



Burlington Hydro Inc.

**Application for electricity distribution rates beginning
May 1, 2021**

**PROCEDURAL ORDER NO. 4
March 11, 2021**

Burlington Hydro Inc. (Burlington Hydro) filed a cost of service application with the Ontario Energy Board (OEB) on October 30, 2020, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Burlington Hydro charges for electricity distribution, beginning May 1, 2021.

In responding to interrogatories posed by the parties, Burlington Hydro indicated that it was unable to provide the following three reports because it had entered into non-disclosure agreements with report providers:

1. 2020 MEARIE Management Salary Survey (Report 1)
2. Korn Ferry 2019 Management and Non-Union Employee Pay Report (Report 2)
3. 2016 Willis Towers Watson Incentive Program Review (Report 3)

School Energy Coalition (SEC), one of the OEB-approved intervenors in this proceeding, requested Burlington Hydro reconsider its position and provide copies of these three reports as soon as possible.

By a letter dated February 17, 2021, Burlington Hydro filed a redacted version of Report 3 on the public record. Regarding Reports 1 and 2, Burlington Hydro indicated that it was prepared to file these reports in confidence but did not receive consent from the report providers.

In Procedural Order (PO) No. 3 dated February 19, 2021, the OEB directed Burlington Hydro to file unredacted copies of Reports 1 and 2 with the OEB and provide redacted copies to intervenors who signed the OEB's Declaration and Undertaking.

Pursuant to PO No. 3, on February 22, 2021, Burlington Hydro filed Reports 1 and 2 with the OEB and identified certain redactions in these reports (mostly pertaining to

“personal information”). Burlington Hydro filed another unredacted confidential report, 2019 CEO Pay Review (Report 4) with the OEB. Redacted copies of Reports 1, 2 and 4 were provided to intervenors that signed the OEB’s Declaration and Undertaking.

In PO No. 3, the OEB also sought parties’ submissions on Burlington Hydro’s confidentiality requests (five interrogatories identified in PO No. 2 and three compensation benchmarking reports identified in PO No. 3). OEB staff and SEC made submissions on February 26, 2021. Burlington Hydro filed its reply submission on March 5, 2021.

As part of its reply submission, Burlington Hydro filed redacted version of Reports 1, 2 and 4 to be placed on the public record. Compared to redactions listed in its February 22, 2021 letter, Burlington Hydro identified additional aspects of Reports 1, 2 and 4 for which it requests confidential treatment. Burlington Hydro noted that OEB staff and SEC have not yet had the opportunity to make submissions on those new aspects. Burlington Hydro acknowledged that OEB staff and SEC should have the opportunity to make submissions on these additional confidentiality requests.

The OEB agrees with Burlington Hydro and makes provisions for submissions on these additional confidentiality requests identified in Reports 1, 2 and 4 and summarized in Burlington Hydro’s March 5, 2021 reply submission.

It is necessary to make provision for the following matters related to this proceeding. Further procedural orders may be issued by the OEB.

IT IS THEREFORE ORDERED THAT:

1. Parties that wish to file written submissions on the confidentiality requests for Reports 1, 2, and 4, from Burlington Hydro shall file such submissions with the OEB and deliver them to all other parties on or before **March 18, 2021**
2. If Burlington Hydro wishes to file a reply to any submissions of parties on the confidentiality requests in Procedural Order No. 4, the reply submissions must be filed with the OEB and delivered to all parties on or before **March 25, 2021**.

All materials filed with the OEB must quote the file number, **EB-2020-0007**, and be submitted in a searchable/unrestricted PDF format with a digital signature through the OEB’s web portal at <https://p-pes.ontarioenergyboard.ca/PivotalUX/>. Filings must clearly state the sender’s name, postal address, telephone number, fax number and e-mail address. Parties must use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document](#)

[Guidelines](#) found at www.oeb.ca/industry. We encourage the use of RESS; however, parties who have not yet [set up an account](#), may email their documents to registrar@oeb.ca.

All communications should be directed to the attention of the Registrar at the address below and be received no later than 4:45 p.m. on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Shuo Zhang, at Shuo.Zhang@oeb.ca and OEB Counsel, Lawren Murray, at Lawren.Murray@oeb.ca.

Email: registrar@oeb.ca
Tel: 1-888-632-6273 (Toll free)
Fax: 416-440-7656

DATED at Toronto, **March 11, 2021**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar