ONTARIO POWER GENERATION

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By RESS

December 31, 2020

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

Dear Ms. Long

Re: EB-2020-0290 Application by Ontario Power Generation Inc.
For 2022-2026 Payment Amounts (the "Application")
Request for Confidential Treatment of Information

In accordance with Rule 10 of the Ontario Energy Board's ("**OEB**" or the "**Board**") *Rules of Practice and Procedure* and section 5.1 of the OEB's *Practice Direction on Confidential Filings* (the "**Practice Direction**"), Ontario Power Generation Inc. ("**OPG**") requests confidential treatment for certain types of information included in the Application. In particular, OPG requests (a) confidential treatment for portions of certain documents where disclosure on the public record would be detrimental to OPG and/or third parties, (b) permanent redactions of information relating to OPG's unregulated business, and (c) permanent redactions of personal information. These requests, the corresponding attachments and the rationale for the requests are set out as follows.

Requests for Confidential Treatment

OPG requests confidential treatment for the following documents, or certain portions thereof, which have been included as part of its pre-filed evidence:

1. The Amended 2020-2026 Business Plan located at Ex. A2-2-1, Attachment 1 (the "**Business Plan**").

2. The Amended 2020-2026 Business Planning Instructions located at Ex. A2-2-1, Attachment 2 (the "**Business Planning Instructions**").

3. The revenue comparison tables located at Ex. G2-1-1, Table 1 and G2-1-2 Table 1 (the "**Revenue Comparison Tables**").

4. The engagement letters with third party advisors located at Ex. C1-1-1, Attachment 2, Ex. D2-2-11, Attachment 2, and D2-2-11, Attachment 4 (collectively, the "**Expert Engagement Letters**").

5. The nuclear business case summaries found at Ex. D2-1-3, Attachment 1 and Ex. F2-3-3, Attachment 1 (collectively, the "**Nuclear BCSs**").

6. The Darlington Water Treatment Plant business case justification memorandum located at Ex. D2-1-3, Attachment 2 (the "**WTP Memorandum**").

7. The Darlington Refurbishment Program attachments (collectively, the "**DRP Attachments**"), comprised of:
    a. contract summaries at Ex. D2-2-4, Attachments 3, 14, 18, and 20 (the "**Updated DRP Contract Summaries**"):
        i. Summary of RFR EPC
        i. Summary of TG EPC
        ii. Summary of SG EPC
        iii. Summary of ES MSA
    b. major DRP contract amendments at Ex. D2-2-4, Attachments 4, 7, 8, 9, 13, 15, 16, 17, 19, and 21 (the "**DRP Contract Amendments**"):
        i. RFR EPC Amendment 7
        ii. RFR EPC Amendment 10
        iii. RFR EPC Amendment 11
        iv. RFR EPC Amendment 12
        v. TG ESESFSA Amendment 5
        vi. TG EPC Amendment 3
        vii. TG EPC Amendment 4
        viii. TG EPC Amendment 5
        ix. SG Amendment 3
        x. ES MSA, SNC/Aecon JV, Amended and Restated
    c. the BMcD/Modus Report on Unit 3 Execution Estimate at Ex. D2-2-7, Attachment 3**,** (the "**DRP Report**")
    d. the business case summary for the Heavy Water Storage and Drum Handling Facility at Ex. D2-2-10, Attachment 2(k) (the "**D2O BCS**")
    e. the B&M Purchase Order located at Ex. D2-2-10, Attachment 2(f).
    f. the B&M ES MSA located at Ex. D2-2-10, Attachment 2(d).
    g. the original ES MSA, SNC/Aecon JV and Amending Agreement #2 located at Ex. D2-2-10, Attachments 2(g)&(i) (the "**Original JV ES MSA Documents**").

8. OPG's 2019 income tax returns and tax information located at Ex. F4-2-1, Attachment 1 and Exhibit F4-2-2-1, Table 4 (the "**2019 Income Tax Returns and Tax Information**").

9. The Planning Phase Clarington Corporate Campus business case summary located at Ex. D3-1-2, Attachment 2 (the "**Planning Phase BCS**") and certain related information contained in the following tables (collectively, the **Planning Phase BCS Information**):
    a. Capital Projects – Support Services located at Ex. D3-1-2;
    b. Capital Projects Tables located at D3-1-1 Table 1, D3-1-1 Tables 2a and 2b, D3-1-2 Tables 1a and 1b, D3-1-2 Table 4, and D3-1-2 Tables 5a and 5b.

10. The Willis Towers Watson Report located at Ex. F4-3-1, Attachment 3 (the "**Willis Towers Watson Report"**).

11. The Report on the Estimated Accounting Cost for Post Employment Benefit Plans for Fiscal Years 2021 to 2026 located at Ex. F4-3-2, Attachment 1 (the "**Aon Report**")

Under the heading "Reasons for Confidential Treatment", below, OPG has set out the reasons for each of the above confidentiality requests, including why public disclosure would be detrimental to OPG (and in some instances, to third parties).

Given the participation in this proceeding of OPG's two labour unions, the Power Workers' Union ("**PWU**") and the Society of Energy Professionals ("**Society**"), OPG has a particular concern with the possibility of certain confidential information, which has the potential to interfere with collective bargaining negotiations, being disclosed to either the PWU or the Society. While OPG has ensured that any such information has been marked as confidential and would be redacted from the public record, this information would in the normal course be available to those who file the OEB's form of confidentiality Declaration and Undertaking (the "**Undertaking**"). OPG understands that the Board typically accepts Undertakings from counsel, experts or consultants to a party. If Undertakings are filed on behalf of PWU or Society in this proceeding, OPG asks that the Board ensure it only accepts such Undertakings from counsel, experts or consultants that are external to and at arms-length from PWU or the Society, as applicable, and that such individuals are not and will not be involved in any collective bargaining-related activities on their behalf. If the Board is not satisfied that the counsel, expert or consultant is external to the PWU or the Society, or that they have no involvement in collective bargaining-related activities, then OPG would request that OPG's labour-related confidential information, identified below, be withheld from those individuals notwithstanding their filing of an Undertaking in this proceeding. This would be consistent with the OEB's ruling made on May 9, 2014 in EB-2013-0321 (pp. 5-8 of the transcript of hearing).

Requests for Permanent Redaction of Unregulated Business Information

As set out further below, OPG is proposing to permanently redact, without any disclosure except to the OEB, certain information in the Business Plan, and the Business Planning Instructions. These permanent redactions relate to OPG's unregulated business and information that pursuant to applicable securities law OPG is not permitted to disclose. They are similar in nature to permanent redactions accepted by the OEB in OPG's last payment amounts applications in EB-2016-0152, EB-2013-0321, and EB-2010-0008 for such matters. Under a separate cover letter that will be marked "For OEB Review Only", to be sent concurrently, OPG sets out the detailed reasons for its request, including further descriptions of the unregulated business information for which it seeks permanent redactions, along with unredacted versions of the relevant documents for the OEB's review.

Requests for Permanent Redaction of Personal Information under FIPPA

OPG is proposing to permanently redact, without disclosure except to the OEB, personal information such as banking information, tax registration numbers, WSIB registration numbers and names of individuals in the DRP Attachments in accordance with Rule 9A of the OEB's Rules of Practice and Procedure and section 4.3.1 of the Practice Direction. The OEB approved permanent redactions for such information in EB-2016-0152 (Procedural Order #3). Under a separate cover letter that will be marked "For OEB Review Only", to be sent concurrently, OPG provides unredacted versions of the relevant pages from the affected documents.

Attachments

As a result of the various categories of redactions in its filing, OPG attaches the following (a separate, non-confidential version of this letter attaches all but Attachment A):

1. **Attachment A** – *Confidential* - Unredacted, confidential versions of the Business Plan, Business Planning Instructions, Revenue Comparison Tables, the Expert Engagement

Letters, the Nuclear BCSs, the WTP Memorandum, the DRP Attachments, the 2019 Income Tax Returns and Tax Information, the Planning Phase BCS Information, the Willis Towers Watson Report, and the Aon Report. The proposed permanent redactions relating to the unregulated business and personal information continue to show as redacted, since as described above, the fully unredacted versions in respect of this particular information is for the OEB's review only. The documents in Attachment A are intended for review by those intervenors who sign the Undertaking;

2. **Attachment A.1** – *Non-Confidential* – Redacted versions of the documents referenced in Attachment A (also already part of OPG's pre-filed evidence);

3. **Attachment B** – In support of OPG's request for permanent redactions, a copy of OPG's July 2, 2010 'Board's review only' request for confidential treatment and permanent redaction of unregulated facilities information in EB-2010-0008, and the Board's responding letter of confirmation dated August 5, 2010;

4. **Attachment C** – In support of OPG's request for permanent redactions, a copy of Procedural Order No. 7 in EB-2013-0321;

5. **Attachment D** – In support of OPG's request for permanent and confidentiality redactions, a copy of the Decision on Confidential Filings and Procedural Order No. 3 in EB-2016-0152;

6. **Attachments E**– In support of OPG's request for certain redactions, a copy of the Decision and Order on Confidentiality dated January 31, 2017 in EB-2016-0152; and

7. **Attachment F** – The Undertaking in the form set out in Appendix D of the Practice Direction.

