

**Order No. 127/25**

**MOTION BY MANITOBA PUBLIC INSURANCE  
SEEKING CONFIDENTIAL TREATMENT OF DOCUMENTS  
AND INFORMATION IN THE 2026/2027 GENERAL RATE APPLICATION**

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**September 29, 2025**

**BEFORE: Irene A. Hamilton, K.C., Panel Chair  
Patrick Ireland, MBA, Member  
Kim Sharman, Member**

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## 1. SUMMARY

By this Order, the Public Utilities Board (Board) grants the motion of Manitoba Public Insurance (MPI or the Corporation), seeking confidential receipt by the Board of certain documents and responses to Information Requests (IRs) filed by MPI in the 2026/2027 General Rate Application (GRA or the Application) in part.

### 1.0 OVERVIEW

In its Interim Procedural Order 89/25, dated June 16, 2025, the Board outlined the process for the treatment of confidential or commercially sensitive information (CSI) in the GRA (CSI Process). Pursuant to the CSI Process, MPI was not required to bring a separate motion under Rule 37 of the Board's Rules of Practice and Procedure for confidential status of material each time it filed material claimed as such with the Board. Instead, MPI publicly filed redacted material claimed as confidential with the Board. MPI also provided non-redacted copies of material claimed as confidential to the Board, and to Board Advisors and Interveners who executed undertakings of confidentiality and confidentiality agreements, in forms approved by the Board.

The Board directed that, once all material claimed as confidential was filed by MPI, MPI was to file a motion pursuant to Rule 37 of the Board's Rules of Practice and Procedure, seeking confidential status of the material.

MPI filed the Application on June 25, 2025. It filed the First Round IR responses, both public and CSI, on August 7, 2025. MPI filed the Second Round IR responses, both public and CSI, on September 9, 2025.

MPI filed the within motion on September 12, 2025. MPI's motion requests confidential treatment for the following:

**Documents Filed as part of the General Rate Application**

1. Part VI, IT, partial redaction, pages 39, 46, & 47
2. Part VI, IT, partial redaction, Appendix 1, pages 39, 40, 55, 56, 57, 59, 60, 90, 92, 92<sup>1</sup>
3. Part VI, IT, partial redaction, Appendix 2, page 2
4. Part VI, IT, partial redaction, Appendix 3, pages 2, 5, 9, 10, 11, 13, 16, 17, 20, 21, 22, 24, 27, 28, 30, 31, 32, 34, 35, 36, 37, 39, 40, 41, 48, 49, 50, 51, & 52
5. Part VI, IT, partial redaction, Appendix 8a, pages 1, 2, 3, & 4
6. Part VI, IT, partial redaction, Appendix 9, pages 1, 2, 3, & 11
7. Part VI, IT, partial redaction, Appendix 10, page 4
8. Part VI, VA, partial redaction, Appendix 1, pages 1, 8, 9, 12, & 13
9. Part VI, VA, partial redaction, Appendix 2, pages 1, 6, 7, & 10
10. Part VI, VA, partial redaction, Appendix 3, pages 1, 10, 11, & 14
11. Part VI, VA, partial redaction, Appendix 3, pages 2 & 3
12. Part VI, VA, partial redaction, Appendix 4, pages 1, 6, & 10
13. Part VI, VA, partial redaction, Appendix 4, pages 2 & 5
14. Part VI, VA, partial redaction of certain Project Titles, Appendix 5,

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<sup>1</sup> In the affidavit filed by MPI in support of this Motion, reference is made to redactions on pages 38 and 39. However, it appears that the redactions are on pages 39 and 40. This Order reflects the redactions on pages 39 and 40.

