

Alectra Utilities Corporation

**Application for electricity distribution rates and other
charges beginning January 1, 2020**

**DECISION ON CONFIDENTIALITY
August 30, 2019**

Alectra Utilities Corporation (Alectra Utilities) filed a Price Cap Incentive Rate-setting rate application with the Ontario Energy Board (OEB) on April 28, 2019 under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Alectra Utilities charges for electricity distribution, to be effective January 1, 2020.

Alectra Utilities filed its interrogatory responses on the Incentive Rate-setting Mechanism (IRM) elements of the application on August 16, 2019. By a letter (the letter) filed on August 16, 2019 and pursuant to OEB's *Rules of Practice and Procedure* (OEB Rules) and the OEB's *Practice Direction on Confidential Filings*¹ (Practice Direction), Alectra Utilities requested confidential treatment for the following portions of Alectra Utilities' Conservation First Framework Wind Down Cost Estimate, which is provided in Attachment 2 to its response to interrogatory G-Staff-5 (Wind Down Cost Estimate):

1. Contractors' Unit Pricing Information (pages 3, 4 and 6 of the Wind Down Cost Estimate)
2. Personal Information (pages 4, 5 and 7 of the Wind Down Cost Estimate)

In the letter, Alectra Utilities stated that pages 3, 4 and 6 of the Wind Down Cost Estimate contain unit pricing information related to certain amounts paid by Alectra Utilities to its contractors for their services; and pages 4, 5 and 7 of the Wind Down Cost Estimate contain severance payment information for Alectra Utilities' former Conservation and Demand Management (CDM) employees.

¹ Practice Direction on Confidential Filings, October 28, 2016

The OEB issued Procedural Order No. 2 on August 20, 2019 that set a schedule for submissions on the confidentiality request. OEB staff filed a submission on this issue on August 26, 2019. No intervenors filed submissions on the confidentiality request. In its submission, OEB staff supported the confidentiality claims.

In its reply submission, Alectra Utilities stated that its requests for confidential treatment of the above noted portions of the Wind Down Cost Estimate remain as filed in the letter sent to the OEB on August 16, 2019.

Findings

The information that Alectra Utilities is seeking confidential treatment for falls into two categories: contractors' unit pricing information and personal information. For the first category, the OEB finds that the unit pricing information paid by Alectra Utilities to its contractors for their services is commercially sensitive and its disclosure could negatively impact the competitive position of these contractors. For the second category, the OEB finds that the information related to severance amounts and termination dates of employees could result in the identification of these individuals. The OEB agrees that this would constitute personal information, which shall not be disclosed to any party in the proceeding, including those who sign a Declaration and Undertaking.

DATED at Toronto, **August 30, 2019**

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary