



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER ON CONFIDENTIALITY

EB-2025-0014

OSHAWA PUC NETWORKS INC.

BEFORE: **Patrick Moran**
 Presiding Commissioner

Anthony Zlahtic
Commissioner

Robert Dodds
Commissioner

October 27, 2025

1 DECISION ON CONFIDENTIAL REQUESTS

Oshawa PUC Networks Inc. (Oshawa PUC Networks) filed a cost of service application with the Ontario Energy Board (OEB) on April 30, 2025, under section 78 of the *Ontario Energy Board Act, 1998* (OEB Act), seeking approval for changes to the rates that Oshawa PUC Networks charges for electricity distribution, beginning January 1, 2026.

In accordance with Procedural Order No. 1 dated June 13, 2025 and Procedural Order No. 2 dated June 30, 2025, the OEB directed parties to file consolidated interrogatories in relation to the cost of service application by July 10, 2025, and for Oshawa PUC Networks to file its responses by July 30, 2025.

Oshawa PUC Networks filed its interrogatory responses on July 30, 2025. Included as part of its filings was a request for confidential treatment of certain portions of 12 interrogatory responses. Redacted versions of the interrogatory responses were filed for the public record of this proceeding and unredacted versions of the documents were filed confidentially with the OEB pursuant to the OEB's [Rules of Practice and Procedure](#) and the *Practice Direction on Confidential Filings* (Practice Direction). The OEB's findings on each confidentiality request are as follows:

Vendor unit pricing, billing rates or underlying dataset of a third party:

1. 1-SEC/Staff/CCC/PP/CCMBC/VECC-9a) - Attachment 1-2 – Class B Estimate Report, and Attachment 1-3 – New HQ Location Summary Report

The two reports in their entirety will be treated confidentially in light of the fact that Oshawa PUC Networks is planning a competitive procurement process. The two reports include many assumptions and utilize a methodology, the details of which may impact the procurement process if made public. The total estimated cost of the proposed building is subject to a separate request for confidential treatment, but the OEB is of the view that the total estimated cost number on its own on the public record will be of little value to potential bidders bidding on a commercial building project. Oshawa PUC Networks cited a confidentiality decision¹ relating to an OPG procurement, but that decision related to a proposed sole source or “single tender” procurement, while in the present case, Oshawa PUC Networks is planning a competitive procurement process. The response to 1-SEC/Staff/CCC/PP/CCMBC/VECC-9a) will not be treated confidentially.

¹ EB-2018-0165 / Decision on Confidentiality / December 14, 2018 / p. 3.

2. 2-Staff/CCMBC-70c)

The OEB will treat the Customer Information Service (CIS) approximate cost figures in Table 2-20 that make up the total estimated cost of the proposed CIS confidentially on the basis that this is commercially sensitive information that may adversely affect the procurement process if made public.

3. 4-CCC/VECC-130b)

4. 4-SEC/CCMBC-165 – Attachment 4-6

The OEB will treat the third-party unit costs for services on the basis that this is commercially sensitive information and will be treated confidentially.

5. 4-VECC-170e) – Attachment 4-7 – Contract Between Oshawa PUC Networks and 2825407 Ontario Inc. (Schedule C)

6. 9-Staff/CCMBC/CCC-218c) – ERP Costs

The OEB will treat the third-party unit costs for services on the basis that this is commercially sensitive information and will be treated confidentially.

Ongoing competitive procurement process:

7. 1-SEC/CCMBC/VECC-12

Based on the OEB's finding that the total cost of new building should not be withheld from the public record, the table will not be treated confidentially.

8. 1-SEC-26 – Attachment 1-7 Confidentiality Agreement

The terms of the agreement prohibits a party from disclosing the fact that the subject agreement has been entered into. However, the OEB finds that there is nothing in the agreement that justifies confidential treatment. The agreement of the parties to maintain confidentiality is not sufficient on its own.²

Job sensitive information, including job titles for competitive affiliates and potential inference of compensation for individual employees:

² See section 5 of the Practice of the Direction which states "The presence of a third-party confidentiality agreement is not in and of itself a sufficient reason for an applicant to refuse to file information that is relevant to a proceeding. Similarly, a confidentiality agreement between an applicant and a third party does not automatically result in confidential treatment for the information covered by the agreement."

9. 4-CCC/VECC-154b) – Attachment 4-5 – Korn Ferry Compensation Market Analysis

10.4-SEC-166 – Attachment 4-5 – Korn Ferry Compensation Market Analysis

The job titles for affiliates may not be particularly relevant, but this is not a basis for redaction from the public record since no prejudice will flow from leaving the information on the public record.

On the basis that the information provided in the Korn Ferry report can be used to understand the compensation of individuals, the OEB grants the request to treat the information confidentially.

11.6-SEC-192 – Attachment 6-1 – 2024 Corporate Income Tax Return (PDF p.98)

On the basis that the information provided in the corporate income tax return can be used to understand the compensation of an individual, the OEB grants the request to treat the information confidentially.

12.1-SEC-26 Lakefront Utilities Agreements (Attachment 2-4 and 2-5)

The OEB agrees that Attachment 2-4 is commercially sensitive and will treat it confidentially. The OEB does not find any basis for confidential treatment of Attachment 2-5. The agreement does not set out any dollar amounts or unit prices that would give rise to a concern for commercial sensitivity.

13.1-SEC / Staff / CCC / PP / CCMBC / VECC9(a), (f), (g), and (h), Benchmarking Analysis (Attachment 2-1), Revenue Requirement for Building (Attachment 2-2)

Based on the OEB's finding above that the total building cost will be on the public record, the request for confidential treatment for these documents is denied.

14.1-SEC-17 Affiliate Financial Statements (Attachment 2-3)

As noted by Oshawa PUC Networks and SEC, the OEB has previously treated such information confidentially, and will do so in this case.

2 ORDER

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Oshawa PUC Networks shall file unredacted versions of documents with the OEB that the OEB has deemed non-confidential by October 27, 2025.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file numbers, **EB-2025-0014** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar at the address below and be received by end of business, 4:45 p.m., on the required date.

For all electronic correspondence and materials relating to the cost of service application, parties must include Tyler Davids at Tyler.Davids@oeb.ca and OEB Counsel, Lawren Murray at Lawren.Murray@oeb.ca and Tobias Hobbins at Tobias.Hobbins@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto October 27, 2025

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar