



Hydro One Networks Inc.

**Application for leave to construct: reconductoring of
electricity transmission lines in the cities of Toronto and
Mississauga.**

DECISION ON CONFIDENTIALITY

October 25, 2021

Hydro One Networks Inc. (Hydro One) applied to the Ontario Energy Board (OEB) on July 16, 2021 under sections 92 and 97 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, (Schedule B), for approval to reductor four electricity transmission circuits between the Richview Transformer Station and the Trafalgar Transformer Station in the cities of Toronto and Mississauga.

Confidentiality Request of Hydro One

Pursuant to Procedural Order No. 1, Hydro One filed responses to interrogatories filed by intervenors and OEB staff. In a letter dated October 8, 2021, Hydro One requested confidential treatment of “information data” which is contained in a spreadsheet that was filed as an attachment as part of its response to interrogatory Exhibit I, Tab 3, Schedule 3 part i. Hydro One stated that the information should not be disclosed as, amongst other things, it is sensitive and privileged data pertaining to flows on the Bulk Electrical System. Hydro One further stated that this information “is consistent with the types of information for which confidential treatment is contemplated in Appendix 'A' to the Practice Direction [*Practice Direction on Confidential Filings*] and for which the OEB has consistently granted confidential status”.

Additionally, Hydro One requested approval to “maintain the redactions of persons names and personal information with regards to landowner agreements submitted as Attachment 1 in response to interrogatory Exhibit I, Tab 2, Schedule 1.” Through Procedural Order No. 2, issued on October 13, 2021, the OEB determined that the requested redactions would be made permanent on the basis that a.) the information is not relevant to the proceeding, and b.) the redactions appear to be a requirement of the *Freedom of Information and Protection of Privacy Act* (FIPPA).

On October 18, 2021, OEB staff submitted that it did not object to Hydro One's request for confidential treatment of the information data filed in response to interrogatory Exhibit I, Tab 3, Schedule 3 part i on the basis that the information could be commercially sensitive and could be used for future speculative transactional opportunities and therefore detrimental to free market forces. Further, OEB staff stated that the OEB has granted confidential status to information of a similar nature in the past. No other party filed a submission nor did Hydro One file a reply to OEB staff's submission.

Decision on Confidentiality Request of Hydro One

The OEB finds that the information data contained in the spreadsheet filed by Hydro One as an attachment to its response to interrogatory Exhibit I, Tab 3, Schedule 3 is commercially sensitive information, and that it is of a kind that is generally protected from public disclosure by the OEB, as defined in Appendix A of the OEB's *Practice Direction on Confidential Filings* (Practice Direction). The OEB accepts Hydro One's assertion that public disclosure of the information data could have a detrimental impact on free market forces.

The OEB finds that the subject information shall be classified as confidential and shall remain redacted on the public record. Access to the information will only be available in accordance with the Practice Direction.

DATED at Toronto, **October 25, 2021**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar