

Cayley, Daniel (ENERGY)

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: King, Ryan (ENERGY); Perun, Halyna N. (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Duplicate attachment removed

Hello Ryan and Halyna,

Here is a clean copy of the Greenfield South Q-and-As. There are some minor changes in purple based on Halyna's comments yesterday about using the word 'ongoing', plus one additional question (all in purple).

Let me know your thoughts.

Thanks,

Paul.

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Perun, Halyna N. (ENERGY)
Subject: RE: Greenfield South Q-and-As

Thanks very much Halyna.

From: Perun, Halyna N. (ENERGY)
Sent: October 27, 2011 9:52 AM
To: Silva, Joseph (ENERGY)
Subject: Fw: Greenfield South Q-and-As

My apologies as missed that you weren't included on this - would have sent this to you last evening

Halyna Perun
A\Director
Ph: 416 325 6681
BB: 416 671 2607

Sent using BlackBerry

From: Gerard, Paul (ENERGY)
To: Block, Andrew (ENERGY)
Cc: Dunn, Ryan (ENERGY); Sharkawi, Rula (ENERGY); Kovesfalvi, Sylvia (ENERGY); Morton, Robert (ENERGY); King, Ryan (ENERGY); Perun, Halyna N. (ENERGY)
Sent: Wed Oct 26 18:18:51 2011
Subject: Greenfield South Q-and-As

Hello Andrew,

Here are the Q-and-As for the Greenfield South plant. They have been reviewed by policy and legal.

Paul.

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Gerard, Paul (ENERGY)
Sent: October-27-11 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

**Greenfield South Power Plant
KM/QA
Draft Two – October 27, 2011**

KEY MESSAGES

- **The Ontario government is committed to having discussions about relocating the plant. The government will work with Eastern Power to find a new suitable location.**
- **We have asked the OPA to begin discussions with Eastern Power in hopes of finding a successful resolution.**
- **We cannot provide more detail at this time.**

QUESTIONS AND ANSWERS

STATUS

Why is work proceeding if the plant is being moved?

I am hopeful that the OPA's discussions about relocation will result in a successful resolution.

Why don't you stop construction while discussions are ongoing?

The first step we need to take is to initiate discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power in hopes of finding a successful resolution.

When did construction start?

Construction started in May 2011.

Why hasn't construction stopped?

I am hopeful that the OPA's discussions about relocation will result in a successful resolution.

What if Eastern Power does not agree to discussions and continues construction?

It is premature to speculate at this time. We hope to find a resolution.

Will you issue a stop-order?

It is premature to speculate at this time.

Will it require legislation to cancel it?

At this time, we are seeking to negotiate an alternate location for the plant.

But if talks break down, is legislation an option?

Yes, we could propose legislation that would, if passed, ensure all activity is stopped at the current location.

It is premature to speculate at this time.

The first step we need to take is to initiate discussions with Eastern Power. We have asked the OPA to begin these discussions with Eastern Power in hopes of finding a successful resolution.

NEGOTIATIONS

What stage are discussions at with the company? Have you personally spoken to them?

I have asked the OPA, as the contract holder, to begin discussions.

Who is negotiating with the company on behalf of the province? Is it the OPA?

I have asked OPA, as the contract holder, to begin discussions.

Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?

As I have said, ~~discussions are ongoing and~~ it would be premature to discuss specifics at this point.

Will you put this back out to tender?

We are seeking an alternate location with the proponent of the current site.

What is the process for cancelling the project?

The Ontario government is committed to having discussions about relocating the plant. We will do this fairly and will discuss options directly with Eastern Power. More information will be made available as the process moves forward.

COST

Isn't the price going up as long as construction continues?

Eastern Power's costs and other issues will be considered in ~~ongoing~~ discussions.

How much is it going to cost to relocate this plant?

I've asked the OPA to begin discussions with the proponent on a potential relocation of this project. I'm hopeful that this will be resolved fairly and in the best interests of all involved.

How much would it have cost to move the plant when the intent to relocate was first announced in late September, 2011?

Eastern Power's costs and other issues will be considered in ~~ongoing~~ discussions.

Is the company just trying to get as much as they can from a settlement?

I'm hopeful that this will be resolved fairly and in the best interests of all involved.

Will the cost be made public knowledge at some time?

Our government is committed to conducting business in an open and transparent manner.

What we can say publicly will be determined by the terms of the agreement that is reached with Eastern Power.

We can better answer this question once negotiations have been completed.

How long do you expect negotiations to take and how much will this cost taxpayers?

~~Discussions are ongoing and we hope to find a resolution.~~

~~We hope to find a resolution in discussions with Eastern Power.~~

It is premature to speculate about costs at this stage.

RELOCATION

What are the alternative locations being considered?

It is premature to speculate at this time. ~~Negotiations are ongoing.~~

Will it be in Mississauga?

It is premature to speculate at this time. ~~Negotiations are ongoing.~~

Why not build the natural gas plant in Nanticoke instead? They've indicated they're a willing host community.

It is premature to speculate at this time. ~~Negotiations are ongoing.~~

Will the public be consulted?

Yes.

LOCAL SUPPLY AND RELIABILITY

Will this jeopardize power supply in the area?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available including transmission options to ensure reliability over the long-term.

How delayed will this plant be now and do we have enough power in the interim to meet demand?

As I have said, ~~discussions are ongoing and~~ it would be premature to discuss specifics at this point.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

How often will the new plant operate?

Actual operation of an alternate plant will depend on several factors including weather, local system conditions, demands on the electricity system and the availability of other sources of power.

So we know for sure it will be a gas plant – and not additional transmission or other resources, such as renewable energy and conservation – that will replace this plant?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

What about the transmission solution? When the Oakville plant was cancelled you said a transmission solution can ensure the area will have enough electricity.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

Will a natural gas plant be built in the Kitchener-Waterloo-Cambridge-Guelph area?

As indicated in the Long-Term Energy Plan the procurement of a natural gas plant in the Kitchener-Waterloo-Cambridge area is necessary.

The Kitchener-Waterloo-Cambridge area is a major automotive and high-tech centre and is experiencing rapid population and economic growth. Peak demand has been increasing at a rate double the provincial average. The region is host to several data centres that require a reliable power supply.

How many natural gas plants are there already operating in the GTA?

There are four major plants:

- The 550-megawatt Portlands Energy Centre near downtown Toronto
- The 874-megawatt Goreway Station in Brampton
- The 683-megawatt Halton Hills Generating Station
- A 117-megawatt cogeneration plant at the Toronto International Airport in Mississauga

In addition there are a number of smaller natural gas generating plants operating in industry, and in commercial and institutional complexes, including universities and hospitals, including:

- A 68-megawatt facility at the Ottawa Health Sciences Centre
- A 6.6-megawatt facility at Brock University in St. Catharines
- A 2.3-megawatt district energy facility at [Durham College in Oshawa](#)
- A 12-megawatt [cogeneration facility in London](#)

- A 5-megawatt cogeneration facility in [Sudbury](#)
- A 6.7-megawatt cogeneration facility at Sudbury hospital

WHAT RELOCATING GREENFIELD MEANS FOR OTHER PROJECTS

Are there other power projects set to break ground that you may reconsider?

This is a case and location-specific issue and is not applicable to any other issue.

You said that about Mississauga, after you cancelled Oakville. How can we trust that you won't cave to pressure the next time?

Like any other business, energy partners work together to respond to changing conditions.

This is a case and location-specific issue and is not applicable to any other issue.

Communities object to wind power yet you won't budge. This is two gas plants you have cancelled. Why the double-standard?

The government has heard the community's concerns about this plant proceeding as originally planned prompting our intention to relocate the plant. There is no reason to try and juxtapose this case with other generation projects.

Does this speak to a need to have a more independent, arms-length process?

This is a case and location-specific issue and is not applicable to any other issue. We will continue to work collaboratively with all parties involved.

Will you reconsider new gas set-backs or a new siting process for plants of any kind?

We are investigating how siting is dealt with in other jurisdictions but are still in the preliminary research stage.

What is the status of negotiations with TransCanada over the cancellation of the Oakville plant?

We are in discussions with TransCanada, and do not have an update at this time.

GENERAL BACKGROUND

- Greenfield South Generating Station is a 280-megawatt combined cycle natural gas plant located in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The plant will occupy roughly 2 hectares of the property. Part of the property will be dedicated to the city as a park.
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and holds a contract with the Ontario Power Authority (OPA).
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability of the project. The contract between Greenfield South Power Corporation and the OPA was renegotiated, and the commercial operation date has been extended to the third quarter of 2014.
- The project obtained zoning approval in 2007 and environmental approval in 2008.
- The OPA was advised on May 31, 2011, that the company has received its building permit for the plant. The company is moving equipment to the site, and excavation and foundation work is expected to start in early July.
- The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility.
- In October 2011, the Minister of Energy wrote to the OPA asking them to begin discussions with Eastern Power to find an alternate location for the Greenfield South Plant.

Note:

In April 2005, Eastern Power was awarded contracts for two 280 MW natural gas plants – one for Greenfield South and one for Greenfield North (Huron St. north of Derry Rd.). In August 2005, Greenfield North contract terminated under a mutual agreement between the OPA and Eastern Power because Eastern Power was not able to obtain financing. The Greenfield South contract remained in place. At the time, Eastern Power said it preferred the Greenfield South site

because it was better for natural gas supply and electrical connection and the area was zoned for industrial activity, including power generation.

Cayley, Daniel (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October 27, 2011 12:32 PM
To: Perun, Halyna N. (ENERGY); Sharkawi, Rula (ENERGY)
Subject: FW: Greenfield South Q-and-As - Clean Copy
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Duplicate attachment removed

fyi

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Dunn, Ryan (ENERGY)
Sent: October-27-11 1:09 PM
To: Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Has this been approved by Legal?

If not, can they please have an approved copy to us by 2 PM?

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 1:11 PM
To: Perun, Halyna N. (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Duplicate attachment removed

Hello Halyna,

The MO has asked if we can have this back by 2 p.m.

Much appreciated,

Paul.

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October 27, 2011 1:13 PM
To: Perun, Halyna N. (ENERGY)
Subject: FW: Greenfield South Q-and-As - Clean Copy

Importance: High

fyi

From: Botond, Erika (ENERGY)
Sent: October 27, 2011 1:12 PM
To: Dunn, Ryan (ENERGY); Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Hey folks – just to be clear, we need to get this to the minister by 3 PM and will need time to review also.

Thx gang!
e

From: Dunn, Ryan (ENERGY)
Sent: October 27, 2011 1:09 PM
To: Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Has this been approved by Legal?

If not, can they please have an approved copy to us by 2 PM?

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Gerard, Paul (ENERGY)
Sent: October-27-11 1:16 PM
To: Dunn, Ryan (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY); Block, Andrew (ENERGY); Botond, Erika (ENERGY); Sharkawi, Rula (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Hello Ryan,

Legal approved the draft version last night but recommended removing the word 'ongoing'.

I made the changes (in purple) and it's with Legal now. I've told them that we need the document back quickly.

Paul.

From: Dunn, Ryan (ENERGY)
Sent: 27-Oct-11 13:09
To: Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Has this been approved by Legal?

If not, can they please have an approved copy to us by 2 PM?

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: King, Ryan (ENERGY)
Sent: October-27-11 1:16 PM
To: Silva, Joseph (ENERGY)
Subject: RE:

Yes, unless comms has made edits since then...

From: Silva, Joseph (ENERGY)
Sent: October 27, 2011 1:08 PM
To: King, Ryan (ENERGY)
Subject: RE:

Hi Ryan – is this the final version?

From: King, Ryan (ENERGY)
Sent: October 24, 2011 5:07 PM
To: Rehob, James (ENERGY); Perun, Halyna N. (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Johnson, Paul (ENERGY); Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE:

V6 with some minor re-spacing

From: King, Ryan (ENERGY)
Sent: October 24, 2011 4:55 PM
To: Rehob, James (ENERGY); Perun, Halyna N. (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Johnson, Paul (ENERGY); Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE:

Thanks James,
I've incorporated into the revised note.

From: Rehob, James (ENERGY)
Sent: October 24, 2011 4:50 PM
To: King, Ryan (ENERGY); Perun, Halyna N. (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Johnson, Paul (ENERGY); Jennings, Rick (ENERGY); Silva, Joseph (ENERGY)
Subject: RE:

Hi, Ryan – here is my input into the points stated below:

Minister Messaging Guidelines:

- Should use language that highlights ongoing discussions between OPA and Eastern Power
- Could consider statements emphasizing Government's encouragement of expeditious resolution of matter, etc. on reasonable commercial terms, putting rate-payer first.
- Should avoid making premature commitments that could hinder negotiations.
- Should wait until Eastern Power has signalled interest in negotiation. (ie Eastern may not be interested in relocation).

- Should be non-committal at each stage until decisions or agreements have been arrived at/agreed to.
- Should use extreme caution if referring to legislative option to note that it requires approval of Cabinet and Legislature to proceed.

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

From: King, Ryan (ENERGY)
 Sent: October 24, 2011 4:36 PM
 To: Perun, Halyna N. (ENERGY); Rehob, James (ENERGY); Sharkawi, Rula (ENERGY)
 Cc: Calwell, Carolyn (ENERGY); Johnson, Paul (ENERGY); Jennings, Rick (ENERGY); Silva, Joseph (ENERGY)
 Subject: RE:

Revised decision-tree. Rula, please add or subtract messaging as you guys see fit. The key issue is that we would not want to have messaging that does not get ahead of/or prejudices any negotiations that are occurring.

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

From: Perun, Halyna N. (ENERGY)
 Sent: October 24, 2011 4:07 PM
 To: Rehob, James (ENERGY); King, Ryan (ENERGY)
 Cc: Calwell, Carolyn (ENERGY); Johnson, Paul (ENERGY); Jennings, Rick (ENERGY); Sharkawi, Rula (ENERGY); Silva, Joseph (ENERGY)
 Subject: Re:

Hi - Craig M asked for an "overlay" of what min can/ cannot say - to be added to the decision tree doc - and comms need to be looped in - thanks

Halyna Perun
 A\Director
 Ph: 416 325 6681
 BB: 416 671 2607

Sent using BlackBerry

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

From: Silva, Joseph (ENERGY)
 To: Rehob, James (ENERGY); King, Ryan (ENERGY)
 Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
 Sent: Mon Oct 24 15:12:21 2011
 Subject: Re:

Thanks very much James

Sent using BlackBerry Wireless

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

From: Rehob, James (ENERGY)
 To: Silva, Joseph (ENERGY); King, Ryan (ENERGY)
 Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
 Sent: Mon Oct 24 15:10:58 2011
 Subject: RE:

Hi, Joseph - looks good - final comment would be that you may wish to re-add the colour to the "Legislative" option box since it is a special option - it involves the Legislature taking a very deliberate action in respect of a commercial transaction. Consider - otherwise, those are my comments. Please do let me know if you require anything further - x.56676.

James

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

From: Silva, Joseph (ENERGY)
Sent: October 24, 2011 3:00 PM
To: Rehob, James (ENERGY); King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
Subject: RE:

Thanks very much. Tried to make it simpler (redundant now but easier to follow).

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

From: Rehob, James (ENERGY)
Sent: October 24, 2011 2:56 PM
To: King, Ryan (ENERGY); Silva, Joseph (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
Subject: RE:

Hi, it's a bit busy but can't be helped given need expressed for comms points. Nothing further from me on this version (captures most of LSB's previous comments very effectively.

Great work, Ryan!

Let me know if you need anything further - x.56676

James

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

From: King, Ryan (ENERGY)
Sent: October 24, 2011 2:49 PM
To: Silva, Joseph (ENERGY); Rehob, James (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
Subject: RE:

Revised decision tree attached.

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

From: Silva, Joseph (ENERGY)
Sent: October 24, 2011 2:34 PM
To: Rehob, James (ENERGY); King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
Subject: Re:

Tx James

Ryan will tweak...

Ryan - will need pls within next 15 mins or so

Sent using BlackBerry Wireless

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

From: Rehob, James (ENERGY)
To: King, Ryan (ENERGY); Silva, Joseph (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Johnson, Paul (ENERGY)
Sent: Mon Oct 24 14:12:42 2011
Subject: RE:

The only thing I would note is that, unless we radically change the process in this case, most if not all letters to the OPA from the Minister (directions or otherwise) are public (certainly subject to disclosure under FIPPA). Hence, we'll likely want to have some level of public/media positioning at the ready (just one lawyer's view) - if not on the slide itself then on a further slide.

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

From: King, Ryan (ENERGY)
Sent: October 24, 2011 2:07 PM
To: Silva, Joseph (ENERGY)
Cc: Rehob, James (ENERGY)
Subject: RE:

Can you please call me? Most of the steps in this process, I assume are fully confidential including the OPA discussions. Messaging would only apply in the event a settlement has been reached or in the alternative, the matter proceeds to the courts. I can add messaging in here but I don't believe there would be much else unless it is the Minister's intent to make these proceeding public.

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

From: Silva, Joseph (ENERGY)
Sent: October 24, 2011 2:03 PM
To: King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Rehob, James (ENERGY); Jennings, Rick (ENERGY); Jenkins, Allan (ENERGY); McKeever, Garry (ENERGY); Sharkawi, Rula (ENERGY)
Subject: RE:

Thanks Ryan. We'll need to add comms messaging/positioning under each one...

