

Osler, Hoskin & Harcourt LLP
Box 50, 1 First Canadian Place
Toronto, Ontario, Canada M5X 1B8
416.362.2111 MAIN
416.862.6666 FACSIMILE

OSLER

Toronto

January 27, 2020

Patrick G. Welsh
Direct Dial: 416.862.5951
pwelsh@osler.com
Our Matter Number: 1184765

Montréal

Calgary

Sent by Electronic Mail and by Overnight Courier and Filed Electronically on RESS

Ottawa

Christine Long
Board Secretary and Registrar
Ontario Energy Board
27th Floor - 2300 Yonge Street
Toronto, Ontario M4P 1E4

Vancouver

New York

Dear Ms. Long:

EB-2019-0007 – Application for Leave to Construct the Waterdown to Finch Pipeline

Re: City of Toronto Confidential Attachment

On January 24, 2020, the City of Toronto (the “City”) filed its written submissions with the Ontario Energy Board (the “OEB”). In the cover letter to the submissions (the “Cover Letter”), the City referred to “a confidential attachment” (the “Confidential Attachment”). The City also advised in the Cover Letter that “...Toronto will make the confidential attachment available to the OEB only. We would be pleased to provide the confidential attachment to any party(s), if so directed.”

At this juncture, Imperial does not have enough information about the Confidential Attachment to assess why the information at issue is considered confidential, as neither a redacted version nor a non-confidential description of the Confidential Attachment was included in the Cover Letter. However, in an effort to not prolong this proceeding, and subject to any direction from the OEB on this matter, Imperial Oil Limited (“Imperial”) is willing to reserve its rights to object to (1) the appropriateness of the filing of the Confidential Attachment overall or (2) the appropriateness of the City’s request for confidentiality over the Confidential Attachment, provided that the OEB directs the City to provide Imperial with a copy of the Confidential Attachment in order to assess whether to raise any objections. If directed, Imperial would be pleased to advise the OEB as to whether it intends to raise an objection either in its Reply or as a standalone objection.

Imperial understands that the City does not intend to object to Imperial’s request to review the Confidential Attachment.

We thank the OEB in advance for its consideration of these matters. Please do not hesitate to contact the undersigned if you have any questions.

Sincerely,



Patrick G. Welsh

c: Richard King/Isabelle Crew, *Osler, Hoskin & Harcourt LLP*
Jessie Malone/Zahra Allidina, *Imperial Oil Limited*
All Intervenors in EB-2019-0007