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August 30, 2024

BY RESS

Ms. Nancy Marconi
Ontario Energy Board
2300 Yonge Street,
27th Floor
Toronto, ON M4P1E4

Dear Ms. Marconi:

**Re: Northern Ontario Wires Incorporated ("NOW Inc.")
EB-2024-0046, Application for Rates and Other Charges for Electricity**

Please find enclosed an electronic copy of NOW Inc.'s Application filed in accordance with the OEB's Filing Requirements for Electricity Distribution Rate Applications.

PROCESS REQUEST

With respect to the processing of this Application, NOW Inc. respectfully requests that OEB consider treating NOW Inc. as a Very Small Utility and apply the associated streamlined "Very Small Utility" approach to this application for the purposes of the discovery phase and settlement conference process. As a utility with approximately 6,000 customers NOW Inc. believes that the proposed new Very Small Utility process would be beneficial to NOW Inc. and its customers.

CONFIDENTIAL FILINGS

NOW Inc. is requesting confidential treatment of certain information contained in the Application pursuant to the OEB's Practice Direction on Confidential Filings. The information for which NOW Inc. is requesting confidential treatment is contained within the following three documents:

- **"Actuarial Report"** Developed by Mondelis Corp.
Exhibit 4, Tab 4, Schedule 2, Attachment 2
- **"3i0 Consequences of Inaction Regarding 115kV to 25kV and 115kV to 4.16kV System"**
Exhibit 2, Tab 2, Schedule 1, Attachment 1, Appendix A-1 (pdf page 203)
- **"McMillan - Feasibility Study New Transformer Station"**
Exhibit 2, Tab 2, Schedule 1, Attachment 1, Appendix A-2 (pdf page 210)

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NOW Inc. has included the noted documents within the application with redactions and has separately provided the OEB with unredacted versions of the documents with the proposed redactions highlighted.

We note that, broadly speaking, the claim in relation to the Actuarial Report is based on concerns around the disclosure of personal information contrary to *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31 (“FIPPA”), such that if the OEB agrees that some or all of the redactions are properly considered personal information the redacted information will not be made available on the record in any form.

The claim with respect to the remaining two documents, filed as appendices to NOW Inc.’s Distribution System Plan, is based on a claim regarding commercially sensitive information in relation to NOW Inc. customers. Accordingly, if the OEB agrees that the identified information should remain confidential, NOW Inc. assumes that information will be made available for review by parties filing the appropriate undertakings with respect to confidential material.

Per the OEB’s filing guidelines with respect to confidential filings, NOW Inc. provides the following table identifying the relevant documents, the page references for the proposed redactions, and the rationale for confidential treatment of that information:

<p>"Actuarial Report"</p> <p>Developed by Mondelis Corp</p> <p>Exhibit 4, Tab 4, Schedule 2, Attachment 2, pages 261-263 & 266-267</p>	<p>This Report highlights data and information relating to post-employment benefits for the most recent fiscal year (2023), breaking down the details of those benefits.</p> <p>Publication of this data would disclose sensitive, personal information regarding specific employees and former employees without their consent. This could lead to negative reaction against both the employees, former employees, as well as the company.</p> <p>Accordingly, NOW Inc. has redacted any information in the Report that contains personal information in relation to NOW Inc. employees. NOW Inc. notes that although there is aggregation of information in the report, the report only deals with 3 current employees and 2 retirees; accordingly, in the context of the Report, NOW Inc. believes it is impossible to effectively implement the OEB’s guidance with respect to the aggregation of information for its employees. NOW Inc. notes that, within Exhibit 4, and in particular NOW Inc.’s 2-K filing, cost information in relation to the post-employment benefits for the employees covered in the Report has been included on an aggregated basis within the compensation information filed with respect to NOW Inc. entire employee complement.</p> <p>Because this information is, in NOW Inc.’s view, personal information as defined by FIPPA and the OEB’s policy on confidential filings, it is NOW Inc.’s understanding that if the OEB agrees that this information is personal information it will not be made available on the record in any form, regardless of the filing of undertakings with respect to confidential information filed with the OEB.</p>
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<p>Exhibit 2, Tab 2, Schedule 1, Attachment 1,</p> <p>"Distribution System Plan" Developed by BBA/(METSCO)</p> <p>Appendix A-1 (pdf page 203) : "3i0 Consequences of Inaction Regarding 115kV to 25kV and 115kV to 4.16kV System" PDF page 206</p> <p>Appendix A-2 (p. 210) : "McMillan - Feasibility Study New Transformer Station" PDF pages 212-216, 218, 221, 222, 225, & 227-235</p>	<p>To support efforts made to move forward with a new Transformer Substation, feasibility studies were conducted by 3i0 and McMillan Distribution Engineering and Consulting Ltd. regarding the current state of the existing substation. These studies evaluated the aging infrastructure, as well as the loads required by NOW Inc.'s customers. Parts of the Study refer to specific customers and information about those specific customers.</p> <p>Disclosure of the identity of these customers in conjunction with commercially sensitive information such as their load data and/or their relationship with the NOW Inc. distribution system would be without their consent and would pose a risk to those customers' competitive positions. In NOW Inc.'s view public disclosure of this information could act as a catalyst for significant consequences. NOW Inc. notes, in particular, the OEB's guidance with respect to the confidential treatment of "information that would disclose load profiles, energy usage and billing information of a specific customer".</p> <p>NOW Inc. notes that these proposed redactions are not, it believes, based on claims of personal information under FIPPA; accordingly, should the OEB agree that the information should remain confidential, it could nevertheless be disclosed to parties that execute the required undertakings with respect to access to confidential information filed with the OEB.</p>
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If there are any questions with respect to the foregoing, please contact the undersigned at your convenience.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Geoffrey Sutton", written over a white background.

Geoffrey Sutton, CPA, CA
Chief Financial Officer
Northern Ontario Wires