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

From: King, Ryan (ENERGY)
Sent: October 24, 2011 1:56 PM
To: Silva, Joseph (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY); Rehob, James (ENERGY); Jennings, Rick (ENERGY); Jenkins, Allan (ENERGY); McKeever, Garry (ENERGY); Sharkawi, Rula (ENERGY)
Subject: RE:

Draft decision tree attached. Please let us know any additions/suggestions

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

From: Rehob, James (ENERGY)
Sent: October 24, 2011 1:41 PM
To: Silva, Joseph (ENERGY); King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE:

Legal has been working with Ryan and has fed comments/revisions to slide. Slide looked quite good from LSB perspective given one-slide format - Ryan?
James

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

From: Silva, Joseph (ENERGY)
Sent: October 24, 2011 1:40 PM
To: Rehob, James (ENERGY); King, Ryan (ENERGY)
Subject:

Hi guys how are we doing with decision tree? Our briefings are \$oving quickly

Sent using BlackBerry Wireless

Fisher, Petra (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October-27-11 1:20 PM
To: Lindsay, David (ENERGY)
Subject: FW: Plant article

Sorry, I should have cc'd you.

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

From: Silva, Joseph (ENERGY) On Behalf Of Lindsay, David (ENERGY)
Sent: October 27, 2011 1:05 PM
To: 'Gherson, Giles (CAB)'
Cc: 'Turnbull, Tiffany (CAB)'; Silva, Joseph (ENERGY)
Subject: Plant article

Hi Giles,

Below is the article, as per our discussion.

David

<http://www.mississauga.com/news/article/1232742--liberals-in-talks-to-move-plant>

Liberals in talks to move plant
Mississauga.com
Louie Rosella
October 26, 2011

The Ontario government is in "discussions" to relocate a controversial gas-fired power plant currently being built in the city's east end, a Ministry of Energy spokesperson said this evening.

However, Andrew Block added, the Liberals will not be introducing legislation to halt construction of the plant, despite the fact that major work is still continuing at the site of the project on Loreland Ave.

Progressive Conservative Leader Tim Hudak unveiled photographs taken Monday showing a huge generator en route to the site.

Block re-affirmed the statement by Energy Minister Chris Bentley earlier this week that the "Ontario government is committed to relocating the natural gas plant originally planned for Mississauga. The government will work with the company to find a suitable location for this plant. More information will become available as discussions progress."

Block wouldn't elaborate on the types of discussions taking place with the builder, Eastern Power Ltd., nor would he say what other sites are being considered.

He did shoot down suggestions the Liberals will bring forward legislation that will halt or cancel construction.

"As far as I know, there would not be a need for legislation. You're not legislating a new law, so to speak," he said. "You wouldn't have to put forward legislation."

Mississauga South MPP Charles Sousa also said prior to leaving the country today on Ministry business that "our government remains committed to ensuring that this plant be moved to a more appropriate location as previously announced in September."

Last week, Sousa, named by Premier Dalton McGuinty as Ontario's new minister of immigration and citizenship, told Applewood Acres residents that his government's plan to put a gas-fired power plant in the city's east end was a "dumb" idea and it will be scrapped.

"It was a dumb place to put it, a dumb place to have it," Sousa told a gathering at St. Edmund Elementary School during the annual general meeting of the Applewood Acres Homeowners Association. "There was a lot of mistakes. I'm not here to defend it. I'm just here to make sure it gets fixed."

Sousa said the Liberal government is committed to ensuring the facility, being built by Eastern Power Ltd. on Loreland Ave., will not go ahead.

"We're going to have it removed," he said. "The commitment is that it will be done."

Sousa added "there's some litigation" and other issues preventing him from saying more. But the plan is to cancel the contract, halt construction of the plant and return the site to its pre-construction condition.

McGuinty promised on the campaign trail to scrap the plant, despite the fact it was his government that tabled the initial plan to build on the Mississauga site.

Area residents have vigorously opposed the plant from the outset. The Coalition of Homeowners for Intelligent Power (CHIP), which represents more than 10,000 homeowners in Mississauga and Etobicoke, said it won't stand idly by while Eastern Power Ltd. builds the plant.

Tony Jones, past chair of CHIP, said there's much at stake for residents.

"There are some myths about gas power plants being cleaner than coal, but they are also more dangerous in some ways," he said. "One of the things with natural gas-fired plants is the particles they give off are much smaller than coal particles. They get deep into people's lungs, so you can't cough them up. And they stay there and cause all sorts of unpleasant diseases like emphysema and cancer."

Irosella@mississauga.net

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: October 27, 2011 1:21 PM
To: Gerard, Paul (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

OK – looking at this now - thanks

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
BB: (416) 671-2607
E-mail: Halyna.Perun2@ontario.ca

Notice

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From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 1:11 PM
To: Perun, Halyna N. (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Hello Halyna,

The MO has asked if we can have this back by 2 p.m.

Much appreciated,

Paul.

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: Dunn, Ryan (ENERGY)
Sent: October 27, 2011 1:29 PM
To: Gerard, Paul (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY); Block, Andrew (ENERGY); Botond, Erika (ENERGY); Sharkawi, Rula (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Great!

As Erika stated in her e-mail, we need it back by 2 PM.

Ryan

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 1:16 PM
To: Dunn, Ryan (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY); Block, Andrew (ENERGY); Botond, Erika (ENERGY); Sharkawi, Rula (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Hello Ryan,

Legal approved the draft version last night but recommended removing the word 'ongoing'.

I made the changes (in purple) and it's with Legal now. I've told them that we need the document back quickly.

Paul.

From: Dunn, Ryan (ENERGY)
Sent: 27-Oct-11 13:09
To: Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Has this been approved by Legal?

If not, can they please have an approved copy to us by 2 PM?

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 12:31 PM
To: Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY); Botond, Erika (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure

Fisher, Petra (ENERGY)

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Sent: October-27-11 1:44 PM
To: Botond, Erika (ENERGY); Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy v3
Attachments: Greenfield South Q-and-As 2011-10-27v3.doc

Here is version approved by Legal (there were no changes) and cleaned up.

From: Botond, Erika (ENERGY)
Sent: 27-Oct-11 13:12
To: Dunn, Ryan (ENERGY); Gerard, Paul (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy

Hey folks – just to be clear, we need to get this to the minister by 3 PM and will need time to review also.

Thx gang!
e

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Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

**Greenfield South Power Plant
KM/QA
Draft Two – October 27, 2011**

KEY MESSAGES

- **The Ontario government is committed to having discussions about relocating the plant. The government will work with Eastern Power to find a new suitable location.**
- **We have asked the OPA to begin discussions with Eastern Power in hopes of finding a successful resolution.**
- **We cannot provide more detail at this time.**

QUESTIONS AND ANSWERS

STATUS

Why is work proceeding if the plant is being moved?

I am hopeful that the OPA's discussions about relocation will result in a successful resolution.

Why don't you stop construction while discussions are ongoing?

The first step we need to take is to initiate discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power in hopes of finding a successful resolution.

When did construction start?

Construction started in May 2011.

Why hasn't construction stopped?

I am hopeful that the OPA's discussions about relocation will result in a successful resolution.

What if Eastern Power does not agree to discussions and continues construction?

It is premature to speculate at this time. We hope to find a resolution.

Will you issue a stop-order?

It is premature to speculate at this time.

Will it require legislation to cancel it?

At this time, we are seeking to negotiate an alternate location for the plant.

But if talks break down, is legislation an option?

Yes, we could propose legislation that would, if passed, ensure all activity is stopped at the current location.

It is premature to speculate at this time.

The first step we need to take is to initiate discussions with Eastern Power. We have asked the OPA to begin these discussions with Eastern Power in hopes of finding a successful resolution.

NEGOTIATIONS

What stage are discussions at with the company? Have you personally spoken to them?

I have asked the OPA, as the contract holder, to begin discussions.

Who is negotiating with the company on behalf of the province? Is it the OPA?

I have asked OPA, as the contract holder, to begin discussions.

Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?

As I have said, it would be premature to discuss specifics at this point.

Will you put this back out to tender?

We are seeking an alternate location with the proponent of the current site.

What is the process for cancelling the project?

The Ontario government is committed to having discussions about relocating the plant. We will do this fairly and the OPA will discuss options directly with Eastern Power. More information will be made available as the process moves forward.

COST

Isn't the price going up as long as construction continues?

Eastern Power's costs and other issues will be considered in discussions.

How much is it going to cost to relocate this plant?

I've asked the OPA to begin discussions with the proponent on a potential relocation of this project. I'm hopeful that this will be resolved fairly and in the best interests of all involved.

How much would it have cost to move the plant when the intent to relocate was first announced in late September, 2011?

Eastern Power's costs and other issues will be considered in discussions.

Is the company just trying to get as much as they can from a settlement?

I'm hopeful that this will be resolved fairly and in the best interests of all involved.

Will the cost be made public knowledge at some time?

Our government is committed to conducting business in an open and transparent manner.

What we can say publicly will be determined by the terms of the agreement that is reached with Eastern Power.

We can better answer this question once negotiations have been completed.

How long do you expect negotiations to take and how much will this cost taxpayers?

We hope to find a resolution in discussions with Eastern Power.

It is premature to speculate about costs at this stage.

RELOCATION

What are the alternative locations being considered?

It is premature to speculate at this time.

Will it be in Mississauga?

It is premature to speculate at this time.

Why not build the natural gas plant in Nanticoke instead? They've indicated they're a willing host community.

It is premature to speculate at this time.

Will the public be consulted?

Yes.

LOCAL SUPPLY AND RELIABILITY

Will this jeopardize power supply in the area?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available including transmission options to ensure reliability over the long-term.

How delayed will this plant be now and do we have enough power in the interim to meet demand?

As I have said, it would be premature to discuss specifics at this point.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

How often will the new plant operate?

Actual operation of an alternate plant will depend on several factors including weather, local system conditions, demands on the electricity system and the availability of other sources of power.

So we know for sure it will be a gas plant – and not additional transmission or other resources, such as renewable energy and conservation – that will replace this plant?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

What about the transmission solution? When the Oakville plant was cancelled you said a transmission solution can ensure the area will have enough electricity.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability over the long-term.

Will a natural gas plant be built in the Kitchener-Waterloo-Cambridge-Guelph area?

As indicated in the Long-Term Energy Plan the procurement of a natural gas plant in the Kitchener-Waterloo-Cambridge area is necessary.

The Kitchener-Waterloo-Cambridge area is a major automotive and high-tech centre and is experiencing rapid population and economic growth. Peak demand has been increasing at a rate double the provincial average. The region is host to several data centres that require a reliable power supply.

How many natural gas plants are there already operating in the GTA?

There are four major plants:

- The 550-megawatt Portlands Energy Centre near downtown Toronto
- The 874-megawatt Goreway Station in Brampton
- The 683-megawatt Halton Hills Generating Station
- A 117-megawatt cogeneration plant at the Toronto International Airport in Mississauga

In addition there are a number of smaller natural gas generating plants operating in industry, and in commercial and institutional complexes, including universities and hospitals, including:

- A 68-megawatt facility at the Ottawa Health Sciences Centre
- A 6.6-megawatt facility at Brock University in St. Catharines
- A 2.3-megawatt district energy facility at [Durham College in Oshawa](#)
- A 12-megawatt [cogeneration facility in London](#)
- A 5-megawatt cogeneration facility in [Sudbury](#)
- A 6.7-megawatt cogeneration facility at Sudbury hospital

WHAT RELOCATING GREENFIELD MEANS FOR OTHER PROJECTS

Are there other power projects set to break ground that you may reconsider?

This is a case and location-specific issue and is not applicable to any other issue.

You said that about Mississauga, after you cancelled Oakville. How can we trust that you won't cave to pressure the next time?

Like any other business, energy partners work together to respond to changing conditions.

This is a case and location-specific issue and is not applicable to any other issue.

Communities object to wind power yet you won't budge. This is two gas plants you have cancelled. Why the double-standard?

The government has heard the community's concerns about this plant proceeding as originally planned prompting our intention to relocate the plant. There is no reason to try and juxtapose this case with other generation projects.

Does this speak to a need to have a more independent, arms-length process?

This is a case and location-specific issue and is not applicable to any other issue. We will continue to work collaboratively with all parties involved.

Will you reconsider new gas set-backs or a new siting process for plants of any kind?

We are investigating how siting is dealt with in other jurisdictions but are still in the preliminary research stage.

What is the status of negotiations with TransCanada over the cancellation of the Oakville plant?

We are in discussions with TransCanada, and do not have an update at this time.

GENERAL BACKGROUND

- Greenfield South Generating Station is a 280-megawatt combined cycle natural gas plant located in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The plant will occupy roughly 2 hectares of the property. Part of the property will be dedicated to the city as a park.

- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and holds a contract with the Ontario Power Authority (OPA).
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability of the project. The contract between Greenfield South Power Corporation and the OPA was renegotiated, and the commercial operation date has been extended to the third quarter of 2014.
- The project obtained zoning approval in 2007 and environmental approval in 2008.
- The OPA was advised on May 31, 2011, that the company has received its building permit for the plant. The company is moving equipment to the site, and excavation and foundation work is expected to start in early July.
- The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility.
- In October 2011, the Minister of Energy wrote to the OPA asking them to begin discussions with Eastern Power to find an alternate location for the Greenfield South Plant.

Note:

In April 2005, Eastern Power was awarded contracts for two 280 MW natural gas plants – one for Greenfield South and one for Greenfield North (Hurontario St. north of Derry Rd.). In August 2005, Greenfield North contract terminated under a mutual agreement between the OPA and Eastern Power because Eastern Power was not able to obtain financing. The Greenfield South contract remained in place. At the time, Eastern Power said it preferred the Greenfield South site because it was better for natural gas supply and electrical connection and the area was zoned for industrial activity, including power generation.

Fisher, Petra (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October-27-11 1:45 PM
To: Lindsay, David (ENERGY)
Subject: FW: Greenfield South Q-and-As - Clean Copy
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Duplicate attachment removed

Fyi Deputy. Here's QAs/messaging from our side for MO consideration. Legal and policy/Rick and Halyna have both reviewed

I'll print for you.

Joseph

From: Perun, Halyna N. (ENERGY)
Sent: October 27, 2011 1:36 PM
To: Gerard, Paul (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY); King, Ryan (ENERGY)
Subject: FW: Greenfield South Q-and-As - Clean Copy

Hi – I am fine with this version - thanks

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
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E-mail: Halyna.Perun2@ontario.ca

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Cc: Kovesfalvi, Sylvia (ENERGY)
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Much appreciated,

Paul.

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Cayley, Daniel (ENERGY)

From: King, Ryan (ENERGY)
Sent: October 27, 2011 1:54 PM
To: Dunning, Rebecca (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE: Rush Minister's note

On this topic, there is only issue note that matters and that is Greenfield South. We will put together a note. The Communications QA should also be used.

From: Dunning, Rebecca (ENERGY)
Sent: October 27, 2011 1:46 PM
To: King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY)
Subject: Rush Minister's note
Importance: High

Hi Ryan,

The Minister has a call with Hazel McCallion tomorrow morning. I am extremely sorry for the short turnaround, but could you please coordinate a note on the outstanding Mississauga issue(s) and send to the DMO by **5:30 today**, at the latest?

Many thanks.

Fisher, Petra (ENERGY)

From: Dunning, Rebecca (ENERGY)
Sent: October-27-11 1:57 PM
To: King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Perun, Halyna N. (ENERGY)
Subject: RE: Rush Minister's note
Attachments: Greenfield South Q-and-As 2011-10-27v2.doc

Duplicate attachment removed

Thanks very much, we have the Qs/As.

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Cayley, Daniel (ENERGY)

From: Kulendran, Jesse (ENERGY)
Sent: October-27-11 1:59 PM
To: Dunning, Rebecca (ENERGY); King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Re: Rush Minister's note

The note should also briefly touch on the status of discussions on the future use of Lakeview.

Jesse Kulendran - Senior Coordinator, Policy & Special Projects - Deputy Minister's Office - Ministry of Energy - Tel.: 416-327-7025 - Blackberry: 416-206-1394

From: Dunning, Rebecca (ENERGY)
To: King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Perun, Halyna N. (ENERGY)
Sent: Thu Oct 27 13:57:13 2011
Subject: RE: Rush Minister's note

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Cayley, Daniel (ENERGY)

From: Dunn, Ryan (ENERGY)
Sent: October-27-11 2:00 PM
To: Gerard, Paul (ENERGY); Botond, Erika (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Greenfield South Q-and-As - Clean Copy v3

Many thanks!

From: Gerard, Paul (ENERGY)
Sent: October 27, 2011 1:44 PM
To: Botond, Erika (ENERGY); Dunn, Ryan (ENERGY); Block, Andrew (ENERGY); Sharkawi, Rula (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Kovesfalvi, Sylvia (ENERGY)
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Subject: Greenfield South Q-and-As - Clean Copy

Paul Gerard
Ministry of Energy &
Ministry of Infrastructure
Paul.Gerard@ontario.ca
416-327-7226

Fisher, Petra (ENERGY)

From: King, Ryan (ENERGY)
Sent: October-27-11 2:01 PM
To: McKeever, Garry (ENERGY); MacCallum, Doug (ENERGY)
Cc: Jennings, Rick (ENERGY)
Subject: FW: Rush Minister's note
Attachments: MN Mayor Mississauga 28 Oct 2011.doc; Greenfield South Q-and-As 2011-10-27v2.doc
Importance: High Duplicate attachment removed

Just received this request. My apologies for the notice. We need to send in this afternoon. I'm attaching the latest QA as at the end it includes background info.

Two issues are
Greenfield south

Unrelated content

From: Dunning, Rebecca (ENERGY)
Sent: October 27, 2011 1:46 PM
To: King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
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Many thanks.

