

June 14, 2022

VIA EMAIL

Mr. Brent Czarnecki  
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And Intervener Applicants [CAC, IGU, Koch]

**Re: Redaction of Confidential Information in the June 8, 2022 Consumers' Association of Canada (Manitoba) Inc. ("CAC") Pre-Filed Evidence**

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Background:

Following Centra's last General Rate Application, and in Order 152/19, the Board found that a Cost of Service Study ("COSS") methodology review should be held prior to the next Centra General Rate Application, with the deadline for filing initially set as May 1, 2020. For reasons detailed in Orders 49/20, 130/20, and 51/21 following applications by Centra to vary the deadline, the filing date for Centra's COSS Methodology Review Application ("COSS Application") was revised by the Board to June 15, 2021.

On June 15, 2021 Centra filed with the Board both a public version of the COSS Application and also a version containing proposed redactions of information that Centra requested the Board accept as confidential and not place on the public record. The public version has been posted on the Board's website <http://www.pubmanitoba.ca>.

In the First Procedural Order 80/21, the Board granted Centra's motion that certain information within the COSS Application be received by the Board in confidence pursuant to Rule 13(2) of the Board's Rules of Practice and Procedure which are available on the Board's website.

By way of a Letter Decision dated March 7, 2022, the Board approved Intervener status for Consumers' Association of Canada (Manitoba) Inc. ("CAC"), Industrial Gas Users ("IGU"), and Koch Fertilizer Canada, ULC ("Koch Fertilizer").

In the Board's Second Procedural Order 36/22, Parties were alerted that when asking or answering any Information Requests that may contain confidential information, those questions and answers should initially only be provided to Centra and the Board to allow the Utility to determine whether any of the included information is to be treated as

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confidential and to seek a ruling from the Board. This also applies to the evidence of Interveners' consultants.

On June 8, 2022, CAC filed both the redacted and the unredacted evidence of its consultants, Ms. Derksen and Mr. Rainkie. On June 9, 2022, Centra provided its submissions to the Board requesting that the Board receive limited specific information in the evidence of the CAC consultants in confidence, pursuant to Rule 13(2) of the Board's Rules of Practice and Procedure, and not place that confidential information on the public record. To facilitate the Board's review of the information proposed to be redacted, Centra refiled its Redaction Criteria and provided redaction codes in the margin of a copy of the CAC consultants' evidence.

Centra is concerned that public disclosure of certain information, including information on Centra's transactions, commercial arrangements, operations, and customer-specific information will expose Centra and its ratepayers to increased costs and irreparable harm. If this confidential information was to become public, Centra maintains the potential for adverse pricing activity by market participants will result to the detriment of Centra. Consequently, Centra submits its competitive market position is reasonably expected to be prejudiced by public disclosure of this confidential information, including the potential for material cost increases to Centra and its ratepayers.

### Board Decision

In this Letter Decision, the Board accepts Centra's submissions regarding its Rule 13(2) request and the Board has determined that the proposed redacted information will be held in confidence by the Board pursuant to Rule 13(2)(a) and (b). The Board finds that the proposed redacted information is consistent with the information that the Board has previously received in confidence in past proceedings. The Board is satisfied that holding this information in confidence outweighs the public interest in the disclosure of this information.

To the extent access to confidential information is sought by approved Interveners, Interveners need to first communicate with Centra to resolve the disclosure issues. If disclosure issues are unable to be resolved by communication with Centra, the Board will adjudicate any requests for access by Interveners to confidential information.

### Attachments

Attached to this Letter Decision are the Board's official copies of the following evidence that is posted on the Board's website and is to be used by all Parties to this proceeding in their Information Requests, Responses to Information Requests, Evidence, and Submissions:

- a. CAC's Pre-Filed Evidence by Ms. Derksen and Mr. Rainkie (with Centra's Redaction Codes included beside the redactions)
- b. Centra's Redaction Criteria and Codes
- c. Centra's Responses to CAC Information Requests
- d. Centra's Responses to Koch's Information Requests
- e. Centra's Responses to IGU Information Requests
- f. Centra's Responses to PUB Information Requests

- g. Atrium's Responses to CAC Information Requests
- h. Atrium's Responses to PUB Information Requests

Should any Party require printed copies, please contact Centra's counsel to arrange delivery.

Any written questions of clarification related to the above information and decision should be directed to the attention of the writer to obtain a response from the Board.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at [www.pubmanitoba.ca](http://www.pubmanitoba.ca).

Regards,



Rachel McMillin  
Associate Secretary

RM/ks

cc: Shannon Gregorashuk / Darryl Martin / Jessica Carvell, Manitoba Hydro  
Bob Peters, Board Counsel  
Brady Ryall / David Bonin, Board Advisor