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October 6, 2023

**BY RESS AND EMAIL**

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, Suite 2700  
Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. ("Enbridge Gas")  
Ontario Energy Board ("OEB") File: EB-2023-0175  
Watford Pipeline Project  
Submission on Confidential Treatment of Customer Contract Information**

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Pursuant to the OEB's Procedural Order No.1 dated October 4, 2023, please find below Enbridge Gas's submission on the confidential treatment of certain information within the contract between Enbridge Gas and Waste Management of Canada Corporation ("WM").

On August 1, 2023, Enbridge Gas filed its application and evidence for the Watford Pipeline Project seeking an order granting leave to construct a pipeline and associated facilities in the Township of Warwick and the Municipality of Brooke-Alvinston. The proposed natural gas pipeline will connect Waste Management of Canada Corporation's planned renewable natural gas (RNG) facility at the Twin Creeks Environmental Centre to Enbridge Gas's system and will be used to transport the RNG that is produced at the facility.

WM has entered into an M13 Transportation and Producer Balancing Service and Name Change agreement (the "Contract") with Enbridge Gas. As part of the application, Enbridge Gas requested confidential treatment of certain information within the contract and specifically energy usage, load profile and billing information.

Enbridge Gas redacted the following information from the Contract:

- Within Schedule 1 (Contract Parameters): Customer Maximum Daily Quantity at the Watford RNG Receipt Point, and the Initial Monthly Service Charge.
- Within Schedule 2 (Service Terms and Rates): Customer Firm Daily Variability Demand and Customer balancing service parameters

Enbridge Gas generally considers this type of customer information to be commercially sensitive consistent with the OEB's Practice Direction on Confidential Filings that treat

the information as presumptively confidential. Additionally, the OEB has consistently treated this type of customer contract information as confidential.

Previous examples of the OEB treating similar information as confidential include the 2022 Greenstone Pipeline Project<sup>1</sup>, the 2021 Sarnia Industrial Line Reinforcement Project<sup>2</sup>, the Sudbury Expansion Project<sup>3</sup>, and the 2015 Sarnia Expansion Project<sup>4</sup>.

Furthermore, section 5.3 of the OEB's Gas Distribution Access Rule prohibits the disclosure of specific customer information to a third party without written consent of the customer or specific authorization of the OEB.

Following the filing of its application and Pollution Probe's initial objection to treating the Contract information as confidential, Enbridge Gas has confirmed with WM that it has no objection to filing the information on the public record. Accordingly, Enbridge Gas is withdrawing its request to treat the Contract information as confidential.

Nevertheless, it is Enbridge Gas's view that generally and in future proceedings this type of customer information should continue to be considered presumptively confidential as it typically is commercially sensitive, and disclosure of the information has the potential to harm the competitive position of the customer.

However, WM has requested that the signature and initials of WM's President be treated as confidential to protect against identify theft and other unauthorized uses of the signatures. Enbridge Gas does not believe that redacting original signatures from these documents has any impact on the public's ability to understand the intent of the application and form an opinion on the application. Enbridge Gas requests that the original signatures be treated as confidential and the pre-filed evidence updated with the signatures redacted.

Details of the specific confidential information for which confidential treatment is sought are set out in Table 1:

<b>Exhibit</b>	<b>Confidential Information Location</b>	<b>Brief Description</b>	<b>Basis for Confidentiality</b>
Exhibit E-1-1 Attachment 3	Pages 1, 5 and 12	Personal Information	The redactions relate to the original signatures and initials of WM's President.

Enclosed is a copy of an updated version of the Contract (Exhibit E, Tab 1, Schedule 1, Attachment 3).

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<sup>1</sup> EB-2021-0205, Decision on Confidentiality, November 26, 2021.

<sup>2</sup> EB-2019-0218, Application and Evidence, October 7, 2019, Exhibit B, Tab 1, Schedule 2, Attachment 1.

<sup>3</sup> EB-2015-0120, Updated response to Board Staff 5, July 8, 2015.

<sup>4</sup> EB-2014-0333, Application and Evidence, November 4, 2014, Schedule 3-1 and Schedule 3-2.

If you have any questions, please contact the undersigned.

Sincerely,

Eric VanRuymbeke  
Sr. Advisor – Leave to Construct Applications

c.c. Guri Pannu (Enbridge Gas Counsel)