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July 10, 2026

RESS & EMAIL

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Mr. Ritchie Murray, Registrar
Dear Mr. Murray:

Re: EB-2025-0312: Elexicon Energy Inc. (“Elexicon”) 2027-2031 Electricity Distribution Rates (the “Application”)– Request for Confidential Treatment of Information in Undertaking Responses and AMI 2.0 Business Case

We are legal counsel to Elexicon, the applicant, in the above-referenced proceeding. Further to the Technical Conference which took place between June 22 to June 25, 2026, Elexicon filed a first tranche of undertakings on July 8, 2027, and a second tranche of undertakings on July 10, 2026. In addition, on July 10, 2026, Elexicon also filed an AMI 2.0 business case marked as Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (the “**AMI 2.0 Business Case**”).

Pursuant to the OEB’s *Practice Direction on Confidential Filings* (the “**Practice Direction**”), Elexicon hereby requests OEB approval for confidential treatment under Parts 5 and 6 of the Practice Direction for certain information contained in those undertaking responses and the AMI 2.0 Business Case.

The proposed redactions are summarized below for ease of reference, and Schedule A of this letter, prepared in accordance with Section 5.1.4(b) of the Practice Direction, provides the rationale.

• **Information that Poses Cybersecurity Risks**

- JT3.14 Attach 3 (Collections Process Review), pp. 4-5, 15, 18, 22, 24, 27, 29, 32, 35
- JT3.30, Attach 1 (2025 Tax Return), pp. 13, 15-17, 26-27, 29-30, 33-34
- Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (AMI 2.0 Business Case), pp. 14-15, 19, 52, 54-56

• **Labour Sensitive Information**

- JT3.17, p. 1

- **Information that can Interfere with a Future Competitive Procurement Process**
 - Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (AMI 2.0 Business Case), pp. 2, 4-5, 16, 18, 27-28, 39, 41-47, 50-51
- **Third Party Pricing Information**
 - JT3.14 Attach 4 (Dx NEXT Project IFRS Assessment), pp. 1-2, 5-11, 14-15, 18
 - Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (AMI 2.0 Business Case), pp. 34, 36, 39
- **Third-Party Commercially Sensitive Information**
 - JT3.14 Attach 4 (Dx NEXT Project IFRS Assessment), pp. 4-7, 9-11, 16-18
 - JT3.17, Attach 1 (MEARIE Benefits Review), pp 29
 - JT3.14 Attach 3 (Collections Process Review), pp. 15-19, 21-27, 29, 31-34, 36-40
- **Personal Customer Information**
 - JT3.14 Attach 3 (Collections Process Review), p. 27
- **Non-Relevant Information:**
 - Business Numbers: JT3.30, Attach 1 (2025 Tax Return), pp. 1-142
 - Tax Information: JT3.30, Attach 1 (2025 Tax Return), pp. 1, 13, 18, 23, 28, 31, 35, 48, 110, 131-134

Appendix A contains a compilation of the unredacted (confidential) versions of the relevant undertakings and evidence, each of which is labelled as confidential and includes marked (but not “applied”) redactions for the specific portions of the responses or documents for which Elexicon requests confidential treatment. For ease of reference, in Appendix A, Elexicon has marked redactions in red outline for personal information, blue outline for non-relevant information (both of which it seeks to permanently redact from the public record in accordance with Parts 10 and 11 of the Practice Direction, respectively), and in green outline for information for which Elexicon seeks confidential treatment (in accordance with Parts 5 and 6 of the Practice Direction).

Elexicon requests that portions of JT3.17 containing commercially sensitive labour information be subject to additional protections. Given the participation in this proceeding by Elexicon’s labour union (“PWU”), Elexicon has a particular concern with the possibility of this subset of confidential information, which has the potential to interfere with collective bargaining negotiations, being disclosed to the PWU. While Elexicon has ensured that any such information has been marked as confidential and is redacted from the public record, this information would in the normal course be available to counsel, experts or consultants to a party who file the OEB’s form of confidentiality Declaration & Undertaking. Elexicon understands that the Board typically grants access to confidential documents to a party’s counsel, experts or consultants that have signed the Declarations & Undertaking.

In respect of the PWU, Elexicon requests that only external counsel and/or external consultant(s) representing the PWU in this proceeding be permitted to have access to the unredacted document containing commercially sensitive labour information, and, for external consultants, as a condition of obtaining access, the external consultant be required to execute and file (i) the standard Declaration & Undertaking, and also (ii) an affidavit or sworn declaration confirming that they are at arms-length from the PWU and are not (and will not be) involved in any way in collective bargaining on behalf of the PWU through to the end of the period covered by the Application. The additional requirement in (ii) is appropriate to ensure the protection of this highly sensitive and confidential information in the circumstances, and this request is consistent with the process followed by OEB panels in certain prior proceedings.

Elexicon will imminently upload Appendix A to the ShareFile file sharing platform hosted by Torys LLP, where eligible parties that have signed the Declaration and Undertaking will be able to access a password-protected version of it, consistent with the process used in respect of the Application and the interrogatories. Eligible parties may contact Daniel Gralnick from Torys LLP at dgralnick@torys.com to obtain the password to access Appendix A.

Please let us know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "D. Coban". The signature is written in a cursive, flowing style.

Daliana Coban

cc: Erin Stevens, Elexicon Energy Inc.

Schedule “A”

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
JT3.30, Attach 1 (2025 Tax Return)	13, 15-17, 26-27, 29-30, 33-34 (Part 1 PDF pp. 110, 112-114, 123-124, 126-127, 130-131)	Confidential	N	Cybersecurity Risk: The redacted information describes technical details and measures related to cyber security enhancements, including system design architecture, specific software solutions used by Elexicon, and specific cybersecurity protocols used to protect key infrastructure. The redacted information also provides information about measures related to cyber security enhancements and describes cyber security vulnerabilities, including those vulnerabilities that the security enhancements address. Public disclosure of this information poses a cybersecurity risk as contemplated in the Practice Direction, Appendix A, part (c). Previous Treatment: Pursuant to Appendix A, part (e) of the Practice Direction, the OEB has previously approved the confidential treatment of similar information, including in this proceeding. ¹
JT3.14 Attach 3 (Collections Process Review)	4-5, 15, 18, 22, 24, 27, 29, 32, 35 (Part 1 PDF pp. 5-6, 16, 19, 23, 25, 28, 30, 33, 36)			
Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (AMI 2.0 Business Case)	14-15, 19, 52, 54-56 (Part 2 PDF pp. 19-20, 24, 57, 59-61)			

¹ EB-2025-0312, Elexicon Energy Inc., Decision on Issues List and Confidentiality (April 10, 2026), pp. 5-6.

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
JT3.14 Attach 4 (Dx NEXT Project IFRS Assessment)	4-7, 9-11, 16-18 (Part 1 PDF pp. 46-49, 51-53, 58-60)	Confidential	N	Third-Party Commercially Sensitive Information: The redacted information consists of commercial terms for the vendor-delivered components of the Dx NEXT project, including pricing-related commercial terms. The vendor has advised Elexicon that publicly disclosing this information could prejudice the vendor's competitive position in providing similar services to other potential clients, and can impair its ability to negotiate agreements with other customers. This information is commercially sensitive and, if disclosed, could prejudice the competitive positions of the vendor, interfere with future negotiations, and may produce a significant loss to the vendor. (Practice Direction, Appendix B, parts 1 and 2, Appendix A, parts (a)(i), (iii) and (iv)). (iii) and (iv)). Prior Treatment: Pursuant to Appendix A, part (e) of the Practice Direction, the OEB has previously approved the confidential treatment of similar information, including in this proceeding.²
JT3.14 Attach 4 (Dx NEXT Project IFRS Assessment)	1-2, 5-11, 14-15, 18	Confidential	Y	Third Party Pricing Information: The redacted information consists of a detailed breakdown of the vendor pricing structure for the Dx NEXT project. This information is unit pricing and billing rates of a third party, which is presumed to be confidential. (Practice Direction, Appendix B, parts 1 and 2).

² EB-2025-0312, Elexicon Energy Inc., Decision on Issues List and Confidentiality (April 10, 2026), pp. 13-14 [item 21].

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
	(Part 1 PDF pp. 43-44, 47-53, 56-57, 60)			Prior Treatment: Pursuant to Appendix A, part (e) of the Practice Direction, the OEB has previously approved the confidential treatment of similar information, including in this proceeding. ³
JT3.17, Attach 1 (MEARIE Benefits Review)	29 (Part 1 PDF p. 92)	Confidential	N	Third-Party Proprietary and Commercially-Sensitive Information: The redacted information consists of proprietary and commercially sensitive third-party benchmarking information with respect to LDC and broader industry employee benefit programs. The public disclosure of the information poses a risk to the vendor's commercial interests because it enables potential clients to access this information free of charge and provides the vendor's competitors access to this information. To this end, the public disclosure of this information would prejudice the vendors' commercial and competitive position, as well as its ability to carry on business offering these services to other potential client. (Practice Direction, Appendix A(a)((i),(iv)))
Exhibit 2B - Tab 4 - Schedule 3, Appendix D,	2, 4-5, 16, 18, 27-28, 39, 41-47, 50-51	Confidential	N	Information that can Interfere with a Future Competitive Procurement Process: The redacted information consists of commercially-sensitive business information comparing and assessing the relative merits of the AMI 2.0 vendor

³ EB-2025-0312, Elexicon Energy Inc., Decision on Issues List and Confidentiality (April 10, 2026), p. 5 [item 18].

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
Attachment 1 (AMI 2.0 Business Case)	(Part 2 PDF pp. 7, 9-10, 21, 23, 32-33, 42, 46-52, 55-56)			options (two of which are identified), including descriptions of the cost-benefit evaluation framework that would enable parties to infer how the company conducted these assessments. The public disclosure of this information could interfere with the utility's future RFP for the AMI2.0 project, which may undermine the competitiveness of this process and/or prejudice future negotiations with the selected vendor (Practice Direction, Appendix A (a)(iii)(iv)).
Exhibit 2B - Tab 4 - Schedule 3, Appendix D, Attachment 1 (AMI 2.0 Business Case)	34, 36, 39 (Part 2 PDF pp. 39, 41, 44)	Confidential	Y	Third Party Pricing Information: The redacted information consists of commercially sensitive third-party pricing estimates for services associated with implementation and licensing of AMI 2.0. Together with other information on the public record relating to meter volumes, this information reveals sensitive third-party unit pricing information, which is presumed to be confidential under the Practice Direction, Appendix B, part 2. Further, the public disclosure of this information could prompt participants in future procurements to increase their bid amounts, which would undermine the competitiveness of future procurements, or prejudice future negotiations with the selected vendor (Practice Direction, Appendix A (a)(iii)(iv)).

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
JT3.14 Attach 3 (Collections Process Review)	15-19, 21-27, 29, 31-34, 36-40 (Part 1 PDF pp. 16-20, 22-28, 30, 32-35, 37-41)	Confidential	N	Commercially Sensitive Third-Party Methodology: Elexicon is seeking to redact portions of the EARTH Corporation Collections Process Review which is of a commercially sensitive nature and reveals aspects of the proprietary methodology the consultant applied in its study and the output of that methodology. The consultant has advised Elexicon that the public disclosure of this information could prejudice their commercial interests and competitive position. as it would allow other consultants to ascertain the proprietary and sensitive aspects of the methodology and could enable a competitor to offer services replicating EARTH's analysis (Practice Direction, Appendix A(a)((i),(iv))). Similarly, the public disclosure of this information could allow other utilities to benefit from the consultant's recommendations, which would undermine the need for them obtain the services of EARTH in the future. To this end, the public disclosure of this information could undermine the basis of the consultant's business, potentially seriously prejudicing its commercial and competitive position, as well as its ability to carry on business offering such analysis.

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
JT3.17	1 (Part 1 PDF p. 62)	Confidential (Sensitive Labour)	Y	Labour Sensitive Information: The redacted information describes aspects of Elexicon's approach in connection with the provision of benefits to unionized employees. This information is sensitive from a labour relations perspective because it can impact future collective bargaining negotiations (Practice Direction, Appendix B, part 8 and Appendix A, part (a)(iii)).
JT3.14 Attach 3 (Collections Process Review)	27 (Part 1 PDF p. 28)	Personal Information	N/A	Personal Customer Information: The redacted information consists of account information of specific customers, including the account number and addresses. The information is personal information because it is "recorded information about an identifiable individual, including a[n] identifying number...assigned to the individual". In addition, the information should be redacted because it is not relevant to evaluating the issues in this proceeding.
JT3.30, Attach 1 (2025 Tax Return)	All (1-142) (Part 1 PDF pp. 98-239)	Non-Relevant	N/A	Non-Relevant Business Numbers: The redacted information consists of registered business numbers and Ontario corporation numbers of Elexicon, affiliates, and third parties. This information is not relevant to evaluating the issues in this proceeding.

Reference		Type of Redaction	Presumptive Confidential Treatment (Y/N)	Explanation and Rationale
Evidence	Page #			
				Previous Treatment: Pursuant to Appendix A, part (e) of the Practice Direction, the OEB has previously approved the permanent redaction of similar information, including in this proceeding. ⁴
JT3.30, Attach 1 (2025 Tax Return)	1, 13, 18, 23, 28, 31, 35, 48, 110, 131-134 (Part 1 PDF pp. 98, 110, 115, 120, 125, 128, 132, 145, 207, 228-231)	Non-Relevant	N/A	Non-Relevant Tax Information: The redacted information consists of names, post-secondary affiliations, job titles, qualifications, employment history and salary information attributable to specific Elexicon employees. This information is not relevant not relevant to evaluating the issues in this proceeding. Previous Treatment: Pursuant to Appendix A, part (e) of the Practice Direction, the OEB has previously approved the permanent redaction of similar information, including in this proceeding. ⁵

⁴ EB-2023-0195, Toronto Hydro-Electric System Limited, Decision on Confidentiality, Issues List, Proposed Expert Evidence and Procedural Order No. 3 (February 5, 2024), p. 3; EB-2025-0312, Elexicon Energy Inc., Decision on Issues List and Confidentiality (April 10, 2026), p. 6;

⁵ EB-2023-0195, Toronto Hydro-Electric System Limited, Decision on Confidentiality, Issues List, Proposed Expert Evidence and Procedural Order No. 3 (February 5, 2024), p. 3; EB-2025-0312, Elexicon Energy Inc., Decision on Issues List and Confidentiality (April 10, 2026), p. 6;

Appendix “A”

(Intentionally omitted from public version)