15. Part VI, VA, partial redaction, Appendix 6, slides 10 & 11
16. Part VII, CF, partial redaction, page 103 & 191
17. Part VII, CF, partial redaction, Appendix 4, pages, Tab 41-4
18. Part X, EXP, partial redaction, Appendix 20, pages 1, 2, & 3
19. Part X, EXP, partial redaction, Appendix 23, page 1
20. Part XIII, RMF, partial redaction, Appendix 5, page 1
21. Part XIII, RMF, partial redaction, Appendix 6, pages 1, 2, & 4
22. Part XIII, RMF, partial redaction, Appendix 7, pages 1, 2, 5, & 6

#### **Responses to Round One Information Requests**

23. PUB (MPI) 1-016, full redaction
24. PUB (MPI) 1-034, partial redaction, Figure 2
25. PUB (MPI) 1-059, partial redaction, Appendix 1
26. PUB (MPI) 1-059, full redaction, Appendix 2
27. PUB (MPI) 1-063, full redaction, Appendix 1
28. PUB (MPI) 1-071, full redaction, SFR Appendix 1
29. PUB (MPI) 1-087, full redaction, Appendix 1
30. PUB (MPI) 1-087, partial redaction, Attachment A
31. PUB (MPI) 1-090, full redaction
32. PUB (MPI) 1-097, partial redaction, page 2

33. PUB (MPI) 1-097, partial redaction, Appendix 2
34. PUB (MPI) 1-102, partial redaction, Figures 1, 2, & 3
35. PUB (MPI) 1-103, full redaction, Attachment A
36. PUB (MPI) 1-104, full redaction, Appendix 1
37. CC (MPI) 1-007, full redaction, Appendices 2 & 3
38. CC (MPI) 1-023, full redaction, Appendices 1 & 2
39. CC (MPI) 1-024, partial redaction, Appendices 1, 3, & 4
40. CC (MPI) 1-034, full redaction, Appendices 1-10
41. CC (MPI) 1-061, full redaction, Appendix 1
42. CC (MPI) 1-072, full redaction, Appendix 1

**Responses to Round One CI Information Requests**

43. CC (MPI) CI 1-1
44. CC (MPI) CI 1-2
45. CC (MPI) CI 1-3
46. CC (MPI) CI 1-3, Appendix 1 and Attachments A & B
47. CC (MPI) CI 1-4
48. CC (MPI) CI 1-6
49. CC (MPI) CI 1-7
50. CC (MPI) CI 1-7, Appendices 1, 2, & 3

51. CC (MPI) CI 1-8
52. CC (MPI) CI 1-8, Appendices 1, 2, & 3
53. CC (MPI) CI 1-10
54. CC (MPI) CI 1-11
55. CC (MPI) CI 1-11, Appendices 1 & 2
56. CC (MPI) CI 1-12
57. PUB (MPI) CI 1-1
58. PUB (MPI) CI 1-2
59. PUB (MPI) CI 1-2, Appendix 1

**Responses to Round Two Information Requests**

60. PUB (MPI) 2-001, partial redaction, Appendix 1, pages 4 & 10
61. PUB (MPI) 2-001, full redaction, Appendix 5
62. PUB (MPI) 2-034, partial redaction, Figure 1
63. PUB (MPI) 2-035, full redaction
64. PUB (MPI), 2-038, full redaction, Appendix 1
65. PUB (MPI) 2-039, partial redaction, Appendix 1, slides 1, 3, 16, 17, & 18
66. PUB (MPI) 2-045, partial redaction, Appendix 1, rows 1, 2, 5, 6, 8, & 9
67. PUB (MPI) 2-046, full redaction, Appendix 1
68. PUB (MPI) 2-053, partial redaction, Appendices 1, 2, 3, 4, 6, & 8

- 69. PUB (MPI) 2-073, full redaction, Appendix 1
- 70. CC (MPI) 2-011, partial redaction, Appendix 1, pages 1 & 12

**Responses to Round Two CI Information Requests**

- 71. CC (MPI) CI 2-1
- 72. CC (MPI) CI 2-1, Appendices 1, 2, 3, 4, 5, 6, 7, & 8
- 73. CC (MPI) CI 2-2
- 74. CC (MPI) CI 2-3
- 75. CC (MPI) CI 2-4
- 76. CC (MPI) CI 2-6
- 77. CC (MPI) CI 2-7
- 78. CC (MPI) CI 2-8
- 79. CC (MPI) CI 2-8, Appendices 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 8a, 8b, 9a, 9b, 10a, 10b, 11a, 11b, 12a, 12b, 13a, 13b, 14a, 14b, 15a, 15b, 16a, 16b & 17
- 80. CC (MPI) CI 2-9
- 81. CC (MPI) CI 2-9, Appendices 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, & 16
- 82. CC (MPI) CI 2-10
- 83. CC (MPI) CI 2-10, Attachments A, B, & C
- 84. CC (MPI) CI 2-11
- 85. CC (MPI) CI 2-12

86. CC (MPI) CI 2-12, Attachment A
87. CC (MPI) CI 2-13
88. CC (MPI) CI 2-13, Appendices 1, 2, 3, 4, & 5
89. CC (MPI) CI 2-13, Attachments A & B
90. CC (MPI) CI 2-14

(collectively, the "Documents").

