



Advertising Standards Canada
Les normes canadiennes de la publicité

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Confidential

Via email: Laurie.Sloan@ontario.ca

August 14, 2017

Lorie Sloan
Managing Director ARB
Toronto, ON

Dear Ms. Sloan:

Re: Our Ref #142792, 142861 & 142892 – Government of ON – Fait Hydro Plan – Radio Advertisement

The attached complaint has been filed with Advertising Standards Canada (ASC) regarding the above-referenced advertising. As the national advertising self-regulatory body ASC accepts, adjudicates and reports on consumers' complaints about advertising.

We would appreciate receiving your comments on the merits of this complaint by August 28, 2017. ASC will then review this matter under Clause 1 (Accuracy and Clarity) of the *Canadian Code of Advertising Standards, (Code)* available at: adstandards.com/en/Standards/theCode.

If, after reviewing your response, ASC identifies a potential *Code* issue, the case may be **Administratively Resolved** or referred for **Standards Council Adjudication**.

➤ **Administratively Resolved Complaints**

ASC may resolve a case that involves an apparent contravention of Clauses 1 and/or Clause 3 if the advertiser:

- Permanently withdraws or appropriately amends the advertisement before or immediately upon being advised of the complaint by ASC, and for retail advertising, also publishes/posts a correction notice*.

ASC does not publish case reports for **Administratively Resolved** cases.

➤ **Standards Council Adjudication**

If the advertiser does **not** acknowledge the infraction and withdraw or appropriately amend the advertisement, ASC will forward the case to the independent volunteer Standards Council for adjudication. If the Standards Council finds the advertisement contravenes the *Code*, the advertiser will be requested to appropriately amend or permanently withdraw the advertising.

Publication of Standards Council Adjudications

ASC publishes case summaries of complaints upheld by the Standards Council in its online *Ad Complaints Reports*. Whether or not an advertiser is named depends on the advertiser's response to ASC and Council.

1. **"Non-identified Cases"** In these cases, the advertiser withdrew or appropriately amended the advertising before Council met to adjudicate the complaint. In addition, for retail advertising, the advertiser published/posted a correction notice*.

2. **"Identified Cases"** In these cases, the advertiser did not withdraw or appropriately amend the advertising before Council met to adjudicate the complaint. In addition, for retail advertising, the advertiser did not publish/post a correction notice*.

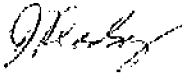
***Code Requirement for Correction Notices for Retail Advertising**

For retail advertising, in addition to withdrawing or appropriately amending the advertisement, the *Code* requires the advertiser to publish/post a correction advertisement in the same medium and addressed to the same consumers to whom the original advertisement was directed.

Please feel free to contact me if you have any questions about the *Code* or the procedure that will be followed.

We look forward to receiving your comments regarding this complaint and your intentions with respect to this advertising.

Yours sincerely,



Janet Feasby
Vice President, Standards

Janet.feasby@adstandards.com
Phone: 416-961-6311, extension 243

Enclosure

COPY

Project: Fair Hydro Plan - Radio Script

:30 Radio – AS RECORDED:

VO:	SFX:
Ontario has come a long way. Upgrades to our electricity system have made it more reliable for all Ontarians. And we now enjoy cleaner air thanks to the elimination of coal plants. Recent changes have made electricity bills more affordable. By this summer, household electricity bills will be an average of 25% less, and electricity rates won't increase beyond the rate of inflation for four years. Learn more at ontario.ca/FairHydroPlan. Paid for by the Government of Ontario.	Music: Quiet, minimalist and unobtrusive

Advertising Standards Canada has received your e-Complaints Submission as summarized below. We will review your submission carefully and respond to you shortly. If you have any questions or comments regarding this submission, please respond by reply e-mail.

Thank you for using the e-Complaints Response System.