MEETING NOTE

NAME OF ORGANIZATION: Hazel MacCallion, Mayor, Mississauga

DATE/TIME OF MEETING: October 28, 2011

LOCATION OF MEETING: Executive Boardroom, 4th floor, Hearst Block

PURPOSE: Call with Hazel MacCallion

ATTENDEES: **Ministry of Energy**
The Hon. Chris Bentley, Minister of Energy

AGENDA ITEMS:

Greenfield South Power Plant: Status
[Lakeview](#)

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: October-27-11 2:01 PM
To: King, Ryan (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Calwell, Carolyn (ENERGY); Dunning, Rebecca (ENERGY); Teixeira, Wanda (ENERGY)
Subject: RE: Rush Minister's note

Hi Ryan – I am leaving for Montreal shortly, and James is away today. Please keep Carolyn in the loop as she'll need to give you legal's comments

(James and I are both away tomorrow, fyi).

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
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The Minister has a call with Hazel McCallion tomorrow morning. I am extremely sorry for the short turnaround, but could you please coordinate a note on the outstanding Mississauga issue(s) and send to the DMO by **5:30 today**, at the latest?

Cayley, Daniel (ENERGY)

From: Krstev, Viki (ENERGY)
Sent: October-27-11 2:16 PM
To: Silva, Joseph (ENERGY)
Subject: RE: OEB audit

Hi Joseph,

Unrelated content removed

Thanks,
Viki

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

From: Silva, Joseph (ENERGY)
Sent: October 26, 2011 8:20 PM
To: Krstev, Viki (ENERGY)
Subject: Fw: OEB audit

Unrelated content removed

Joseph

Sent using BlackBerry Wireless

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

From: Silva, Joseph (ENERGY)
To: Lindsay, David (ENERGY)
Sent: Wed Oct 26 19:47:14 2011
Subject: OEB audit

Hi Deputy

Hope you had a good meeting on vapour lock this PM.

Unrelated content removed

Joseph

Fisher, Petra (ENERGY)

From: McKeever, Garry (ENERGY)
Sent: October-27-11 2:25 PM
To: Jenkins, Allan (ENERGY)
Subject: FW: Rush Minister's note
Attachments: MN Mayor Mississauga 28 Oct 2011.doc; Greenfield South Q-and-As 2011-10-27v2.doc
Importance: High Duplicate attachments removed

As discussed. If you can do GS I will do Unrelated

From: King, Ryan (ENERGY)
Sent: October 27, 2011 2:01 PM
To: McKeever, Garry (ENERGY); MacCallum, Doug (ENERGY)
Cc: Jennings, Rick (ENERGY)
Subject: FW: Rush Minister's note
Importance: High

Just received this request. My apologies for the notice. We need to send in this afternoon. I'm attaching the latest QA as at the end it includes background info.

Two issues are
Greenfield south

Unrelated content

From: Dunning, Rebecca (ENERGY)
Sent: October 27, 2011 1:46 PM
To: King, Ryan (ENERGY); Teixeira, Wanda (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY)
Subject: Rush Minister's note
Importance: High

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Many thanks.

Cayley, Daniel (ENERGY)

From: MacCallum, Doug (ENERGY)
Sent: October-27-11 4:17 PM
To: King, Ryan (ENERGY)
Subject: RE: Rush Minister's note

It's with Garry

Doug

From: King, Ryan (ENERGY)
Sent: October 27, 2011 4:15 PM
To: McKeever, Garry (ENERGY); MacCallum, Doug (ENERGY)
Subject: RE: Rush Minister's note

Can you let me know where this is at?

From: King, Ryan (ENERGY)
Sent: October 27, 2011 2:01 PM
To: McKeever, Garry (ENERGY); MacCallum, Doug (ENERGY)
Cc: Jennings, Rick (ENERGY)
Subject: FW: Rush Minister's note
Importance: High

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Many thanks.

Cayley, Daniel (ENERGY)

From: King, Ryan (ENERGY)
Sent: October-27-11 4:38 PM
To: Dunning, Rebecca (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: FW: MN McCallion
Attachments: MN Mayor Mississauga 28 Oct 2011 (rk).doc

MN attached. I'm sending to DMO and Legal for review in parallel given timing.

From: McKeever, Garry (ENERGY)
Sent: October 27, 2011 4:32 PM
To: King, Ryan (ENERGY)
Cc: Jenkins, Allan (ENERGY)
Subject: MN McCallion

Attached. Hard copy coming

MEETING NOTE

NAME OF ORGANIZATION: Hazel MacCallion, Mayor, Mississauga
DATE/TIME OF MEETING: October 28, 2011
LOCATION OF MEETING: Executive Boardroom, 4th floor, Hearst Block

PURPOSE: Call with Hazel McCallion

ATTENDEES: **Ministry of Energy**
The Hon. Chris Bentley, Minister of Energy

AGENDA ITEMS:

1. Greenfield South Power Plant: Status

Unrelated content
removed

1. Greenfield South Power Plant Status

General Background

- The Greenfield South 280 megawatt combined cycle natural gas plant is under construction in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and is being developed under a contract with the Ontario Power Authority (OPA). Eastern Power Limited is the developer and would be the operator of the plant under the Greenfield South name.
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability of the project. The contract between Greenfield South Power Corporation and the OPA was

renegotiated, and the commercial operation date has been extended to the third quarter of 2014.

- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility ruling for Greenfield South and against Mississauga.
- The project obtained zoning approval in 2007 and environmental approval was received in 2008.
- The OPA was advised on May 31, 2011, that the company had received its building permit for the plant. The company began construction in July.

Current Status

- Construction is continuing at Greenfield South as the developer is working to remain in compliance with the OPA contract and with contracts it has with financiers and with equipment and service providers.
- The Minister of Energy wrote to the OPA on October 24, 2011, asking them to begin discussions with Eastern Power to find an alternate location for the Greenfield South Plant.

Suggested Response

- I have instructed the OPA, who holds the contract with Greenfield South, to begin discussions with Eastern Power.
- We are working for a successful resolution that all parties will find agreeable.

Unrelated content
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- [REDACTED]
- [REDACTED]
 - [REDACTED]

October 27, 2011

Prepared by:

Allan Jenkins
Senior Specialist
Energy Supply and Competition Branch
416 325 6926

Approved by:

Garry McKeever
Director
Energy Supply and Competition Branch
416 325 8627

Rick Jenkins, ADM
Energy Supply, Transmission and Distribution Policy
416 314 6190

Fisher, Petra (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-27-11 4:44 PM
To: Todd, Brian (ENERGY)
Subject: FW: MN McCallion
Attachments: MN Mayor Mississauga 28 Oct 2011 (rk).doc
Importance: High Duplicate attachment removed

Would you please look at the note with respect to the Unrelated and send me any comments asap. I will review the Greenfield portion and consolidate our comments. Thank you (and apologies for the short turn around).

Carolyn

From: King, Ryan (ENERGY)
Sent: October 27, 2011 4:38 PM
To: Dunning, Rebecca (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: FW: MN McCallion

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Cc: Jenkins, Allan (ENERGY)
Subject: MN McCallion

Attached. Hard copy coming

Fisher, Petra (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-27-11 5:12 PM
To: Todd, Brian (ENERGY)
Subject: FW: MN McCallion
Attachments: MN Mayor Mississauga 28 Oct 2011 (rk).doc

DMO is getting anxious – sorry!

Duplicate attachment removed

From: Dunning, Rebecca (ENERGY)
Sent: October 27, 2011 5:05 PM
To: Calwell, Carolyn (ENERGY)
Subject: FW: MN McCallion

Hi Carolyn,

Once you approve, we'll send to Craig – hoping to do so asap. Can you let me know if you have changes?

Thanks a lot!

From: King, Ryan (ENERGY)
Sent: October 27, 2011 4:38 PM
To: Dunning, Rebecca (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: FW: MN McCallion

MN attached. I'm sending to DMO and Legal for review in parallel given timing.

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Sent: October 27, 2011 4:32 PM
To: King, Ryan (ENERGY)
Cc: Jenkins, Allan (ENERGY)
Subject: MN McCallion

Attached. Hard copy coming

Fisher, Petra (ENERGY)

From: Todd, Brian (ENERGY)
Sent: October-27-11 5:14 PM
To: Calwell, Carolyn (ENERGY)
Subject: RE: MN McCallion
Attachments: MN Mayor Mississauga 28 Oct 2011 (rk) bt.doc

Unrelated content removed

Brian

From: Calwell, Carolyn (ENERGY)
Sent: October 27, 2011 4:44 PM
To: Todd, Brian (ENERGY)
Subject: FW: MN McCallion
Importance: High

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Cc: Jenkins, Allan (ENERGY)
Subject: MN McCallion

Attached. Hard copy coming

MEETING NOTE

NAME OF ORGANIZATION: Hazel MacCallion, Mayor, Mississauga
DATE/TIME OF MEETING: October 28, 2011
LOCATION OF MEETING: Executive Boardroom, 4th floor, Hearst Block

PURPOSE: Call with Hazel McCallion

ATTENDEES: **Ministry of Energy**
The Hon. Chris Bentley, Minister of Energy

AGENDA ITEMS:

1. Greenfield South Power Plant: Status
Unrelated

1. Greenfield South Power Plant Status

General Background

- The Greenfield South 280 megawatt combined cycle natural gas plant is under construction in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
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respective Approval Authorities, for the purpose of requesting their approval to

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0.75"

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October 27, 2011

Prepared by:

Allan Jenkins
Senior Specialist
Energy Supply and Competition Branch
416 325 6926

Approved by:

Garry McKeever
Director
Energy Supply and Competition Branch
416 325 8627

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416 314 6190

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Carolyn

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Suggested Response

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- We are working for a successful resolution that all parties will find agreeable.

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[REDACTED]

Unrelated content

1. **Introduction**

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Journal compilation © 2006 Blackwell Publishing Ltd

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October 27, 2011

Prepared by:

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Energy Supply and Competition Branch
416 325 6926

Approved by:

Garry McKeever

Director
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416 325 8627

Rick Jenkins, ADM
Energy Supply, Transmission and Distribution Policy
416 314 6190

Fisher, Petra (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-27-11 5:38 PM
To: Silva, Joseph (ENERGY); King, Ryan (ENERGY); Kulendran, Jesse (ENERGY)
Subject: FW: Eastern Power Messages and Q's and A's
Attachments: Easter Power - Messages and Qs and As.doc

Importance: High

Have you seen these ones? They seem to be a significant departure from the last version that I saw.

Carolyn

From: Dunn, Ryan (ENERGY)
Sent: October 27, 2011 5:31 PM
To: Calwell, Carolyn (ENERGY)
Cc: MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)
Subject: Eastern Power Messages and Q's and A's
Importance: High

Hi Carolyn,

I have attached some Q's and A's and key messages for the Minister that he needs for a call tomorrow morning at 9AM.

Can someone please look over these ASAP? We would like to send them to him this evening for review.

All the best,

Ryan

Ryan Dunn
Issues Manager
Office of the Minister of Energy
O: 416-327-9473
M: 416-577-4955

**Greenfield South Power Plant
KM/QA
Draft Two – October 27, 2011**

KEY MESSAGES

- Our government is committed to relocating the natural gas plant originally planned for Mississauga.
- That's why, on my first day as Minister of Energy, I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a new location for the site.
- It's our expectation the OPA and Eastern Power will work together to find a new location
- As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority

QUESTIONS AND ANSWERS

STATUS

Why is work proceeding if the plant is being moved?

Our government is committed to relocating the natural gas plant originally planned for Mississauga

The first step is holding discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find a new location for the site.

Why don't you stop construction while discussions are ongoing?

The first step is initiating discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find a new location for the site

When did construction start?

Construction started in May 2011.

Why hasn't construction stopped?

Again, the first step is initiating discussions with Eastern Power. I have asked the OPA to begin discussions with Eastern Power to find a new location for the site

What if Eastern Power does not agree to discussions and continues construction?

It's our expectation the OPA and Eastern Power will work together to find a new location

Will you issue a stop-order?

I have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a new location

As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority

Will it require legislation to cancel it?

At this time, the OPA, as the contract holder, will begin discussions with Eastern Power to find a new location for the site

It's our expectation the OPA and Eastern Power will work together to find a new location

But if talks break down, is legislation an option?

The first step is holding discussions with Eastern Power.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

Legislation is an option, however, the best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find a new location for the site

Minister, your spokesperson said that legislation was not needed, is this true?

The best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find a new location for the site.

That's why I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a new location for the site.

NEGOTIATIONS

What stage are discussions at with the company? Have you personally spoken to them?

I have asked the OPA, as the contract holder, to begin discussions.

Who is negotiating with the company on behalf of the province? Is it the OPA?

I have asked OPA, as the contract holder, to begin discussions.

Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

Will you put this back out to tender?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a new location

What is the process for cancelling the project?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

COST

Isn't the price going up as long as construction continues?

Eastern Power's costs and other issues will be considered in the discussions.

How much is it going to cost to relocate this plant?

I have asked the OPA to begin discussions with Eastern Power to find a new location for the site. I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

How much would it have cost to move the plant when the intent to relocate was first announced in late September, 2011?

Eastern Power's costs and other issues will be considered in the discussions.

Is the company just trying to get as much as they can from a settlement?

I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

Will the cost be made public knowledge at some time?

Our government is committed to conducting business in an open and transparent manner.

How long do you expect negotiations to take and how much will this cost taxpayers?

The first step is initiating discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

RELOCATION

What are the alternative locations being considered?

The first step is initiating discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Will it be in Mississauga?

The first step is initiating discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Why not build the natural gas plant in Nanticoke instead? They've indicated they're a willing host community.

The first step is initiating discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Will the public be consulted?

Yes.

LOCAL SUPPLY AND RELIABILITY

Will this jeopardize power supply in the area?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available including transmission options to ensure reliability.

How delayed will this plant be now and do we have enough power in the interim to meet demand?

As I have said, the first step is initiating discussions with Eastern Power.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

How often will the new plant operate?

Actual operation of an alternate plant will depend on several factors including weather, local system conditions, demands on the electricity system and the availability of other sources of power.

So we know for sure it will be a gas plant – and not additional transmission or other resources, such as renewable energy and conservation – that will replace this plant?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

What about the transmission solution? When the Oakville plant was cancelled you said a transmission solution can ensure the area will have enough electricity.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

Will a natural gas plant be built in the Kitchener-Waterloo-Cambridge-Guelph area?

As indicated in the Long-Term Energy Plan the procurement of a natural gas plant in the Kitchener-Waterloo-Cambridge area is necessary.

The Kitchener-Waterloo-Cambridge area is a major automotive and high-tech centre and is experiencing rapid population and economic growth. Peak demand has been increasing at a rate double the provincial average. The region is host to several data centres that require a reliable power supply.

How many natural gas plants are there already operating in the GTA?

There are four major plants:

- The 550-megawatt Portlands Energy Centre near downtown Toronto
- The 874-megawatt Goreway Station in Brampton
- The 683-megawatt Halton Hills Generating Station
- A 117-megawatt cogeneration plant at the Toronto International Airport in Mississauga

In addition there are a number of smaller natural gas generating plants operating in industry, and in commercial and institutional complexes, including universities and hospitals, including:

- A 68-megawatt facility at the Ottawa Health Sciences Centre
- A 6.6-megawatt facility at Brock University in St. Catharines
- A 2.3-megawatt district energy facility at [Durham College in Oshawa](#)
- A 12-megawatt [cogeneration facility in London](#)
- A 5-megawatt cogeneration facility in [Sudbury](#)
- A 6.7-megawatt cogeneration facility at Sudbury hospital

WHAT RELOCATING GREENFIELD MEANS FOR OTHER PROJECTS

Are there other power projects set to break ground that you may reconsider?

This is a case and location-specific issue and is not applicable to any other issue.

You said that about Mississauga, after you cancelled Oakville. How can we trust that you won't cave to pressure the next time?

Like any other business, energy partners work together to respond to changing conditions.

This is a case and location-specific issue and is not applicable to any other issue.

Communities object to wind power yet you won't budge. This is two gas plants you have cancelled. Why the double-standard?

The government has heard the community's concerns about this plant proceeding as originally planned prompting our intention to relocate the plant. There is no reason to try and juxtapose this case with other generation projects.

Does this speak to a need to have a more independent, arms-length process?

This is a case and location-specific issue and is not applicable to any other issue. We will continue to work collaboratively with all parties involved.

Will you reconsider new gas set-backs or a new siting process for plants of any kind?

We are investigating how siting is dealt with in other jurisdictions but are still in the preliminary research stage.

What is the status of negotiations with TransCanada over the cancellation of the Oakville plant?

We are in discussions with TransCanada, and do not have an update at this time.

GENERAL BACKGROUND

- Greenfield South Generating Station is a 280-megawatt combined cycle natural gas plant located in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The plant will occupy roughly 2 hectares of the property. Part of the property will be dedicated to the city as a park.
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and holds a contract with the Ontario Power Authority (OPA).
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability

of the project. The contract between Greenfield South Power Corporation and the OPA was renegotiated, and the commercial operation date has been extended to the third quarter of 2014.

- The project obtained zoning approval in 2007 and environmental approval in 2008.
- The OPA was advised on May 31, 2011, that the company has received its building permit for the plant. The company is moving equipment to the site, and excavation and foundation work is expected to start in early July.
- The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility.
- In October 2011, the Minister of Energy wrote to the OPA asking them to begin discussions with Eastern Power to find an alternate location for the Greenfield South Plant.

