

Message

From: Multani, Harkamal (ENERGY) [Harkamal.Multani@ontario.ca]
Sent: 26/05/2017 11:19:33 AM
To: WONG Leslie -LAWDIV [leslie.wong@opg.com]
CC: LEE John -TREASURY [john.s.lee@opg.com]; 'Hill, Krista' [khill@torys.com]
Subject: RE: EXTERNAL - OPG Indemnity

Hi again,

Sorry for all of the emails. We are internally considering the provisions I flagged in the draft I sent below. In order to inform our internal Redacted - Commercially Sensitive, I am wondering if you would please be able to provide the requested explanation on provision Redacted - Commercially Sensitive draft I sent below. A further rationale for the waiver provision from OPG's perspective would also be helpful. If you could provide the explanations at your earliest today, it would be much appreciated so that we can appropriately brief on this matter.

Thank you,

Harkamal
Harkamal Multani
Counsel
Legal Services Branch
ENERGY/MOI/MEDG/MRIS/ADO
Email: harkamal.multani@ontario.ca
Tel: 416-212-5409

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-----Original Message-----

From: Multani, Harkamal (ENERGY)
Sent: May-26-17 10:16 AM
To: 'WONG Leslie -LAWDIV'
Cc: 'LEE John -TREASURY'; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Hi Les,

Apologies, I forgot to send you the Bruce director's indemnity we discussed yesterday. I do not seem to have the executed version on file, but the attached is the version we received s.28 approval on - and thus is likely the final version.

Thank you,

Harkamal

Harkamal Multani
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-----Original Message-----

From: Multani, Harkamal (ENERGY)
Sent: May-25-17 6:53 PM
To: 'WONG Leslie -LAWDIV'

Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Hi Les,

Redacted - Commercially Sensitive

Many thanks,

Harkamal

Harkamal Multani
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-----Original Message-----

From: WONG Leslie -LAWDIV [mailto:leslie.wong@opg.com]
Sent: May-24-17 2:50 PM
To: Multani, Harkamal (ENERGY)
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: Re: EXTERNAL - OPG Indemnity

Dear Harkamal

Unfortunately I travelling and not able to do a call this afternoon.

If Krista Hill and John Lee see available for a call this afternoon. I am happy for them to take the call and I can catch up with them afterwards.

Otherwise, I can tentatively do a call tomorrow late morning/early afternoon between my subsequent flights (I expect to be available between 11:30 am and 1 pm Eastern tomorrow, if that works).

I am generally available for a call on Friday.

Regards,

Les

Sent from my BlackBerry 10 smartphone on the Bell network.
From: Multani, Harkamal (ENERGY)
Sent: Wednesday, May 24, 2017 8:28 AM
To: WONG Leslie -LAWDIV
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Thanks for this Les. Would you be available for a short call this afternoon. I wanted to discuss these changes further with you along with some of the other proposed changes. TBS (Ministry who will be providing the s.28 approval) has indicated that they will need a rationale for any deviations from their indemnity template (which is what the original indemnity I sent you was based on) and so I wanted to discuss the changes with you further to get a better sense of this. Thinking that a call would be the fastest way to address this.

Many thanks,

Harkamal

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From: WONG Leslie -LAWDIV [mailto:leslie.wong@opg.com]
Sent: May-24-17 1:16 PM
To: Multani, Harkamal (ENERGY)
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Dear Harkamal,

Thank you for your e-mail. With respect to your questions/ comments below:

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Regards,

Les

From: Multani, Harkamal (ENERGY) [mailto:Harkamal.Multani@ontario.ca]
Sent: Tuesday, May 23, 2017 6:48 PM
To: WONG Leslie -LAWDIV
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Hi Les,

I just had a few questions on some of the revisions you have proposed to the Indemnity Agreement:

Redacted - Commercially Sensitive

I would be happy to set up a call to discuss if you would prefer as well. We are moving quite quickly on this file as we are looking to obtain s.28 approval by June 1, so a response at your earliest would be very much appreciated.

Many thanks,

Harkamal

Harkamal Multani
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From: WONG Leslie -LAWDIV [mailto:leslie.wong@opg.com]
Sent: May-18-17 3:40 PM
To: Multani, Harkamal (ENERGY)
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Dear Harkamal,

Redacted - Commercially Sensitive

Let us know if you have any questions or would like to discuss.

Regards,

Les

Leslie Wong
Senior Counsel
Ontario Power Generation Inc.
700 University Avenue, H18 G27, Toronto, ON M5G 1X6
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From: WONG Leslie -LAWDIV
Sent: Tuesday, May 16, 2017 4:47 PM
To: 'Multani, Harkamal (ENERGY)'
Cc: LEE John -TREASURY; 'Hill, Krista'
Subject: RE: EXTERNAL - OPG Indemnity

Dear Harkamal,

Thank you for your e-mail. We will review the documents internally and with our external counsel, Torys, with a view to getting comments back to you on Thursday.

Regards,

Les

Leslie Wong
Senior Counsel
Ontario Power Generation Inc.
700 University Avenue, H18 G27, Toronto, ON M5G 1X6
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From: Multani, Harkamal (ENERGY) [mailto:Harkamal.Multani@ontario.ca]

Sent: Tuesday, May 16, 2017 4:27 PM
To: WONG Leslie -LAWDIV
Subject: EXTERNAL - OPG Indemnity

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hi Leslie,

I am counsel with the Ministry of Energy, Legal Services Branch. Carolyn Calwell, our legal director has asked me to reach out to you with respect to the Indemnity to be provided to OPG by the Province with respect to activities OPG would be undertaking under the proposed Ontario Fair Hydro Plan Act, if passed. I've attached for your review the Draft Indemnity Agreement we have prepared for OPG on this.

Also, as part of the approvals processes on this, we are required to obtain approval under section 28 of the Financial Administration Act (Ontario) given that these indemnities create potential contingent liabilities for the Province. We have drafted up a business case as part of the s.28 approvals package but require your input on the risks that OPG may face in carrying out its role under the proposed legislation, if passed. I've attached the specific draft excerpts from our business case which we require your input on here. If you could please review this as well and provide your comments/input that would be much appreciated as well.

We are hoping to get these materials finalized as soon as possible so that we can submit for formal approvals. Thus, if you could get back to me with any comments you may have by end of day Thursday it would be much appreciated. If this timeline is not workable, please let me know.

If you have any questions, or would like to further discuss, please let me know as well.

Many thanks,

Harkamal

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