

JUDGEMENT

Criteria	Projects
- Consistently exercises integrity and sound judgement through providing direct advice to senior government, other justice officials or client groups on sensitive and complex issues, major legal issues and/or policy issues. - Analyzes complex legal problems across many areas, concepts and legislative schemes involving competing and conflicting interests and recommends strategic courses of action enabling co-ordinated decisions to be made. These are matters that are precedent setting or have significant impact. - Ensures effective decision making by identifying issues and foreseeing legal and policy implications, often under tight deadlines. - Identifies the importance and urgency of issues and is sensitive to the requirement of emerging and ongoing issues, informing appropriate officials of evolving situations.	<i>Fair Hydro Act, 2017:</i> In March 2017, I lead the drafting for this top-priority, high-profile and complex legislative initiative designed to lower electricity bills by 25 percent. As the most seasoned Energy counsel in Government, I shepherded Energy's legislative process, producing through Legislative Counsel over 40 drafts in 68 days. Throughout this process, I briefed the Minister, Chief of Staff, Deputy Minister and ADMs on major aspects of the Fair Hydro legislation, and Premier's Office on an innovative precursor approach I designed, which, though not ultimately implemented, would allow Government to flow Greenhouse Gas Reduction Account funds to reduce electricity prices without introducing legislation. At significant meetings involving senior clients and external experts, I was often the only one present who could advise on important aspects of the sector, including the interrelationships between numerous electricity pricing structures I had drafted. My unique perspective provided decision-makers with clarity about the complex

world of electricity law, and the myriad of statutory entities facilitating this initiative.

A major challenge in this file was managing the numerous legal and drafting implications of combining different areas of law under extreme time pressure. The statute and regulations enable a first-of-its-kind structured financing transaction, which required me to work with CLOC, CLB and outside counsel to resolve constitutional, commercial and electricity law issues within hours. The drafting process involved reconciling and balancing six sets of competing stakeholder interests, while responsibly managing Bay Street lawyers and bankers to achieve Government's objectives.

I continue to advise senior clients and MOF on relevant legislative concepts to ensure coordinated decision-making in drafting critical commercial agreements. The pivotal role I played deepened my ability to more fully address important and often competing legal and policy issues through collaboration, supporting Government in striking the right balance.

OPA/IESO Merger: In 2014, I led the legislative initiative which merged the Independent Electricity System Operator (IESO) with the

Ontario Power Authority (OPA) to form a newly-expanded IESO. The IESO, a statutory entity under the *Electricity Act, 1998*, operates the Province's high-powered transmission grid in conformance with the U.S. Federal Energy Regulatory Commission's (FERC) reliability framework. The project represented the most significant restructuring of the Ontario electricity sector since my work on the 2004 teams that reconstituted the Ontario Energy Board and established the OPA.

I recognized at the outset the necessity of protecting IESO's FERC status as an Electricity Regulatory Organization, and recommended the retention of U.S. legal expertise to assist me and inform the drafting. It was crucial that the legislation I developed supported the IESO's functional independence between system planning and reliability, and I was heavily relied upon to design legislative provisions to anticipate and mitigate unintended risks.

My willingness to take full responsibility for my work has driven me to ensure that high-quality deliverables are completed on time, which regularly earns me recognition. I received a Ministry Star Award for my work in this file.

EXPERTISE

Criteria	Projects
• Consistently demonstrates superior legal skills and knowledge. • Manages a significant workload with little supervision under significant time constraints. • Demonstrates superior ability in handling complex and sensitive issues. • Innovative and proactive approaches to problem-solving. • Recognized by management, senior officials, clients and colleagues for proficiency, achievements and superb legal skills. • Motivated to expand and use technical knowledge. • Demonstrates in-depth knowledge of one's area of expertise.	Hydro One IPO: In 2015, Government took the controversial and politically-charged decision to divest sixty percent of its shareholdings in Hydro One Inc. through a pioneering approach: the only initial public offering (IPO) the Ontario Government has ever done. I was primarily responsible for leading the development of legislation to implement the IPO, aimed at preparing Hydro One to be privatized. I drafted the initial shareholder's declarations and resolutions to implement the IPO and to allow Government to "spin off" Brampton Hydro in advance, resulting in proceeds of \$607 million in addition to the billions ultimately received during the IPO and secondary offerings. The accelerated timing and complexity of both the legislation, the shareholder documents and Orders in Council I prepared were essential to the completion of the transaction. I was a key member of Government's IPO team with the most electricity law and electricity legislative drafting experience. I was highly-effective in leveraging the co-operative relationships I have built throughout my career with the numerous counsel who were involved in this initiative, including counsel from MOF, CLOC, TBS, MOECC,

Cabinet Office and many other Ministries impacted by this unique initiative. This allowed for the collaborative and frank discussions that expedited the drafting processes. I received a 2016 Amethyst Award, as well as a Ministry of Energy Star Award, for my role on the team that delivered this ground-breaking project.

