



DECISION ON CONFIDENTIALITY

EB-2024-0115

HYDRO OTTAWA LIMITED

BEFORE: **Allison Duff**
 Presiding Commissioner

Robert Dodds
Commissioner

David Sword
Commissioner

November 3, 2025

1 OVERVIEW

Hydro Ottawa Limited (Hydro Ottawa) filed an application with the Ontario Energy Board (OEB) on April 15, 2025, under section 78 of the *Ontario Energy Board Act, 1998*, seeking approval for changes to the rates that Hydro Ottawa charges for electricity distribution, beginning January 1, 2026, and for each following year through December 31, 2030.

On October 6, 2025, Hydro Ottawa filed a letter to the OEB requesting confidential treatment for specific information filed as part of its undertaking responses.¹

On October 8, 2025, and October 10, 2025, Hydro Ottawa filed further letters to the OEB requesting confidential treatment for additional information.²

Redacted versions of the undertaking responses were filed on the public record of this proceeding and un-redacted versions of the documents were filed confidentially with the OEB pursuant to the OEB's *Practice Direction on Confidential Filings* (Practice Direction).³

On October 20, 2025, OEB staff filed a submission⁴ identifying its concerns and disagreement with certain confidentiality requests.

On October 28, 2025, Hydro Ottawa filed a reply submission⁵ in response to OEB staff's submission.

The OEB approves the confidentiality requests related to Hydro Ottawa's undertaking responses after considering the submissions filed.

¹ EB-2024-0115, [Letter to OEB](#), October 6, 2025

² EB-2024-0115, [Letter to OEB](#), October 8, 2025 and [Letter to OEB](#), October 10, 2025

³ OEB, [Practice Direction on Confidential Filings](#), December 17, 2021

⁴ EB-2024-0115, [Staff Submission](#), October 20, 2025

⁵ EB-2024-0115, [Reply Submission](#), October 28, 2025

2 CONFIDENTIALITY REQUESTS

As part of its undertaking responses, Hydro Ottawa filed three letters to the OEB dated October 6, 2025, October 8, 2025, October 10, 2025, requesting confidential treatment for portions of the following undertaking responses, pursuant to the Practice Direction.⁶

October 6, 2025, Letter

- JT1.26
- JT1.27
- JT2.14
- Attachments JT2.21 (A), (B), (C), (D), and (E)
- Attachment JT3.11(A), (B), and (C)

October 8, 2025, Letter

- JT1.31
- JT1.32
- JT3.15(B), (C), and (D)

October 10, 2025, Letter

- Updated JT1.31
- Attachments UT1.31(A) and (B)

OEB staff filed a submission on October 20, 2025. No other submissions in response to the confidentiality requests were filed with the OEB.

In its submission, OEB staff disagreed with certain redactions in Attachment JT3.15 (B), stating they contain general descriptions or steps which do not appear to include commercially sensitive data. In addition, OEB staff did not support certain redactions in Attachments JT3.15 (B) and (C), stating they do not appear to contain commercially sensitive information and appear to be of a high-level, general nature. OEB staff invited Hydro Ottawa to provide further detailed explanations on how disclosure of the information would prejudice the commercial interests and competitive position of Hatch Ltd. (Hatch), the company that prepared the reports filed in JT3.15 (B) and (C).

OEB staff also noted a potential discrepancy regarding the redactions of gross costs included in Greenbank MTS in JT1.31 and gross costs included in Cyrville MTS in JT1.31 compared to October 8, 2025, confidentiality request letter.

⁶ OEB, [Practice Direction on Confidential Filings](#), December 17, 2021

On October 28, 2025, Hydro Ottawa filed a reply submission in response to OEB staff's submission. In its reply submission, Hydro Ottawa provided additional explanations to clarify its approach and address OEB staff's concerns and disagreements. Hydro Ottawa also appended a submission from Hatch, providing a first-hand discussion of the prejudice that Hatch could sustain if the redacted information were to be made public.

Findings

The OEB approves the confidentiality requests specified in the October 6, 2025 Hydro Ottawa letter for the following reasons:

JT1.26 and JT1.27

The redacted information includes customer billing information to calculate capital contributions potentially payable by specific customers. These customers have not yet committed to these capital contributions. The OEB agrees with Hydro Ottawa that the redacted information, with details on the record, could be used to deduce customer load profiles and energy usage. The OEB finds that the redacted information is presumed to be confidential under the Practice Direction, Appendix B, part 3.

JT2.14

The redacted information includes 3rd party unit pricing and costing for meter types. The OEB finds that this information is commercially sensitive and should not be revealed on the public record under the Practice Direction, Appendix B, part 1 and 2.

Attachments JT2.21 (A), (B), (C), (D), and (E)

The redacted information includes information and financial data of the utility and an affiliate. The information is consolidated and the OEB finds it not relevant to this proceeding in accordance with the Practice Direction, part 11.

Attachment JT3.11(A), (B), and (C)

Certain information was redacted from invoices issued to Hydro Ottawa from certain 3rd party vendors. Hydro Ottawa submitted the information was not relevant to the proceeding. The OEB agrees with Hydro Ottawa and finds the redacted information is not relevant to the issues to be decided. The information also includes 3rd party pricing information that is presumed to be confidential under the Practice Direction, Appendix B, part 3.

In addition, the OEB approves the confidentiality requests specified in the October 8, 2025 letter, as updated in Hydro Ottawa's October 10th letter, for the following reasons:

JT1.31, JT1.32, and Attachments UT31 (A) and (B)

The redacted information includes customer load and billing information used to calculate customer contributions related to the Greenbank Municipal Transformer Station upgrade and the Cyrille Municipal Transformer Station capital projects. The confidentiality requests also included redactions to the economic evaluations of these projects that were provided as attachments to the JT1.31 undertaking response.

Similar to Hydro Ottawa's confidentiality requests related to JT1.26 and JT1.27, the OEB finds that the redacted information, with details on the record, could be used to deduce customer load profiles and energy usage and is presumed to be confidential under the Practice Direction, Appendix B, part 3.

JT3.15 (B), (C), and (D)

The evidence consists of three reports prepared by Hatch for Hydro Ottawa related to a grid modernization state assessment, strategy and key performance indicator metrics.

OEB staff did not support the proposed redactions in JT3.15 (B) and (C). OEB staff submitted that it was not clear why this information would be considered commercially sensitive as it appeared to contain general descriptions and procedural steps. Hydro Ottawa responded to OEB staff's concerns and filed a reply submission with additional explanations to support its confidentiality requests. Hydro Ottawa submitted that the totality of the information constitutes Hatch's proprietary "work product" and as such, it would be reasonable to assert confidentiality over these deliverables in their entirety. Hydro Ottawa also filed a submission from Hatch, who prepared the reports at issue.

The OEB has considered Hatch's submission and the additional explanations provided by Hydro Ottawa. The OEB is persuaded by the submission filed by Hatch. In particular, the OEB agrees that the content reflects proprietary frameworks, methodologies and analytical models developed through investment in intellectual capital, industry experience and innovation. Accordingly, the OEB finds that public disclosure of the redacted information could prejudice Hatch's commercial interests and competitive position.

The OEB has also considered the redacted information and the information that is available on the public record in the three reports prepared by Hatch, filed in JT3.15 (B) (C) and (D). The OEB finds the information on the public record from these three reports is sufficient to the extent that it provides context in support of Hydro Ottawa's proposals included in its application. The OEB approves the proposed redactions, consistent with the Practice Direction, Appendix A, part (a) i.

DATED at Toronto November 3, 2025

ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar