

RE: Con Law risk re: bill presentment

From: "Whittington, Matt (ENERGY)" <"o=govon/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=whittington, matt (energy)cce">
To: "Teliszewsky, Andrew (ENERGY)" <andrew.teliszewsky@ontario.ca>
Date: Tue, 12 Dec 2017 16:51:48 -0500

I did. They apologized for yesterday. Apparently Amy and Dahlia were out of the office.

Anyways – Yasir is obligated to flag the risk at Cab tomorrow. But Amy has briefed him, he's supportive of the item, and he's going to emphasize the benefits of the dynamic message. And in particular, I asked her to make sure he is clear that this change to bills does not increase the level of risk that already exists from the static 25% message being on bills. So there's actually no increase in risk from this reg amendment.

From: Teliszewsky, Andrew (ENERGY)
Sent: December-12-17 4:42 PM
To: Whittington, Matt (ENERGY)
Subject: RE: Con Law risk re: bill presentment

Did you talk to them?

Andrew Teliszewsky
(416) 327 - 3550

From: Whittington, Matt (ENERGY) <Matt.Whittington@ontario.ca>
Date: Tuesday, Dec 12, 2017, 4:39 PM
To: Schlaepfer, Martin (ENERGY) <Martin.Schlaepfer@ontario.ca>, Teliszewsky, Andrew (ENERGY) <Andrew.Teliszewsky@ontario.ca>
Cc: Imbrogno, Serge (ENERGY) <Serge.Imbrogno@ontario.ca>, Chatterjee, Jeet (ENERGY) <Jeet.Chatterjee@ontario.ca>, Armstrong, Hillary (ENERGY) <Hillary.Armstrong@ontario.ca>, Baker, Carys (ENERGY) <Carys.Baker@ontario.ca>
Subject: RE: Con Law risk re: bill presentment

Ok to share.

Thanks,
Matt

From: Schlaepfer, Martin (ENERGY)
Sent: December-12-17 4:28 PM
To: Teliszewsky, Andrew (ENERGY)
Cc: Imbrogno, Serge (ENERGY); Whittington, Matt (ENERGY); Chatterjee, Jeet (ENERGY); Armstrong, Hillary (ENERGY); Baker, Carys (ENERGY)
Subject: FW: Con Law risk re: bill presentment

Hi Andrew,

CO/PO reached out to us on this matter yesterday as per the email below on the background to the legal risk assessment that came up during LRC yesterday, as per a PO request. Below is staff's response (LSB has worked closely on this) and the opinion is attached.

Let us know if we can share with CO.

- As a practice, MAG briefing notes are prepared on matters that are going before LRC or Cabinet committee, which have legal risks or MAG impacts.
- Due to the legal risks that have been identified in relation to the Ontario Fair Hydro Plan (OFHP), ENERGY sought an opinion from CLB on the entire OFHP earlier in 2017.
 - At the time, CLB did not identify any other concerns.
- As a result of previous CLB advice, ENERGY came back to CLB when the specifics of the bill presentment proposal were fleshed out.
 - At this stage, CLB identified a new concern regarding a potential constitutional law risk that had not previously been outlined.

From: Moore, Karen (CAB)
Sent: December 11, 2017 4:19 PM
To: Schlaepfer, Martin (ENERGY) <Martin.Schlaepfer@ontario.ca>
Cc: Hindmarch-Watson, Tim (CAB) <Tim.Hindmarch-Watson2@ontario.ca>
Subject: Con Law risk re: bill presentment
Importance: High

Hi Martin,

Following the discussion at LRC today, could you please share a copy of the legal risk assessment and a brief summary of the events that led to the receipt of the legal opinion? In particular, PO is interested to know when it was requested and received and whether a similar opinion was received when the addition of the 25% line to the bill was directed by Cabinet.

Please send ASAP today.

Thanks,
Karen

Karen Moore
Executive Coordinator, Justice Resource and Environmental Policy
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