



Grimsby Power Inc.

**Application for electricity distribution rates beginning
January 1, 2022**

**DECISION ON CONFIDENTIALITY
November 9, 2021**

Grimsby Power Inc. (Grimsby Power) filed a cost of service application with the Ontario Energy Board (OEB) on July 30, 2021 under section 78 of the *Ontario Energy Board Act, 1998* seeking approval for changes to the rates that Grimsby Power charges for electricity distribution, beginning January 1, 2022.

The OEB issued Procedural Order No. 1 on September 10, 2021, which set out a schedule for this proceeding. On October 28, 2021, Grimsby Power filed interrogatory responses, which contained a redacted Resource Strategy Study Final Report (Report) as part of its interrogatory response for 1-Staff-7.

Confidentiality Request

On November 2, 2021, Grimsby Power filed a letter requesting confidential treatment of certain portions of the Report on the grounds that it contains commercially sensitive information, or personal information, or both. Along with its letter on November 2, 2021, Grimsby Power filed an un-redacted Report that contains portions highlighted in yellow or green.

1. Request 1: Grimsby Power submitted that the portions of the Report highlighted in yellow contain information that is commercially sensitive and that they be provided only to parties that file a Declaration and Undertaking.
2. Request 2: Grimsby Power submitted that the portions highlighted in green contain information that is commercially sensitive and that is personal information. Grimsby Power requested that the portions of the Report highlighted in green not be placed on the record of this proceeding in any form.

Grimsby Power submitted that releasing the highlighted portions of this Report would prejudice its commercial interests and prejudice the competitive position of Grimsby Power's staffing complement, as it relates to Grimsby Power's ability to hire and retain employees, and attract new employees. Grimsby Power also submitted that a lot of the

information highlighted is personal information relating to specific employees and Grimsby Power's career plans for employees.

Grimsby Power requested that Niagara Peninsula Energy Inc. (NPEI), an intervenor in the proceeding, not be granted access to any of the redacted information, submitting that it is inappropriate because NPEI is competing for employees in the same labour market.

Findings

The OEB approves Grimsby Power's request for confidential treatment as follows:

1. The portions of the Report highlighted in yellow are found to be confidential on the grounds that it is commercially sensitive information and could impede or diminish the capacity of Grimsby Power to fulfill existing contractual obligations and could interfere with negotiations being carried out by Grimsby Power. The version of the Report containing the yellow highlights shall be made available to parties (excluding NPEI) that file a Declaration and Undertaking. NPEI should not have access to this information given that both utilities are competing for employees in the same labour market.
2. The portions of the Report highlighted in green is deemed confidential on the grounds that it is both commercially sensitive and personal information. The redacted information is at an individual, not aggregate level, and therefore includes personal information about specific employees. As a result, the green highlighted information will not be disclosed to representatives of other parties pursuant to Rule 9A.02 of the OEB's *Rules of Practice and Procedure*.

DATED at Toronto, **November 9, 2021**

ONTARIO ENERGY BOARD

Original signed by

Christine E. Long
Registrar