

April 28, 2022

RESS & EMAIL

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Attention: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2022-0149: Wataynikaneyap Power LP (“WPLP”) – Application for Approval of 2023 Electricity Transmission Rates (“Application”) – Request for Confidential Treatment of Information in Pre-Filed Evidence

We are legal counsel to WPLP, the applicant in the above-referenced proceeding. WPLP filed the Application on April 28, 2022. Pursuant to the OEB’s *Practice Direction on Confidential Filings* (the “Practice Direction”), WPLP hereby requests the confidential treatment of certain information contained in Korn Ferry’s 2022 Compensation Review Report (the “Report”), a copy of which is filed as Appendix ‘A’ to Exhibit F-3-1 of the Application. The specific information for which WPLP seeks confidential treatment and the rationale for the requests are as follows.

1. Commercially Sensitive and Proprietary Information of a Third Party

On page 8 of the Report, Korn Ferry provides a list of the comparator organizations used for benchmarking purposes (the “Peer Group”). WPLP is advised by Korn Ferry that the identity of the Peer Group companies, whose information is included in the Korn Ferry database it used to perform the benchmarking, is commercially sensitive and proprietary to the consultant. Public disclosure of the identities of the Peer Group members could undermine Korn Ferry’s confidentiality obligations to the Peer Group members and impact its ability to maintain the quality and scope of information in its database by deterring utility companies from sharing their data with Korn Ferry, thereby prejudicing Korn Ferry’s economic interests and competitive position. In accordance with the Practice Direction, WPLP proposes that the Peer Group would be disclosed to parties in the proceeding from whom the OEB accepts a Declaration and Undertaking.

Unredacted, confidential copy of the Peer Group, which has been marked “Confidential” is provided in Appendix “A” below.

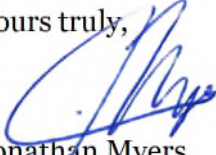
2. Commercially Sensitive Information

The table on page 6 of the Report contains information regarding WPLP's average base salaries and average total cash compensation by job level relative to market median, and the table on page 7 of the Report contains information regarding WPLP's base salary cost and total cash compensation cost by job level relative to market median (collectively referred to as the "WPLP Compensation Cost Information"). WPLP requests confidential treatment of the WPLP Compensation Cost Information for two reasons. First, due to the small numbers of employees in each job level group (which range from 3 to 10 individual employees), the aggregation of employee compensation information in these tables does not provide a degree of anonymity sufficient to protect the compensation information of WPLP's employees. Second, also due to the small numbers of employees in each job level group, WPLP is concerned that disclosure on the public record of the WPLP Compensation Cost Information could adversely impact WPLP's competitive position in the labour market by revealing specific information about compensation levels to other utilities and utility services companies, the use of which could impact WPLP's employee hiring and retention plans.

WPLP proposes to provide access to confidential and unredacted versions of the WPLP Compensation Cost Information to those individuals from whom the OEB accepts a Declaration and Undertaking, except, however, that where another Ontario utility or a utility services company intervenes and its representative files a Declaration and Undertaking, WPLP proposes that such representative would not be provided with access to the WPLP Compensation Cost Information.

An unredacted, confidential copy of the WPLP Compensation Cost Information, which has been marked "Confidential", is provided in Appendix "B" below.

Yours truly,



Jonathan Myers

cc: Charles Keizer, Torys LLP
Margaret Kenequanash, WPLP
Duane Fecteau, WPLP

APPENDIX 'A'

Confidential Copy of the Peer Group

[Note: A copy of this Appendix has been filed confidentially with the OEB in accordance with the Practice Direction on Confidential Filings]

APPENDIX 'B'

Confidential Copy of WPLP's Compensation Cost Information

[Note: A copy of this Appendix is provided to the OEB only in accordance with the *Practice Direction on Confidential Filings*]