



BY EMAIL and RESS

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2300 Yonge Street
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September 3, 2024
Our File: EB20240063

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2024-0063 – Generic Hearing on Cost of Capital – OEA Confidentiality Request

We are counsel to the School Energy Coalition (“SEC”). SEC writes to object to the Ontario Energy Association’s (“OEA”) request for confidential treatment to the response to interrogatory SEC 41(d). The OEA, on behalf of Ontario Power Generation (“OPG”), seeks to redact information (term length, maturity date, interest rate) regarding outstanding instruments with the Canadian Infrastructure Bank (“CIB”) and not file the information unredacted on a confidential basis, claiming the information is commercially sensitive.

SEC agrees with the objection filed by OEB Staff. SEC is not aware of any precedent for such basic information regarding outstanding debt supporting a regulated utility being considered confidential. The OEA, on behalf of OPG, has neither explained how the information is commercially sensitive nor why it is appropriate to take the extraordinary step of requesting permission to redact the information and not file it confidentially, so as to provide it to parties who file a signed Declaration and Undertaking.

With respect to the other interrogatory responses that the OEA seeks confidentiality treatment, SEC filed a signed Declaration and Undertaking on August 26th, and has yet to receive any un-redacted copies, as required by section 6.1.6(b) of the *Practice Direction on Confidentiality Filings*. Until we receive the unredacted responses, SEC cannot determine if the request for confidential treatment is appropriate.

Yours very truly,
Shepherd Rubenstein P.C.

Mark Rubenstein

cc: Brian McKay, SEC (by email)
All Intervenors (by email)