

RE: ASC Update

From: "Armstrong, Hillary (ENERGY)" <hillary.armstrong@ontario.ca>
To: "Teliszewsky, Andrew (ENERGY)" <andrew.teliszewsky@ontario.ca>
Cc: "Imbrogno, Serge (ENERGY)" <serge.imbrogno@ontario.ca>, "Schlaepfer, Martin (ENERGY)" <martin.schlaepfer@ontario.ca>, "Berg, Denna (ENERGY)" <denna.berg@ontario.ca>, "Whittington, Matt (ENERGY)" <matt.whittington@ontario.ca>, "Berry, James (ENERGY)" <james.berry5@ontario.ca>, "Baker, Carys (ENERGY)" <carys.baker@ontario.ca>
Date: Fri, 05 Jan 2018 11:30:15 -0500

Hi Andrew,

At the recommendation of Blakes, we are proposing to have the response sent to the ASC on January 15.

Let us know if you have any concerns.

Thanks,
Hillary

From: Armstrong, Hillary (ENERGY)
Sent: January-05-18 10:28 AM
To: Teliszewsky, Andrew (ENERGY)
Cc: Imbrogno, Serge (ENERGY); Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY); Whittington, Matt (ENERGY); Berry, James (ENERGY); Baker, Carys (ENERGY)
Subject: RE: ASC Update

Hi Andrew,

Below is the tweet.

Thanks,
Hillary



Kathleen Wynne @Kathleen_Wynne · 29 Dec 2017

As Premier, some decisions are difficult to make. But sometimes, the need for action is clear. At a time when hydro costs were unfairly high & some families had to choose between paying the bills or buying groceries, cutting hydro rates by 25% was the right thing to do.



222 38 141

From: Teliszewsky, Andrew (ENERGY)

Sent: January-05-18 9:53 AM

To: Armstrong, Hillary (ENERGY)

Cc: Imbrogno, Serge (ENERGY); Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY); Whittington, Matt (ENERGY); Berry, James (ENERGY); Baker, Carys (ENERGY)

Subject: RE: ASC Update

Good Morning:

Please proceed along these lines, but could someone find the offending tweet / screen capture it for me, please?

Many thanks, in advance.

Andrew Teliszewsky

Chief of Staff | Office of Hon. Glenn Thibeault

Ministry of Energy

andrew.teliszewsky@ontario.ca

416-327-3550 (o)

416-436-6370 (m)

From: Armstrong, Hillary (ENERGY)

Sent: January-05-18 9:38 AM

To: Teliszewsky, Andrew (ENERGY)

Cc: Imbrogno, Serge (ENERGY); Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY); Whittington, Matt (ENERGY); Berry, James (ENERGY); Baker, Carys (ENERGY)

Subject: ASC Update

Hi Andrew,

We have heard from Blakes that one of the original complainants has issued another complaint to the ASC that the original claim was revived in a tweet at the end of last year. This was a tweet from the Premier about the 25%.

Based on Blakes' email, it sounds like the ASC believes that explanatory or disclaimer language was missing from the Premier's tweet. The ASC believes that if requested, the Council could adjudicate on this complaint.

Blakes has reviewed and provided a few reasons for why they disagree with the ASC:

1. This is not an MOE issue since the message was from the Premier's twitter account and was not an MOE-authorized advertisement. Moreover, the Premier's tweets arguably fall within the scope of "political advertising"), which is expressly excluded from the Code (see <http://www.adstandards.com/en/Standards/canCodeOfAdStandards.aspx#non-reviewable>). The memo I circulated earlier today shows that the other major party leaders are making substantially similar claims as part of their electoral campaigns.

2. Rafe's characterization of the 25% Reduction Claim is incorrect. Our letter to the ASC of October 31 described the 25% Reduction Claim as follows: "Household electricity bills will be an average of 25% less". There was no reference in our letter to qualifying language as part of this claim. I see no reason why this language should have to be included now.

3. Rafe's insinuation that there was a breach of the commitment is outrageous. This is not the same advertising that was in issue in the prior campaign. The tweet was from the Premier not the MOE. The ASC did not raise any concerns over tweets in the August/September complaints. The undertaking applied to the advertising "in question", which did not include any tweets from the Premier.

Based on advice from Blakes, we recommend drafting a letter from Blakes back to the ASC. We think the letter should downplay the first point about this not being a Ministry of Energy issue, and instead focus on the point that this is an issue of political speech.

We will loop in CO comms on this issue. Let us know if you have any questions.

Thanks,
Hillary