

Message

From: Anushka Walgama [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1D32E70E09EA4B1392CE888E9F3D9810-ANUSHKA WAL]
Sent: 2018-05-09 3:58:44 PM
To: Susan Nicholson [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f668e601bd2b4865a5c31dca531047c8-Susan Nicho]
Subject: RE: FOI Request 2018-011_Review Documents

Hi Susan, thank you for your email. Jus to confirm, the extension letter from the IESO to KPMG on June 10, 2014 is the only document you have concerns with disclosing? I will touch base with Michael tomorrow because he said he spoke to you but do you have any concerns with the large PDF I sent you on April 30th or are you in the process of reviewing it?

Regards,
Anushka

From: Susan Nicholson
Sent: May 03, 2018 11:59 AM
To: Anushka Walgama
Cc: Susan Nicholson
Subject: RE: FOI Request 2018-011_Review Documents

With respect to these 4 attachments, I don't believe there is any commercially sensitive information contained as there are no prices or rates included. The extension letter does contain some information with respect to the contract so perhaps take a look at that one.

Thanks again, Susan

From: Anushka Walgama
Sent: May 02, 2018 11:28 AM
To: Susan Nicholson
Subject: RE: FOI Request 2018-011_Review Documents

Susan, thank you for your email—in order to fulfill our mandate to be transparent with our records, are there specific parts in the attachments that I can disclose to the requester? I attached 4 other PDFs for your review.

Unfortunately, (c) only refers to undue loss or gain financially. We can claim an "Advice to Government" exemption but I wasn't sure if there were other exemptions we could claim on behalf of the IESO. That being said, we will not be able to argue reputational loss because the Office of the Privacy Commissioner ("IPC") had ruled against speculation of possible harm and asked that institutions must provide detailed and convincing evidence.

Regards,
Anushka

From: Susan Nicholson
Sent: May 01, 2018 11:57 AM
To: Anushka Walgama
Cc: Susan Nicholson
Subject: RE: FOI Request 2018-011_Review Documents

Thanks for this Anushka. The attached contains emails entitled "Environmental Attributes and HST" which I do not believe should be included as they do not pertain to the financial/accounting structure of the Fair Hydro Plan.

Does (c) below only refer to undue loss or gain “financially”? Many of the attached documents were draft/work-in-progress documents and don’t reflect the final position of the author. This could result in undue loss from a reputation standpoint.

Please advise.

Thanks, Susan

From: Anushka Walgama
Sent: April 30, 2018 2:38 PM
To: Susan Nicholson
Subject: FOI Request 2018-011_Review Documents

Susan,

Your response is required by May 14, 2018.

We received a Freedom of Information request for “all e-mails received or sent by Kimberly Marshall, the IESO's chief financial officer, pertaining to the financial/accounting structure of the Fair Hydro Plan”, dated between December 1, 2016 and June 30, 2017.

Michael Boll flagged the attached for your perusal. Please advise whether the attached are responsive to the noted request; and whether you have any concerns with the disclosure of the attached documents. If you have concerns with the disclosure of the records, you will need to explain how the records reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, where the disclosure could reasonably be expected to,

- (a) prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the IESO;
- (b) result in similar information no longer being supplied to the IESO where it is in the public interest that similar information continue to be so supplied;
- (c) result in undue loss or gain to any person, group, committee or financial institution or agency

Please provide as much detail as possible; and for ease of reference, indicate page numbers where redactions need to be applied.

Thanks,

Anushka Walgama | Freedom of Information Administrator & Litigation Support
Legal Resources and Corporate Governance
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