

[INSERT DATE]

MEMORANDUM TO: Helen Angus
Deputy Minister, Treasury Board Secretariat

FROM: Serge Imbrogno
Deputy Minister

RE: Request for section 28 approval of indemnities to Ontario Power Generation Inc. ("OPG"), Independent Electricity System Operator ("IESO) and its respective directors, officers and employees related to their role in carrying out the implementation of the proposed *Ontario Fair Hydro Act*, (the "Act"), if passed.

I am writing to request approval under section 28 of the *Financial Administration Act* ("FAA") to provide indemnities to OPG, the IESO and their respective directors, officers and employees in relation to their roles in carrying out the implementation of the Act, if passed.

The indemnity relates to the roles these entities and their respective directors, officers and employees will play in the implementation of the Act, which was introduced in the legislature on May 11, 2017, if passed and enacted as legislation. The Minister of Energy (Minister) has been briefed and supports this request for approval.

My recommendation to provide this approval is based on the attached submission prepared by staff. The attached submission includes a description of the contingent liabilities. The cost or estimated cost of the contingent liabilities cannot be quantified at this time.

Approval of these indemnities is requested by June 1, 2017. Failure to obtain approval could jeopardize the implementation of the Act and Ontario's Fair Hydro Plan.

Thank you for your consideration of this request for section 28 approval. Please contact the Ministry of Energy should you have any questions pertaining to the request.

Sincerely,

Serge Imbrogno
Deputy Minister

Enclosures

DRAFT