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May 15, 2017

Hon. Dave Levac, Speaker
Legislative Assembly of Ontario
Room 180, Main Legislative Building
Queen's Park
Toronto, ON M7A 1A2

Mr. Speaker,

Please accept this letter as my submission in response to the oral submissions and written argument by the Member for Leeds-Grenville in the matter of the question of privilege he raised earlier today.

This is the Official Opposition's second kick at the can against the Fair Hydro Plan. Yet another distraction from the fact that PCs do not have a plan, but instead continue to oppose rate relief proposed under Government's plan.

With any question of privilege or contempt, there must be a tangible nexus between the impugned behaviour and the alleged contempt of Parliament.

On March 23, 2017 - the first time you ruled on this question - you effectively laid out a test as to what criteria must be met before a Speaker can make the determination the Member seeks. You said:

"For the Speaker to conclude that the communications constitute a prima facie contempt of the House because of their definitive, unconditional language, as the member from Simcoe-Grey invites me to do, then I must first have found the contempt exists because the role of the House and the outcome of a future matter before it are both taken for granted and assumed to be a foregone conclusion." (Emphasis added.)

This means that the role of the House and alleged behaviour must be concurrent. They must exist at the same time.



Today, the role of the House is to analyse, debate, and possibly propose amendments to Bill 132. The future matter before it is a vote on Second Reading after debate. The question is what present or persisting conduct takes the legislature for granted and assumes the passage of the Bill is a foregone conclusion? Respectfully, you will find that the Member from Leeds-Grenville cannot point to any such conduct.

The Member seems under the impression that the only difference between the first time his party raised this matter and now is that there is now a bill. We submit that the Opposition has failed to account for the totality of changed circumstances.

First, on the question of hydro rates themselves, they have been dropping since the beginning of this year. The Government removed the provincial portion of the HST to cut 8% off hydro bills on January 1, and then the Ontario Energy Board cut rates by 17% effective May 1. As I stated in the first hearing, the House must allow for flexibility on how policies come to fruition.

Second, the advertisements about which the Member complains share no temporal link to Bill 132. Government communications from the point of the bill's introduction have clearly stated "if passed," which has been accepted as appropriate deference to the role of legislators in this House. This is an important change that reflects the significance of an introduced bill. The Government has proactively deferred to the independence of the legislature as there is a bill before it.

The examples submitted this morning by the Member were from back in March, before any bill was before the House; the House had no role at that time. The role of the House was crystallized at the introduction of the bill. Prior to that, there was no role for the Speaker to consider. From the moment the House has had a role, the Government's communications have reflected the required deference. (Please see the attached examples of the kind of post-introduction online Government communication, which make deference to the legislature clear.)

The Government has no desire to take any role of the House for granted, particularly the foundational role of debating and voting on legislation.

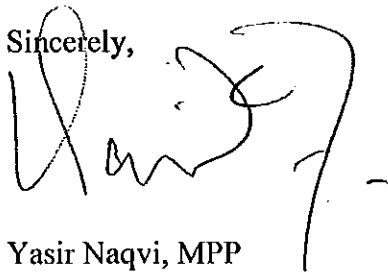
What the Member from Leeds-Grenville asks of you is to associate a previous advertisement with a current bill, when the two have had no temporal overlap whatsoever. Accordingly he is asking you to turn a blind eye to Government communications released following the introduction of the bill.

With respect to the member's argument that the tabling of legislation allows the Speaker to interpret legislation as per a minister's claims, I submit that it is well established that it is not the

role of the Speaker to engage in legal interpretation at all. That remains the jurisdiction of the courts in all circumstances.

In the totality of the circumstances, I do believe you will find that there is no nexus between Bill 132 and the images of which the member complains. Respectfully, I ask that you dismiss the member's complaint and find that there is no prima facie case of contempt in these circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yasir Naqvi', with a long horizontal stroke extending to the right.

