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December 4, 2017

Ulli S. Watkiss  
City Clerk  
Toronto City Hall, 13<sup>th</sup> Floor, West Tower  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Dear Madam Clerk,

### **Response to Administrative Inquiry Re: Legal Cost of Preventing Information Being Released at Toronto Hydro**

On November 22, 2017, my office received an Administrative Inquiry from Councillor Gord Perks, submitted under Municipal Code S27-61, seeking information regarding the legal cost of preventing information being released at Toronto Hydro. The Councillor's Inquiry noted that freedom of information requests on this matter had been submitted to Toronto Hydro.

My office requested a response from Toronto Hydro on November 28, 2017. Please see the attached correspondence from Toronto Hydro.

Sincerely,

Peter Wallace  
City Manager

cc: Anthony Haines, President and CEO, Toronto Hydro Corporation

Enclosure

Toronto Hydro Corporation  
14 Carlton Street  
Toronto, ON M5B 1K5

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December 4, 2017

Peter Wallace, City Manager  
23rd floor, East Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Re: IA35.1 Cost of Preventing Information Being Released at Toronto Hydro**

Dear Mr. Wallace,

As noted in a previous response to an administrative inquiry in January 2017 — IA23.1 Toronto Hydro's Hired Consulting Firms — the *Toronto Municipal Code* does not provide for the making of administrative inquiries in relation to Toronto Hydro. While Administrative Bylaw, Chapter 27-61 permits city council to make administrative inquiries about the affairs of the City in advance of council meetings, the definition of the City in Chapter 1, General Provisions, Article 1-2.A.1 of the *Toronto Municipal Code* is limited to the municipal corporation and the administrative inquiry power does not extend to the affairs of Toronto Hydro.

Although information is not compellable from Toronto Hydro under the *Toronto Municipal Code*, the company nonetheless endeavours to provide voluntary responses to such inquiries to the extent that we can having regard to freedom of information laws and under the constraints of securities law, legal privilege and commercial sensitivity. However, in this instance, IA35.1 seeks information in relation to four separate freedom of information requests, all of which remain in the appeal stage before the Information and Privacy Commissioner of Ontario (IPC). Accordingly, Toronto Hydro is not in a position to comment on the substance of those appeals while they remain subject to adjudication by the IPC.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Klein".

**Amanda Klein**  
**Executive Vice-President Regulatory Affairs and General Counsel, Toronto Hydro Corporation**

Cc: Anthony Haines, President and Chief Executive Officer, Toronto Hydro  
Chris Tyrrell, EVP and Chief Customer Care and Conservation Officer, Toronto Hydro