

**John A.D. Vellone**  
T: 416-367-6730  
jvellone@blg.com

**Colm Boyle**  
T: 416-367-7273  
cboyle@blg.com

Borden Ladner Gervais LLP  
Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto ON M5H 4E3  
Canada  
T 416-367-6000  
F 416-367-6749  
blg.com



**File No. 061604.000048**

September 13, 2022

**BY EMAIL AND RESS**

Nancy Marconi  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto, ON M4P 1E4

Dear Ms. Marconi:

**Re: Generic Proceeding on UTR-Related Issues and the Export Transmission Association of Power Producers of Ontario (“APPrO”) Submission  
OEB File Number: EB-2021-0243**

On September 8, 2022, School Energy Coalition (“SEC”) filed a confidential appendix to its submissions (“**Confidential Appendix**”) and a version of the Power Advisory excel model with certain SEC calculations detailed in the Confidential Appendix (“**SEC Confidential Model**”). The Confidential Filing is based on Undertaking Response JT2.2 to which APPrO has requested be granted confidentiality treatment in its entirety. SEC requested that APPrO review the SEC Confidential Model and Confidential Appendix and provide its views on what aspects can be filed on the public record.

APPrO’s view is that the entirety of the SEC Confidential Model and Confidential Appendix be granted confidential treatment pursuant to the Ontario Energy Board’s *Practice Direction on Confidential Filings* for the same reasons provided in APPrO’s letter dated August 5, 2022. The SEC Confidential Model and Confidential Appendix are based on Power Advisory’s model, which is presumptively confidential. Since the SEC Confidential and Confidential Appendix are derivatives of a presumptively confidential filing, these filings are also presumptively confidential.

In the alternative, APPrO’s view is that the SEC Confidential Model and Confidential Appendix be held confidential by the OEB pursuant to section 5.3 of the OEB’s *Practice Direction on Confidential Filings* for the same reasons provided in APPrO’s letter dated August 4, 2022. Disclosure of the SEC Confidential Model and Confidential Appendix could: (a) prejudice Power Advisory’s competitive position due to the proprietary nature of the filing; (b) produce a significant loss for Power Advisory if the filing is improperly used; (c) produce a significant gain for competitors; and (d) contains information consisting a trade secret or financial, commercial, scientific, or technical material that is consistently treated in a confidential manner by the person providing it to the OEB. The Confidential Appendix describes the analysis in sufficient detail and includes outputs from the Power Advisory model such that a competitor third party would be capable of performing their own modelling if these materials are made available in the public domain, therefore causing Power Advisory economic harm.

APPrO has tried make every effort to limit the scope of its request for confidentiality to an extent commensurate with the commercial sensitivity of the information at issue. Please contact the undersigned with any questions.

Yours Truly,

A handwritten signature in black ink, appearing to read "Colm Boyle". The signature is written in a cursive, slightly slanted style.

Colm Boyle

cc: All Parties (email)  
David Butters (APPrO)  
Brady Yauch and Travis Lusney (Power Advisory LLC)