Yasir Naqvi, MPP
Ottawa-Centre
Government House Leader

CC: MPP Jim Wilson, House Leader of the Official Opposition
MPP Gilles Bisson, House Leader of the Third Party



Kathleen Wynne @Kathleen_Wynne · May 11

We've introduced legislation that will, if passed, lower electricity bills by 25% on average for all households starting this summer.



Retweets 64

Replies 22

Likes 18

Figure 1 - This is an example of the kind of Government communications in place since the introduction and first reading of Bill 132

Ontario Cutting Electricity Bills by 25 Per Cent
Province Introduces Legislation to Provide Lasting Relief for
Households Across Province
May 11, 2017 2:00 P.M.

Ontario has introduced legislation that would, if passed, lower electricity bills by 25 per cent on average for all residential customers to provide significant rate relief and ensure greater fairness.

The proposed *Fair Hydro Act, 2017* would result in lower electricity bills for all residential consumers and as many as half a million small businesses and farms, starting this summer. Lower-income Ontarians and those living in eligible rural communities would receive even greater reductions, as much as 40 to 50 per cent. As part of this plan, rate increases for four years would be held to the rate of inflation.

These measures include the eight per cent rebate introduced in January and build on previously announced initiatives to deliver broad-based rate relief on all electricity bills. Taken together, these changes would deliver the single-largest reduction to electricity rates in the province's history.

If passed, the legislation would:

- Enable the Independent Electricity System Operator (IESO) and Ontario Power Generation (OPG) to work together to spread out the costs of Ontario's clean energy investments over a longer period of time, which ensures that the costs of these investments are allocated fairly among current and future ratepayers. This would be accomplished through refinancing a portion of the Global Adjustment (GA), resulting in significant and immediate rate reductions.
- Modify the Ontario Electricity Support Program (OESP) to ensure it is funded by government instead of ratepayers, reducing bills for all.
- Enhance the Rural or Remote Rate Protection (RRRP) program to provide distribution charge relief to about 800,000 customers and shift costs from ratepayers to provincial revenues. This would include customers served by local distribution companies (LDCs) with the highest rates.
- Provide on-reserve First Nations households with a 100 per cent credit of the delivery line on their monthly electricity bills.

Reducing electricity costs is part of Ontario's plan to create jobs, grow our economy and help people in their everyday lives.

QUOTES

" We listened to people about the need to do more to lower electricity costs. The significant measures proposed in the Fair Hydro Act would help further reduce costs, including additional relief for the most vulnerable. Under our proposed legislation, electricity rates would come down, stay down and make life more affordable for families and businesses across the province."

- Glenn Thibeault

Minister of Energy

QUICK FACTS

- Ontario's Fair Hydro Plan would also improve energy sector efficiency and modernize the province's electricity market, building on the collaboration of the Independent Electricity System Operator (IESO) and the Ontario Energy Board (OEB).
- In April 2017, the Industrial Conservation Initiative (ICI) was expanded to include electricity consumers in the manufacturing and greenhouse sectors with an average monthly peak demand of greater than 500 kW and less than 1 MW.
- On May 1, 2017, the OEB reduced electricity rates across the province, including a portion of the proposed Fair Hydro Plan. If passed, the OEB would have 15 days after the legislation comes into force to update rates to reflect the full benefit of the Fair Hydro Plan – delivering a 25 per cent on average reduction for all households and half a million small business and farms.
- The province has expanded the OESP, providing 50 per cent more support in the form of monthly credits for people with low incomes and increasing eligibility, effective May 1, 2017.
- The province is also establishing an Affordability Fund that will be accessible to LDCs for customers who do not qualify for low-income conservation programs and who are unable to undertake energy efficiency improvements without financial assistance.

LEARN MORE

- [Learn about Ontario's Fair Hydro Plan](#)
- [Read Premier Wynne's statement announcing Ontario's Fair Hydro Plan](#)

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