

**BY EMAIL**

June 26, 2019

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: EnWin Utilities Ltd. (EnWin Utilities)**  
**Application for 2020 Electricity Distribution Rates**  
**OEB Staff Submission**  
**Ontario Energy Board File Number: EB-2019-0032**

In accordance with Procedural Order No. 1, please find attached OEB staff's submission in the above proceeding.

Yours truly,

*Original Signed By*

Tina Li  
Project Advisor – Rates Major Applications

Encl.

# **ONTARIO ENERGY BOARD**

## **STAFF SUBMISSION ON CONFIDENTIALITY**

### **2020 ELECTRICITY DISTRIBUTION RATES**

EnWin Utilities Ltd.

EB-2019-0032

**June 26, 2019**

## INTRODUCTION

EnWin Utilities Ltd. (EnWin Utilities) filed a cost of service application with the Ontario Energy Board (OEB) on April 30, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B), seeking approval for changes to the rates that EnWin Utilities charges for electricity distribution, to be effective January 1, 2020.

As part of the application, EnWin Utilities filed its 2017 federal and provincial tax return<sup>1</sup> in confidence, pursuant to the OEB's *Practice Direction on Confidential Filings* (Practice Direction).<sup>2</sup>

EnWin Utilities requested confidentiality on the basis that it includes personal information, such as the names of individuals (employee names and apprentices' names) and associated personal information and EnWin Utilities does not have consent to publicly release this information.

## Staff Submission

EnWin Utilities provided its tax return for 2017 and has redacted information related to its employees and apprentices on the basis that it includes personal information. OEB staff notes that the redacted information appears to have limited relevance to the application and the continued confidential treatment of such information is unlikely to hinder the OEB's ability to hear this application in a transparent and open manner. OEB staff agrees that the redacted information should remain confidential insofar as that information relates to individual, identifiable employees and disclosure of such information is restricted by the *Freedom of Information and Protection of Privacy Act*. OEB staff further acknowledges that similar information has been held to be confidential in previous OEB proceedings.<sup>3</sup> It is, however, not clear to OEB staff how some of the proposed redacted information fits within the ambit of personal information. OEB staff notes that, without more information, the name and title of an employee or an apprentice should not be considered personal information.<sup>4</sup> OEB staff recommends that EnWin Utilities address in its reply whether all of the redactions qualify as personal information and explain the basis on which the redacted information should not be disclosed.

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<sup>1</sup> Exhibit 4, Attachment 4-R

<sup>2</sup> Practice Direction on Confidential Filings, October 28, 2018

<sup>3</sup> EB-2018-0165 Decision on Confidentiality and Procedural Order No. 2, November 21, 2018;  
EB-2018-0028 Decision on Confidentiality Request, September 14, 2018

<sup>4</sup> Section 2(3) of the *Freedom of Information and Protection of Privacy Act* states: "Personal information does not include the name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity."

All of which is respectfully submitted