Note:

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Attachments: Easter Power - Messages and Qs and As.doc

Duplicate attachment removed

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Version 2

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Cc: MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)
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**Greenfield South Power Plant
KM/QA
Draft Two – October 27, 2011**

KEY MESSAGES

- Our government is committed to relocating the natural gas plant originally planned for Mississauga.
- That's why I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a new location for the site.
- It's our expectation the OPA and Eastern Power will work together to find a new location
- As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority

QUESTIONS AND ANSWERS

STATUS

Why is work proceeding if the plant is being moved?

Our government is committed to relocating the natural gas plant originally planned for Mississauga

The first step is holding discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find a new location for the site.

Why don't you stop construction while discussions are ongoing?

The first step is holding discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find a new location for the site

When did construction start?

Construction started in May 2011.

Why hasn't construction stopped?

Again, the first step is holding discussions with Eastern Power. I have asked the OPA to begin discussions with Eastern Power to find a new location for the site

What if Eastern Power does not agree to discussions and continues construction?

It's our expectation the OPA and Eastern Power will work together to find a new location

Will you issue a stop-order?

I have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a new location

As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority

Will it require legislation to cancel it?

At this time, the OPA, as the contract holder, will begin discussions with Eastern Power to find a new location for the site

It's our expectation the OPA and Eastern Power will work together to find a new location

But if talks break down, is legislation an option?

The first step is holding discussions with Eastern Power.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

Legislation is an option, however, the best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find a new location for the site

Minister, your spokesperson said that legislation was not needed, is this true?

The best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find a new location for the site.

That's why I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a new location for the site.

NEGOTIATIONS

What stage are discussions at with the company? Have you personally spoken to them?

I have asked the OPA, as the contract holder, to begin discussions.

Who is negotiating with the company on behalf of the province? Is it the OPA?

I have asked OPA, as the contract holder, to begin discussions.

Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

Will you put this back out to tender?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a new location

What is the process for cancelling the project?

At this time, the OPA will begin discussions with Eastern Power to find an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

COST

Isn't the price going up as long as construction continues?

Eastern Power's costs and other issues will be considered in the discussions.

How much is it going to cost to relocate this plant?

I have asked the OPA to begin discussions with Eastern Power to find a new location for the site. I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

How much would it have cost to move the plant when the intent to relocate was first announced in late September, 2011?

Eastern Power's costs and other issues will be considered in the discussions.

Is the company just trying to get as much as they can from a settlement?

I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

Will the cost be made public knowledge at some time?

Our government is committed to conducting business in an open and transparent manner.

How long do you expect negotiations to take and how much will this cost taxpayers?

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a suitable location

RELOCATION

What are the alternative locations being considered?

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Will it be in Mississauga?

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Why not build the natural gas plant in Nanticoke instead? They've indicated they're a willing host community.

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.

Will the public be consulted?

Yes.

LOCAL SUPPLY AND RELIABILITY

Will this jeopardize power supply in the area?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available including transmission options to ensure reliability.

How delayed will this plant be now and do we have enough power in the interim to meet demand?

As I have said, the first step is holding discussions with Eastern Power.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

How often will the new plant operate?

Actual operation of an alternate plant will depend on several factors including weather, local system conditions, demands on the electricity system and the availability of other sources of power.

So we know for sure it will be a gas plant – and not additional transmission or other resources, such as renewable energy and conservation – that will replace this plant?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

What about the transmission solution? When the Oakville plant was cancelled you said a transmission solution can ensure the area will have enough electricity.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

Will a natural gas plant be built in the Kitchener-Waterloo-Cambridge-Guelph area?

As indicated in the Long-Term Energy Plan the procurement of a natural gas plant in the Kitchener-Waterloo-Cambridge area is necessary.

The Kitchener-Waterloo-Cambridge area is a major automotive and high-tech centre and is experiencing rapid population and economic growth. Peak demand has been increasing at a rate double the provincial average. The region is host to several data centres that require a reliable power supply.

How many natural gas plants are there already operating in the GTA?

There are four major plants:

- The 550-megawatt Portlands Energy Centre near downtown Toronto
- The 874-megawatt Goreway Station in Brampton
- The 683-megawatt Halton Hills Generating Station
- A 117-megawatt cogeneration plant at the Toronto International Airport in Mississauga

In addition there are a number of smaller natural gas generating plants operating in industry, and in commercial and institutional complexes, including universities and hospitals, including:

- A 68-megawatt facility at the Ottawa Health Sciences Centre
- A 6.6-megawatt facility at Brock University in St. Catharines
- A 2.3-megawatt district energy facility at [Durham College in Oshawa](#)
- A 12-megawatt [cogeneration facility in London](#)
- A 5-megawatt cogeneration facility in [Sudbury](#)
- A 6.7-megawatt cogeneration facility at Sudbury hospital

WHAT RELOCATING GREENFIELD MEANS FOR OTHER PROJECTS

Are there other power projects set to break ground that you may reconsider?

This is a case and location-specific issue and is not applicable to any other issue.

You said that about Mississauga, after you cancelled Oakville. How can we trust that you won't cave to pressure the next time?

Like any other business, energy partners work together to respond to changing conditions.

This is a case and location-specific issue and is not applicable to any other issue.

Communities object to wind power yet you won't budge. This is two gas plants you have cancelled. Why the double-standard?

The government has heard the community's concerns about this plant proceeding as originally planned prompting our intention to relocate the plant. There is no reason to try and juxtapose this case with other generation projects.

Does this speak to a need to have a more independent, arms-length process?

This is a case and location-specific issue and is not applicable to any other issue. We will continue to work collaboratively with all parties involved.

Will you reconsider new gas set-backs or a new siting process for plants of any kind?

We are investigating how siting is dealt with in other jurisdictions but are still in the preliminary research stage.

What is the status of negotiations with TransCanada over the cancellation of the Oakville plant?

We are in discussions with TransCanada, and do not have an update at this time.

GENERAL BACKGROUND

- Greenfield South Generating Station is a 280-megawatt combined cycle natural gas plant located in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The plant will occupy roughly 2 hectares of the property. Part of the property will be dedicated to the city as a park.
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.
- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and holds a contract with the Ontario Power Authority (OPA).
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability

of the project. The contract between Greenfield South Power Corporation and the OPA was renegotiated, and the commercial operation date has been extended to the third quarter of 2014.

- The project obtained zoning approval in 2007 and environmental approval in 2008.
- The OPA was advised on May 31, 2011, that the company has received its building permit for the plant. The company is moving equipment to the site, and excavation and foundation work is expected to start in early July.
- The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility.
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Subject: Re: Eastern Power Messages and Q's and A's

Yes I agree we should suggest it.

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Sent: Thu Oct 27 17:46:12 2011
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I should add that it will likely be rebuffed. They seem pretty intent on the relocation messaging

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To: Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY)
Cc: Gerard, Paul (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: Re: Eastern Power Messages and Q's and A's

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To: Calwell, Carolyn (ENERGY); King, Ryan (ENERGY); Kulendran, Jesse (ENERGY)
Cc: Gerard, Paul (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Sent: Thu Oct 27 17:40:42 2011
Subject: RE: Eastern Power Messages and Q's and A's

Thanks Carolyn for sharing and keeping us in the loop. It's the first time I'm seeing the revised ones.

Carolyn, Ryan – will you review from legal and policy perspective?

Paul, Sylvia - FYI

Thank you
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Sent: October 27, 2011 5:38 PM
To: Silva, Joseph (ENERGY); King, Ryan (ENERGY); Kulendran, Jesse (ENERGY)

Subject: FW: Eastern Power Messages and Q's and A's

Importance: High

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Carolyn

From: Dunn, Ryan (ENERGY)

Sent: October 27, 2011 5:31 PM

To: Calwell, Carolyn (ENERGY)

Cc: MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)

Subject: Eastern Power Messages and Q's and A's

Importance: High

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Office of the Minister of Energy

O: 416-327-9473

M: 416-577-4955

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To: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY)
Cc: King, Ryan (ENERGY); Kovesfalvi, Sylvia (ENERGY); Gerard, Paul (ENERGY); Sharkawi, Rula (ENERGY)
Subject: FW: Eastern Power Messages and Q's and A's
Attachments: Easter Power - Messages and Qs and Asv2.doc

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Cc: MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)
Subject: RE: Eastern Power Messages and Q's and A's

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I have made two changes:

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Greenfield South Power Plant
KM/QA
Draft Two – October 27, 2011

KEY MESSAGES

- Our government is committed to relocating the natural gas plant originally planned for Mississauga.
- That's why I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a new location for the site.
- It's our expectation the OPA and Eastern Power will work together to find a ~~new location~~ **satisfactory resolution to the Mississauga site.**
- As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority

QUESTIONS AND ANSWERS

STATUS

Why is work proceeding if the plant is being moved?

Our government is committed to ~~finding a satisfactory resolution to relocating~~ the natural gas plant originally planned for Mississauga.

The first step is holding discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find ~~a~~ **satisfactory resolution to a new location for** the site.

Why don't you stop construction while discussions are ongoing?

The first step is holding discussions with Eastern Power. I have asked the OPA, as the contract holder, to begin discussions with Eastern Power to find a ~~satisfactory resolution to new location for~~ the site.

When did construction start?

Construction started in May 2011.

Why hasn't construction stopped?

Again, the first step is holding discussions with Eastern Power. I have asked the OPA to begin discussions with Eastern Power to find a satisfactory resolution to new location for the site

What if Eastern Power does not agree to discussions and continues construction?

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to the site.~~new location~~

Will you issue a stop-order?

I have asked the OPA to begin discussions with Eastern Power to find a satisfactory resolution to new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to the site.~~new location~~

As the OPA proceeds with their discussions, we will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority.

Will it require legislation to cancel it?

At this time, the OPA, as the contract holder, will begin discussions with Eastern Power to find a satisfactory resolution to new location for the site.

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to the site.~~new location.~~

But if talks break down, is legislation an option?

The first step is holding discussions with Eastern Power.

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to the site.~~suitable location~~

Legislation is an option, however, the best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution to a new location for the site

Minister, your spokesperson said that legislation was not needed, is this true?

The best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution to a new location for the site.

That's why I sent a letter to the CEO of the OPA asking him to begin discussions with Eastern Power to find a satisfactory resolution to a new location for the site.

NEGOTIATIONS

What stage are discussions at with the company? Have you personally spoken to them?

I have asked the OPA, as the contract holder, to begin discussions.

Who is negotiating with the company on behalf of the province? Is it the OPA?

I have asked OPA, as the contract holder, to begin discussions.

Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?

At this time, the OPA will begin discussions with Eastern Power to find a satisfactory resolution to an alternate location for the site.

Will you put this back out to tender?

At this time, the OPA will begin discussions with Eastern Power to find a satisfactory resolution to an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to a new location the site.

What is the process for cancelling the project?

At this time, the OPA will begin discussions with Eastern Power to find a satisfactory resolution to an alternate location for the site.

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to a suitable location the site.

COST

Isn't the price going up as long as construction continues?

~~Eastern Power's costs and other~~ Many issues will be considered in the discussions.

How much is it going to cost to relocate this plant?

I have asked the OPA to begin discussions with Eastern Power to find a ~~new~~ satisfactory resolution to location for the site. I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

How much would it have cost to move the plant when the intent to relocate was first announced in late September, 2011?

~~Eastern Power's costs and other~~ Many issues will be considered in the discussions.

Is the company just trying to get as much as they can from a settlement?

I'm hopeful that this will be resolved fairly and in the best interests of ratepayers.

Will the cost be made public knowledge at some time?

Our government is committed to conducting business in an open and transparent manner.

How long do you expect negotiations to take and how much will this cost taxpayers?

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power ~~to find a new location for the site.~~

It's our expectation the OPA and Eastern Power will work together to find a satisfactory resolution to the site. ~~suitable location~~

RELOCATION

What are the alternative locations being considered?

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a satisfactory resolution to ~~new location for~~ the site.

Will it be in Mississauga?

The first step is holding discussions with Eastern Power. ~~We have asked the OPA to begin discussions with Eastern Power to find a new location for the site.~~

Why not build the natural gas plant in Nanticoke instead? They've indicated they're a willing host community.

The first step is holding discussions with Eastern Power. We have asked the OPA to begin discussions with Eastern Power to find a satisfactory resolution to a new location for the site.

Will the public be consulted?

Yes.

LOCAL SUPPLY AND RELIABILITY

Will this jeopardize power supply in the area?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available including transmission options to ensure reliability.

How delayed will this plant be now and do we have enough power in the interim to meet demand?

As I have said, the first step is holding discussions with Eastern Power.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability

How often will the new plant operate?

Actual operation of an alternate plant will depend on several factors including weather, local system conditions, demands on the electricity system and the availability of other sources of power.

So we know for sure it will be a gas plant – and not additional transmission or other resources, such as renewable energy and conservation – that will replace this plant?

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

What about the transmission solution? When the Oakville plant was cancelled you said a transmission solution can ensure the area will have enough electricity.

We are in an excellent supply situation in Ontario. The OPA will examine what options are available, including transmission options, to ensure reliability.

Will a natural gas plant be built in the Kitchener-Waterloo-Cambridge-Guelph area?

As indicated in the Long-Term Energy Plan the procurement of a natural gas plant in the Kitchener-Waterloo-Cambridge area is necessary.

The Kitchener-Waterloo-Cambridge area is a major automotive and high-tech centre and is experiencing rapid population and economic growth. Peak demand has been increasing at a rate double the provincial average. The region is host to several data centres that require a reliable power supply.

How many natural gas plants are there already operating in the GTA?

There are four major plants:

- The 550-megawatt Portlands Energy Centre near downtown Toronto
- The 874-megawatt Goreway Station in Brampton
- The 683-megawatt Halton Hills Generating Station
- A 117-megawatt cogeneration plant at the Toronto International Airport in Mississauga

In addition there are a number of smaller natural gas generating plants operating in industry, and in commercial and institutional complexes, including universities and hospitals, including:

- A 68-megawatt facility at the Ottawa Health Sciences Centre
- A 6.6-megawatt facility at Brock University in St. Catharines
- A 2.3-megawatt district energy facility at [Durham College in Oshawa](#)
- A 12-megawatt [cogeneration facility in London](#)
- A 5-megawatt cogeneration facility in [Sudbury](#)
- A 6.7-megawatt cogeneration facility at Sudbury hospital

WHAT RELOCATING GREENFIELD MEANS FOR OTHER PROJECTS

Are there other power projects set to break ground that you may reconsider?

This is a case and location-specific issue and is not applicable to any other issue.

You said that about Mississauga, after you cancelled Oakville. How can we trust that you won't cave to pressure the next time?

Like any other business, energy partners work together to respond to changing conditions.

This is a case and location-specific issue and is not applicable to any other issue.

Communities object to wind power yet you won't budge. This is two gas plants you have cancelled. Why the double-standard?

The government has heard the community's concerns about this plant proceeding as originally planned prompting our intention to relocate the plant. There is no reason to try and juxtapose this case with other generation projects.

Does this speak to a need to have a more independent, arms-length process?

This is a case and location-specific issue and is not applicable to any other issue. We will continue to work collaboratively with all parties involved.

Will you reconsider new gas set-backs or a new siting process for plants of any kind?

We are investigating how siting is dealt with in other jurisdictions but are still in the preliminary research stage.

What is the status of negotiations with TransCanada over the cancellation of the Oakville plant?

We are in discussions with TransCanada, and do not have an update at this time.

GENERAL BACKGROUND

- Greenfield South Generating Station is a 280-megawatt combined cycle natural gas plant located in the City of Mississauga on a 4.5 hectare property at 2315 Loreland Avenue. The plant will occupy roughly 2 hectares of the property. ~~Part of the property will be dedicated to the city as a park.~~
- The plant is 700 metres from the Trillium Health Centre and 1.1 km from the nearest school (Isna Elementary School). The nearest block of homes is about 250 metres south of the site.

- The plant was selected in the Ministry of Energy Clean Energy Supply competition in 2005 and holds a contract with the Ontario Power Authority (OPA).
- The plant's original planned commercial operation date was 2009.
- Approval delays resulting from City of Mississauga opposition to the project at the environmental approval and building permitting stages harmed the economic viability of the project. The contract between Greenfield South Power Corporation and the OPA was renegotiated, and the commercial operation date has been extended to ~~the third quarter of~~September 1, 2014.
- The project obtained zoning approval in 2007 and environmental approval in 2008.
- The OPA was advised on May 31, 2011, that the company has received its building permit for the plant. The company is moving equipment to the site, and excavation and foundation work is expected to start in early July.
- The site is located in a predominantly industrial area. It is bounded by a railway line, a transmission corridor and the Queen Elizabeth Way.
- The Ontario Municipal Board reviewed municipal planning and zoning and determined that the site was properly zoned and suitable for this type of electricity generation facility.
- In October 2011, the Minister of Energy wrote to the OPA asking them to begin discussions with Eastern Power to find an alternate location for the Greenfield South Plant.

Note:

In April 2005, Eastern Power was awarded contracts for two 280 MW natural gas plants – one for Greenfield South and one for Greenfield North (Huron Ontario St. north of Derry Rd.). In August 2005, Greenfield North contract terminated under a mutual agreement between the OPA and Eastern Power because Eastern Power was not able to obtain financing. The Greenfield South contract remained in place. At the time, Eastern Power said it preferred the Greenfield South site because it was better for natural gas supply and electrical connection and the area was zoned for industrial activity, including power generation.

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-27-11 6:02 PM
To: King, Ryan (ENERGY)
Subject: RE: Eastern Power Messages and Q's and A's

All we can do is try! Thanks for both of your messages, Ryan.