On September 9, 2025, through counsel, Consumers Coalition (CC), being the sole Intervener with access to CSI materials, advised that it was taking no position on the motion.

The Board did not require an oral hearing on the motion.

## 2. **PARTIES' POSITIONS AND BOARD FINDINGS**

### 2.0 **MPI**

The grounds for the MPI's request for CSI status of the Documents are, among others, that:

- MPI is contractually required to treat some of the Documents as confidential and is prohibited by the respective owners of the Documents from making them, and the information contained therein, available to the public;
- The disclosure of the Documents and the information therein could reasonably be expected to result in undue financial loss or gain to or significantly harm the competitive position of a person directly or indirectly affected by the proceeding, including, but not limited to, MPI; and
- The information in the Documents is personal, financial, commercial, scientific or technical in nature, has been consistently treated as confidential by persons directly affected by the proceeding and the interest in maintaining confidentiality over the Documents outweighs the public interest in their disclosure.

The motion was supported by the affidavit of Tadeu (Ted) Augusto Costa De Albuquerque Meira, Manager of Regulatory Affairs for MPI (Meira Affidavit), affirmed September 12, 2025, which was filed on a confidential basis. The Meira Affidavit supported MPI's claim for confidentiality for each of the Documents listed in the motion.

### **2.1 BOARD FINDINGS**

Pursuant to Rules 3(2) and 4(1) of the Board's Rules of Practice and Procedure (Rules), the Board maintains a broad discretion to issue directions on procedure, and may supplement, dispense with, or vary any of the provisions of the Rules.

Proceedings before the Board are public, and documents filed with the Board by a party to a proceeding are placed on the public record. However, the Board may receive information in confidence on any terms it considers appropriate in the public interest, and it will make this determination by considering the factors under Rule 39(3):

- (a) the potential harm that could result from disclosure, including whether making the information public could result in
  - i. undue financial loss or gain to any person;
  - ii. prejudice to the competitive position of any person;
  - iii. a breach of contractual obligations by any person; or
  - ii. interference in negotiations carried out by a party to the hearing;
- (b) whether the information consists of proprietary intellectual property or of financial, commercial, scientific or technical material that is consistently treated as confidential by the person filing it with the Board;
- (c) whether the information relates to public security;
- (d) whether the information is personal identification;
- (e) whether the Manitoba Ombudsman or a court has previously decided that similar information should be made public or kept confidential;
- (f) whether the Board has previously held that similar information should be kept confidential;
- (g) whether the information is required by legislation to be kept confidential; and
- (h) whether the person whose information is included in the document has provided evidence to support the claim for confidentiality.

On hearing a motion under Rule 37, the Board may make any of the following orders, pursuant to Rule 40: the Board may order that the document be kept confidential; order that the document be placed on the public record (in whole or in part); direct the person filing the document to make revisions to any proposed redactions to the document placed on the public record; direct the person filing the document to describe the confidential portions of the document and place that description on the public record; or make any other order the Board finds to be in the public interest.

Rule 41(1) states that if the Board denies a request for confidentiality, the party who filed the document may, within seven days after the denial, make a request to the board to withdraw the document from the record. Pursuant to Rule 41(2), the Board must approve the request to allow the party to withdraw the document from the record unless the Board finds that the information is relevant to a matter at issue in the hearing and of significant probative value, and the probative value of the information outweighs any prejudice that may result from the information becoming public.

The Board has reviewed and considered all of the information filed by MPI and has taken into account that the motion was unopposed.

Having considered the criteria outlined in Rule 39, the Board is satisfied that most information in the Documents should be received in confidence (the “Confidential Documents”, as further particularized in this Order). However, there are number of Documents which contain information, either in whole or in part, that the Board has determined will not be received in confidence (the “Other Documents”, as further particularized in this Order).

