



BY EMAIL and RESS

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2300 Yonge Street
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January 11, 2019
Our File: EB20180331

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2018-0331 – Enbridge/Union/EPCOR Cap and Trade Related DVAs

We are counsel to the School Energy Coalition (“SEC”). We have had the opportunity to review the correspondence filed earlier today from the Industrial Gas Users Association (“IGUA”), responding to the letter from Enbridge and Union, dated December 27, 2018.

SEC agrees the comments set out in IGUA’s correspondence. We note, at best, Enbridge and Union have provided some rationale for why they believe the Board should ultimately grant confidentiality over certain information in its applications. What they have not done is explained why, in light of the cancellation of the cap and trade program and the repeal of the *Climate Change Mitigation and Low-Carbon Economy Act*, the provisions of the Board’s *Practice Direction on Confidential Filings* are not sufficient to protect any confidentiality concerns they may have.

The basis for the Board’s approach to confidentiality of cap and trade information, as set out in *Regulatory Framework for the Assessment of Costs of Natural Gas Utilities’ Cap and Trade Activities*, no longer exists. With it, there is no reason for the Board to treat this proceeding any differently than the countless others that involve a determination of prudence, and may require certain information to be treated with confidentiality.

Yours very truly,
Shepherd Rubenstein P.C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (by email)
Applicants and interested parties (by email)