

Elson Advocacy

June 21, 2019

Adjudicator Diane Smith

Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8

Dear Adjudicator Smith,

**Re: Appeal of Decision by IESO to Withhold Forecast Electricity Price
Appeal PA17-207**

I am writing in response to the Bruce Power's letter of June 17, 2019.

The Ontario Clean Air Alliance Research (the "Non-Profit") submits that neither a continued stay nor a reconsideration are warranted because:

- No irreparable harm would result from the disclosure of the documents. Paragraphs 100 to 112 of the May 16, 2019, decision carefully considered extensive arguments from Bruce Power and the IESO about harm that would allegedly result from the release of the documents, and rejected those arguments. A stay requires, among other things, irreparable harm, which is not present here.
- Bruce Power was not prejudiced by not having a copy of the pages in question. Bruce Power was made aware of the nature of the information contained therein, namely a forecast of future rates. Bruce Power was given a full opportunity to make submissions and made extensive submissions.
- It is common for parties in these matters to make submissions without a copy of the documents in question. The Non-Profit has been in that position throughout.

If Bruce Power is provided a copy of the pages in question (pages 3 and 11 of Record 4, page 8 of Record 5 and page 4, 5 and 12 of Record 6), we respectfully request that:

- Bruce Power be provided with no more than seven business days to provide submissions regarding the reconsideration request and whether a continuation of the stay is warranted;
- Bruce Power be directed to explain whether and why it alleges it was unable to make full submissions without the specific information contained in the pages in question; and
- The Non-Profit be provided with seven days to respond.

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Lastly, we ask that this matter be dealt with in an expedited manner as the original request for records was made in 2016. To facilitate a quick resolution of these issues, we ask that the parties be directed to exchange materials in this matter by email or fax.

Please do not hesitate contact me if anything further is required.

Yours truly,

A handwritten signature in blue ink, appearing to read 'K. Elson', with a stylized flourish at the end.

Kent Elson

cc: Christine Lonsdale, Counsel for Bruce Power, clonsdale@mccarthy.ca
Matthew Milne-Smith, Counsel for the IESO, mmilne-smith@dwpv.com