

August 30, 2019

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
PO Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Hydro One Networks Inc. (“Hydro One”)
Custom Incentive Rate-setting (“Custom IR”) Application for 2020-2022
Transmission Rates (OEB File No. EB-2019-0082)
Reply Submission on Confidentiality Request**

We are counsel to Hydro One in the above-referenced proceeding. The following are Hydro One’s Reply Submissions on its confidentiality requests.

Background

On August 2, 2019, Hydro One filed its interrogatory responses along with a request, made pursuant to Rule 10.01 of the Ontario Energy Board’s (“**OEB**”) *Rules of Practice and Procedure* and the OEB’s *Practice Direction on Confidential Filings* (“**Practice Direction**”), for the confidential treatment of certain information contained in the interrogatory responses (the “**August 2 Confidentiality Request**”). In Procedural Order No. 2, issued August 9, 2019 (“**PO2**”), the OEB directed Hydro One, among other things, to identify all requests for confidentiality contained in the evidentiary record of the proceeding that were not addressed in the August 2 Confidentiality Request (the “**Confidentiality Direction**”). PO2 also provided for written submissions and reply submissions on the confidentiality requests. On August 16, 2019, Hydro One identified and provided rationale in respect of two documents for which it requested confidential treatment, but which were not addressed in the August 2 Confidentiality Request (the “**August 16 Confidentiality Request**”). On August 23, 2019, Hydro One received written submissions from OEB staff, the School Energy Coalition (“**SEC**”) and Environmental Defence (“**ED**”).

Responding Submissions

Hydro One notes that OEB staff fully supports Hydro One’s confidentiality requests. SEC’s only objection relates to Hydro One’s request for confidential treatment of a certain portion of its response to part (c) of interrogatory, I-07-SEC-16. ED’s only submission is to support the submission of SEC.

The portion of I-07-SEC-16(c) that is at issue provides the total cost of transmission-related

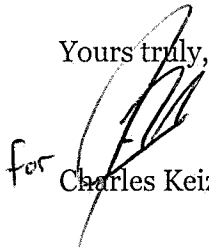
work performed by the Boston Consulting Group (“**BCG**”) to Hydro One over the past five years. Hydro One has requested confidential treatment of this information on the basis that it is comprised of commercially sensitive information of a third-party consultant, who has advised Hydro One that disclosure of this information on the public record could prejudice BCG’s competitive position in future negotiations to provide similar services to Hydro One or other potential clients.

SEC argues that the information is not commercially sensitive. ED agrees with SEC’s submission.

Hydro One reiterates its submission that the information at issue is the commercially sensitive information of a third-party, who has indicated to Hydro One that disclosure of the information could cause it harm. Hydro One has been further advised that BCG considers the redacted information to be of substantial commercial value and sensitivity. BCG’s explanation as to the commercially sensitive nature of this information is set out in the letter that Hydro One received from BCG, attached as **Appendix ‘A’** hereto. Hydro One notes that the parties in this proceeding have the ability to access this information through the established protocols for confidential information, so their ability to rely on the information if they so choose is not curtailed by granting the request.

Based on the foregoing, Hydro One submits that the OEB should grant confidential treatment for all of the information identified as confidential in each of the August 2 and August 16 Confidentiality Requests.

Yours truly,


for Charles Keizer

cc: Hydro One
All Parties

Appendix 'A'

BCG's Letter re Confidentiality Request

August 30, 2019

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

To whom it may concern:

Hydro One Networks Inc. (“Hydro One”)
Custom Incentive Rate-setting (“Custom IR”) Application for 2020-2022 Transmission Rates
(OEB File No. EB-2019-0082)
Request for Confidential Treatment of Interrogatory Responses

We are writing this letter in response to the School Energy Coalition’s submission (by its counsel) as to why making the aggregate spending by Hydro One for Boston Consulting Group (BCG) services should not be treated confidential. We, respectfully, ask that the Board reject such submission and keep all information pursuant our client’s original submission (dated August 23, 2019) confidential. BCG had an expectation of confidentiality when it entered into these engagements and it would undoubtedly be prejudiced in the marketplace as a result of having this information made public. With a little research of the public record and other resources, competitors would have a competitive advantage to price their engagements to provide similar services to Hydro One or other potential clients.

Very truly yours,



Darren Braham
Senior Legal Counsel