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

John Vellone
T: 416-367-6730
jvellone@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

Borden Ladner Gervais

File No. 88175.42

October 23, 2025

BY EMAIL & RESS

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

Dear Mr. Murray:

Re: Oshawa PUC Networks Inc. ("Oshawa Power") - Application for 2026 Distribution Rates ("Application") – EB-2025-0014
School Energy Coalition Submission on Confidentiality

On October 20, 2025, the Ontario Energy Board ("**OEB**") issued PO5 ordering Oshawa Power to file certain responses to 1-SEC/Staff/CCC/PP/CCMBC/VECC-9(a), (f), (g), and (h), 1-SEC-17, and 1-SEC-26. On October 22, 2025, Oshawa Power provided certain confidential responses to the directions in PO5.

On October 23, 2025, School Energy Coalition ("**SEC**") filed comments on Oshawa Power's request for confidentiality. SEC supports the confidentiality request except in respect of what SEC refers to as the "new head office campus". SEC takes the position that public disclosure of the total building cost will result in a "minimal impact" to the procurement process that is outweighed by the public interest in transparency for customers.

Oshawa Power rejects SEC's characterization that its request for confidential treatment of building costs, which are the subject of an ongoing competitive procurement process, constitutes a "secret." SEC states in its Intervention Form in this proceeding that "its members are customer of the Applicant." Oshawa Power has provided the SEC representative and many others customer groups in this proceeding that have signed a declaration and undertaking with a detailed breakdown of the total building costs. Oshawa Power does not understand how SEC concludes this information could be considered a "secret" that is being withheld from customers when the customer representatives clearly have access to the confidential information.

Oshawa Power notes that SEC has already unsuccessfully advanced this confidentiality argument in Ontario Power Generation's ("**OPG**") application in EB-2020-0290.[1] In that proceeding, SEC similarly sought public disclosure of the total forecast cost of the Clarington Corporate Campus. The

[1] Decision on Confidentiality – Pre-Filed Evidence EB-2020-0290, April 13, 2021, pg. 8.

OEB rejected SEC's request and affirmed that the total cost of the Clarington Corporate Campus was confidential as OPG went out for a single tender for the entire building. SEC has not adequately explained why this decision should not apply here, given that Oshawa is likewise conducting a competitive tender for the entire building.

Disclosure of the total building costs does not make sense for ratepayers either. Should a tender come in lower than Oshawa Power's estimate, this is a good outcome for ratepayers. However, that lower tender could be compromised or unduly influenced upward if the bidder knows Oshawa Power's total estimated cost for the building.

Accordingly, the submissions of SEC on the documents related to the total building costs should be rejected by the OEB. Oshawa Power reserves the right to respond to any further submissions of OEB Staff or other interveners.

Yours truly,

BORDEN LADNER GERVAIS LLP

Colm Boyle

CB/JV