OEB Procedure

Pursuant to the OEB's announcement on June 23, 2020 with respect to the OEB Digitization Program, OPG is providing this letter along with the attachments electronically through the OEB Regulatory Electronic Submission System (RESS).

As an interim efficient measure, prior to the OEB making its final determination on OPG's request for confidential treatment herein, OPG is content that the OEB makes provision that intervenors proceed as though OPG's request has been granted. In so doing, OPG requests that the OEB provide in a procedural order that each intervenor requesting a copy of the confidential documents complete and sign the Undertaking and file it with the Board in order to be given a copy of the documents, except those which are for the OEB's review only. However, OPG reserves the right to submit that it may not be appropriate for any particular intervenor to review certain confidential information even though it has signed the Undertaking. This may arise, for example, if the intervenor may gain an unfair competitive advantage simply through being an intervenor who has signed the Undertaking. The OEB has made orders of this kind in prior OPG proceedings, most recently in Procedural Order No. 4 in EB-2016-0152.

On a final determination, should the OEB grant OPG's request for confidentiality, OPG proposes that the OEB order the documents be disclosed, subject to any conditions the OEB may find appropriate, to only those persons that by then have already signed, or that subsequently sign, the Undertaking.

In addition, OPG requests that any reference to the confidential information, if determined to be such, be conducted in camera so as to preserve its confidential nature.

In the event that the confidentiality request is refused and OPG in turn requests that the information be withdrawn in accordance with section 5.1.12 of the Practice Direction, all persons in possession of the said information will be required to destroy or return to the OEB Secretary for destruction the confidential information in accordance with section 6.1.6 of the Practice Direction.

Reasons for Confidential Treatment

1. **Reasons for Retaining <u>Permanent</u> Redactions in the Business Plan and Business Planning Instructions**

OPG received OEB approval in EB-2010-0008, EB-2013-0321, and EB-2016-0152 with respect to certain permanent redactions in OPG's filings. That is, redactions relating solely to OPG's unregulated business and facilities (reflecting no aspect of the regulated business) continued to be redacted in the confidential versions of such documents. Attachments B, C and D support this.

In this Application, OPG seeks similar confidential treatment of similar information in the Business Plan and the Business Planning Instructions. This is on the same basis as set out above. Concurrent with this letter, OPG has written to the OEB and provided it alone with unredacted versions of the information for which OPG seeks permanent protection.

2. **Reasons for Confidential Treatment of the Business Plan and Business Planning Instructions**

The redacted portions of the Business Plan and Business Planning Instructions relate to information reflecting the combined regulated and unregulated assets and business of OPG. This information should be protected as confidential because disclosure of this aggregated information (combined with information regarding the regulated business already disclosed) would allow for the disclosure of information related to the unregulated business and facilities. OPG consistently treats information relating to its unregulated business as confidential financial information and confidential commercially sensitive information. Similar requests for confidential treatment of such combined information were accepted by the Board in EB-2016-0152 (Procedural Order No. 3) and EB-2013-0321 (Procedural Order No.4).

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

3. **Reasons for Confidential Treatment of Revenue Comparison Tables**

The information redacted from the Revenue Comparison Tables located at Exhibit G2-1-1, Table 1 and Exhibit G2-1-2, Table 1 relate to OPG's sales and proceeds from its heavy water sales and processing and its isotope sales business or aggregate information that would allow determination of such information.

This information has consistently been treated as confidential by OPG, as it relates to commercially sensitive information. OPG requests that this information be protected as confidential as its disclosure will prejudice OPG's competitive position and will interfere

significantly with any future negotiations being carried out by OPG. The confidential nature of this information was approved by the Board in its decisions in EB-2010-0008 (Reasons for Decision, dated March 10, 2011), EB-2013-0321 (Procedural Order No. 4) and in EB-2016-0152 (Procedural Order No. 3).

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

4. Reasons for Confidential Treatment of the Nuclear Business Case Summaries

The Nuclear BCSs have been assembled and filed as Exhibit D2-1-3, Attachment 1 and Exhibit F2-3-3, Attachment 1 of OPG's pre-filed evidence.

