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BY EMAIL

February 4, 2020

Nicholas Rolfe
Legal Services
City of Toronto
55 John Street
Toronto, ON M5V 3C6

Dear Mr. Rolfe:

**Re: Confidentiality Request by the City of Toronto
Imperial Oil Limited - Waterdown to Finch Project Application
Ontario Energy Board File Number: EB-2019-0007**

On January 24, 2020 the City of Toronto filed with the OEB written submissions on Imperial Oil Limited's (Imperial) application and indicated that it would include a confidential attachment (Confidential Attachment). The City of Toronto stated that it will be providing the Confidential Attachment "...to any party(s), if so directed."

On January 27, 2020 Imperial responded that it did not have enough information about the Confidential Attachment to assess if the information should be considered confidential.

On January 27, 2020, the City of Toronto filed a letter clarifying that the Confidential Attachment "...quotes from the "TSSA Audit of SPPL Integrity Management Program – December 2018" document, which was itself filed confidentially by Imperial."

The OEB confirms that the information in the Confidential Attachment filed by the City of Toronto is an excerpt from the "TSSA Audit of SPPL Integrity Management Program – December 2018" filed by Imperial (TSSA Audit Report) and that the OEB deemed the TSSA Audit Report confidential on an interim basis on November 14, 2019.¹ The OEB also, at that time, established a process for any party to review the proposed

¹ OEB Decision and Order on the City of Toronto Motion, EB-2019-0007, November 14, 2019.

confidential information, and object to the proposed confidential treatment and for Imperial to respond to any objection. No objections were filed.

As the Confidential Attachment is a quote from the TSSA Audit Report that has already been determined confidential on an interim basis, the Confidential Attachment is also deemed confidential on an interim basis. To provide any party an opportunity to access the quote from the TSSA Audit Report in the Confidential Attachment the OEB directs the City of Toronto to make the Confidential Attachment available to any party who provides a signed copy of the OEB's Declaration and Undertaking.

The OEB notes that the submissions schedule outlined in Procedural Order No. 6 shall remain unchanged.

Please direct any questions relating to this application to the Case Manager, Zora Crnojacki at Zora.Crnojacki@oeb.ca and OEB Counsel, Michael Millar at Michael.Millar@oeb.ca.

Yours truly,

Original Signed By

Christine E. Long
Registrar and Board Secretary

c: All parties in EB-2019-0007 proceeding