The initiative resulted in Government being able to capitalize on approximately 15 Billion dollars of investment in order to fund current and future infrastructure projects designed to enhance the Ontario economy for many decades to come.

I achieved my goals throughout this project, namely, to deliver excellence of service while providing essential deliverables under incredibly tight timelines. Achieving these goals enabled the Government to accomplish a large part of its fiscal plan for infrastructure funding for 2016 and beyond. This complex project also allowed me to continue to mentor and foster the growth of more junior counsel on my team, better equipping them to deal with the complex corporate governance issues in the Energy sector.

Coal Closure: In 2007, Government began its eight-year journey to close Ontario's coal-fired electricity generation facilities owned and

	operated by Ontario Power Generation. As lead electricity counsel, I had primary responsibility for designing the non-legislative approach to coal shut-down. This involved my crafting the essential corporate governance documents, as well regulatory instruments, required to ensure an orderly step-down and cessation of coal-fired generation at all of OPG's coal-fired generation facilities. There was no template for this approach. My innovative approach in adapting existing corporate and regulatory instruments to do much of the work, when combined with the work of my colleagues at MOECC, resulted in OPG receiving the unavoidable imperative to reduce its coal-fired generation in an orderly and timely fashion in accordance with Government policy while maintaining grid-reliability. My work helped Ontario become the first jurisdiction in North America to end coal-fired generation creating lasting health benefits and cleaner air for all Ontarians.
--	--

LEADERSHIP, ORGANIZATION AND PROFESSIONAL CONTRIBUTION, MENTOR AND ROLE MODEL, DIVERSITY AND INCLUSION

Criteria	Projects
• Inspires and sets an example for others, is considered a reference point by others – considered the expert to consult by clients and colleagues. • Demonstrates a high level of commitment and accountability from self and others. • Promotes team and individual effectiveness and provides creative guidance to others. • Brings people together to share knowledge and build understanding. • Actively supports the organization's mission, values and goals; promotes a positive image of the organization. • Develops partnerships and maintains a network of strategic work relationships. • Makes a significant contribution to the organization and the legal profession. • Champions highly innovative problem solving approaches. • Willingly takes on extremely challenging tasks. • Organizational success comes before personal recognition. • Proactively shares technical knowledge	Leadership I have become known across MAG and Government as an expert in Energy law and a primary reference point for Accessibility law. Ministry of Energy has benefitted the wide network of strategic alliances I have built with counsel across the Ministries, and at all major energy entities across the sector. These relationships have allowed me and my clients develop better energy policy and law, and to contribute more effectively to Government priority initiatives, including MOECC's Climate Change legislation. Sharing my knowledge in Electricity and Accessibility law is a major part of my practice. I have lectured at ALOC and MAG educational conferences and seminars on many occasions, including sessions on electricity system reliability at the 2003 ALOC Educational Conference, the Ontario Bar Association on the electricity system, recent panel presentations on accessibility standards that I arranged and delivered at the 2016 and 2017 ALOC Educational Conferences. I

and/or work related knowledge with others through mentoring and/or involvement as a presenter at professional development programs.

- Listens and provides constructive feedback; provides encouragement and support for action.
- Provides creative guidance while using innovative methods and tactics to foster creativity in others and an environment that supports innovative efforts.
- Recognizing, appreciating, and celebrating difference in the interest of fulfilling individual and organizational goals.
- Acceptance and appreciation of our unique differences – strengths, talents, cultures, situations, and needs that demonstrates respect for the individual.
- Champions diversity and inclusion in the organization

continue to contribute to MAG's ongoing commitment to education speaking at MAG Tiered Passport System courses and a MAG-ALOC Lunch and Learn session on Accessibility law, and participated in panel presentations on corporate governance and energy agencies and the Hydro One IPO at MAG Summer Schools.

I am committed to issues that define MAG's core values and impact all government lawyers. I am currently involved in the Workplace Restoration Initiative (Flexible Workplace and awaiting confirmation about Inclusion/accessibility). I am on the Board of ALOC and have been on the Education Committee during the past few years.