The redacted portions of the Nuclear BCSs should be protected as confidential as this information includes commercially sensitive information such as contingencies, certain costs for contracted or purchased work or materials, or aggregate information that would allow determination of commercially sensitive information. Disclosure of the redacted portions of the Nuclear BCSs that include OPG commercially sensitive information would prejudice OPG's competitive position and significantly interfere with its negotiations and existing relationships in a variety of aspects of its business. Furthermore, similar information was treated as confidential by the OEB in OPG's previous applications, EB-2010-0008, EB-2013-0321, and EB-2016-0152

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

5. Reasons for Confidential Treatment of the WTP Business Case Memorandum

The WTP Business Case Memorandum is located at Exhibit D2-1-3, Attachment 2.

The redacted portions of the WTP Business Case Memorandum should be protected as confidential as this information includes commercially sensitive information related to an open procurement process. Accordingly, disclosure of this information would prejudice OPG's competitive position and significantly interfere with negotiations with prospective vendors and other third parties for the purposes of the WTP project.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

6. Reasons for Confidential Treatment of the Expert Engagement Letters

The Expert Engagement Letters are located at Exhibit Ex. C1-1-1, Attachment 2, Ex. D2-2-11, Attachment 2, and D2-2-11, Attachment 4.

The redacted portions of the Expert Engagement Letters relate to each expert's fees and/or rates and should be protected as confidential as this information includes commercially sensitive information in relation to a third party. Similar information was treated as confidential by the OEB in OPG's previous applications, in EB-2013-0321 (Procedural Order No. 4) and EB-2016-0152 (Procedural Order No. 3).

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

7. Reasons for Confidential Treatment of 2019 Income Tax Returns and Tax Information

The 2019 Income Tax Returns and Tax Information located at Exhibit F4-2-1, Attachment 1, and Exhibit F4-2-2-1, Table 4 should be protected as confidential because they include a significant amount of information that relates to the unregulated aspects of OPG's business, both at the OPG corporate level and with respect to unregulated entities. This information is not relevant to this Application and OPG consistently treats it as confidential financial information. The 2019 Income Tax Returns are also a type of information that the OEB has previously assessed to be confidential with respect to entities that are regulated by it. The confidential nature of this information was approved by the Board in its decisions in EB-2010-0008, EB-2013-0321 and EB-2016-0152.

8. Reasons for Confidential Treatment of the DRP Attachments

OPG is seeking approval for redactions of information included in the DRP Attachments based on the OEB's previous decision in EB-2016-0152 with respect to the original documents related to the Darlington Refurbishment Program.

Schedule A to this letter is a summary table of OPG's requested confidentiality treatment with respect to the Updated DRP Contract Summaries and the DRP Contract Amendments.

a) Updated DRP Contract Summaries and the DRP Contract Amendments

The Updated DRP Contract Summaries and the DRP Contract Amendments are located at Exhibit D2-2-4, Attachments 3 to 21.

Since EB-2016-0152, OPG and its counterparties have amended the original DRP agreements. Accordingly, OPG is seeking approval for redactions of information included in the Updated DRP Contract Summaries and the DRP Contract Amendments based on the OEB's previous decision in EB-2016-0152 with respect to the original DRP agreements and summaries. In EB-2016-0152, the OEB granted confidential treatment of information in the original DRP agreements and summaries that could be detrimental to OPG and the counterparties' commercial interests (see Decision on Confidential Filings and Procedural Order No. 3 dated November 1, 2016 and Decision and Order on Confidentiality dated January 31, 2017). In particular, the OEB has previously granted confidential treatment of labour rates and specific pricing information. The redacted portions of the Updated DRP Contract Summaries and the DRP Contract Amendments are of the same nature as the confidential information granted by the OEB in EB-2016-0152.

In respect of the Amendment Agreements 3, 4 and 5 of the Engineering Procurement and Construction Agreement for Turbine Generator Refurbishment Project (the "**TG EPC Amendments**"), filed at Exhibit D2-2-4, Attachments 15-17, OPG seeks redaction of additional pricing information that was not included in OPG's request in EB-2016-0152. Disclosure of this additional pricing information is commercially sensitive and would prejudice OPG's competitive position and significantly interfere with current and future negotiations.

OPG has also consulted with its counterparties in respect of these requested redactions. The non-permanent redactions relate to labour rates and pricing information which is commercially sensitive to both OPG and the counterparties. SNC-Lavalin Nuclear Inc. and Aecon Construction Group Inc. (the "SLN-AECON JV") are in agreement with the proposed redactions to the RFR EPC, TG EPC, SG EPC and ES MSAs documents. Candu Energy Inc. and BWXT Canada Ltd. responded and did not raise any concerns with the proposed redactions to the SG EPC

documents. Alstom Power Canada Inc. and GE Steam Power Canada Inc. were notified of the proposed redactions to the TG ESEFSA and did not respond with any concerns.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

b) DRP Report

The DRP Report can be found at Exhibit D2-2-7, Attachment 3,

The redacted portions of the DRP Report relate to the performance of the vendor. The confidential nature of this information was accepted by the OEB in EB-2016-0152, where the OEB agreed that information regarding the performance of vendors could potentially prejudice the competitive position of the parties involved.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

c) D2O BCS

The D2O BCS can be found at Exhibit D2-2-10, Attachment 1.

The redacted portions of the D2O BCS should be protected as confidential as this information includes commercially sensitive information such as certain costs for contracted or purchased work or materials, or aggregate information that would allow determination of commercially sensitive information. Disclosure of the redacted portions of the D2O BCS that include OPG commercially sensitive information would prejudice OPG's competitive position and significantly interfere with its negotiations and existing relationships in a variety of aspects of its business. Furthermore, similar information was treated as confidential by the OEB in OPG's previous applications, EB-2010-0008, EB-2013-0321, and EB-2016-0152.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

d) B&M Purchase Order

The B&M Purchase Order is located at Ex. D2-2-10, Attachment 2(f).

The redacted portions of the B&M Purchase Order contain commercially sensitive information related to pricing. Disclosure of the redacted portions of the B&M Purchase Order would prejudice OPG's competitive position and significantly interfere with its negotiations and existing relationships in a variety aspect of its business. Similar information was treated as confidential in the original DRP agreements in EB-2016-0152.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

e) B&M ES MSA

The B&M ES MSA is located at Exhibit. D2-2-10, Attachment 2(d).

Refer to Schedule A to this letter for a summary of the requested confidentiality treatment with respect to the B&M ES MSA.

OPG is seeking approval for the redaction of information in the B&M ES MSA based on the OEB's previous decision in EB-2016-0152 with respect to the original DRP agreements. In EB-2016-0152, the OEB granted confidential treatment of information in the original DRP agreements that could be detrimental to OPG and the contracting parties' commercial interests. In particular, the OEB granted confidential treatment of labour rates and pricing information. The redacted portions of the B&M ES MSA are of the same nature of the information in the original DRP agreements accepted by the OEB in EB-2016-0152.

Black & MacDonald ("B&M") was notified of the proposed redactions to the B&M ES MSA and did not raise any objections. As noted above, the non-permanent redactions relate to labour rates and pricing information, which is commercially sensitive to both OPG and B&M.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

f) Original JV ES MSA Documents

The Original JV ES MSA Documents are located at Exhibit D2-2-10, Attachment 2(g)&(i).

The Original JV ES MSA Documents were filed in EB-2016-0152 and OPG is requesting approval of the same redacted portions of the Original JV ES MSA Documents that were accepted as confidential in EB-2016-0152 (Procedural Order No 3). The redacted information is pricing information that is commercially sensitive to OPG and would prejudice OPG's competitive position and significantly interfere with negotiations and existing relationships.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

9. Reasons for Confidential Treatment of the Planning Phase BCS Information

The Planning Phase BCS ("**Planning Phase BCS**") is located at Ex. D-3-1-2, Attachment 2. In addition, OPG is seeking confidential treatment of certain information contained in the following documents where such information reflects the information for which OPG is seeking confidential treatment in the business case summary: the Business Plan located at Ex. A2-2-1, Attachment 1 (see, for example, the "Other Sustaining" section on page 31); the Business Planning Instructions located at Ex. A2-2-1, Attachment 2; Capital Projects – Support Services located at Ex. D3-1-2; and the Capital Projects Tables located at D3-1-1 Table 1, D3-1-1 Tables 2a and 2b, D3-1-2 Tables 1a and 1b, D3-1-2 Table 4, and D3-1-2 Tables 5a and 5b.

The redacted portions of the Planning Phase BCS and the above-stated exhibits and tables should be protected as confidential as this is commercially sensitive. It includes information such as contingencies, as well as aggregate information that would allow determination of commercially sensitive information. OPG has not commenced the tendering process for the Clarington Corporate Campus and, therefore, disclosure of the redacted portions of the Planning Phase BCS and the above-stated exhibits and tables that include OPG commercially sensitive information would prejudice OPG's competitive position and significantly interfere with its negotiations with prospective contractors and other third parties for purposes of this planning phase and the expected execution phase of the Clarington Corporate Campus. Furthermore, similar real estate

information was treated as confidential by the OEB in OPG's previous applications, EB-2010-0008, EB-2013-0321, and EB-2016-0152.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

