

FW: Fair Hydro Regulation Question

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Attachments: 201801030858.pdf (736.92 kB)

Hi Hillary,

This is a bit of an odd question, but wanted to seek your views and assistance on the release of a particular record.

By way of context: As you may know, prior to the House rising in December, the NDP were asking questions in the House about the Fair Hydro plan, including relevant regulations. After a question period, Ms. Horwath spoke to Minister Mathews and provided her with a copy of the attached. We are wondering how this particular document would have come into the possession of the NDP.

To be clear, it is not the regulation or the OIC that are in question (both would be considered public), but the fact that they were accompanied by the cover page.

It is our understanding that this particular cover document is not made public. The Deputy Clerk (Anna) executes the document following the approval of the regulation and it is then provided to the Ministry to be filed with the Registrar. ECO does not otherwise provide or release other copies of the document, and it would not be provided if someone were to approach ECO to request a copy of the underlying OIC and reg. ECO confirmed that they did not receive a request for the document and it could not have been obtained through OICs online. They also think it would be unusual for either the Ministry or Leg Counsel to release the document with the cover page.

We are curious about whether or not you are aware of any requests by the NDP for the OIC and regulation and whether or not the documents would have been provided with the cover sheet if requested.

I am checking separately with Legislative Counsel.

Thanks and happy to chat.

William

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