

VIA RESS and EMAIL

February 27, 2026

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

Dear Ritchie Murray:

**Re: Ontario Power Generation Inc. (OPG) and DNNP LP
2027-2031 Payment Amounts
Consumers Council of Canada (CCC) Submission on Requests for Confidential
Treatment
OEB File No. EB-2025-0297**

In accordance with Procedural Order No. 1, dated February 5, 2026, the Consumers Council of Canada's (CCC) submission with respect to Ontario Power Generation and DNNP LP's (OPG or the Company) requests for confidential treatment of certain information filed in its application is set out below.

CCC's submission is narrowly focused on OPG's request that certain information contained in the Darlington New Nuclear Program (DNNP) Unit 1 Execution Phase Funding Release and Units 2-4 Definition Phase Funding Release¹ (DNNP Funding Release) should be permanently redacted from the record on the basis of non-relevance.²

The Company states that the information contained in the DNNP Funding Release includes detailed financial and scheduling information related to Units 2, 3 and 4 (the Future Units) of the DNNP, including, in respect of the Future Units, financial contingencies, expected interest and escalation, levelized cost of electricity (LCOE), and granular scheduling information (beyond the projected DNNP completion year of 2035).³ OPG supports its request for permanent confidential treatment as follows:

¹ Exhibit 2, Tab 4, Schedule 8, Attachment 1.

² OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, pp. 120-122.

³ Ibid., p. 120.

“Because none of the Future Units will enter commercial operation or have any associated forecast in-service amounts entering rate base during the future rate period, the detailed information pertaining to the Future Units is beyond the scope of issues that will be decided as part of this proceeding, and accordingly, it will not provide any assistance to the Board or intervenors (Practice Direction, Part 11).”⁴

CCC disagrees that the information associated with the Future Units is irrelevant to the current proceeding. The DNNP is a four-unit small module reactor (SMR) program that is estimated to cost approximately \$21 billion.⁵ The information associated with the Future Units in the DNNP Funding Release allows the OEB to properly assess the reasonableness of the Release Quality Estimate (RQE) for Unit 1 of approximately \$7.7 billion.⁶ More specifically, the information for which OPG seeks permanent redactions regarding Future Unit costs by scope⁷, the level of contingency reflected in the cost estimates for the Future Units⁸, and the overall program costs per unit⁹ allow for a comparison of the costs reflected in the Unit 1 RQE to that of the Future Units. This more granular information is crucial to understanding the reasonableness of the Unit 1 cost forecast as a comparison to the costs of the Future Units is useful in the evaluation of a First of a Kind (FOAK) project.

OPG also seeks permanent confidential treatment of the levelized cost of electricity (LCOE) related to the DNNP.¹⁰ OPG’s DNNP Project Charter sets out the “Primary Objectives and Success Factors” associated with the DNNP. One of those success factors is that the DNNP reflects a total cost of generation that is “competitive in the Canadian energy market (carbon cost factored in).”¹¹ CCC submits that any evaluation of the competitiveness of the DNNP generated output requires information on the unit costs of that output. The LCOE is a methodology that allows for this important comparison. It is entirely unclear to us why OPG does not believe that this information is relevant to the current proceeding.

⁴ Ibid., p. 121.

⁵ Exhibit D2, Tab 4, Schedule 8, Attachment 1, p. 1.

⁶ Ibid.

⁷ Exhibit D2, Tab 4, Schedule 8, Attachment 1, p. 8.

⁸ Ibid., p. 10.

⁹ Ibid., p. 11.

¹⁰ OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, p. 120.

¹¹ Exhibit D2, Tab 4, Schedule 2, Attachment 3, p. 27.

OPG appears to believe that Part 11 of the OEB’s Practice Direction on Confidential Filings (Practice Direction)¹² somehow establishes the test for relevance based on whether information is related to capital projects that enter rate base in the immediate term.¹³ CCC submits that there is nothing in Part 11 of the Practice Direction that states that this is the test for relevance. We believe the OEB should consider relevance in a much broader manner and consider whether the information will assist it in determining the reasonableness of current capital decisions. In any case, OPG is seeking approval for the recovery of \$114.9 million of interest costs associated with the previously released funds for Units 2-4 through its Concurrent Cost Recovery (CCR) proposal.¹⁴ Therefore, there are costs associated with the Future Units that OPG proposes to recover in the upcoming Custom IR term.

For the reasons set out above, we submit that the information contained in the DNNP Funding Release is relevant to the current proceeding.

With respect to confidentiality, OPG states that the financial information associated with the Future Units is commercially sensitive and will impact future negotiations.¹⁵ We do not oppose the confidential treatment of the more granular costing and scheduling information for the Future Units¹⁶ set out in the DNNP Funding Release for the reasons argued by OPG.¹⁷

We submit, however, that the DNNP LCOE¹⁸ should be made available publicly on the record of the current proceeding. It is unclear to us how this information is commercially sensitive or will impact future negotiations. OPG is not seeking to redact total DNNP project costs, the portion of the total DNNP project costs attributable to the Future Units, or the planned year of completion relating to the DNNP.¹⁹ We understand the DNNP LCOE to be an estimate of the generation cost for the four-unit DNNP in aggregate. Therefore, the

¹² [OEB Practice Direction on Confidential Filings](#), pp. 15-16.

¹³ OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, p. 121.

¹⁴ Exhibit D2, Tab 4, Schedule 8, p. 17.

¹⁵ OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, p. 120.

¹⁶ Exhibit D2, Tab 4, Schedule 8, Attachment 1, pp. 8, 10, 11, 13, 15, 17.

¹⁷ OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, pp. 121-122.

¹⁸ *Ibid.*, p. 14.

¹⁹ OPG Letter Re: Request for Confidential Treatment of Information in Pre-filed Evidence, December 12, 2025, p. 121.

LCOE would reflect unit costing information based on the aggregated cost of the full DNNP, which is already on the record of the current proceeding. In addition, we note that the LCOE (then called the Levelized Unit Energy Cost or LUEC) for the Darlington Refurbishment Program (DRP) was publicly disclosed in the EB-2016-0152 proceeding.²⁰

Most importantly, the ratepayers of Ontario have the right to know what they are buying. The right to fully understand the costs of SMR at Darlington relative to other sources of electricity. The OEB has a responsibility to “inform consumers”²¹ with respect to electricity service and it should do so with respect to the generated output of the DNNP.

For the above reasons, CCC submits that the DNNP LCOE should be publicly disclosed on the record of the current proceeding.

Yours truly,



Lawrie Gluck
Consultant for the Consumers Council of Canada

cc: All parties in EB-2025-0297

²⁰ EB-2016-0152, Exhibit D2, Tab 2, Schedule 8, Attachment 1.

²¹ OEB Act, 1(1)1.