10. Reasons for Confidential Treatment of Willis Towers Watson Report

OPG is seeking confidential treatment of the report located at Ex. F4-3-1, Attachment 3 in its entirety. The information contained in the report is labour-relations sensitive with expiry of both Society and PWU collective agreements in 2021. Dissemination of the report without context or the lack of a holistic comparison to Total Remuneration would be detrimental for OPG given timing and proximity to the contract ratification vote. OPG is requesting confidential treatment for this Attachment on a temporary basis through to January 31, 2021. Any prior disclosure of the information contained in the above-noted Attachment may interfere significantly with collective bargaining negotiations with PWU and Society.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

11. Reasons for Confidential Treatment of the Aon Report

OPG is seeking confidential treatment of certain information contained in the report in Ex. F4-3-1, Attachment 3. The information that is to be redacted includes assumptions that underpin certain cost estimates that are labour-relations sensitive. Disclosure of such information could prejudice OPG's position in the upcoming rounds of collective bargaining with both industrial bargaining units, the PWU and the Society.

As mentioned above, this information is disclosed in the confidential unredacted versions filed in Attachment A.

Should the OEB require any further information or clarification as to the requests made herein, please contact the Applicant's legal counsel as required.

Respectfully submitted,

Evelyn Wong

cc: Aimee Collier, OPG
Charles Keizer, Torys LLP

Schedule A

Summary Table of DRP Attachments
(DRP Contract Summaries, Contract Amendments, B&M ESMSA)

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
Summary of RFR EPC with SNC/Aecon JV			
1.	Productivity Gain Expectations and Experience-Based Schedule Adjustments - Lines 17, 25, 28, 30 – the percentage values only	5	Commercially sensitive information of the contracting parties. See Decision and Order on Confidentiality dated January 31, 2017, p. 7.
RFR EPC Amendment 7			
2.	Exhibit 6.1 – banking information.	298	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
3.	Exhibit 6.1 – the section and subheading references at the bottom of the table.	298	See Decision and Order on Confidentiality dated January 31, 2017, p. 5
4.	Attachment 1 to Exhibit 6.1 Pricing – Execution Phase Fixed Fee Worksheet.	299	Commercially sensitive pricing information. See Decision and Order on Confidentiality dated January 31, 2017, p. 5
5.	Attachment 2 to Exhibit 6.1 Pricing – Definition Phase Fixed Fee Worksheet.	300-301	Commercially sensitive pricing information. See Decision and Order on Confidentiality dated

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
			January 31, 2017, p. 5
6.	Attachment 3 to Exhibit 6.1 Pricing – RWPR Fixed Fee Worksheet.	302	Commercially sensitive pricing information. See Decision and Order on Confidentiality dated January 31, 2017, p. 6.
RFR EPC Amendment 10			
7.	Section 7(1)(ii) – "Productivity Gain Percentage" – the percentage values only.	4	Commercially sensitive pricing information. See Decision and Order on Confidentiality dated January 31, 2017, p. 6
8.	Exhibit 3.11 – Baseline Target and Productivity Gains Illustrative Examples.	256-262	Commercially sensitive information. See Decision and Order on Confidentiality dated January 31, 2017, p. 6
9.	Exhibit 6.1 – banking information.	271	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
10.	Exhibit 6.1 – the section and subheading references at the bottom of the table.	271	See Decision and Order on Confidentiality dated January 31, 2017, p. 5.
RFR EPC Amendment 11			
11.	Section 6 – Change to Section 4.6 (Adjustment to Fixed Fee).	12	Commercially sensitive information

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
			of the contracting parties. See Decision and Order on Confidentiality dated January 31, 2017, p. 7.
12.	Attachment B, Exhibit 2.3(a) – individual names only.	36	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
13.	Attachment D, Exhibit 6.1 – banking information only.	46	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
14.	Attachment E, Exhibit 8.2(d) – Illustration of SUEP Cost Incentives and Disincentives Calculation.	47-50	Commercially sensitive information of the contracting parties.
RFR EPC Amendment 12			
15.	Attachment A, Exhibit 8.2(d) – Illustration of SUEP Cost Incentives and Disincentives Calculation.	7-10	Commercially sensitive information of the contracting parties. See Decision and Order on Confidentiality dated January 31, 2017, p. 6.
16.	Attachment B, Exhibit 8.5(d) – Illustration of SUEP Cost Incentives and Disincentives Calculation (Early Termination).	11-13	Commercially sensitive information of the contracting parties.

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
			See Decision and Order on Confidentiality dated January 31, 2017, p. 6.
TG ESESFSA Amendment 5			
17.	Attachment C, Schedule 2.2(a) - Organizational Chart – the individual names only.	262-266	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
Summary of EPC Contract for Turbine Generators with SNC/Aecon JV			
18.	Lines 13 and 14: Caps for incentives and disincentives	7	Commercially sensitive information of the contracting parties.
TG EPC Amendment Agreement Number 3			
19.	Attachment 7.1(1) – Contract Price	21	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
20.	Attachment 7.1(6) – Definition Phase Fixed Fee	46	See Decision and Order on Confidentiality dated January 31, 2017, p. 8
21.	Attachment 7.1(7) – Execution Phase Target Cost	47-56	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
22.	Attachment 7.1(8) – Cost Flow Execution Phase Target Cost	57	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
23.	Attachment 7.1(9) – Execution Phase Fixed Fee	58-59	See Decision and Order on Confidentiality dated January 31, 2017, p. 8
24.	Attachment 7.1(10) – Execution Phase SS&E Target Cost and Fixed Fee	60-61	See Decision and Order on Confidentiality dated January 31, 2017, p. 8
25.	Attachment 7.1(11) – Milestone Payment Schedule for Definition Phase Fixed Fee and Fixed Fee of Execution Phase	62-66	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
TG EPC Amendment Agreement Number 4 (Part 2 of 2)			
26.	Attachment 7.1(1) – Contract Price	2-3	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
27.	Attachment 7.1(6) – Definition Phase Fixed Fee	29	See Decision and Order on Confidentiality dated January 31, 2017, p. 8

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
28.	Attachment 7.1(7) – Execution Phase Target Cost	30-57	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
29.	Attachment 7.1(8) – Cost Flow Execution Phase Target Cost	58 and 60	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
30.	Attachment 7.1(9) – Execution Phase Fixed Fee	61-64	See Decision and Order on Confidentiality dated January 31, 2017, p. 8
31.	Attachment 7.1(10) – Execution Phase SS&E Target Cost and Fixed Fee	65-68	See Decision and Order on Confidentiality dated January 31, 2017, p. 8
32.	Attachment 7.1(11) – Milestone Payment Schedule for Definition Phase Fixed Fee and Fixed Fee of Execution Phase	70-76	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
33.	Appendix 4 – 2018 and 2019 economic cost adjustment Briefing Note	113	Commercially sensitive pricing information
TG EPC Amendment Agreement Number 5			
34.	s. 2 (new s. 1.1 definitions): Definition of U3EP Total Refurb Work Fixed Fee – the dollar amount only.	3	Commercially sensitive information

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
			of the contracting parties.
35.	s. 2 (new s. 1.1 definitions): Definition of U3EP Total Refurb Work Target Cost – the dollar amount only.	3	Commercially sensitive information of the contracting parties.
36.	s. 2 (new s. 1.1 definitions): Definition of U3EP Total Refurb Work Upper Neutral Band – the dollar amount only.	3	Commercially sensitive information of the contracting parties.
37.	s. 6 (new s. 8.1(e) definitions) – the U3EP Total Refurb Work Cost Incentive table only.	6	Commercially sensitive information of the contracting parties.
38.	s. 7 (change to s. 8.5(e)) – the dollar amount only.	7	Commercially sensitive information of the contracting parties.
39.	Attachment 7.1(1) – Contract Price	16-17	Commercially sensitive pricing Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations information
40.	Attachment 7.1(11) – Milestone Payment Schedule for Definition Phase Fixed Fee and Fixed Fee of Execution Phase	18-20	Commercially sensitive pricing information, disclosure of which would prejudice OPG's competitive position and significantly interfere with current and future negotiations
41.	Attachment D – Schedule 8.1(e)(1) – Illustration of U3EP Total Refurb Work Cost Incentive Calculation	22	Commercially sensitive information of the contracting parties.
Summary of EPC Contract for Steam Generators with BWXT/Candu JV			

