

1 Q. (Re: TIR-PUB-NLH-20) The RFI requests monthly load data for each Industrial
2 Customer in 2014, 2015 and 2016. The response is redacted, but it is understood
3 that the information was provided to the Board. Further, Hydro cited confidentiality
4 concerns for not providing this information in its response to CA-NLH-282. The
5 Consumer Advocate believes that it is necessary for all parties to have this
6 information in order to conduct a proper review of the Application. Please indicate
7 what the parties need to do in order to respond to confidentiality concerns and gain
8 access to this information.

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11 A. The matter of requiring the disclosure, limited or controlled or otherwise, of
12 confidential information is a matter within the Board's discretion. As such, Hydro
13 can only suggest or propose for the Board's consideration a process to be followed
14 in this regard.

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16 Hydro can advise that in Ontario there is a well-established process and a form of
17 undertaking to the Ontario Energy Board that a party seeking access to confidential
18 material must follow. In short, the first step is to request confidential treatment
19 from the Board. If confidential treatment is granted, to gain access, a requesting
20 party must execute an undertaking to hold the materials in confidence and not
21 disclose the materials to any party that is not subject to the same undertaking and
22 to return or destroy the materials at the end of the proceeding. If a party in the
23 proceeding wishes to refer to the confidential materials at the hearing, then the
24 hearing goes into an in-camera (non-public) phase for the time required to deal
25 with the confidential materials. Any argument that contains reference to
26 confidential filing is filed in a redacted format for public viewing and a non-redacted
27 version which is sent to the Board and those parties that execute the undertaking.