



Ontario Energy Board | Commission de l'énergie de l'Ontario

**BY EMAIL**

June 13, 2022

Ms. Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4  
[Registrar@oeb.ca](mailto:Registrar@oeb.ca)

Dear Ms. Marconi:

**Re: Ontario Energy Board (OEB) Staff Submission  
Milton Hydro Distribution Inc.  
2023 Cost of Service  
OEB File Number: EB-2022-0049**

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Please find attached OEB staff's submission on confidentiality in the above referenced proceeding, pursuant to Procedural Order No. 1.

Yours truly,

*Original Signed By*

Shuo Zhang  
Electricity Distribution: Major Rate Applications & Consolidations Encl.

cc: All parties in EB-2022-0049



# **ONTARIO ENERGY BOARD**

## **OEB Staff Submission**

**Milton Hydro Distribution Inc.**

**2023 Cost of Service**

**EB-2022-0049**

**June 13, 2022**

## Summary of the Confidentiality Request

As part of its pre-filed evidence, Milton Hydro requested confidential treatment for certain information contained in the following documents:

1. 24/7 System Control Room & Operations Business Case (Exhibit 2, Attachment 2-2 Distribution System Plan 2023-2027)
2. Building Renovations Business Case (Exhibit 2, Attachment 2-2 Distribution System Plan, Appendix A)
3. Cresa's Strategic Facility Plan (Exhibit 2, Attachment 2-2 Distribution System Plan, Appendix I)
4. Bringing Disallowed Space into Rate Base Business Case (Exhibit 2, Attachment 2-1)
5. IT Strategy & Roadmap Report (Exhibit 2 Attachment 2-2 PricewaterhouseCoopers' IT Strategy & Roadmap Report (PwC Report))

Milton Hydro states that items 1, 2, 3 and 4 contain information that if disclosed could pose security-related risks to the operation of Milton Hydro's distribution system. Milton Hydro explains that the security-related information includes information on the proposed location of Milton Hydro's control room and is consistent with the types of information that have previously been treated as confidential by the OEB.

With respect to item 5, on May 25, 2022, Milton Hydro filed a letter requesting to amend its application by withdrawing the original PwC Report and replacing it with a summary report titled, PwC IT Strategy & Roadmap Final Report Summary (PwC Summary Report) pursuant to Rule 11.01 of the OEB's *Rules of Practice and Procedure*. Milton Hydro states that the PwC Summary Report contains much of the same analysis and recommendations as in the original PwC Report. Milton Hydro notes that the PwC Summary Report does not contain any confidential information, thereby eliminating the need for the confidentiality request.

In Procedural Order No.1, the OEB made provision for intervenors and OEB staff to raise any objections to Milton Hydro's request of confidential treatment for items 1-4 and the request of replacing the original PwC Report with the PwC Summary Report.

## OEB Staff Submission

### Confidentiality Request for Items 1, 2, 3 and 4

OEB staff supports Milton Hydro's redactions of information on the physical location of Milton Hydro's control room based on security concerns. OEB staff notes that similar information was granted confidential treatment in previous OEB proceedings. For example, in a recent rate proceeding, the OEB granted confidential treatment for information on Hydro Ottawa Limited's locations of mechanical rooms and the location of its control center.<sup>1</sup>

OEB staff, however, notes that included in the redacted information is the total proposed square footage of the control room. That same number does not appear elsewhere in the public evidence filed in the application. Milton Hydro has not explained how disclosure of this single number would pose a security-related risk to Milton Hydro's distribution system.

OEB staff submits that Milton Hydro should disclose the proposed total square footage of the control room.

### Request to Withdraw Item 5 (the PwC Report)

OEB staff notes that some information included in the original PwC Report that was not identified as confidential information was also excluded in the PwC Summary Report. However, in OEB staff's view, materials that could have an impact on Milton Hydro's proposed 2023 distribution rates are still included in the PwC Summary Report. Specifically, such information contains the eight prioritized IT initiatives, a high-level three-year capital and operating cost estimate, a breakdown of external cost estimate and internal resourcing requirement.

The School Energy Coalition (SEC) submitted that the intent of Rule 11.01 is to allow for amendments to the evidentiary record, presumably where there is new or updated information, or potentially allow the withdrawal of information that was filed in error or is no longer accurate.

While OEB staff agrees that those are example of situations where Rule 11.01 could be invoked to amend an evidentiary record, OEB staff does not agree that Rule 11.01 is only limited to those situations. Rule 11.01 is a broad power that allows the OEB to permit an amendment to the evidentiary record "on conditions the OEB considers appropriate". Given its view that materials that could have an impact on Milton Hydro's

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<sup>1</sup> EB-2019-0261, Hydro Ottawa Limited 2021-2025 Custom IR Application, Decision on Confidentiality, July 28, 2020.

proposed 2023 distribution rates are still included in the PwC Summary Report, OEB staff does not oppose the request to replace the original PwC Report with the PwC Summary Report.

~All of which is respectfully submitted~