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42.	Lines 14, 20: Percentages of contract value associated with the hybrid fixed/firm price and target cost pricing model	2	See Decision and Order on Confidentiality dated January 31, 2017, p. 10
43.	Line 1: Percentage of Contractor's fixed fee at risk for cost overruns	3	See Decision and Order on Confidentiality dated January 31, 2017, p. 10
44.	Lines 5, 7, 11, 14, 22 and 28: Specific percentages associated with financial incentives/disincentives (cost and schedule)	4	See Decision and Order on Confidentiality dated January 31, 2017, p. 10
45.	Lines 4, 6, 9, 12, 14, 15: Specific dollar amounts associated with schedule incentives and disincentives	5	See Decision and Order on Confidentiality dated January 31, 2017, p. 10
SG EPC Amendment Agreement Number 3			
46.	Attachment 7.1(1) – Contract Price (Escalated)	13	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
47.	Attachment 7.1(3) – Fixed Price Work & Firm Price Work – Primary Side	15-17	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
48.	Attachment 7.1(4) – Cost Flow for Fixed Price Work & Firm Price Work – Primary Side	18-20	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
49.	Attachment 7.1(5) – Target Cost for Reimbursable Work – Primary Side	21-27	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
50.	Attachment 7.1(6) – Cost Flow for Reimbursable Work Target Cost – Primary Side	28-30	See Decision and Order on Confidentiality dated January 31, 2017, p. 9

Item No.	Section of Contract for which Confidentiality is Sought	PDF Page No.	Basis for Request
51.	Attachment 7.1(7) – Reimbursable Work Fixed Fee – Primary Side	31	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
52.	Attachment 7.1(10) – Target Cost for Reimbursable Work – Secondary Side	41-43	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
53.	Attachment 7.1(11) – Cost Flow for Reimbursable Work Target Cost – Secondary	44-45	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
54.	Attachment 7.1(14) – Contingency Work	50-51	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
55.	Attachment 7.1(15) – Target Cost for Reimbursable Work for Support Services and Equipment	52	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
56.	Attachment 7.1(17) – Reimbursable Costs with No Mark Up	54	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
57.	Attachment 7.1(18) – Milestone Payment Schedule for Fixed Price Work and Firm Price Work – Primary Side	55-58	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
58.	Attachment 7.1(19) – Milestone Payment Schedule for Reimbursable Work Fixed Fee – Primary Side & Secondary Side	59	See Decision and Order on Confidentiality dated January 31, 2017, p. 9
59.	Attachment 7.1(23) – PCD Change tracker – pricing information	85-88	Commercially sensitive pricing information.
Summary of ES MSA with SNC/Aecon JV			
60.	Incentives – Performance Fees – Line 31 – the percentage value only.	5	See Decision and Order on Confidentiality dated

			January 31, 2017, p. 8.
61.	Other Components of the Contract Price – Lines 8, 10, 13, 16 – the percentage values only.	7	See Decision and Order on Confidentiality dated January 31, 2017, p. 8.
ESMSA with SNC/Aecon JV, Amended and Restated			
62.	Section 1.1 (ggg) – Overhead Percentage – the percentage value only.	12	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
63.	Section 1.1 (jjj) – Performance Fee Pool – the percentage value only.	14	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
64.	Section 1.1 (fff) – Profit Percentage – the percentage value only.	15	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
65.	Section 3.12(f) – WSIB number only.	45	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
66.	Section 5.2 – Additional Performance Fee Pool – the percentage value only.	60	Commercially sensitive pricing information. See Decision on Confidential Filing and

			Procedural Order No. 3 dated November 1, 2016, p. 11.
67.	Section 8.1(f) – Goods – the percentage value only.	73	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
68.	Section 8.1(g) – Subcontracts – the percentage value only.	73	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
69.	Section 8.1(i) – Equipment Rental – the percentage value only.	73	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
70.	Schedule 4, Part 1A – Reimbursable Labour Costs Table for Non-Trades Personnel.	129-130	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
71.	Schedule 4, Part 2 – Reimbursable Labour Costs for Trades Personnel.	161-162	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
B&M ESMSA			

72.	Section 1.1 (fff) – Overhead Percentage – the percentage value only.	13	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
73.	Section 1.1 (iii) – Performance Fee Pool – the percentage value only.	14	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
74.	Section 1.1 (qqq) – Profit Percentage – the percentage value only.	14	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
75.	Section 3.12(f) – WSIB number only.	43	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.
76.	Section 5.2(a) – Additional Performance Fee Pool – the percentage value only.	56	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
77.	Section 8.1 (e) – Augmented Staff – the percentage value only.	65	Commercially sensitive pricing information.
78.	Section 8.1 (f) – Goods – the percentage value only.	65	Commercially sensitive pricing information.

			See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
79.	Section 8.1(g) – Subcontracts – the percentage value only.	66	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
80.	Section 8.1(i) – Equipment Rental – the percentage value only.	66	Commercially sensitive pricing information. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 11.
81.	Schedule 2 – Core Team – the individual names only.	109-111	Personal information under FIPPA. See Decision on Confidential Filing and Procedural Order No. 3 dated November 1, 2016, p. 9.