



PRINCE EDWARD ISLAND

Regulatory & Appeals Commission

Commission de réglementation et d'appels

ÎLE-DU-PRINCE-ÉDOUARD

Docket: UE20606

Order: UE26-05

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Cheryl Bradley,
Director of Finance & Regulatory Affairs
Island Regulatory & Appeals Commission

IN THE MATTER of the Application of Maritime Electric Company, Limited for the approval of an Energy Cost Adjustment Mechanism rate adjustment to customers' bills for the period March 1, 2026 to February 28, 2027, pursuant to section 3(a), 10, 13(1) and 20 of the *Electric Power Act*, RSPEI 1988, c. E-4;

AND IN THE MATTER of a request for confidentiality made by Maritime Electric Company, Limited, pursuant to the Rules of Practice & Procedure.

Order

BEFORE THE COMMISSION ON July 17, 2026.

Pamela Williams, K.C., Chair

Kerri Carpenter, Vice-Chair

Gordon MacFarlane, Commissioner

Background:

1. This Order considers a request for confidentiality made by Maritime Electric Company, Limited ("MECL") pursuant to Rule 51 of the Commission's Rules of Practice and Procedure. MECL has requested confidentiality over certain documents filed in support of their application for approval of a an "Energy Cost Adjustment Mechanism" (ECAM) rate adjustment.
2. MECL's ECAM Rate Adjustment Application was filed with the Commission on December 11, 2025.
3. On April 9, 2026, Commission staff issued twenty-eight (28) interrogatories to MECL in respect of the Application (Exhibit C-1).
4. On May 8, 2026, MECL responded to the interrogatories and also filed a request for confidentiality respecting certain information contained in its responses to Commission interrogatories (Exhibit M-4). Specifically, MECL requested confidentiality in relation to interrogatory responses 1#, #3 and #21, together with confidential versions of the supporting attachments.
5. MECL submits that these documents contain confidential information relating to energy purchase agreements, the Point Lepreau Participation Agreement, and energy sales to third parties. MECL further submits that disclosure of this information could reasonably be expected to prejudice its commercial interests and the confidential commercial interests of third parties.

Decision:

6. The Commission has reviewed MECL's request and the documents for which confidentiality is requested.
7. The Commission has previously considered requests for confidential treatment of substantially similar information in Order UE25-07 (see also: Orders UE25-07A and UE26-03). In those Orders, the Commission undertook a detailed analysis of the applicable legal framework, including Rule 51 of the Commission's *Rules of Practice and Procedure* and the balancing of the public interest in fulsome disclosure against the potential commercial harm that could result from disclosure.
8. The information MECL requested to be kept confidential in the present proceeding consists primarily of confidential contractual pricing information, commercially sensitive operational and financial information, and information belonging to third parties. The Commission accepts MECL's evidence that disclosure of Energy Purchase Agreement pricing, Participation Agreement pricing, and detailed third-party energy sales information could reasonably be expected to prejudice future commercial negotiations, reveal confidential information belonging to third parties, and ultimately result in higher costs being borne by ratepayers.

9. Having reviewed the information for which confidentiality is sought, the Commission is satisfied that it is substantially similar to the information considered in Orders UE25-07, UE25-07A and UE26-03. The Commission adopts the reasoning set out in those Orders and finds that disclosure could reasonably be expected to prejudice MECL's commercial interests and the confidential commercial interests of third parties. The Commission further finds that the potential commercial harm resulting from disclosure outweighs the public interest in disclosure. Accordingly, MECL's request for confidential treatment is granted as described in the paragraphs that follow.

Interrogatory #1

10. Interrogatory #1 requested a monthly spreadsheet detailing the quantities, unit costs and total costs of each component included in the ECAM calculation for the period of 2023 through 2025.
11. MECL submits that its response would disclose pricing information contained within its Energy Purchase Agreements ("EPAs"), together with unit quantities that would permit third parties to derive confidential pricing information. The Commission is satisfied that this information consists of commercially sensitive contractual pricing information that is not otherwise publicly available.

Interrogatory #3

12. Interrogatory #3 requested a copy of the Point Lepreau Participation Agreement.
13. MECL submits the agreement contains confidential pricing information governing its participation in the Point Lepreau generating station. The Commission further notes that purchase agreements have previously been provided to the Commission on a confidential basis. The Commission is satisfied that disclosure of the pricing terms contained within the Participation Agreement could reasonably be expected to prejudice both MECL's commercial interests and the confidential commercial interests of the contracting parties.

Interrogatory #21

14. Interrogatory #21 requested a detailed breakdown of energy sales to third parties, including the identity of purchasing parties, quantities purchased, generation costs and applicable markups.
15. MECL seeks confidential treatment only for those portions of the response that disclose commercially sensitive information relating to third-party energy sales. The Commission notes that MECL has filed a proposed public version with limited redactions to protect only the confidential information. The Commission is satisfied that the information with respect to third-parties can be kept confidential.

ORDER:

In accordance with the reasons outlined above the Commission Orders as follows:

1. The Commission grants MECL's request for confidentiality of interrogatory responses 1#, #3 and #21, together with confidential versions of the supporting attachments.

DATED at Charlottetown, Prince Edward Island, July 17, 2026.

BY THE COMMISSION:

(sgd) Pamela Williams

Pamela Williams, K.C., Chair

(sgd) Kerri Carpenter

Kerri Carpenter, Vice-Chair

(sgd) Gordon MacFarlane

Gordon MacFarlane, Commissioner