



Ontario | Commission
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BY EMAIL

May 22, 2026

Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Registrar@oeb.ca

Dear Ritchie Murray:

**Re: Ontario Energy Board (OEB) Staff Submission
Elexicon Energy Inc.
2027-2031 Custom Rate Application for Electricity Distribution Rates and
Charges
OEB File Number: EB-2025-0312**

Please find attached OEB staff's submission in the above-referenced proceeding.

Yours truly,

Vithooshan Ganesanathan
Advisor, Distribution Asset Management

Encl.

cc: All parties in EB-2025-0312



ONTARIO ENERGY BOARD

OEB Staff Submission on Confidentiality

Elexicon Energy Inc.

**2027-2031 Custom Rate Application for Electricity Distribution Rates
and Charges**

EB-2025-0312

May 22, 2026

Introduction

Elexicon Energy Inc. (Elexicon Energy) filed a Custom Incentive Rate-Setting application with the Ontario Energy Board (OEB) on December 19, 2025, under section 78 of the *Ontario Energy Board Act, 1998* (OEB Act) seeking approval for changes to the rates that it charges for electricity distribution, beginning January 1, 2027.

On May 8, 2026, Elexicon Energy filed a letter requesting permanent redaction and/or confidential treatment of certain portions of its responses to interrogatories pursuant to the OEB's [Practice Direction on Confidential Filings](#) (Practice Direction).¹

In a schedule to its request letter, Elexicon Energy included a table which details its requests for confidentiality, including the applicable evidence reference, explanation and rationale, and an indication about the type of redaction and whether presumptive confidential treatment is applicable.

The confidentiality requests as described by Elexicon Energy relate to the following information:

- Information that poses a cybersecurity risk
- Third-party consultant and vendor pricing and unit pricing information
- Commercially Sensitive and Proprietary Consultant Methodology
- Competitive third-party pricing and bid-related information
- Information about the physical security of Elexicon Energy's sites
- Labour sensitive forecast information
- Commercially sensitive information that can prejudice Elexicon Energy's competitive position in the labour market
- Compensation information that is personal information
- Solicitor-client privileged information
- Non-Relevant HST Numbers
- Non-Relevant Tax Information

Referencing Issues

OEB staff notes that there were several referencing issues with regard to the requested redactions for confidentiality. There were errors and inconsistencies in page numbering, as well as certain redactions highlighted in Parts 1, 2, and 3 which were not referenced in the May 8th request for confidentiality. OEB staff also notes that most of Part 1 and

¹ EB-2025-0312, Letter Request for Confidential Treatment of Information in Interrogatory Responses, May 8, 2026.

portions of Part 2 of the filed redactions were not text-searchable, making it difficult to locate the redactions. Additionally, the cover page provided in Elexicon Energy’s May 8, 2026, confidential filings incorrectly labelled 6-Staff-148 as 2-Staff-75, Attach 1 CCRAs. OEB staff further notes that in the May 8, 2026, letter requesting confidentiality, 2-Staff-75, Attach 1 CCRAs was referenced as 1-Staff-75, Attach 1 CCRAs. OEB staff encourages Elexicon Energy to ensure that references are comprehensive and accurate in future filings.

In addition, OEB staff notes that the “Explanation and Rationale” column in Elexicon Energy’s cover letter contained, in several instances, multiple reasons that were not specific to each redaction. For ease of review, OEB staff encourages Elexicon Energy to identify the reason for each specific redaction in future filings.

OEB Staff Submission

OEB staff agrees that the following proposed redactions fall within at least one of the presumptively confidential categories under Appendix B of the Practice Direction:

- **Third-Party Consultant and Vendor Pricing and Unit Pricing Information:**
 - 1-SEC-03, Mercer Retainer (page 2)
 - 1-SEC-03, Clearspring Retainer (pages 2-3)
 - 1-SEC-03, Innovative Retainer (pages 2-3, 8, 15-16)
- **Solicitor-Client Privileged Information** (Permanent Redaction):
 - 1-SEC-01, Attach 1_Board Materials (page 14)
- **Competitive Third-Party Pricing and Bid-Related Information:**
 - 4-CCC-51, Appendix G – B.1a Dx Next – Board Presentation 11-02-2023 Final_IJB) (pages 6, 8, 10-11)
 - 4-CCC-51, Appendix A – Dx NEXT RFP Final, Pages 43, 88, 109
 - 4.1-PWU-09, Page 3
 - 4-CCC-50, Page 4
 - 4-CCC-51, Attachment E Dx NEXT Scoring Matrix_Final Summary
- **Compensation Information Related to Identifiable Individuals** (Permanent Redaction):
 - 4-CCC-58, Exec Compensation (pages 4, 6-7)
 - 4-CCC-58, CEO Compensation (pages 2-4, 6-7, 12-13)

- **Labour Sensitive Forecast Information:**

- 4-CCC-58 (page 3)

OEB staff agrees with the following confidentiality requests based on the explanation and rationale provided by Elexicon Energy, and Appendix A of the Practice Direction:

- **Information that Poses a Cyber Security Risk:**

- 6-Staff-148, Attach. 2_Tax Return 2018 Veridian Connections Inc. (pages 9-11, 20-21, 23-24)
- 6-Staff-148, Attach. 4_Tax Return 2019 Veridian Connection Inc. (pages 9-11)
- 6-Staff-148, Attach. 6_Tax Return 2019 Elexicon Energy Inc. (pages 9, 12-13, 22-23, 25-26)
- 6-Staff-148, Attach. 7_Tax Return 2020 Elexicon Energy Inc. (pages 9, 11-13, 20, 22-23, 25-26)
- 6-Staff-148, Attach. 8_Tax Return 2021 Elexicon Energy Inc. (pages 9, 11-13, 20, 22-23, 25-27)
- 6-Staff-148, Attach. 9_Tax Return 2022 Elexicon Energy Inc. (pages 9-10, 12-14, 23, 25-26, 28-30)
- 6-Staff-148, Attach. 10_Tax Return 2023 Elexicon Energy Inc. (pages 9-10, 12-14, 18, 22, 25-26, 28-30)
- 4-CCC-51, Appendix A – Dx NEXT RFP Final (pages 56-59, 61, 68, 72-75, 77, 130, 135, 142, 146, 172, 178, 179, 180, 183-184)
- 4-CCC-51, Appendix G – B.1a Dx Next – Board Presentation 11-02-2023 Final_IJB (page 16)
- 4-CCC-51, Appendix D – Evaluation Matrix Template (pages 13, 19)
- 4-CCMBC-12 (page 2)
- 4-SEC-78 (pages 2-3)
- 1-QMA-3, Attach 1 Business Continuity Plan Overview, Pages 9-10

- **Commercially Sensitive and Proprietary Consultant Methodology:**

- 4-CCC-51, Appendix G – B.1a Dx Next – Board Presentation 11-02-2023 Final_IJB (page 4)

- **Information About Physical Security of Elexicon's Sites:**

- 2-Staff-75,² Attach 1 CCRAs (pages 2, 40, 42, 43, 71, 73, 74, 106)
- 2-Staff-65, Attach 2_B&B BCA – 2849 Durham Regional Highway 2 (pages 23, 38)

² The reference provided in Elexicon Energy's May 8, 2026 letter incorrectly refers to Exhibit 1 rather than Exhibit 2 (i.e., 1-Staff-75, Attach 1 CCRAs instead of 2-Staff-75, Attach 1 CCRAs).

- 2-Staff-65, Attach 1_B&B BCA – 195 Progress Drive (pages 20-21, 31-32)
- 2-Staff-65, Attach 3_B&B BCA – 55 Taunton Road East (pages 11-13, 26, 56)
- 2-Staff-65, Attach 5_B&B BCA – 100 Taunton Road East (pages 11, 12, 13, 27, 36, 47)
- 2-Staff-65, Attach 4_B&B BCA – 1395 Thorah Concession Road 6 (pages 18, 31)

- **Commercially Sensitive Information that can Prejudice Elexicon Energy's Competitive Position in the Labour Market:**
 - 4-CCC-58, Exec Compensation (pages 4, 6-7)
 - 4-CCC-58, CEO Compensation (pages 2-4, 6-7, 12-13)

- **Non-Relevant HST Numbers (Permanent Redaction):**
 - 6-Staff-148, Attach. 2_Tax Return 2018 Veridian Connections Inc. (pages 1-127)
 - 6-Staff-148, Attach. 3_Tax Return 2018 Whitby Hydro (pages 1-60, 95-147)
 - 6-Staff-148, Attach. 4_Tax Return 2019 Veridian Connection Inc. (pages 1-118)
 - 6-Staff-148, Attach. 5_Tax Return 2019 Whitby Hydro (pages 1-125)
 - 6-Staff-148, Attach. 6_Tax Return 2019 Elexicon Energy Inc. (pages 1-128)
 - 6-Staff-148, Attach. 7_Tax Return 2020 Elexicon Energy Inc. (pages 1-156)
 - 6-Staff-148, Attach. 8_Tax Return 2021 Elexicon Energy Inc. (pages 1-121)
 - 6-Staff-148, Attach. 9_Tax Return 2022 Elexicon Energy Inc. (pages 1-121)
 - 6-Staff-148, Attach. 10_Tax Return 2023 Elexicon Energy Inc. (pages 1-122)

- **Non-Relevant Tax Information (Permanent Redaction):**
 - 6-Staff-148, Attach. 2_Tax Return 2018 Veridian Connections Inc. (pages 1, 9, 12, 15, 19, 22, 25, 80-81, 116-121)
 - 6-Staff-148, Attach. 4_Tax Return 2019 Veridian Connection Inc. (pages 1, 9, 12, 16, 25, 106-111)
 - 6-Staff-148, Attach. 6_Tax Return 2019 Elexicon Energy Inc. (pages 1, 10, 14, 17, 21, 23, 27, 40, 119-124)

- 6-Staff-148, Attach. 7_Tax Return 2020 Elexicon Energy Inc. (pages 1, 9, 14, 18, 21, 24, 27, 37, 119, 143-145)
- 6-Staff-148, Attach. 8_Tax Return 2021 Elexicon Energy Inc. (pages 1, 9, 14, 18, 21, 24, 27, 40, 111-113)
- 6-Staff-148, Attach. 9_Tax Return 2022 Elexicon Energy Inc. (pages 1, 10, 15, 20, 24, 27, 30, 43, 112-114)
- 6-Staff-148, Attach. 10_Tax Return 2023 Elexicon Energy Inc. (pages 1, 10, 15, 19, 23, 27, 30, 43, 112-114)

The following sections provide OEB staff's submissions on the remaining proposed redactions as grouped by Elexicon Energy in its request letter.

Requests for Confidentiality for Other Reasons

Cyber Security Risk

Elexicon Energy explains that:

The redacted information describes technical details and measures related to cyber security enhancements, including system design architecture, certain specific software solutions used by Elexicon, and specific cybersecurity protocols used to protect key infrastructure. The redacted information also describes the identification and assessment of cyber security vulnerabilities, including those vulnerabilities that the security enhancements address. The redacted information also contains sensitive software version information, which may be used to identify version-specific vulnerabilities. Public disclosure of this information poses a cybersecurity risk as contemplated in the Practice Direction, Appendix A, part (c).

4-CCC-51, Appendix A – Dx NEXT RFP Final

OEB staff does not agree with the following redactions:

- **Page 13 (Appendix A Part 3 pdf pg. 22):** The description of the length of the software licenses does not appear to represent a cybersecurity risk to Elexicon Energy.
- **Page 61 (Appendix A Part 3 pdf pg. 70):** The description of the redacted software (in the column 'Description') does not appear to represent a cybersecurity risk to Elexicon Energy.
- **Pages 65 (Appendix A Part 3 pdf pg. 74), 74 (Appendix A Part 3 pdf pg. 81), 139 (Appendix A Part 3 pdf pg. 148), 142 (Appendix A Part 3 pdf pg. 151),**

first redaction in second bullet point), 174 (Appendix A Part 3 pdf pg. 183), 198, (Appendix A Part 3 pdf pg. 207): The indicated use of the redacted software does not appear to represent a cybersecurity threat to Elexicon Energy, particularly given the context of the software being commonly used in the industry.

6-Staff-148 Attachment 6 – Tax Return 2019 – Elexicon Energy Inc.

- **Page 21 (Appendix A Part 2 pdf pg. 544):** The information requested for redaction in Section B (Project descriptions) represents a generic overview of common industry software, in addition to unspecific financial, inventory, and work systems. OEB staff does not agree that the information represents a cybersecurity risk to Elexicon Energy.

All of which is respectfully submitted