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Sent by EMAIL, RESS e-filing

Ms. Christine E. Long
Registrar and Board Secretary
Ontario Energy Board
27-2300 Yonge Street
Toronto, ON M4P 1E4

Dear Ms. Long:

**Re: EB-2019-0255 - Potential Projects to Expand Access to Natural Gas Distribution:
Confidentiality of Filings**

On July 29, 2020, EPCOR Natural Gas Limited Partnership (EPCOR) received the Ontario Energy Board's (OEB or Board) letter that invited project proponents to file reply comments on Enbridge Gas Inc.'s (Enbridge) request for confidential treatment in respect of project information filed by proponents for inclusion in the OEB report to the Ministry of Energy, Northern Development and Mines (Ministry). EPCOR has filed project proposals with the OEB and is therefore a project proponent.

EPCOR is in agreement with the majority of the observations included in the comments filed by SEC, Northern Cross Energy Limited, Northeast Midstream, Energy Probe Research Foundation, Pollution Probe, and except as noted below, OEB Staff. These parties noted that:

1. Enbridge is a sophisticated entity and had ample opportunity to provide comments on the confidential treatment of project information during the Board's Stakeholder Consultation Process but chose not to. It is inappropriate for Enbridge to raise these issues at this point in time;
2. The Board has a well established *Practice Direction on Confidential Filings (Practice Direction)* and there are no aspects of this process that warrant deviating from it. Enbridge has the ability to seek confidentiality in the normal course over specific information per the *Practice Direction*. However, Enbridge has not demonstrated that, other than personal information as defined in *the Freedom of Information and Protection of Privacy Act (FIPPA)*, there should be any redacting of proponent's submissions;

3. The grants that are being sought by project proponents are funded by the ratepayers of Ontario. It would be detrimental to their interests if the process did not continue to be open and transparent;
4. Enbridge's request is anti-competitive. Ratepayers will continue to benefit if natural gas is provided to additional communities at a lower cost as a result of the current process.

EPCOR is not in agreement with OEB Staff's suggestion that project proposals may not be posted on the OEB's website on the basis that certain information will be included in the OEB's public report to the Ministry. This limitation on transparency is unnecessary in view of the bare submissions and sweeping assertions made by Enbridge on potential detrimental impacts. As noted above, Enbridge has not established that any harm will result as a consequence of complete openness and transparency in this process, and in fact to do otherwise is inconsistent with the *Practice Direction*, is anti-competitive and is detrimental to the interests of the ratepayer.

EPCOR is also not in agreement with OEB Staff's recommendation of a deferred decision on the confidentiality issue. On March 5, 2020 the Board established its Final Guidelines for Potential Projects to Expand Access to Natural Gas Distribution (Final Guidelines). Therefore, the general elements of a proponent's submissions is already known. EPCOR's view is that generally, the project information required by the Final Guidelines does not give rise to potential detrimental impacts and in any event, the onus should be on project proponents to establish in accordance with the *Practice Direction* what confidential treatment of specific information, if any, is required. This outcome should not change with the passage of time.

In summary, EPCOR submits that the Board should reject Enbridge's request that all (or any not covered by FIPPA) information related to proposed projects should be kept confidential.

All of which is respectfully submitted.

Yours truly,

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