The restrictions requested on the Confidential Documents are necessary in order to protect third party proprietary information, confidential, proprietary or commercially sensitive information and the Board therefore grants MPI's motion with respect to the confidential status of the Confidential Documents.

The restrictions requested on the Other Documents are not necessary in order to protect third party proprietary information, confidential, proprietary or commercially sensitive information and the Board therefore denies MPI's motion with respect to the confidential status of those Other Documents.

**3. IT IS THEREFORE ORDERED THAT:**

3.1 The Board hereby grants leave to MPI to file the following Confidential Documents, as more particularly set out in the Meira Affidavit, affirmed September 12, 2025, in confidence with the Board:

**Documents Filed as part of the General Rate Application**

1. Part VI, IT, partial redaction, pages 39, 46, & 47
2. Part VI, IT, partial redaction, Appendix 1, pages 39, 40, 55, 56, 57, 59, 60, 90, 92, 92<sup>2</sup>
3. Part VI, IT, partial redaction, Appendix 2, page 2
4. Part VI, IT, partial redaction, Appendix 3, pages 2, 5, 9, 10, 11, 13, 16, 17, 20, 21, 22, 24, 27, 28, 30, 31, 32, 34, 35, 36, 37, 39, 40, 41, 48, 49, 50, 51, & 52
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6. Part VI, IT, partial redaction, Appendix 9, pages 1, 2, 3, & 11
7. Part VI, IT, partial redaction, Appendix 10, page 4
8. Part VI, VA, partial redaction, Appendix 1, pages 1, 8, 9, 12, & 13

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<sup>2</sup> See note 1, *supra*.

9. Part VI, VA, partial redaction, Appendix 2, pages 1, 6, 7, & 10
10. Part VI, VA, partial redaction, Appendix 3, pages 1, 10, 11, & 14
11. Part VI, VA, partial redaction, Appendix 3, pages 2 & 3
12. Part VI, VA, partial redaction, Appendix 4, pages 1, 6, & 10
13. Part VI, VA, partial redaction, Appendix 4, pages 2 & 5
14. Part VI, VA, partial redaction of certain Project Titles, Appendix 5,
15. Part VI, VA, partial redaction, Appendix 6, slides 10 & 11
16. Part VII, CF, partial redaction, page 103 & 191
17. Part VII, CF, partial redaction, Appendix 4, Tab 41-4
18. Part X, EXP, partial redaction, Appendix 20, pages 1, 2, & 3
19. Part X, EXP, partial redaction, Appendix 23, page 1
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26. PUB (MPI) 1-059, full redaction, Appendix 2

27. PUB (MPI) 1-071, full redaction, SFR Appendix 1
28. PUB (MPI) 1-087, partial redaction, Attachment A
29. PUB (MPI) 1-090, full redaction
30. PUB (MPI) 1-097, partial redaction, page 2
31. PUB (MPI) 1-097, partial redaction, Appendix 2
32. PUB (MPI) 1-102, partial redaction, Figures 1, 2, & 3
33. PUB (MPI) 1-104, full redaction, Appendix 1
34. CC (MPI) 1-007, full redaction, Appendix 2
35. CC (MPI) 1-023, full redaction, Appendices 1 & 2
36. CC (MPI) 1-024, partial redaction, Appendices 1, 3, & 4
37. CC (MPI) 1-034, full redaction, Appendices 1-10
38. CC (MPI) 1-061, full redaction, Appendix 1
39. CC (MPI) 1-072, full redaction, Appendix 1

**Responses to Round One CI Information Requests**

40. CC (MPI) CI 1-1
41. CC (MPI) CI 1-2
42. CC (MPI) CI 1-3
43. CC (MPI) CI 1-3, Appendix 1 and Attachments A & B
44. CC (MPI) CI 1-4

45. CC (MPI) CI 1-6
46. CC (MPI) CI 1-7
47. CC (MPI) CI 1-7, Appendices 1, 2, & 3
48. CC (MPI) CI 1-8
49. CC (MPI) CI 1-8, Appendices 1, 2, & 3
50. CC (MPI) CI 1-10
51. CC (MPI) CI 1-11
52. CC (MPI) CI 1-11, Appendices 1 & 2
53. CC (MPI) CI 1-12
54. PUB (MPI) CI 1-1
55. PUB (MPI) CI 1-2
56. PUB (MPI) CI 1-2, Appendix 1