From: King, Ryan (ENERGY)
Sent: October 27, 2011 5:52 PM
To: Calwell, Carolyn (ENERGY)
Subject: Re: Eastern Power Messages and Q's and A's

I should add that it will likely be rebuffed. They seem pretty intent on the relocation messaging

From: Calwell, Carolyn (ENERGY)
To: King, Ryan (ENERGY)
Sent: Thu Oct 27 17:46:12 2011
Subject: RE: Eastern Power Messages and Q's and A's

It looks to me like the MO replaced all of the "beginning discussions with Eastern Power in hopes of finding a successful resolution" to "to find a new location for the plant". I was going to change this back, but I defer to you – please advise.

Carolyn

From: King, Ryan (ENERGY)
Sent: October 27, 2011 5:45 PM
To: Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY)
Cc: Gerard, Paul (ENERGY); Kovesfalvi, Sylvia (ENERGY)
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Ryan Dunn
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Office of the Minister of Energy
O: 416-327-9473
M: 416-577-4955

Fisher, Petra (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October-27-11 6:03 PM
To: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY)
Cc: King, Ryan (ENERGY); Kovesfalvi, Sylvia (ENERGY); Gerard, Paul (ENERGY); Sharkawi, Rula (ENERGY)
Subject: RE: Eastern Power Messages and Q's and A's

Thanks very much Carolyn. Will review and send to MO.

Joseph

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Sent: October 27, 2011 6:01 PM
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Cc: King, Ryan (ENERGY); Kovesfalvi, Sylvia (ENERGY); Gerard, Paul (ENERGY); Sharkawi, Rula (ENERGY)
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Cc: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)
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Cayley, Daniel (ENERGY)

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To: Silva, Joseph (ENERGY); Dunn, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY)
Subject: Re: Eastern Power Messages and Q's and A's

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Sent: Thu Oct 27 18:06:33 2011
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Fisher, Petra (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: October-27-11 6:24 PM
To: Botond, Erika (ENERGY); Dunn, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY)
Subject: RE: Eastern Power Messages and Q's and A's

Hi Erika – understood. We're advising maintaining maximum flexibility in our responses with respect to the relocation. It was a "policy-based" suggestion, but we do recognise that the public statements reference a new location.

Joseph

From: Botond, Erika (ENERGY)
Sent: October 27, 2011 6:22 PM
To: Silva, Joseph (ENERGY); Dunn, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY)
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Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-27-11 6:39 PM
To: King, Ryan (ENERGY)
Subject: Fw: Eastern Power Messages and Q's and A's

fyi

From: Calwell, Carolyn (ENERGY)
To: Botond, Erika (ENERGY); Silva, Joseph (ENERGY); Dunn, Ryan (ENERGY)
Cc: Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY)
Sent: Thu Oct 27 18:24:04 2011
Subject: Re: Eastern Power Messages and Q's and A's

Confidential/Solicitor Client Privileged

Relocation options are limited and will be difficult to realize, particularly with TC also in play. We recommend against over-committing on relocation. Straight payment may ultimately be most cost effective.

Carolyn

From: Botond, Erika (ENERGY)
To: Silva, Joseph (ENERGY); Dunn, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY); King, Ryan (ENERGY); MacLennan, Craig (ENERGY)
Sent: Thu Oct 27 18:21:38 2011
Subject: Re: Eastern Power Messages and Q's and A's

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From: Dunn, Ryan (ENERGY)
Sent: October 27, 2011 5:31 PM
To: Calwell, Carolyn (ENERGY)
Cc: MacLennan, Craig (ENERGY); Botond, Erika (ENERGY)
Subject: Eastern Power Messages and Q's and A's
Importance: High

Hi Carolyn,

I have attached some Q's and A's and key messages for the Minister that he needs for a call tomorrow morning at 9AM.

Can someone please look over these ASAP? We would like to send them to him this evening for review.

All the best,

Ryan

Ryan Dunn
Issues Manager
Office of the Minister of Energy
O: 416-327-9473
M: 416-577-4955

Fisher, Petra (ENERGY)

From: Morton, Robert (ENERGY)
Sent: October-28-11 10:14 AM
To: Dier, Kirby (ENERGY)
Subject: FW: Daily Energy Issues - October 28, 2011

Hi Kirby,

I am still waiting for direction from the MO on whether or not they want to respond to Christina Blizzard's article. In the meantime, can you please begin putting a possible response together based on the input provided by George below.

From: Nutter, George (ENERGY)
Sent: October 28, 2011 9:40 AM
To: Morton, Robert (ENERGY)
Cc: Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Daily Energy Issues - October 28, 2011

I would not have advised they do this. I'm generally not a big fan of responding to columnists – it makes a one day story a two day story, and often adds credibility to the stance of the columnist, at least among those already inclined in the direction of the original article.

In this particular case, I don't believe the government has had the opportunity to take any firm direction on how this change will happen, so our messaging would have to talk around it

If the MO is insistent on responding, the response should centre on the steps Ontario is taking to create a cleaner energy system (coal closure), note that MOE had previously announced a review of the plant's EA, and focus on the steps being taken to build an electricity system that is sustainable and reliable into the long term (long term energy plan).

George Nutter
Manager, Energy Communications
Communications Branch
Ministry of Energy
Ministry of Infrastructure

4th fl. Hearst Block
900 Bay Street
Queen's Park, Toronto
Ontario, Canada M7A 2E1

416-326-9602 office
416-326-3947 fax

george.nutter@ontario.ca

From: Morton, Robert (ENERGY)
Sent: October 28, 2011 9:30 AM
To: Nutter, George (ENERGY)
Subject: FW: Daily Energy Issues - October 28, 2011

Hi George,

I have contacted the MO to see if they are interested in responding to Christina Blizzard's article. I would very much appreciate your guidance and input on how we could respond to the article in the best possible way.

Regards,
Robert

Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News

Toronto Sun columnist Christina Blizzard writes about the Liberals' announcement during the provincial election campaign that they would cancel a gas-fired power plant in Mississauga and recent news that construction at the plant is still ongoing. Newly appointed Energy Minister Chris Bentley released a statement saying the government is committed to "relocating the natural gas plant originally planned for Mississauga," but Blizzard suggests that "makes it sound as if some giant crane will come along, pluck it up in one piece from the residential area where it's now located and plunk it down in a field close to nowhere. That's not going to happen. The plant was well on its way to completion. Changing plans now will cost hundreds of millions of dollars --a disgraceful waste of time and money." Commenting on where the plant may be relocated, Blizzard asks, "Do we foist it on rural Ontario --the way the government has stuck residents there with hectares of ugly wind farms? We've already destroyed our best farmland and most beautiful countryside with those ugly monstrosities. What's another gas plant on top of that? It was just that mindset that cost the Liberals all their rural seats." In concluding her column, Blizzard calls on the Minister to have some courage when it comes to where cancelled power plants in Mississauga and Oakville will now be located, noting, "Sure, you don't place a gas-powered plant next to a school. But sometimes, you have to do the right thing and put it close to a residential area." (p. 7-8)

From: Kourakos, Georgina (ENERGY)

Sent: October 28, 2011 9:07 AM

To: @ENERGY-All

Subject: Daily Energy Issues - October 28, 2011

Good morning,

Here is what's making news today:

- Unrelated content removed
- Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News
- Unrelated content removed

Unrelated content removed

Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News

Toronto Sun columnist Christina Blizzard writes about the Liberals' announcement during the provincial election campaign that they would cancel a gas-fired power plant in Mississauga and recent news that construction at the plant is still ongoing. Newly appointed Energy Minister Chris Bentley released a statement saying the government is committed to "relocating the natural gas plant originally planned for Mississauga," but Blizzard suggests that "makes it sound as if some giant crane will come along, pluck it up in one piece from the residential area where it's now located and plunk it down in

a field close to nowhere. That's not going to happen. The plant was well on its way to completion. Changing plans now will cost hundreds of millions of dollars --a disgraceful waste of time and money." Commenting on where the plant may be relocated, Blizzard asks, "Do we foist it on rural Ontario --the way the government has stuck residents there with hectares of ugly wind farms? We've already destroyed our best farmland and most beautiful countryside with those ugly monstrosities. What's another gas plant on top of that? It was just that mindset that cost the Liberals all their rural seats." In concluding her column, Blizzard calls on the Minister to have some courage when it comes to where cancelled power plants in Mississauga and Oakville will now be located, noting, "Sure, you don't place a gas-powered plant next to a school. But sometimes, you have to do the right thing and put it close to a residential area." (p. 7-8)

- In an online article, **CBC's** Robert Fisher says the McGuinty Liberals have managed to evade out outrage on the Mississauga power plant issue. Nearly a month after announcing during the provincial election campaign that they would stop construction on the \$400 million project, Fisher states Eastern Power is still working on the plant in Mississauga. He goes on to note that the Conservatives and New Democrats raised a fuss and would have gained more traction with the issue, had it not been for Conservative MPP Frank Klees' announcement that he wants the Speaker's job. While it is now unclear exactly how seriously he is committed to the race for the job, the Liberal misdirection campaign kicked in to cover over the campaign promise. (To read the entire article, click [HERE](#))
- **Related item:** NewsTalk1010.com (p. 19)

Unrelated content removed

Unrelated content removed

Fisher, Petra (ENERGY)

From: Perry, Ann (ENERGY)
Sent: October-28-11 11:06 AM
To: Nutter, George (ENERGY)
Subject: FW: Draft copy -- October issue of the OPA News Online e-newsletter

George – I just heard back from the OPA on the Greenfield South question Ryan King had posed. Their explanation and proposed rewording seems reasonable to me, but I just wanted to bounce it off you before I respond. Thanks. ap

From: Brian Shields [mailto:Brian.Shields@powerauthority.on.ca]
Sent: October 28, 2011 10:57 AM
To: Perry, Ann (ENERGY)
Subject: RE: Draft copy -- October issue of the OPA News Online e-newsletter

Hi Ann,

Thanks for your feedback.

I had a discussion with my supervisor here about the second item on the Q2 Supply Report and we agreed to slightly reword the sentence, "**As of** the end of the second quarter 2011, the OPA had 19,090 megawatts (MW) of electricity supply capacity..." to read instead as "**At the** end of the second quarter 2011, the OPA had 19,090 megawatts (MW) of electricity supply capacity...."

The document has been posted for more than two months now and these figures are what we had under contract at that time. Any changes that may occur with these figures, due to Greenfield South, will be updated in the next report, which is currently being drafted.

Thanks,

Brian

From: Perry, Ann (ENERGY) [mailto:Ann.Perry@ontario.ca]
Sent: October 27, 2011 3:42 PM
To: Brian Shields
Cc: Cooper, Linda (ENERGY); Nutter, George (ENERGY); Kovesfalvi, Sylvia (ENERGY); Bacci, Gloria (ENERGY); Morton, Robert (ENERGY); Gerard, Paul (ENERGY)
Subject: RE: Draft copy -- October issue of the OPA News Online e-newsletter

Hi Brian,

Unrelated content removed






Unrelated content removed

Ann

From: Brian Shields [mailto:Brian.Shields@powerauthority.on.ca]

Sent: October 26, 2011 12:11 PM

To: Perry, Ann (ENERGY)

Cc: Cooper, Linda (ENERGY); Nutter, George (ENERGY); Kovesfalvi, Sylvia (ENERGY); Bacci, Gloria (ENERGY); Morton, Robert (ENERGY); Gerard, Paul (ENERGY)

Subject: RE: Draft copy -- October issue of the OPA News Online e-newsletter

Thanks for this Ann.

Unrelated content removed

Brian

Unrelated content removed

Unrelated content removed

From: Perry, Ann (ENERGY) [mailto:Ann.Perry@ontario.ca]
Sent: October 24, 2011 12:01 PM
To: Brian Shields
Cc: Cooper, Linda (ENERGY); Nutter, George (ENERGY); Kovesfalvi, Sylvia (ENERGY); Bacci, Gloria (ENERGY); Morton, Robert (ENERGY); Gerard, Paul (ENERGY)
Subject: RE: Draft copy -- October issue of the OPA News Online e-newsletter

Dear Brian,

Unrelated content removed

Ann

From: Brian Shields [mailto:Brian.Shields@powerauthority.on.ca]
Sent: October 19, 2011 9:47 AM
To: Perry, Ann (ENERGY); Block, Andrew (ENERGY); Cayley, Daniel (ENERGY); Cooper, Linda (ENERGY); Olsheski, Mark (ENERGY); Kovesfalvi, Sylvia (ENERGY); Gerard, Paul (ENERGY)
Subject: Draft copy -- October issue of the OPA News Online e-newsletter

Unrelated content removed

Thanks,

Brian

Brian Shields | [Ontario Power Authority](#) | 120 Adelaide Street West, Suite 1600 | Toronto, ON M5H 1T1 | tel. 416.969.6250 | fax. 416.967.1947 | www.powerauthority.on.ca

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distribution or copying of this e-mail message or any files transmitted with it is strictly prohibited. If you have received this message in error, or are not the named recipient(s), please notify the sender immediately and delete this e-mail message.

Fisher, Petra (ENERGY)

From: Dier, Kirby (ENERGY)
Sent: October-28-11 11:15 AM
To: 'Morton, Robert (ENERGY)'
Subject: RE: Daily Energy Issues - October 28, 2011

OK – it's always good for me to get familiar with the house book notes anyway.

From: Morton, Robert (ENERGY)
Sent: October 28, 2011 11:14 AM
To: Nutter, George (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Cc: Dier, Kirby (ENERGY)
Subject: FW: Daily Energy Issues - October 28, 2011

MO has decided that they will not respond to the article.

From: Dunn, Ryan (ENERGY)
Sent: October 28, 2011 11:12 AM
To: Morton, Robert (ENERGY)
Subject: RE: Daily Energy Issues - October 28, 2011

Hi Robert,

We chatted about it and I think we are going to let this one be for now.

All the best,

Ryan

From: Morton, Robert (ENERGY)
Sent: October 28, 2011 9:23 AM
To: Dunn, Ryan (ENERGY)
Subject: FW: Daily Energy Issues - October 28, 2011

Hi Ryan,

I just wanted to touch base to see if there is any interest in providing a response to Christina Blizzard's article.

Regards,
Robert

Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News

Toronto Sun columnist Christina Blizzard writes about the Liberals' announcement during the provincial election campaign that they would cancel a gas-fired power plant in Mississauga and recent news that construction at the plant is still ongoing. Newly appointed Energy Minister Chris Bentley released a statement saying the government is committed to "relocating the natural gas plant originally planned for Mississauga," but Blizzard suggests that "makes it sound as if some giant crane will come along, pluck it up in one piece from the residential area where it's now located and plunk it down in a field close to nowhere. That's not going to happen. The plant was well on its way to completion. Changing plans now will cost hundreds of millions of dollars --a disgraceful waste of time and money." Commenting on where the plant may be relocated, Blizzard asks, "Do we foist it on rural Ontario --the way the government has stuck residents there with hectares of ugly wind farms? We've already destroyed our best farmland and most beautiful countryside with those ugly monstrosities. What's another gas plant on top of that? It was just that mindset that cost the Liberals all their rural seats."

In concluding her column, Blizzard calls on the Minister to have some courage when it comes to where cancelled power plants in Mississauga and Oakville will now be located, noting, "Sure, you don't place a gas-powered plant next to a school. But sometimes, you have to do the right thing and put it close to a residential area." (p. 7-8)

From: Kourakos, Georgina (ENERGY)
Sent: October 28, 2011 9:07 AM
To: @ENERGY-All
Subject: Daily Energy Issues - October 28, 2011

Good morning,

Here is what's making news today:

- Unrelated content removed
- Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News

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Rural Ontario zapped by Grit power policy – Toronto Sun, CBC News

Toronto Sun columnist Christina Blizzard writes about the Liberals' announcement during the provincial election campaign that they would cancel a gas-fired power plant in Mississauga and recent news that construction at the plant is still ongoing. Newly appointed Energy Minister Chris Bentley released a statement saying the government is committed to "relocating the natural gas plant originally planned for Mississauga," but Blizzard suggests that "makes it sound as if some giant crane will come along, pluck it up in one piece from the residential area where it's now located and plunk it down in a field close to nowhere. That's not going to happen. The plant was well on its way to completion. Changing plans now will cost hundreds of millions of dollars --a disgraceful waste of time and money." Commenting on where the plant may be relocated, Blizzard asks, "Do we foist it on rural Ontario --the way the government has stuck residents there with hectares of ugly wind farms? We've already destroyed our best farmland and most beautiful countryside with those ugly monstrosities. What's another gas plant on top of that? It was just that mindset that cost the Liberals all their rural seats." In concluding her column, Blizzard calls on the Minister to have some courage when it comes to where cancelled power plants in Mississauga and Oakville will now be located, noting, "Sure, you don't place a gas-powered plant next to a school. But sometimes, you have to do the right thing and put it close to a residential area." (p. 7-8)

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wants the Speaker's job. While it is now unclear exactly how seriously he is committed to the race for the job, the Liberal misdirection campaign kicked in to cover over the campaign promise. (To read the entire article, click [HERE](#))

- **Related item:** NewsTalk1010.com (p. 19)

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Fisher, Petra (ENERGY)

From: Chapman, Tom (ENERGY)
Sent: October-28-11 11:23 AM
To: Slawner, Karen (ENERGY); MacCallum, Doug (ENERGY)
Cc: Tasca, Leo (ENERGY); McKeever, Garry (ENERGY); Bergman, Mark (ENERGY); England, Michael (ENERGY)
Subject: FW: Qs and As and NR for FIT REVIEW - PO feedback

See below for A's

Doug: you are best place to respond to these two:

Where will you relocate the gas plant in Mississauga? (ESTDP TO ANSWER)

Unrelated content removed



From: Chapman, Tom (ENERGY)
Sent: October 28, 2011 9:22 AM
To: Bergman, Mark (ENERGY); England, Michael (ENERGY)
Subject: Fw: Qs and As and NR for FIT REVIEW - PO feedback

Unrelated content

From: Slawner, Karen (ENERGY)
To: Chapman, Tom (ENERGY)
Cc: Tasca, Leo (ENERGY)
Sent: Fri Oct 28 09:11:22 2011
Subject: FW: Qs and As and NR for FIT REVIEW - PO feedback

Good morning Tom,

Unrelated content removed

Thanks for you help.

