FW: response from Auditor General re FOI request 2017-033

From: "Schlaepfer, Martin (ENERGY)" <martin.schlaepfer@ontario.ca>
To: "Imbrogno, Serge (ENERGY)" <serge.imbrogno@ontario.ca>
Date: Thu, 14 Dec 2017 15:29:52 -0500

FYI.

From: Bromm, William (CAB)
Sent: December 14, 2017 3:17 PM
To: MacIntyre, Kyle (TBS) <Kyle.MacIntyre@ontario.ca>; McLean, David (MOF) <David.McLean@ontario.ca>; Schlaepfer, Martin (ENERGY) <Martin.Schlaepfer@ontario.ca>
Cc: Kwamena, Boafoa (CAB) <Boafoa.Kwamena@ontario.ca>
Subject: Re: response from Auditor General re FOI request 2017-033

I think it will depend on the content of the emails, but subject to the same general apprpach. Generally my view is;

Emails about the audit: no disclosure

Emails about Fair Hydro in general that are not about the audit or that do not reveal questions/comments or issues the AG is raising, particularly emails that predate the audit, are subject to disclosure even if disclosed to the AG.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: MacIntyre, Kyle (TBS)
Sent: Thursday, December 14, 2017 3:04 PM
To: Bromm, William (CAB); McLean, David (MOF); Schlaepfer, Martin (ENERGY)
Cc: Kwamena, Boafoa (CAB)
Subject: FW: response from Auditor General re FOI request 2017-033

FYI.

From the below, it's not clear to me if the emails are captured or not?

From: DiMuzio, Sofie (TBS)
Sent: December 14, 2017 2:53 PM
To: MacIntyre, Kyle (TBS)
Subject: FW: response from Auditor General re FOI request 2017-033

FYI

From: Ledwell, Mary (TBS)
Sent: Thursday, December 14, 2017 1:44 PM
To: Sullivan, Bryant (TBS); Vrancart, Kate (TBS)
Cc: Pavlic, Maja (TBS); Moyer, Jenna (TBS)
Subject: response from Auditor General re FOI request 2017-033

Hi Bryant and Kate,

I wanted to let you know that we received a response from the Auditor regarding disclosure of records responsive to the Fair Hydro request. As expected, the Auditor has claimed the confidentiality privilege contained in sec. 27.1(1) of the Auditor General Act only for those records that were created for, or were in response to her audit of the Fair Hydro Plan. The Auditor has indicated that she has no issue with disclosure of records that were in existence prior to her audit, or the summary of consultant's fees (part 3 of the request). Regardless of the Auditor's views, all records are subject to FOI review and may be withheld under eligible FIPPA exemptions.

As a next step, each ministry that received the request (TBS, Finance and Energy) was advised to prepare a fee estimate for the requester based on their current volume of responsive records. Following our standard practice, the requester will be notified in the fee estimate letter that they can work with the FOI office to narrow the scope of the request in order to reduce fees.

Let me know if you have any questions about the request or the approach that is being taken. I will keep you informed of any further developments.

Thanks

Mary

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TBS