assessed or maintained by the Board as confidential.

The information redacted in the above noted Clarification Questions is also consistent with the Board's Decision on Confidentiality Request dated September 14, 2018.

Energy+ is prepared to provide unredacted copies of the documents listed to parties' counsel and experts or consultants provided that they have executed the Board's form of Declaration and Undertaking with respect to confidentiality and that they comply with the Practice Direction, subject to Energy+'s right to object to the Board's acceptance of a Declaration and Undertaking from any person.

In keeping with the requirements of the Practice Direction, Energy+ is filing two confidential unredacted versions of the documents listed in hard copy only. Energy+ has also provided two CDs that contain the confidential data requested in Response to Interrogatory Clarification TMMC-2. The unredacted versions of the documents have been placed in a sealed envelope marked "Confidential". These documents are marked "Confidential", and Energy+ has identified the portions of the documents in respect of which confidentiality is claimed through the use of sidebars ("+") and printed on yellow paper. Energy+ requests that the unredacted documents be kept confidential.

Respectfully submitted,

Sarah Hughes, CPA, CA, C.Dir. Chief Financial Officer shughes@energyplus.ca