I strive to inspire others, through guidance and mentorship, to take on increasingly complex, time-sensitive projects and to pursue excellence and innovation. For example, I mentored and taught the lawyers and students at our branch involved in Fair Hydro, IPO and GEA, providing instruction, constructive feedback and practical advice that helped them attain Government's goals. These significant projects provide me with ample opportunity to supervise and mentor counsel and students (including as articling principal), as we successfully tackled some of the largest, most contentious and politically-charged

Government initiatives.

Accessibility

My work on matters pertaining to the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) demonstrates my expertise and commitment to this important area of law. As part of my mentorship, I regularly teach and assist counsel from across the division on accessibility matters.

Legally blind since birth, I have great sensitivity and empathy toward the struggles of colleagues. Through my work with the AODA, including supporting the development of Accessibility Standards, I combine teaching, expertise and mentorship to address accessibility barriers across Government. My experience in practicing law with a disability has allowed me to inspire others across the Division.

My committee work demonstrates my strong commitment to accessibility and inclusiveness in MAG. For example, I was an active member of the 2010 MAG Employment Engagement Committee. This involved my presenting to Ministries, engagement with colleagues across MAG and collaborating to draft a watershed report (draft). Our report was referenced in the Workplace Restoration Report, and has continued

	relevance for restoration work underway across MAG.
--	--

WORK COMPLEXITY

Criteria	Projects
• Demonstrates superior ability in managing highly sensitive and complex matters that may be very contentious. • Has extensive experience in dealing with major complex legal or policy issues/files, often under tight deadlines and lacking legal precedent. • Able to deal with competing and ambiguous priorities, may conflict with each other. • Demonstrates excellence in handling multi-stakeholder interests, managing risks and perceptions of the public. • Demonstrates excellence in dealing with matters that raise major political or legal issues or that may have significant impact on the government or the public.	Energy law is amongst the most complex practices within MAG. I handle the most high-profile and contentious files at ENERGY. I am regularly called upon to implement abruptly changing Government policy on fundamental aspects of the energy regulatory framework under extraordinarily compressed timelines. <i>Green Energy and Green Economy Act, 2009 (GEA):</i> This landmark 2009 legislation represented the Province's decisive and contentious shift away from traditional, greenhouse gas (GHG)-emitting energy sources (coal and natural gas) to higher-priced renewables through the creation of a Feed-in Tariff (FIT) and MicroFIT program. Based on my experience dealing with major electricity initiatives to date, I was asked to lead this Government-wide, multi-Ministry initiative, co-ordinating a highly-skilled team of over twenty lawyers across MAG. My extensive legislative drafting experience was key to delivering this complex project on time, leveraging my strong and enduring relationships with my colleagues. I was tasked with solving conflicting policy

interests while retaining the integrity of multiple approvals processes. I contributed to regulations made by other Ministries, including Ministry of the Environment (MOE) as the approval processes for renewable energy projects for MOE, MNR and MMAH were redesigned. I worked with OMAFRA and the Ministry of Culture to facilitate project delivery and avoid unduly compromising environmental, cultural, natural heritage and other safeguards currently in place.

Consumer Council of Canada: In 2010-2011, Consumers Council of Canada launched a challenge before the Ontario Energy Board on behalf of multiple stakeholders representing large industrial, manufacturing, low-income and natural gas advocacy groups. The stakes were high for Government since this was the first tax versus-charge-related constitutional challenge brought before the Ontario Energy Board, one of the most senior regulatory tribunals in Canada.

The challenge concerned sections 26.1 and 26.2 of the *Ontario Energy Board Act, 1998* which I drafted as part of the GEA. The provisions allow the Government to fund its Home Energy Retrofit Program and an industrial energy efficiency initiative using fees from electricity consumers. I worked closely with four CLB counsel, including

two General Counsel, assigned to this complex file. I was uniquely positioned to provide support and guidance on all aspects of the file, to ensure that Government's responding materials were as effective as possible in responding to the divergent arguments raised by multiple stakeholders with competing interests

I helped shape large portions of the *facta*, the Ministry's affidavits and arguments in order to position Government's arguments about the constitutional validity of the charge in the most strategically-advantageous manner possible. I appeared before the Board during the hearing to respond to the Board's questions about the legislative framework governing Ontario's electricity system. The outcome reached was total success on this high-profile litigation, which was tied to the Government's reputation during a time when sensitivity about the costs associated with the GEA, and Ontario's electricity prices generally, was acute. The Board's favourable decision was a seminal decision informing the subsequent development of Ontario's recent climate change legislation. I deepened the connection I had always made between expertise, commitment and success.