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File No. 19685.17

October 7, 2025

<u>BY EMAIL & RESS</u>
registrar@oeb.ca

Mr. Ritchie Murray
Ontario Energy Board
2300 Yonge Street, 27th floor
P.O. Box 2319
Toronto, ON M4P 1E4

Dear Mr. Murray:

Re: Milton Hydro Distribution Inc. (Milton Hydro) – Application for an Accounting Order (EB-2025-0241) ("Application")
Interrogatory Responses Confidentiality Request

We represent Milton Hydro in the above noted matter. On July 31, 2025, Milton Hydro filed the Application with the Ontario Energy Board ("**OEB**") for an accounting order to establish a variance account to record the difference between the revenue requirement approved in 2023 rates and the amounts determined to be appropriate during the review of MHDI's shared services and corporate cost allocation review. On September 9, 2025, the OEB issued Procedural Order No. 1 directing Milton Hydro to file complete responses to the interrogatories and serve them on all interveners by October 7, 2025. Milton Hydro filed its interrogatory responses in tandem with this confidentiality request.

Milton Hydro is filing with the OEB certain information that is confidential. Milton Hydro is hereby requesting confidential treatment of the information in the table below pursuant to sections 10.01 and 10.02 of the OEB's *Rules of Practice and Procedure* (revised March 6, 2024) and sections 5.1.1, 5.1.2 and 11 of the OEB's *Practice Direction on Confidential Filings* (revised December 17, 2021, "**Practice Direction**").

Evidence Reference / Description	Rationale Supporting Redaction
Staff-5 / VECC-1 Forecasted ROE	**<u>Confidential</u>** Milton Hydro is requested to provide a forecast of its estimated return on equity (ROE). Such a request requires the disclosure of non-public forward-looking financial information and includes information that has not been

	generally disclosed. ROE is ordinarily an annual backwards-looking calculation based on parameters published by the OEB. The OEB has provided confidential treatment for Elexicon's ROE for in two prior decisions in EB-2022-0024 and EB-2022-0317. The forecasted ROE is based on unaudited, draft financial information that is subject to change. A forecast of Milton Hydro's ROE relies on speculative, non-public, forward-looking financial information, which is consistently treated in a confidential manner.
SEC-5 Atrium agreement	**Not Relevant** The redacted information relates to Atrium's pricing under the contract and recent client list and contact information. This information is not relevant to the proceeding. The OEB likewise granted a request to redact consultant pricing information in Proceeding EB-2022-0200, finding that it was not relevant to the issues in that case.[1] **Presumptively Confidential** In the alternative, if the OEB determines the redacted information is relevant, it be treated as confidential as it relates to Atrium's unit pricing and billing rates and is presumptively confidential under Appendix B of the Practice Direction. Disclosure of such information could prejudice the economic interests of Atrium in future commercial negotiations to provide similar services to other potential clients. The OEB made a similar holding in EB-2021-0110.[2]
SEC-6(c) Water allocation model	**Confidential** The redacted information is confidential as it contains Milton Hydro information that is of a proprietary nature, such as formulas used in computer software. The disclosure of such information could adversely impact the company's competitive position and commercial interest. Moreover, Milton Hydro invested time and capital to create a customized water allocation model and disclosure would result in other utilities to freeriding on Milton Hydro's work. The OEB has similarly held such information is confidential in EB-2019-0018.[3]

[1] EB-2022-0200, Decision on Confidentiality, July 12, 2023, (Revised July 24, 2023), at pg 11.

[2] EB-2021-0110, Decision on Confidentiality Requests and Procedural Order No. 5, April 14, 2022, at pg 10.

[3] EB-2019-0018, Decision on Confidentiality, July 24, 2019, at pg 2.

	<u>Not Relevant / Presumptively Confidential (PDF Page 14 of model)</u> This section of the water allocation model includes unit rates of NorthStar IT support. Please see the submissions above on SEC-5 regarding unit rates that are reiterated here. **<u>Personal Information (PDF Pages 5-13, 17 of model)</u>** A portion of the redacted information relates to names, salary, and/or compensation benefits for individual Milton Hydro employees. The names associated with job positions listed on page 17 could result in the disclosure of identifiable individuals salary and/or compensation. Specifically, there are several references on pages 5-13 to “Base Salary”, “Incentives”, “Overtime”, Standby and Oncall / Shift Premiums”. The interrogatory requested detail, so the information has not been sufficiently aggregated to allow for public disclosure. The OEB has reached a similar conclusion in EB-2024-0039.[4]

Please contact the undersigned with any questions.

Yours truly,

BORDEN LADNER GERVAIS LLP

Colm Boyle

CB/JV

[4] EB-2024-0039, Procedural Order No. 1, December 17, 2024