



Fogler, Rubinoff LLP

Lawyers

77 King Street West

Suite 3000, PO Box 95

TD Centre North Tower

Toronto, ON M5K 1G8

t: 416.864.9700 | f: 416.941.8852

foglers.com

August 15, 2019

Reply To: Thomas Brett

Direct Dial: 416.941.8861

E-mail: tbrett@foglers.com

Our File No. 192964

VIA RESS, EMAIL AND COURIER

Ontario Energy Board

2300 Yonge Street

27th Floor

Toronto, Ontario

M4P 1E4

Attention: Kirsten Walli,
Board Secretary

Dear Ms. Walli:

Re: EB-2019-0018: Alectra Utilities, 2020 Electricity Distribution Rates Application

Please find enclosed herewith BOMA's Declaration and Undertaking.

Yours truly,

FOGLER, RUBINOFF LLP

A handwritten signature in blue ink, appearing to read 'Tom Brett per. [initials]'. The signature is stylized and fluid.

Thomas Brett

TB/dd

Encls.

cc: All Parties (*via email*)

Ontario Energy Board
Form of Declaration and Undertaking

EB-[2019-0018]

IN THE MATTER OF [Alectra, 2020 Rates]

DECLARATION AND UNDERTAKING

I, Tom Brett, am counsel of record or a consultant for
BOMA.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.
3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:
 - (a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or
 - (b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
 - (a) promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Board Secretary a certificate of destruction in the form prescribed by the Board pertaining to the expunged documents and materials; and
 - (b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.
7. For the purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this

proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.

8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto this 15th day of
August, 2019.

Signature: 

Name: Tom Brett

Company/Firm: Fogler, Rubinoff LLP

Address: 77 King Street W., Ste. 3000, Toronto, ON M5K 1G8

Telephone: (416) 941-8861

Fax: (416) 941-8852

E-mail: tbrett@foglers.com