



Order on Application by Rideau Transit Group General Partnership for Confidentiality

The Rideau Transit Group General Partnership (“**RTG**”) and its associated entities (collectively the “**RTG Parties**”)¹ bring this application for a confidentiality order under ss. 10(4) and 14(3) of the *Public Inquiries Act, 2009*, S.O. 2009 c. 33, Sched 6. (the “**Act**”) with respect to “all documents that were created by or for the arbitral proceeding between Alstom Transport Canada (“**Alstom**”) and OLRT Constructors (“**OLRT-C**”) (the “**Arbitration**”).

Alstom and OLRT-C are parties to a subcontract (the “**Subcontract**”) whereby Alstom agreed to design, engineer, manufacture, test, commission, and warrant the light rail vehicles for the OLRT1 Project. In 2020, Alstom and OLRT-C submitted certain issues under the Subcontract for arbitration before Mr. Stephen Morrison (the “**Arbitrator**”). The Arbitration has concluded, and a decision has been rendered by the Arbitrator.

In their submissions dated April 14, 2022, the RTG Parties applied for a confidentiality order over the Arbitration materials. Alstom opposed the confidentiality order over the Arbitration materials. The Commission invited the RTG and Alstom to provide further written submissions in respect of the Arbitration material.

On June 14, 2022, the RTG Parties withdrew their claims to confidentiality over the Arbitration Documents while maintaining claims for confidentiality only over project-financial and entity-financial information contained in the Arbitration Documents. The RTG Parties have agreed to provide redactions to the sensitive financial information on a timely basis.

The RTG Parties’ application to apply limited redactions to the Arbitration Documents is granted. The RTG Parties shall be permitted to make reasonable redactions and are directed to do so as soon as possible. These directions are without prejudice to Commission counsel objecting to the scope or appropriateness of the redactions; counsel will make good faith attempts to resolve any such disputes, failing which the Commissioner will decide.

The rest of the application is dismissed.

C. William Hourigan, Commissioner

¹ ACS RTG Partner Inc., SNC RTG Partner Inc., EllisDon RTG Partner Inc., OLRT Constructors, an unincorporated venture consisting of Dragados Canada Inc., EllisDon Corporation and SNC-Lavalin Constructors (Pacific) Inc., and Rideau Transit Maintenance General Partnership, ACS RT Maintenance Partner Inc., ProTrans RT Maintenance Partner Inc., and EllisDon RT Maintenance Partner Inc.