ASC Reference # 142792

Your Information

Mr. Stephen Sharpe,
247 Hepburn Cres
Hamilton Ontario L9C 7T3, Canada
steve.9053201487@gmail.com

Advertisement Information

Advertiser: Ontario Government
Product/Service: Fair Hydro Plan
Ad Language: English
Where Seen: on Hamilton radio stations
When Seen: currently running
Attachments:

Description of advertisement:

The ad describes the Ontario Fair Hydro Plan

Your concern

Please note is this a Government of Ontario ad - it not the Liberal party nor is it for an election - therefore, I feel that it is a valid complaint. The ad is misleading and is not fair nor balanced. The Ad indicated that there is a reduction - that is not truthful or balanced. The cost is going down for 2 main reasons A) The financing has been pushed out to lower the payments - but the actual cost over time is not a reduction. B) part of the cost is offset and paid for by other general revenues. If you are a taxpayer there is no reduction - you are paying part through the hydro bill and part through provincial taxes. This is like a store advertising a lower price - but when you get there, they tell you that there is an additional service charge on the on-sale item. The Ad will be correct if they say "If you do not pay Ontario Provincial tax, your net electricity cost will go down." They also need to add a disclaimer that the financing has been extended with higher overall cost - to ensure that it a fair message. I am concerned that through these Ads, the government of Ontario is spending even more money to send out a message that is not balanced or fair. It is misleading. Thank you for investigating

You have given consent to ASC to disclose to the advertiser your name and contact information together with your complaint in case the advertiser wishes to contact you directly.

You have acknowledged and accepted the following terms of service.

ASC cannot process consumer complaints from persons who are affiliated or associated in any way with a competitor of the advertiser or any of the advertiser's advertising/promotion agencies. By acknowledging and accepting these terms where indicated below, you confirm that neither you nor any member of your household/family has any direct or indirect affiliation or association with a competitor of the advertiser or any of the advertiser's advertising/promotion agencies.

Important notice: The information contained in this e-mail is privileged and confidential. It is intended only for the person or entity named above and should not be read by or disclosed to any other person or entity. If you are not the intended recipient of this communication, please notify the sender immediately at 416-961-6311 or by reply e-mail. Thank you in advance for your cooperation.

For more information please visit our website at www.adstandards.com

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ASC Reference # 142861

Your Information

Advertisement Information

Advertiser: Ontario Government
Product/Service: electricity
Ad Language: English
Where Seen: Indie 88 FM (88.1)
When Seen: July 27 at around 2:24 PM
Attachments:

Description of advertisement:

The ad was about how investments in infrastructure are making our electricity system more reliable and that recent rate electricity cuts are making our electricity bills more affordable. A youtube version with similar content can be seen here: https://www.youtube.com/watch?v=WwsHmh-C_Fo

Your concern

I believe the Ontario governments claims are unfounded. First, my electricity service is NOT more reliable. It has gone out for extended periods at least three times in the past year. My ~~un~~understanding is that government data does not show that service is more reliable, particularly for Hydro One (not my LDC) which is the largest local distribution company in Ontario. Second, measures taken by the Ontario ~~government~~ this year to make our electricity bills more "affordable" will actually increase our electricity costs over the long term according to the Auditor General of Ontario and most industry commentators. <https://www.thestar.com/news/queenspark/2017/05/24/hydro-rate-cut-will-ultimately-cost-21b-watchdog-warns.html>
This advertising is fundamentally misleading, as well as political. If the Ontario government cannot support its claims, the advertising should be ~~terminated~~ and the government should be required to inform Ontarians why.

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ASC Reference # 142892

Your Information

Mr. Jason Hutchinson,
12 Crescent Court Lindsay Ontario
Lindsay Ontario K9V 3Y9, Canada
hutchinsonrental@gmail.com

Advertisement Information

Advertiser: Province of Ontario
Product/Service: Advancements of Hydro power and price in the province.
Ad Language: English
Where Seen: Advertisement is on the radio.
When Seen: Advertisement is run on all station at random times.
Attachments:

Description of advertisement:

The advertisement indicates how far the province has come and how the price of hydro power is regulated. The advertisement implies that the changes were a result of successful planning and ~~managing~~ by the Ontario provincial government. There is enough ~~literature~~ and ~~documentation~~ that clearly illustrate this is simply not the case. The advertisement is false and misleading. The provincial government is not above the law. The government should be held accountable for this misrepresentation.

Your concern

Described in previous paragraphs.

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