Karen Slawner
Team Leader - Senior Consultant and Advisor
Ministry of Energy
T: 416-314-9472

From: Tasca, Leo (ENERGY)
Sent: October 28, 2011 8:53 AM
To: Slawner, Karen (ENERGY); Nutter, George (ENERGY); Shantz, Chris (ENERGY)
Cc: Ing, Pearl (ENERGY)
Subject: RE: Qs and As and NR for FIT REVIEW - PO feedback

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Bar Index	Approximate Length (%)
1	100
2	95
3	90
4	70
5	100
6	100
7	95
8	90
9	100
10	95
11	100
12	65

From: Slawner, Karen (ENERGY)
Sent: October 27, 2011 7:45 PM
To: Nutter, George (ENERGY); Tasca, Leo (ENERGY); Shantz, Chris (ENERGY)
Cc: Ing, Pearl (ENERGY)
Subject: Re: Qs and As and NR for FIT REVIEW - PO feedback

Unrela

Karen Slawner
Team Leader - Senior Consultant and Advisor
Ministry of Energy
(T) 416-314-9472

From: Nutter, George (ENERGY)
To: Tasca, Leo (ENERGY); Shantz, Chris (ENERGY)
Cc: Slawner, Karen (ENERGY); Ing, Pearl (ENERGY)

Sent: Thu Oct 27 17:43:20 2011

Subject: Re: Qs and As and NR for FIT REVIEW - PO feedback

Unrelated content removed

George Nutter
Manager, Energy Communications
Communications Branch
Ministry of Energy &
Ministry of Infrastructure
416-326-9602 Queen's Park
647-220-1183 Mobile

Sent from my BlackBerry® wireless device

From: Tasca, Leo (ENERGY)
To: Nutter, George (ENERGY); Shantz, Chris (ENERGY)
Cc: Slawner, Karen (ENERGY); Ing, Pearl (ENERGY)
Sent: Thu Oct 27 17:39:40 2011
Subject: RE: Qs and As and NR for FIT REVIEW - PO feedback

Unrelated content removed

Leo

From: Nutter, George (ENERGY)
Sent: October 27, 2011 5:11 PM
To: Tasca, Leo (ENERGY); Shantz, Chris (ENERGY)
Subject: FW: Qs and As

Unrelated content removed

George Nutter
Manager, Energy Communications
Communications Branch
Ministry of Energy
Ministry of Infrastructure

4th fl. Hearst Block
900 Bay Street
Queen's Park, Toronto
Ontario, Canada M7A 2E1

416-326-9602 office
416-326-3947 fax

george.nutter@ontario.ca

From: Sharkawi, Rula (ENERGY)
Sent: October 27, 2011 4:59 PM
To: Nutter, George (ENERGY)
Subject: Fw: Qs and As

From: Botond, Erika (ENERGY)
To: Ing, Pearl (ENERGY); Amin, Fareed (ENERGY); Sharkawi, Rula (ENERGY); Lo, Sue (ENERGY)
Cc: Block, Andrew (ENERGY); Mitchell, Andrew (ENERGY); Dunn, Ryan (ENERGY); MacLennan, Craig (ENERGY)
Sent: Thu Oct 27 16:48:14 2011
Subject: Qs and As

Unrelated content removed



Thx!
e

Fisher, Petra (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: October-28-11 3:55 PM
To: MacLennan, Craig (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Stop Work Orders

Confidential/Solicitor-Client Privileged

You asked for some information about stop work orders, particularly in the context of the Greenfield South gas plant.

Legislation provides authority for certain persons to issue stop orders or stop work orders in certain circumstances. For example, building inspectors have authority to stop construction or demolition work where another order made by that inspector (for example, to open up work) is not complied with. Ministry of Labour inspectors can stop work where they perceive a situation dangerous to life or property. Similarly, certain people can direct work to stop where dangerous circumstances exist pursuant to occupational health and safety legislation. The *Environmental Protection Act* provides for authority to issue a stop order where a contaminant is discharging into the natural environment.

We have no information that any circumstances as described above exist at the Greenfield South site.

I also looked at the Amended and Restated Clean Energy Supply Contract for this project. There is no power under the contract for the OPA to order or otherwise require the Supplier to stop work. The Supplier is responsible to design and build the facility. While the contract provides for standards in that regard and allows the OPA to inspect the site to ascertain compliance with the contract, the contract does not put the OPA in the position of controlling the construction work.

I would be happy to try to answer further questions.

Carolyn

This communication may be solicitor/client privileged and contain confidential information only intended for the person(s) to whom it is addressed. Any dissemination or use of this information by others than the intended recipient(s) is prohibited. If you have received this message in error please notify the writer and permanently delete the message and all attachments. Thank you.

Fisher, Petra (ENERGY)

From: Poinen, Ruby (ENERGY)
Sent: October-28-11 4:04 PM
To: Lindsay, Ken (ENERGY); Pitkeathly, Doreen (ENERGY)
Subject: FW: DUE NOV 2- DRC-2011-3938--TECIMER-GTA New Supply.doc
Attachments: 3813.pdf; 3938.pdf; 3943.pdf; 3973.pdf; 3974.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ken and Doreen,

Pls see Allan's email below. Attached are letters re' asking why Mississauga gas plant hasn't been cancelled. Should I close/re-route all the letters, pls advise

Thanks

Ruby

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

From: Jenkins, Allan (ENERGY)
Sent: October 28, 2011 3:50 PM
To: Poinen, Ruby (ENERGY); MacCallum, Doug (ENERGY)
Subject: Re: DUE NOV 2- DRC-2011-3938--TECIMER-GTA New Supply.doc

Ruby,

All of these letters that are asking why the construction hasn't been stopped should be answered by Correspondence using the Qs and As prepared by Comms. They require apolitical not a technical answer.

Sent from my BlackBerry Wireless Handheld

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

From: Poinen, Ruby (ENERGY)
To: Jenkins, Allan (ENERGY)
Sent: Fri Oct 28 15:06:52 2011
Subject: DUE NOV 2- DRC-2011-3938--TECIMER-GTA New Supply.doc

DRC-2011-3813

Pitkeathly, Doreen (ENERGY)

⊖ DRC-RS

From: amyo.chan@cibc.ca
Sent: October 12, 2011 11:01 AM
To: Write2us (ENERGY)
Subject: Mississauga Power Plant

P.C. Asks for confirmation
That Mississauga gas plant
has been cancelled
S: GTA Newsupply

Hello,
Can you confirm that the Eastern Power plant has been cancelled (as part of Prem.
McGuinty's election promise)?

Please advise by Thurs. Oct 13.

Thanks,

Amy

from: Amy

Pitkeathly, Doreen (ENERGY)

From: yakuptec@hotmail.com
Sent: October 25, 2011 1:25 PM
To: Write2us (ENERGY)
Subject: Mississauga POWER PLANT

⊖ DRC-2011-3938
DRC-RJ
Pl. Ask why mississauga
gas plant hasn't been
Cancelled.
S: GTA New Supply

To: Minister of Energy Chris Bentley

Why have you not pulled the plug on the MISSISSAUGA POWER PLANT?

We voted for the liberals for this reason?

Please advise when you will officially pull the plug on this location?

Thank You
Yakup Tecimer
from: Yakup Tecimer

Pitkeathly, Doreen (ENERGY)

DRC-2011-3943

⊖ DRC-RT

From: Irene Wojcik Gabon [ir37@rogers.com]
Sent: October 24, 2011 5:31 PM
To: Write2us (ENERGY); Hazel McCallion
Subject: Fw: [Bulk] Google Alert - Power Plants in Mississauga

Re: Ask's if Mississauga
 gas plant has been
 cancelled

S: GTA New Supply

Cancelled? Stop? ? Discuss? Move Is this another 360 by Dalton McGuinty? IAG.

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

From: Google Alerts
To: ir37@rogers.com
Sent: Monday, October 24, 2011 3:46 PM
Subject: [Bulk] Google Alert - Power Plants in Mississauga

News

1 new result for **Power Plants in Mississauga**

Full steam ahead at 'cancelled' Mississauga gas plant

Toronto Star

A massive generator enroute today to the **Mississauga Power Plant** that Premier Dalton McGuinty promised to cancel during the recent provincial election ...

Tip: Use site restrict in your query to search within a site (site:nytimes.com or site:.edu). [Learn more.](#)

[Delete this alert.](#)

[Create another alert.](#)

[Manage your alerts.](#)

10/25/2011

Pitkeathly, Doreen (ENERGY)

From: rainstorm077@hotmail.com
Sent: October 25, 2011 3:22 PM
To: Write2us (ENERGY)
Subject: What is going on with the Power Plant?

DRC-2011-3973
⊖ DRC (R5)

PC: Asks why Mississauga
gas plant ^{construction} hasn't been stopped.
S: QTA new supply

I am very concerned to see that the Mississauga Power Plant is still underway as reported by the National Post yesterday.
See: <http://news.nationalpost.com/2011/10/24/construction-continues-at-mississauga-power-plant/>

Clearly the Liberals are looking like liars with this being the first and most public broken promise. I along with my friends and family voted Liberals specifically because of this Liberal campaign promise. I've driven by the plant and I still see that construction is moving ahead quickly which is extremely disturbing. Let it be known that "we the public" are outraged! The Liberals PROMISED to cancel the plant. With each day that passes we are losing yet more money and YOU and the Liberals are losing credibility fast. Why have the Liberals not issued a statement as to what is happening? Why has a stop-work order not been issued? Make no mistake we will not sit quietly on this until action is taken place fast and the plant is cancelled.

As a resident of the area, my neighbours and I have recently checked the Chip website <http://www.chipcanada.org/?q=node/39> and we can see that the status is still the same. No one is speaking up! I myself can attest that before elections it seemed everyone was talking my calls and returning my emails (including your office), but now that the Liberals have been sworn no one is accountable and no one is making this a priority. Why do YOU not care about this issue?

We wanted ANSWERS!
We want this to end NOW!
We want to hear from YOU!

Rain
from: Rain

DRC-2011-3974

⇒ DRC (RJ)

Pitkeathly, Doreen (ENERGY)

From: cmoore148@cogeco.ca
Sent: October 26, 2011 8:35 AM
To: Write2us (ENERGY)
Subject: Gas powered plants

PC: Citizen asks about costs
of decisions re: Oakville and
Mississauga gas plants.
S: GTA New Supply

Dear Mr. Bentley,

Although I recognize your short time in office, your Government has been in power for the past eight years and as such, should be able to provide the information I'm requesting regardless of your short tenure. I'm copying you on a letter sent to my local representative, Kevin Flynn, and Premier McGuinty.

Dear Mr, Flynn,

I'm wondering if you might shed some light on an issue that's been bothering me for quite some time, and, thanks to a recent article in the National Post (Oct 24th), has reignited my desire to finally get some clarity on the issue.
I'm referring to the Gas powered plants both in Mississauga, and in Oakville. I have yet to see any hard numbers from your Government on the cost of stopping the Oakville plant and now I read that the Mississauga plant continues to forge ahead despite the Premiers' election promise to relocate. Not being one to rely on media for the hard facts, I thought I would give you the opportunity to provide some answers regarding a) the cost of stopping the Oakville plant and b) the current total cost in production at the Mississauga plant and if it is to be relocated, the cost of moving the plant.

I trust that you won't respond with the all too typical...."we don't have the numbers yet but we're working on them". After all, any properly run business is well aware of the costs incurred when engaging in a mega-project of this nature and if not, will surely pay the price. My fear is that your Governments continued "we don't have the costs yet" response can likely be translated in to a massive over expenditure on two failed projects.

Mr. Flynn, I implore you to dig deep and respond with the truth about the actual costs involved in these two gas powered plants.

Thank you,
Russ Moore

from: Russ Moore

Fisher, Petra (ENERGY)

From: Jennings, Rick (ENERGY)
Sent: October-18-11 4:33 PM
To: McKeever, Garry (ENERGY); MacCallum, Doug (ENERGY); Jenkins, Allan (ENERGY)
Cc: King, Ryan (ENERGY)
Attachments: Greenfield South Construction Oct 20 2011.ppt

Attached is a draft slide deck including a proposed minute.

Greenfield South Generating Station

Next Steps

Date: October 20, 2011

Stopping Construction

- On September 24, in Mississauga, local Liberal party candidates announced that “construction on the project would be halted” and that “if elected the Government would work with Eastern to choose a new site.”
- The Mayor of Mississauga attended the announcement and endorsed the decision. On October 12 the Mississauga Council passed a motion requesting that the Government and the Premier take immediate action to cancel the contract, stop construction and return the site to pre-construction condition
- On September 28, the media carried pictures of the plant with construction well underway.

Issues

- Construction continues at the Greenfield South site. The developer has requested formal notice from the government before ceasing construction.
- The project has a valid contract with the Ontario Power Authority and all applicable approvals, and is operating without breach so that any regulatory mechanism for stopping construction could be challenged.
- The OPA is party to and administers the contract with Eastern Power. The Province is not a party to the contract.
- The OPA would require instruction from government to approach the developer to begin procedures to negotiate a change or to terminate the contract.
- Construction at the site is proceeding. Eastern Power has informed the OPA that it will not 'down tools' until it receives formal notification that the contract has been cancelled
- Alternative site options and alternative ways to supply Mississauga have not been adequately identified at this time. Alternative sites would require new provincial and municipal approvals processes to be undertaken and are likely to raise new issues.
- Statements have been made by local politicians that the plant would not be relocated to a site in Mississauga or Toronto.

Next Steps Involve the OPA

- The OPA to be asked to approach Eastern Power to discuss a settlement with Eastern Power. The discussion would include potential treatment of costs incurred to date (sunk costs), treatment of equipment costs and contracts, estimates and treatment of foregone revenue, and options and interest with respect to relocating to an alternative site. The discussions could include the project's lenders assuming that Eastern Power is agreeable.
- The OPA has made some preliminary analysis of costs and foregone revenue and has identified several sites that would require government review before being shared with Eastern Power. Each of these alternative sites have various issues associated with them
- Eastern Power may or may not be interested in developing the proposed alternative sites and may be willing to settle for a financial cash settlement or may view its prospects as being better through the courts.
- The Government could agree to cover some or all of the settlement costs with Eastern Power to reduce the burden on the electricity consumer.

Cabinet Minute

Cabinet agreed that:

- The Minister of Energy will ask the Ontario Power Authority to immediately begin discussions with Eastern Power on: halting all construction at the Greenfield South site; treatment of and verification of approval and construction costs incurred by Eastern Power to date; treatment and verification of equipment costs and contractual issues; treatment and measurement of expected value of the plant; and, interest in and feasibility of relocating to an alternative site.
- The Ontario Power Authority be asked to report back to the Minister of Energy on the outcomes of its negotiations with Eastern Power by the end of November 2011.
- The Minister of Energy to report back to Cabinet by December 2011 with the details of the proposed settlement with Eastern Power. This report back would include recommendations as to what share, if any, of the cost would be appropriately borne by the Government through the Consolidated Revenue Fund.

Cabinet Minute (Continued)

- The Ministry of Energy to work with Premier's Office/Cabinet Office on a stakeholder management and communications strategy.