### **Responses to Round Two Information Requests**

57. PUB (MPI) 2-001, partial redaction, Appendix 1, pages 4 & 10
58. PUB (MPI) 2-001, full redaction, Appendix 5
59. PUB (MPI) 2-034, partial redaction, Figure 1
60. PUB (MPI) 2-035, full redaction
61. PUB (MPI), 2-038, full redaction, Appendix 1
62. PUB (MPI) 2-045, partial redaction, Appendix 1, rows 1, 2, 5, 6, 8, & 9

63. PUB (MPI) 2-046, full redaction, Appendix 1
64. PUB (MPI) 2-053, partial redaction, Appendices 1, 2, 3, 4, 6, & 8
65. PUB (MPI) 2-073, full redaction, Appendix 1
66. CC (MPI) 2-011, partial redaction, Appendix 1, pages 1 & 12

**Responses to Round Two CI Information Requests**

67. CC (MPI) CI 2-1
68. CC (MPI) CI 2-1, Appendices 1, 2, 3, 4, 5, 6, 7, & 8
69. CC (MPI) CI 2-2
70. CC (MPI) CI 2-3
71. CC (MPI) CI 2-4
72. CC (MPI) CI 2-6
73. CC (MPI) CI 2-7
74. CC (MPI) CI 2-8
75. CC (MPI) CI 2-8, Appendices 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 8a, 8b, 9a, 9b, 10a, 10b, 11a, 11b, 12a, 12b, 13a, 13b, 14a, 14b, 15a, 15b, 16a, 16b & 17
76. CC (MPI) CI 2-9
77. CC (MPI) CI 2-9, Appendices 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, & 16
78. CC (MPI) CI 2-10
79. CC (MPI) CI 2-10, Attachments A, B, & C

80. CC (MPI) CI 2-11
81. CC (MPI) CI 2-12
82. CC (MPI) CI 2-12, Attachment A
83. CC (MPI) CI 2-13
84. CC (MPI) CI 2-13, Appendices 1, 2, 3, 4, & 5
85. CC (MPI) CI 2-13, Attachments A & B
86. CC (MPI) CI 2-14

3.2 The Board hereby denies leave to MPI to file the following Other Documents (in whole or in part, as detailed below), as more particularly set out in the Meira Affidavit, affirmed September 23, 2025, in confidence with the Board:

#### **Responses to Round One Information Requests**

1. PUB (MPI) 1-087, Appendix 1 (Exhibit 'D' of the Meira Affidavit): The Board orders a partial redaction of this document, leaving only 'Nova Release 3 Discovery Costs', titles of the columns, and the 'Total' row with related total values unredacted.
2. PUB (MPI) 1-063, Appendix 1 (Exhibit 'J' of the Meira Affidavit): The Board orders a partial redaction of this document. Redactions will be exclusive to financial and commercial interests of the parties and SRE extension information only. Information regarding Project Nova is to remain unredacted.
3. PUB (MPI) 1-103, Attachment A (Exhibit 'Z' of the Meira Affidavit): The Board orders a partial redaction of this attachment, allowing MPI to redact any proprietary information in the attachment, but leaving the results unredacted.

4. CC (MPI) 1-007, Appendix 3 (Exhibit 'VV' of the Meira Affidavit): The Board will permit partial redactions to this Appendix for information regarding commercial interests and cyber security. The balance of the Appendix will be unredacted.

### **Responses to Round Two Information Requests**

5. PUB (MPI) 2-039, Appendix 1 and slides 1, 3, 16, 17, & 18 (Exhibit 'O' of the Meira Affidavit): The Board will permit the redactions that MPI requested for slides 1, 3, and 16. The Board will not permit any redactions on slides 17 or 18.

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 58 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).

THE PUBLIC UTILITIES BOARD

"Irene Hamilton, K.C."

Panel Chair

"Darren Christle, PhD, CCLP, P.Log, MCIT"

Secretary

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Secretary