



By EMAIL and RESS

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October 23, 2025
Our File: 20250014

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

Attn: Ritchie Murray, Acting Registrar

Dear Mr. Murray:

Re: EB-2025-0014 – Oshawa Power 2026 Rates – Submissions on Confidentiality

We are counsel for the School Energy Coalition (SEC). On October 22, 2025 the Applicant made a claim for confidential treatment relating to certain documents filed in response to PO #5. While we are aware the OEB has not set a schedule for submissions, in the interests of time this letter sets out submissions from SEC on that claim for confidentiality.

As a preliminary matter, SEC notes that the documents filed are all password-protected, except for the Service Level Agreement between the affiliate and Lakefront. The latter is simply marked in the file name as CONFIDENTIAL. The document itself is not marked as Confidential. However, to be cautious we have treated that document as one on which confidential treatment is claimed.

SEC has three submissions.

First, with respect to the financial information of affiliates, SEC accepts that the OEB's normal practice is to treat such information as confidential. While in this case it would not appear to be necessary to hide it from the public, we do not object to the claim for confidential treatment.

Second, with respect to the SLA and MOU relating to Lakefront, the contents of those documents are by their nature clearly confidential.

Third, with respect to the documents relating to the new head office campus, and in particular its planned cost, SEC believes that this information should be made public. If the Applicant is planning to spend, say, \$70 million (we have deliberately not used the actual number, for which confidential treatment is claimed) over and above their \$80+ million capital plan (already \$10 million higher than historical), the residents of Oshawa – their customers - should be entitled to hear that.

That is, in our submission, one of the key roles of the OEB, i.e. to provide transparency so that customers and other members of the public are aware of the actual and planned spending by utilities of money being provided by those same customers.

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We understand that the Applicant feels the disclosure of their planned spend will provide a disadvantage in procurement of the building construction itself. SEC does not agree. Any company experienced enough to bid on this project will have the same information that the Applicant has, and will know within a couple of million dollars what the final cost is going to be. In fact, if anything the bidders will have better information on a reasonable budget, since they will have much more experience with projects of this size than the Applicant.

In our submission, if the OEB weighs the minimal impact of public disclosure on the procurement process against the overriding right of the public that is paying for this to know what they are getting into, the balance should be in favour of public disclosure. Oshawa Power customers should not be facing a large rate increase today, while an upcoming large increase next year is being kept secret from them.

All of which is respectfully submitted.

Yours very truly,
Shepherd Rubenstein Professional Corporation

A handwritten signature in blue ink, appearing to read "Jay Shepherd", written over a faint, light blue circular stamp or watermark.

Jay Shepherd

cc: Brian McKay, SEC (by email)
Interested Parties (by email)