

RE: ASC Response

From: "Chatterjee, Jeet (ENERGY)" <jeet.chatterjee@ontario.ca>
To: "Berry, James (ENERGY)" <james.berry5@ontario.ca>, "Whittington, Matt (ENERGY)" <matt.whittington@ontario.ca>
Cc: "Schlaepfer, Martin (ENERGY)" <martin.schlaepfer@ontario.ca>, "Berg, Denna (ENERGY)" <denna.berg@ontario.ca>
Date: Fri, 15 Dec 2017 17:29:43 -0500
Attachments: FW_ !URGENT - FW_ Your Client_ Next Steps.msg (62.46 kB)

Hi,

Attached is an email from our LSB which outlines the ASC's settlement offer. Basically the settlement involves the government confirming to ASC *"Since the advertising in question is not now being circulated or distributed anywhere to the public, and has not over the past several months, the advertiser has decided not to revive the same advertising now, or in the future."*

Staff are reviewing this – and are open to the possibility of accepting this settlement IF the advertising only refers to paid advertisements on TV etc. and does not refer to the websites, bill inserts etc. In addition, LSB are reviewing the implication of the "and in the future" part of the phrase since this may be seen to constitute binding future governments.

We will provide you with more information as we get it.

Unfortunately, the ASC is asking for a response by 5pm on Monday.

Jeet

Jeet Chatterjee
Senior Policy Advisor, Deputy Minister's Office
Ontario Ministry of Energy
P: 416-327-7025

From: Chatterjee, Jeet (ENERGY)
Sent: December-15-17 4:56 PM
To: Berry, James (ENERGY); Whittington, Matt (ENERGY)
Cc: Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY)
Subject: RE: ASC Response

Hi,

Attached is our draft response. LSB have informed us that apparently the ASC may be reaching out through Blake's to offer some sort of "settlement offer". We have not yet received this offer and this draft response does not reflect any potential offer.

Given the potential for such a 'settlement', the Ministry recommends that we do not send this letter out till we get more information (but we wanted to move the response through approvals, in case no offer materializes).

Thanks,

Jeet

Jeet Chatterjee
Senior Policy Advisor, Deputy Minister's Office
Ontario Ministry of Energy
P: 416-327-7025

From: Berry, James (ENERGY)
Sent: December-14-17 11:20 AM
To: Chatterjee, Jeet (ENERGY); Whittington, Matt (ENERGY)
Cc: Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY)
Subject: RE: ASC Response

Thanks Jeet.

From: Chatterjee, Jeet (ENERGY)
Sent: December-13-17 5:38 PM
To: Berry, James (ENERGY); Whittington, Matt (ENERGY)
Cc: Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY)
Subject: RE: ASC Response

James,

The response will be addressing the affordability claim as well.

Staff are working to have a revised response for MO approvals this week so we hope to have the necessary approvals to not request a second extension (LSB has confirmed that Blake's can turn around our final version pretty quickly).

I can check in with staff regarding what happens if the extension is not granted – though this seems to be an unlikely scenario.

Jeet

Jeet Chatterjee
Senior Policy Advisor, Deputy Minister's Office
Ontario Ministry of Energy
P: 416-327-7025

From: Berry, James (ENERGY)
Sent: December-13-17 3:29 PM
To: Chatterjee, Jeet (ENERGY); Whittington, Matt (ENERGY)
Cc: Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY)
Subject: RE: ASC Response

Thanks Jeet.

Correct me if I'm wrong, but the response is supposed to be addressing the affordability claim as well, right – that the ads didn't present what will happen to electricity bills post the four year inflationary cap?

Also, ministry has had the ASC's incoming for about month. Are we confident that all necessary approvals will be secured by end of next week, including PO/CO and MAG, if an extension is granted? Not sure we want to be going back for another extension...

And my last question: Is there a plan in place if the extension is not granted?

From: Chatterjee, Jeet (ENERGY)
Sent: December-13-17 3:01 PM
To: Berry, James (ENERGY); Whittington, Matt (ENERGY)
Cc: Schlaepfer, Martin (ENERGY); Berg, Denna (ENERGY)
Subject: ASC Response

Hi James/Matt,

Staff are continuing to work on a response to the ASC concern with the messaging regarding reliability. In order to get a comprehensive answer, we're requesting an extension of the Dec 15th deadline to the Week

of the 18th. Staff should have something for folks to review by end of this week.

Thanks,

Jeet

Jeet Chatterjee
Senior Policy Advisor, Deputy Minister's Office
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