



Ms. Christine E. Long
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, Ontario M4P 1E4
Sent via email and RESS

May 12, 2021

Dear Ms. Long:

RE: EB-2021-0009 Brantford Power Inc.
Application to the Ontario Energy Board for Electricity Distribution Rates and Charges
effective January 1, 2022.

Brantford Power Inc. (BPI) is pleased to present its Application for Electricity Distribution Rates effective January 1, 2022 (“the Application”).

BPI is hereby requesting confidential treatment, pursuant to section 10.01 of the OEB’s *Rules of Practice and Procedure* (most recently revised February 17, 2021) for all of *Attachment 4-M: Confidential Compensation Schedule* as well as *Attachment 4-K: Unredacted Korn Ferry Compensation Presentation*.

BPI requests that the documents be kept in confidence by the Board, but is prepared to provide a full copy of Attachment 4-M to individuals who have executed and delivered the OEB’s Form of Declaration and Undertaking regarding confidential material, subject to BPI’s right to oppose any request for access to the confidential materials. BPI requests that Attachment 4-K be kept confidential and not disclosed even to parties that sign a Form of Declaration and Undertaking, as Attachment 4-K contains personal information.

In accordance with Section 4.3.1 of the OEB’s *Practice Direction on Confidential Filings* (the “Practice Direction”) BPI has redacted some information included in Attachment 4-K as it is related to personal information. The redacted items represent recorded information about an identifiable individual relating to financial transactions in which the individual has been involved. This is consistent with section (b) the definition of personal information under section 2. (1) of the *Freedom of Information and Protection of Privacy Act* (“FIPPA”). Specifically, the information BPI has redacted contains position-specific salaries, salary ranges and other compensation-related items. For the majority of the positions in the non-union group, BPI only has one incumbent with each, making the information for each position identifiable to a specific individual.

BPI will file with the OEB electronic copies of the Attachments following the OEB's announcement on March 12, 2020, to temporarily waiving the requirement to submit hard copies according to Rule 9A.01 of the *Rules of Practice and Procedure*. BPI expects the un-redacted version of the Attachments will be held in confidence and will not be placed on the public record.

Consistent with Section 5.1.4 of the Practice Direction, BPI has filed this cover letter which discusses in the sections that follow why the issue is considered confidential and the public disclosure of the information would be detrimental.

Appendix A of the Practice Direction outlines the factors which the OEB may consider in addressing confidentiality of filing. BPI believes the information included in Attachment 4-M is confidential as it contains labour relations information which could reasonably be expected to prejudice BPI's competitive position, interfere significantly with contractual negotiations, and result in significant undue loss or gain to BPI and its employee groups. These outcomes correspond with sections (a) i, (a) iii, and (a) iv of Appendix A.

BPI is entering contractual negotiations with one of its employee groups, specifically CUPE as their collective agreement has expired. The disclosure of BPI's budgetary provisions for labour cost increases and compensation strategy (set out in Attachment 4-M) could compromise the collective bargaining process, placing BPI in a disadvantageous position.

A password protected confidential, un-redacted version of **Attachment 4-K: Confidential Compensation Schedule**, containing all of the information for which confidentiality is requested, is being filed with the OEB electronically. The confidential, un-redacted version of the **Attachment 4-K** is being filed with a password and marked "**Confidential-Personal Information**" as containing personal information, not to be released to any party; the other redacted version non-confidential attachment is marked "**Redacted Version**".

BPI is requesting confidential treatment for the entirety of Attachment 4-M and no unredacted version has been provided.

In order to avoid confusion, BPI will be submitting the password protected unredacted versions of the attachments directly to OEB Staff rather than through the RESS.

BPI has provided a summary of the Attachments below. As a result, BPI is submitting its complete application and related evidence on a non-confidential basis with the exception of the above noted items that are the subject of this confidentiality request pending the decision of the OEB.

Summary of Attachment 4-M (Confidential Compensation Schedule)

Attachment 4-M outlines the compensation increases budgeted for its union groups, as well as the non-union group management group (BPPAE). This includes the budgeted adjustment rates for the employee groups in 2021 and 2022.

Summary of Attachment 4-K (Korn Ferry Compensation Review)

The presentation from Korn Ferry outlines the job evaluation process update used by Korn Ferry to evaluate each non-union position (including executive level and BPPAE), the salary ranges targeted and salary ranges per position, and the associated salaries for each position, and discusses Korn Ferry's suggested changes and implementation including the levels of STVP for each level.

Please note, BPI will also file the executive certifications required in Exhibits 1 and 9 separately with Board Staff as a result of challenges with uploading these document via PDF.

Please do not hesitate to contact me with any questions.

Sincerely,

Oana Stefan

Manager, Regulatory Affairs | Brantford Power Inc.

150 Savannah Oaks Drive, P.O. Box 308, Brantford, Ontario N3T 5N8

519-751-3522 ext. 5477

ostefan@brantford.ca | www.brantfordpower.com |