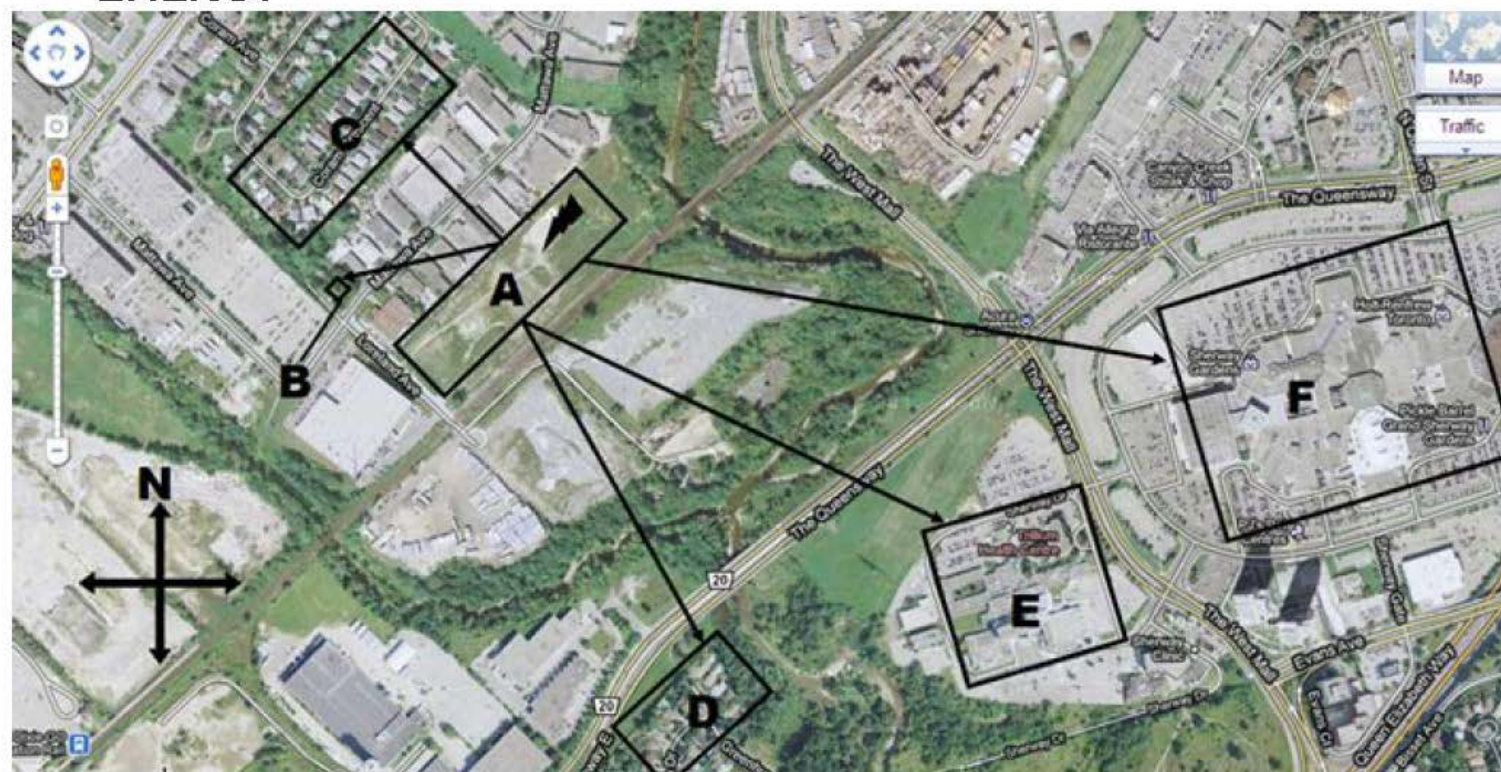
DRAFT

Appendix

Greenfield South Background

Key Facts About the Greenfield South Plant

- Successful applicant in Ministry of Energy run Clean Energy Supply (CES) RFP, contract signed with the OPA in April 2005.
- Eastern Power, the project developer based in Ontario, has received all required provincial approvals, including Environmental Assessment and Certificates of Approval.
- Eastern Power has received all required municipal approvals, including building site approval from the City of Mississauga issued in May 2011.
- Eastern Power has secured financing (confirmed by the OPA).



Legend:

A – Proposed Greenfield Site
 B – Closest House
 C – Closest Subdivision (North)
 D – Closest Subdivision (South)
 E – Trillium Heath Centre
 F – Sherway Gardens Mall

Distance:

A to B: 220 Meters
 A to C: 270 Meters
 A to D: 500 Meters
 A to E: 740 Meters
 A to F: 910 Meters



*Plant construction as of 28 September 2011



Fisher, Petra (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-08-11 5:19 PM
To: Lindsay, Ken (ENERGY); Nutter, George (ENERGY); Sharkawi, Rula (ENERGY); Gerard, Paul (ENERGY)
Cc: Cooper, Linda (ENERGY); Smith, Mark (ENERGY)
Subject: Time-Sensitive: Comments on the Record

Importance: High

Hi – Legal has asked if we could check our records for any public correspondence re greenfield. I'm getting more details re time-frame, specifics, but am sharing now as this is likely an urgent request. See below.

From: King, Ryan (ENERGY)
Sent: November 8, 2011 4:45 PM
To: Calwell, Carolyn (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Comments on the Record

I had asked one of our admins to do a correspondence check but was unable to find anything. Sylvia, can you check to see what comms has received?

From: Calwell, Carolyn (ENERGY)
Sent: November 8, 2011 4:03 PM
To: King, Ryan (ENERGY)
Subject: Fw: Comments on the Record

Please see questions below - can you assist please?

Carolyn

From: Slater, Craig (JUS)
To: Perun, Halyna N. (ENERGY); Calwell, Carolyn (ENERGY)
Cc: Lung, Ken (JUS); Salim, Fateh (JUS); Marsello, Leonard (JUS); McKinlay, Tom (JUS); Compton, Shona (JUS); Scarfone, Janet (JUS); Wong, Taia (JUS)
Sent: Tue Nov 08 15:59:44 2011
Subject: Comments on the Record

We think that the record for review by Minister Bentley is a little thin.

It contains nothing from the public. I would be very surprised if there were no correspondence from citizens or ratepayer groups. I would think that your Communications Branch or the Communications Branch at the PO did not have such correspondence.

Was there any public consultation on the Gas Plant, by OPA or the Ministry? If the OPA did the public consultations, was this shared with the Ministry?

There is only one document between 2006 and 2011. Are there any others?

In the second paragraph of the record, there is a reference to "public commitment". Surely, you mean "public comment".

Fisher, Petra (ENERGY)

From: Lindsay, David (ENERGY)
Sent: October-29-11 4:39 PM
To: MacLennan, Craig (ENERGY)
Subject: Re: Mississauga file

Just finished the call.

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

From: MacLennan, Craig (ENERGY)
To: Lindsay, David (ENERGY)
Sent: Sat Oct 29 16:16:05 2011
Subject: Re: Mississauga file

Sure. pin:229B5EDC

Pin is best.

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

From: Lindsay, David (ENERGY)
To: MacLennan, Craig (ENERGY)
Sent: Sat Oct 29 15:51:55 2011
Subject: Mississauga file

Hi Craig,

Following up on the Minister's letter to Colin, a representative from the OPA met with the proponent on Friday afternoon.

The company said they would "get back to us".

We have a call scheduled at 4 o'clock today to get any update that might have happened in the past 24 hours. I can debrief you after that call if you want me to give you a call.

David

Energy Correspondence Highlights October 2011

Attached is the issues report for October. Summary of highlights:

Total correspondence received: 272 (including write-in campaigns)

FORM LETTERS/ WRITE-IN CAMPAIGNS

Continuing

- **Emails against gas-fired power plant in Mississauga: 13 new; 90 total**
Opposition continues to gas-fired power plant in Mississauga. Recent emails focus on why construction continues despite election promise to relocate. **(Started June 2011)**
- **Campaigns against wind power: 10 new; 650 total**
Variety of form letters, emails, many sent to multiple MPPs, against wind power in general and objections to specific projects. **(Started April 2010)**

GENERAL CORRESPONDENCE

- **Conservation and related: 75 (70 neutral; 5 negative)**
Questions about energy efficiency incentives, including specific queries about status of HEAP and HESP programs **(42)** in wake of renewal of federal program.
- **GEA, Renewables and related: 45 (25 neutral; 19 negative; 1 positive)**
In addition to anti-wind power campaign noted above, comments, concerns about green energy, including wind solar, FIT and microFIT programs.
- **Smart meters, TOU: 30 (18 negative; 12 neutral)**
Complaints about TOU rates, concerns about smart meter health risks and privacy issues.
- **Electricity prices: 20 (11 neutral; 9 negative)**
General complaints, concerns about rising electricity prices, debt retirement charge and OCEB.
- **Other: 33 (32 neutral; 1 positive)**
Miscellaneous items, including invitations, meeting requests, inquiries about renewable energy training, employment opportunities.

Fisher, Petra (ENERGY)

From: Lindsay, David (ENERGY)
Sent: October-31-11 10:39 AM
To: Gherson, Giles (CAB)
Subject: FW: Eastern Power

Here is the research we gathered on Eastern Power... our source of most of this is Serge and the OEFC folks.

From: Jennings, Rick (ENERGY)
Sent: October 21, 2011 5:36 PM
To: Lindsay, David (ENERGY)
Subject: Eastern Power

David, further to our discussion I have staff researching this, spoke to Serge Imbrogno, (OEFC has two contracts with the company), and spoke to a former employee of Eastern Power. As far as can be determined Eastern Power is a privately held company with little public disclosure. The principals are two brothers Hubert Vogt and Greg Vogt. Greenfield Power is an affiliate of Eastern Power and the construction company is also an affiliate. Eastern Power holds two non-utility generation contracts for landfill gas sites. These contracts are with the Ontario Electricity Financial Corporation. The contracts will be expiring over the next couple of years. Eastern Power has a law suit outstanding with the OEFC over a dispute about the price escalation it believes that it is entitled to under one of the contracts.

Fisher, Petra (ENERGY)

From: Serge Imbrogno [Serge.Imbrogno@ofina.on.ca]
Sent: October 31, 2011 11:41 AM
To: Jennings, Rick (ENERGY)
Subject: Re: Eastern Power

Hi Rick,

Sorry, we had the call at 10:00. I can call you later?

Serge

From: Jennings, Rick (ENERGY) [<mailto:Rick.Jennings@ontario.ca>]
Sent: Monday, October 31, 2011 11:23 AM
To: Serge Imbrogno
Subject: Eastern Power

Serge, I understand that you are going to a meeting on this late morning. I believe it will be to better understand the Keele Valley lawsuit. From my phone message I understand that OEFC will be briefing Art on the dispute today. I would like to have someone from Energy attend if that is possible.

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Fisher, Petra (ENERGY)

From: Kulendran, Jesse (ENERGY)
Sent: October-31-11 4:11 PM
To: Kovesfalvi, Sylvia (ENERGY)
Subject: RE: Housebook

Sylvia,

We're being pushed for the Housebook ASAP.

Let's prioritize the following notes (need by noon tomorrow):

1. Mississauga Gas Plant

Unrelated
content
removed



Thanks,
Jesse

From: Kovesfalvi, Sylvia (ENERGY)
Sent: October 30, 2011 11:19 PM
To: Kulendran, Jesse (ENERGY)
Subject: Re: Housebook

Hi Jesse - just finished my review. There's some work to do before we submit - probably need a couple of days. Does Wed work?

Sent from my BlackBerry Wireless Handheld

From: Kulendran, Jesse (ENERGY)
To: Kovesfalvi, Sylvia (ENERGY)
Sent: Fri Oct 28 17:25:57 2011
Subject: RE: Housebook

Sylvia,

The expectation is that the housebook have Manager/Director review and approval before being submitted to the DMO.

Would you and Rula be able to review/approve first?

Thanks,
Jesse

From: Kovesfalvi, Sylvia (ENERGY)
Sent: October 28, 2011 11:42 AM

To: Kulendran, Jesse (ENERGY); Cayley, Daniel (ENERGY)

Subject: RE: Housebook

It's done –

I haven't had a chance to review it.

Have you had a chance to go through it yet? (I think Daniel had said he'd passed on to you earlier this week)?

From: Kulendran, Jesse (ENERGY)

Sent: October 28, 2011 11:40 AM

To: Cayley, Daniel (ENERGY)

Cc: Kovesfalvi, Sylvia (ENERGY)

Subject: Housebook

Importance: High

Hi Daniel,

MO is asking for the ETA on the refreshed housebook.

I believe you were aiming to get it to the DMO for review this week.

Can I please get an update on timing?

Thanks,

Jesse

Jesse Kulendran · Senior Coordinator, Policy & Special Projects

Office of the Deputy Minister · Ministry of Energy

Tel.: 416-327-7025 · Blackberry: 416-206-1394

Cayley, Daniel (ENERGY)

From: Jenkins, Allan (ENERGY)
Sent: November-01-11 9:41 AM
To: King, Ryan (ENERGY)
Subject: RE: B15 - New Gas-Fired Electricity Generation - Oct 31 2011.rtf
Attachments: B15 - New Gas-Fired Electricity Generation - Oct 31 2011rev.rtf

[See attached.](#)

From: King, Ryan (ENERGY)
Sent: November 1, 2011 9:36 AM
To: Jenkins, Allan (ENERGY)
Subject: B15 - New Gas-Fired Electricity Generation - Oct 31 2011.rtf

Allan can you please update the generation chart in the attach to reflect that Greenfield South is not going forward?
Thanks

Fisher, Petra (ENERGY)

From: Lindsay, Ken (ENERGY)
Sent: November-01-11 10:34 AM
To: Smith, Margaret (CAB); Pitkeathly, Doreen (ENERGY)
Subject: RE: Mississauga Power Plant

No update yet. Still waiting for messaging.

From: Smith, Margaret (CAB)
Sent: November 1, 2011 9:58 AM
To: Lindsay, Ken (ENERGY); Pitkeathly, Doreen (ENERGY)
Subject: Mississauga Power Plant

The Premier is starting to receive a number of letters regarding the Greenfield South Power Plant. Do you have an update on this issue, and do you know if construction has been cancelled?

Thanks, Margaret

Fisher, Petra (ENERGY)

From: Bentley_Chris-MPP-CO <cbentley.mpp.co@liberal.ola.org>
Sent: November-01-11 11:28 AM
To: Write2us (ENERGY)
Subject: FW: Greenfield South Power Plant

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
11 Baseline Road East, Unit 8
London, ON N6C 5Z8
T - (519)657-3120 F - (519)657-0368

From: john sweeney [mailto:jsweeney2@hotmail.com]
Sent: October 28, 2011 9:07 AM
To: Sousa_Charles-MPP-CO; Broten_Laurel-MPP-CO; Cansfield_Donna-MPP-CO; Bentley_Chris-MPP-CO; Bradley_James-MPP-CO
Subject: Greenfield South Power Plant

When will the Premier stop this Plant ?. You asked for our vote, and we delivered in getting the Liberals elected. Now its time for the Premier to keep his promise. As a community we are constantly seeing this Plant moving forward at full speed ahead, and the Premier keeping quiet about it. The Cabinet has been formed for the past few weeks, and no action has taken place that has given the community any faith in the promises that were made. Forget about moving the Plant somewhere else and the discussion's with Eastern Power, let's move forward and STOP THE WORK ON THIS PLANT NOW.

John Sweeney.

Cayley, Daniel (ENERGY)

From: Rehob, James (ENERGY)
Sent: November 1, 2011 2:23 PM
To: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Re OPA and Communicating with CLOC

Hi, I would like to send CLOC the advice note I provided to you yesterday, if that is alright with you – please let me know.
Thanks!
James

James P. H. Rehob
Senior Counsel
Ministry of Energy and
Ministry of Infrastructure
Legal Services Branch
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Tel: 416-325-6676
Fax: 416-325-1781
james.rehob@ontario.ca

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Cayley, Daniel (ENERGY)

From: Rehob, James (ENERGY)
Sent: November 1, 2011 2:30 PM
To: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Subject: FW: Draft Direction to Ontario Power Authority - Greenfield South Power Plant

Hi, It appears that the call with CLOC will not occur until **3:40 pm** – I'm fine with this time, since it should put me in a position to finalize the direction (hopefully) by or before end of day. Thanks!
James

From: Compton, Shona (JUS)
Sent: November 1, 2011 2:28 PM
To: Rehob, James (ENERGY); Marsello, Leonard (JUS)
Subject: Re: Draft Direction to Ontario Power Authority - Greenfield South Power Plant

James, can we push our call back to 3:40PM? Len is trying to deal with a high volume of traffic at the moment.

Sent using BlackBerry

From: Rehob, James (ENERGY)
To: Marsello, Leonard (JUS); Compton, Shona (JUS)
Cc: Perun, Halyna N. (ENERGY); Calwell, Carolyn (ENERGY)
Sent: Tue Nov 01 13:56:26 2011
Subject: Draft Direction to Ontario Power Authority - Greenfield South Power Plant

Privileged & Confidential Legal Advice / Solicitor & Client Privileged

November 1, 2011

Good day, Len and Shona.

In relation to the instructions I have received from my client, I attach a draft letter of direction to the Ontario Power Authority (OPA) made pursuant to s.25.32 of the *Electricity Act, 1998* (the "EA"), instructing the OPA to ".....take all necessary legal, commercial and other steps in order to bring the contract with the proponent to an immediate end." We had also been carefully considering whether more precise language should be included or substituted, such as an instruction cancel or repudiate the contract. We can always return to this more precise language if this is more legally desirable, however, we thought it best to begin with more general language in order to give both the OPA and the clients something to react to while we all (including you at CLOC) consider this issue a bit further.

I have included a .pdf version of the original direction to the OPA, however the version I currently have in .pdf form (showing the signature) has the chart listing the specific projects cut off. I have, on file, and in MS word the version which I believe I did in March of 2005 which lists all of the projects – I'll keep looking to find a pdf of the complete, signed version for you. There was, as I recall, some sensitivity about sharing a complete version or posting same on the OPA website at that time.

Kindly note that the original direction was made under EA s.25.32(7) – not (4) to which the "independence" language in (5) is explicitly linked (e.g. OPA carries all legal responsibility and liability for completion of direction, and the Crown is divested thereof). Hence, without specifically referencing it, I believe that (7) operates independently of (4) and since it is used primarily to place contracts that have been fully completed but executory or signed by another institution such as Energy or OFA/OEFC, with the OPA, I am in doubt as to

whether we could use (7) on its own as the basis of the authority to have (require) the OPA cancel or otherwise end the contract. This is what I hope to discuss with you.

Look forward to our 2:30 pm call (416-325-6676)

Thank you!

James

James P. H. Rehob

Senior Counsel

Ministry of Energy and

Ministry of Infrastructure

Legal Services Branch

777 Bay Street, 4th Floor, Suite 425

Toronto, ON M5G 2E5

Tel: 416-325-6676

Fax: 416-325-1781

james.rehob@ontario.ca

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Cayley, Daniel (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: November-01-11 7:36 PM
To: Calwell, Carolyn (ENERGY); Kulendran, Jesse (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Subject: Re: Common Interest Privilege Agreement

Hi Carolyn - discussed this with DM. Let's touch base tomorrow.
Thanks very much

Sent using BlackBerry Wireless

From: Calwell, Carolyn (ENERGY)
To: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Sent: Tue Nov 01 18:08:39 2011
Subject: Common Interest Privilege Agreement

Confidential/Solicitor-Client Privileged

Joseph & Jesse,

MAG has asked us to ensure that the DM is comfortable with entering into a common interest privilege agreement related to Greenfield South with the OPA, substantially in the attached form. This agreement will look familiar to him, as it is based on the agreement that we used with the OPA for TransCanada.

I have asked MAG to make some minor changes to the agreement and have not yet received the revised draft. These revisions will not change the substance of the agreement, so in the interest of expediting this matter, I thought it best to forward the version that we have. I prepared the attached briefing note (which will also look familiar) to explain the agreement.

At this point, MAG would just like confirmation that the DM is comfortable with the approach. The OPA has not yet seen the proposed agreement and will need to review – MAG will look after circulation to the OPA. We will send up the agreement for the Deputy's signature after MAG has arranged for the OPA to be on side.

I am happy to answer any questions.

Carolyn

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Cayley, Daniel (ENERGY)

From: Slater, Craig (JUS)
Sent: November 2, 2011 11:10 AM
To: Perun, Halyna N. (ENERGY)
Cc: Salim, Fateh (JUS); Compton, Shona (JUS); Marsello, Leonard (JUS)
Subject: FW: Mississauga Gas
Attachments: OPA-Energy Common Interest Agreement d2 01-11-2011.doc

The DAG is fine with the agreement as well, although he noted that the effective date needed to be filled in. Is your client fine with the agreement? Does your client want us to send the agreement to Mike Lyle for execution there? It will be returned for execution by Deputy Lindsay.

From: Slater, Craig (JUS)
Sent: November 1, 2011 5:50 PM
To: Wilson, Malliha (JUS)
Cc: Wong, Taia (JUS); Salim, Fateh (JUS); Scarfone, Janet (JUS)
Subject: FW: Mississauga Gas

this is the revised common interest privilege agreement with the OPA. It reflects changes requested by Energy Legal and has not be shared with the OPA at this point.

From: Compton, Shona (JUS)
Sent: November 1, 2011 5:43 PM
To: Slater, Craig (JUS); Marsello, Leonard (JUS)
Cc: Salim, Fateh (JUS)
Subject: RE: Mississauga Gas

Here is a blacklined version of the changes suggested by Carolyn. They are not major changes – more just to ensure consistency of references to Ontario and to include some general provisions regarding notice and execution in counterpart. Tracked change version is attached.

COOPERATION AND COMMON INTEREST PRIVILEGE AGREEMENT

THIS AGREEMENT is effective as of the *** day of ***, 2011 (the "Effective Date").

BETWEEN:

ONTARIO POWER AUTHORITY

("OPA")

– and –

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS

REPRESENTED BY THE MINISTER OF ENERGY

("ONTARIO")

RECITALS:

A. The OPA and Greenfield South Power Corporation ("Greenfield") entered into the Amended and Restated Clean Energy Supply Contract, dated as of the 12th day of April, 2005 and amended and restated as of March 16, 2009 (the "ARCES Contract").

B. Issues have arisen with respect to the location of the natural gas fuelled generating station that is the subject of the ARCES Contract. Under the *Electricity Act, 1998*, S.O. 1998, c.15, Sched. A, both Ontario and the OPA have responsibilities for certain energy matters in the Province. ~~The Minister of Energy~~ Ontario also has duties and responsibilities in relation to energy matters under the *Ministry of Energy Act, 2011*. Accordingly, the OPA and Ontario share a common interest in the satisfactory resolution of issues that have arisen with respect to the ARCES Contract.

C. The OPA and Ontario have undertaken, and will undertake, factual, legal and other research, and are of the opinion that it is in their best interest to exchange information, pool their individual work product and cooperate in the joint effort to resolve the issues in relation to the ARCES Contract.

D. Cooperation in this regard will necessarily involve the exchange of confidential information as well as information which is otherwise privileged such as, amongst others, solicitor/client communications.

E. In light of their common interest, OPA and Ontario wish to proceed cooperatively, and by this Agreement seek to document their mutual intention and agreement that neither OPA nor Ontario shall suffer any waiver or loss of privilege as a result of disclosure to each other of their Privileged Information (as defined below).

AGREEMENT

In consideration of the promises and the mutual covenants and agreements herein, the Parties agree as follows:

DEFINITIONS

I. In the foregoing Recitals and in this Agreement, the following terms have the meanings set forth in this Section:

(a) "**Effective Date**" means the effective date as defined above.

(b) "**Parties**" means the OPA and Ontario and, for the purpose of giving effect to this Agreement, includes their legal counsel, agents, consultants and experts.

(c) "**Privileged Information**" means information and communications, whether written or electronically recorded, which are or would be otherwise in law privileged and protected from disclosure or production to Third Parties made between OPA (or its employees, legal counsel, agents, consultants, experts or any other person or entity acting on OPA's behalf) and Ontario (or its employees, legal counsel, agents, consultants, experts or any other person or entity acting on Ontario's behalf), including but not limited to:

- (i) information and communications contained in documents, memoranda, correspondence, drafts, notes, reports, factual summaries, transcripts;
- (ii) communications between counsel, or counsel and clients including their employees, consultants, board members or advisors;
- (iii) any analyses, document binders, files, compilations or databases;
- (iv) the sharing or exchange via any media, including but not limited to electronic media;
- (v) theories, impressions, analyses, legal research, or legal opinions;
- (vi) communications to and from experts, and documentation relating to or setting out expert commentary and opinion; and
- (vii) any other material, communications and information which would otherwise be protected from disclosure to Third Parties.

(d) "**Greenfield**" has the meaning defined in paragraph A of the Recitals.

(e) "**Third Party**" or "**Third Parties**" means any person or entity that is not a Party. Third Party includes Greenfield, their employees, agents, counsel, subcontractors, consultants, experts, or any other person or entity acting on Greenfield's behalf.

COMMON INTEREST OF THE PARTIES

2. The Parties have a common, joint, and mutual interest in the resolution of the issues related to the ARCES Contract and wish to cooperate with each other in respect these matters, and wish to share between them Privileged Information without risk of prejudice to or of waiver in whole or in part of their respective privileges and rights to hold such Privileged Information protected from disclosure.

3. The Parties are under no obligation to share Privileged Information. However, from time to time, either Party (the "Disclosing Party") in its sole discretion may choose to share Privileged Information with the other Party (the "Receiving Party").

4. To the extent that exchanges of Privileged Information have been made prior to entering into this Agreement, it is the Parties' intention that all such exchanges be subject to the terms of this Agreement as if they had occurred after the Effective Date.

5. The execution of this Agreement, the cooperation between the Parties in respect of the ARCES Contract and the exchange of Privileged Information under this Agreement, where the materials would otherwise be protected by law against disclosure by solicitor client (attorney client) privilege, litigation privilege, work product doctrine, without prejudice privilege, or any other applicable rule of privilege or confidentiality:

- (i) are not intended to, do not and shall not constitute a waiver in whole or in part in favour of any Third Party by either Party of any applicable privilege or other rule of protection from disclosure; and
- (ii) will not be asserted at any time by either Party as a waiver of any such privilege or other rule of protection from disclosure.

6. Disclosure of Privileged Information by the Receiving Party to Third Parties without the prior written consent of counsel for the Disclosing Party is expressly prohibited, unless the disclosure is ordered by a court of competent jurisdiction or is otherwise required by law. If disclosure of any Privileged Information is sought from a Receiving Party in any arbitration, litigation or other legal proceedings, the Receiving Party (from whom disclosure is sought) shall take all steps necessary to preserve and invoke, to the fullest extent possible, all applicable privileges, immunities and protections against disclosure, and shall immediately provide written notice of such legal proceedings to the Disclosing Party. The Receiving Party shall not voluntarily surrender or disclose the Privileged Information without first providing the Disclosing Party a reasonable opportunity to protect its interests before the applicable court or arbitral tribunal.

7. All of the Privileged Information shall be preserved as confidential and privileged both prior to resolution of all outstanding issues and thereafter, and shall not be used for any purpose other than the stated sole purpose of cooperation in the resolution of issues relating to the ARCES Contract.

8. Neither Party shall disclose to a Third Party the existence of this Agreement, nor its terms, unless both Parties consent in writing or unless compelled by order of a court or arbitral tribunal.

9. The Parties acknowledge and agree that their common interest in the resolution of issues relating to the ARCES Contract and their intention that no waiver of privilege shall result from their exchange of Privileged Information between them shall in no way be affected or deemed to be negated in whole or in part by the existence now or in the future of any adversity between the Parties relating to or arising out of the ARCES Contract.

COOPERATION

10. The Parties shall cooperate in respect of the resolution of issues relating to the ARCES Contract, including providing access to information, materials and employees as may be reasonably necessary from time to time, as the case may be, provided that each of the Parties reserves the right to determine what information will be shared and under what circumstances, and no obligation or duty to share any such information is created by this Agreement.

WITHDRAWAL

11. It is the intent of the Parties that this Agreement shall remain in effect until final resolution of issues relating to the ARCES Contract.

12. Notwithstanding the foregoing, any Party may withdraw from this Agreement by giving twenty (20) days advance written notice to the other Party, which 20 days is calculated beginning on the

day after the notice is received by a Party. For greater certainty, withdrawal from this Agreement by a Party is not effective until the expiration of the days' notice period required by this provision.

13. Any withdrawal from this Agreement shall be prospective in effect only and the withdrawing Party and any Privileged Information made available by or to the other Party prior to that Party's withdrawal shall continue to be governed by the terms of this Agreement whether or not the Parties are, in any respect in relation to the ARCES Contract, adverse in interest.

14. On or before the effective date of a withdrawal from this Agreement, the withdrawing Party shall return to the Disclosing Party all Privileged Information received from the Disclosing Party. In the case of copies, with the consent of the Disclosing Party, the Receiving Party may destroy such copies in a secure manner, and confirm in writing to the Disclosing Party that it has done so.

WAIVER OF CONFLICT OF INTEREST

15. The Parties agree that this Agreement and the sharing of Privileged Information between them shall not be used as a basis for a motion to disqualify a Party's counsel (including for certainty the Party's counsel's law firm and any partner or associate thereof) after a Party has withdrawn from this Agreement for any reason, including without limitation, due to any conflict of interest which arises or becomes known to the withdrawing Party after the Effective Date, adversity between the Parties or any other reason whatsoever based on this Agreement or the cooperation and disclosure of Privileged Information hereunder.

16. The Parties confirm that there is no and shall not be deemed to be any solicitor-client relationship between counsel for the OPA and Ontario, nor any solicitor-client relationship between counsel for Ontario and the OPA, as a result of any communications, sharing of Privileged Information, cooperation or any other action taken in furtherance of the Parties' common interests or under and in reliance upon this Agreement.

NOTICE

17. All notices and other communications between the Parties, unless otherwise specifically provided, shall be in writing and deemed to have been duly given when delivered in person or telecopied or delivered by overnight courier, with postage prepaid, addressed as follows:

To: Ontario Power Authority

120 Adelaide Street West, Suite 1600
Toronto, ON M5H 1T1

Attention: Michael Lyle, General Counsel

Tel. No.: (416) 969-6035

Fax No.: (416) 967-1947

E-Mail: michael.lyle@powerauthority.on.ca

Formatted: Indent: Left: 0 cm, First line: 0 cm

Formatted: Bullets and Numbering

To: Her Majesty the Queen in Right of Ontario as Represented by the Minister of Energy

777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5

Attention: Halyna Perun, A/ Legal Director, Legal Services Branch
Ministries of Energy & Infrastructure

Tel. No.: (416) 325-6681

Fax No.: (416) 325-1781

E-mail: halyna.perun2@ontario.ca

GENERAL PROVISIONS

18. This Agreement shall be construed in accordance with the laws of the Province of Ontario and the Parties to this Agreement irrevocably attorn to the jurisdiction of Ontario with respect to any and all matters arising under this Agreement.

19. If any of the provisions of this Agreement or portions thereof should be determined to be invalid, illegal or unenforceable in any respect, the validity, legality or enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

20. Any failure of any Party to enforce any of the provisions of this Agreement or to require compliance with any of its terms at any time while this Agreement is in force shall in no way affect the validity of this Agreement, or any part hereof, and shall not be deemed a waiver of the right of such Party thereafter to enforce any and each such provisions.

21. Nothing contained in or done further to this Agreement shall be deemed either expressly or by implication to create a duty of loyalty between any counsel and anyone other than the client of that counsel.

22. This Agreement contains the entire understanding of the Parties with respect to the subject matter hereof. There are no other oral understandings, terms, or conditions and neither Party has relied upon any representation, express or implied, not contained in this Agreement.

23. No change, amendment, or modification of this Agreement shall be valid or binding upon the Parties hereto unless such change, amendment, or modification is in writing and duly executed by both Parties hereto.

24. The headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend, or limit the scope or intent of this Agreement or the intent of any provision contained herein.

25. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the Parties.

26. This Agreement may be signed in counterparts and by facsimile and all counterparts together shall constitute the Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

ONTARIO POWER AUTHORITY

By: _____

Name: _____

Title: _____

HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO AS REPRESENTED BY THE MINISTER
OF ENERGY

By: _____

Name: David Lindsay

Title: Deputy Minister

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November 2, 2011 11:16 AM
To: Slater, Craig (JUS)
Cc: Salim, Fateh (JUS); Compton, Shona (JUS); Marsello, Leonard (JUS); Perun, Halyna N. (ENERGY)
Subject: RE: Mississauga Gas

Yes, Deputy Lindsay is fine with the agreement. Please send it to Mike Lyle. I can assist with execution at this end.

Carolyn

From: Slater, Craig (JUS)
Sent: November 2, 2011 11:11 AM
To: Calwell, Carolyn (ENERGY)
Cc: Salim, Fateh (JUS); Compton, Shona (JUS); Marsello, Leonard (JUS)
Subject: FW: Mississauga Gas

I note that Halyna is out this morning. Can you answer the questions below?

From: Slater, Craig (JUS)
Sent: November 2, 2011 11:10 AM
To: Perun, Halyna N. (ENERGY)
Cc: Salim, Fateh (JUS); Compton, Shona (JUS); Marsello, Leonard (JUS)
Subject: FW: Mississauga Gas

The DAG is fine with the agreement as well, although he noted that the effective date needed to be filled in. Is your client fine with the agreement? Does your client want us to send the agreement to Mike Lyle for execution there? It will be returned for execution by Deputy Lindsay.

From: Slater, Craig (JUS)
Sent: November 1, 2011 5:50 PM
To: Wilson, Malliha (JUS)
Cc: Wong, Taia (JUS); Salim, Fateh (JUS); Scarfone, Janet (JUS)
Subject: FW: Mississauga Gas

this is the revised common interest privilege agreement with the OPA. It reflects changes requested by Energy Legal and has not be shared with the OPA at this point.

From: Compton, Shona (JUS)
Sent: November 1, 2011 5:43 PM
To: Slater, Craig (JUS); Marsello, Leonard (JUS)
Cc: Salim, Fateh (JUS)
Subject: RE: Mississauga Gas

Here is a blacklined version of the changes suggested by Carolyn. They are not major changes – more just to ensure consistency of references to Ontario and to include some general provisions regarding notice and execution in counterpart. Tracked change version is attached.

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November 2, 2011 11:45 AM
To: Jennings, Rick (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: FW: Stop Work Orders

As per our discussion this morning – as fyi

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
BB: (416) 671-2607
E-mail: Halyna.Perun2@ontario.ca

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From: Calwell, Carolyn (ENERGY)
Sent: October 28, 2011 3:55 PM
To: MacLennan, Craig (ENERGY)
Cc: Silva, Joseph (ENERGY); Kulendran, Jesse (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Stop Work Orders

Confidential/Solicitor-Client Privileged

You asked for some information about stop work orders, particularly in the context of the Greenfield South gas plant.

Legislation provides authority for certain persons to issue stop orders or stop work orders in certain circumstances. For example, building inspectors have authority to stop construction or demolition work where another order made by that inspector (for example, to open up work) is not complied with. Ministry of Labour inspectors can stop work where they perceive a situation dangerous to life or property. Similarly, certain people can direct work to stop where dangerous circumstances exist pursuant to occupational health and safety legislation. The *Environmental Protection Act* provides for authority to issue a stop order where a contaminant is discharging into the natural environment.

We have no information that any circumstances as described above exist at the Greenfield South site.

I also looked at the Amended and Restated Clean Energy Supply Contract for this project. There is no power under the contract for the OPA to order or otherwise require the Supplier to stop work. The Supplier is responsible to design and build the facility. While the contract provides for standards in that regard and allows the OPA to inspect the site to ascertain compliance with the contract, the contract does not put the OPA in the position of controlling the construction work.

I would be happy to try to answer further questions.

Carolyn

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Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-02-11 12:50 PM
To: Compton, Shona (JUS)
Subject: FW: Letter from the Minister
Attachments: 10-24-11 - Minister Letter - Greenfield - CAndersen.pdf

Shona,

Sorry I missed your call. Attached is the letter from Minister Bentley to the OPA. Scott and Daphne reviewed it.

Carolyn

From: Silva, Joseph (ENERGY)
Sent: October 24, 2011 4:22 PM
To: Hume, Steen (CAB)
Cc: Lindsay, David (ENERGY)
Subject: FW: Letter from the Minister

Hi Steen – here's the letter that went to Colin Andersen.

Joseph

Ministry of Energy

Office of the Minister

4th Floor, