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BY EMAIL

July 14, 2026

Mr. 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 on Confidentiality
Ontario Power Generation Inc. and DNNP LP
2027-2031 Payment Amounts
OEB File Number: EB-2025-0297**

Please find attached OEB staff's submission in the above referenced proceeding, pursuant to the OEB's July 3, 2026 letter.

Yours truly,

Thomas Eminowicz
Senior Advisor,
Electricity Supply

Jeffrey Sauer
Senior Advisor,
Electricity Supply

cc. All parties in EB-2025-0297



ONTARIO ENERGY BOARD

OEB Staff Submission on Confidentiality

Ontario Power Generation Inc. and DNNP LP

2027-2031 Payment Amounts

EB-2025-0297

July 14, 2026

Background

As part of undertaking responses from the technical conference held from May 27, 2026 to June 2, 2026, Ontario Power Generation Inc. (OPG) and DNNP LP (collectively, the Applicants) filed a letter to the OEB dated June 25, 2026¹ requesting confidential treatment for specific information.

OEB Staff Submission

OEB staff submits that certain redactions within the undertaking responses identified in this submission lack sufficient justification under the OEB's Practice Direction on Confidential Filings (Practice Direction)² or appear broader than necessary. OEB staff submits that for certain requests, the Applicants should provide further explanation and, where appropriate, revise their redactions as discussed herein to ensure they are narrowly tailored and consistent with established OEB practice.

In accordance with the Practice Direction, OEB staff has made the following submissions with the goal of striking a balance between the objectives of transparency and openness, and the need to protect information that has been properly designated as confidential.

OEB staff takes no issue with the confidentiality requests in the letter filed by the Applicants mentioned above beyond those described in the sections below.

Item #1 – Commercially sensitive labour information

The Applicants requested that, in respect of the Society of United Professionals (the Society) and the Power Workers' Union (PWU), only external counsel and/or external consultant(s) representing these unions in this proceeding be permitted to have access to unredacted documents containing commercially sensitive labour information. As a condition to obtain these unredacted documents, the Applicants requested that external consultant(s) file the OEB's form of confidentiality Declaration and Undertaking and an affidavit or sworn declaration confirming that they are arms-length from the union and are not involved in collective bargaining negotiations on behalf of the union through to the end of the period covered by this application. The Applicants noted that this request is consistent with the process followed by the OEB in certain prior proceedings. OEB staff has no objection to this request.

¹ EB-2025-0297, Request for confidential treatment for TC undertaking responses, June 25, 2026

² [Practice Direction on Confidential Filings](#), December 17, 2021

Item #2 – Duration of project execution

The Applicants redacted information pertaining to the duration of project execution in the following responses:

- JT2.5 Attachment 4, pages 17-18
- JT2.5 Attachment 4, page 23
- JT2.5 Attachment 5, pages 8, 27

The Applicants stated that the information could be used in combination with project costs or other available information to determine the billing rates or fees of third-party suppliers (vendors).

It is unclear to OEB staff how the redacted information could be combined with other publicly available information to infer billing rates or vendor fees. As such, OEB staff submits that, unless the Applicants provide a more detailed explanation of how the requested information could be used, the duration information should be made public.

Item #3 – Contingency amounts

The Applicants stated that they redacted information in JT2.5 Attachment 2 that relates to specific contingency amounts. The Applicants noted that other amounts related to project costs have been redacted insofar as these values can be used to determine the contingency amounts but noted that confidential treatment is not being sought for the total project costs.

OEB staff submits that it is unclear why the total contract price for the GE Vernova estimate, the Turner & Townsend estimate, and the delta between them in JT2.5 Attachment 2, page 23 is redacted based on the rationale provided.

Item #4 – Total estimated cost

The Applicants stated that they redacted information in JT3.15 Attachment 1, page 1 that would reveal “OPG’s and the vendor’s cost that have not been fixed”. OEB staff interprets this to mean that the redacted information is the combined cost for OPG and its vendor. The Applicants stated that disclosing this information could undercut the vendor’s approach in future negotiations, or future customers of the vendor could use this value as an anchor.

If OEB staff’s interpretation is correct, OEB staff submits that OPG’s internal costs should be disclosed insofar as the vendor’s costs cannot be determined. OEB staff further submits that, to maintain an appropriate level of transparency, the OEB should direct the Applicants to provide disaggregated breakdowns of costs (for example, in the undertaking response itself) when the originating documents aggregate OPG and

contractor contingencies or costs (as in JT3.15 Attachment 1, page 1), on a going forward basis.

Item #5 – Scope of Work Information

The Applicants stated that they redacted information in JT3.15 Attachment 3, pages 4-5 that consists of non-public scope of work information for a specific project. The Applicants noted that disclosing this information could be used to benchmark, replicate, or calibrate bids and negotiation strategies, which could prejudice the competitive position of OPG and the vendors.

OEB staff submits that to meet the objectives of transparency and openness, the scope of work should not be redacted. This information is informative to parties and the public in understanding the basis for determining just and reasonable payment amounts. Unless the Applicants can explain what information is on the public record that would connect the scope of work to specific vendor costs, OEB staff submits that the scope of work information should be publicly disclosed.

~All of which is respectfully submitted~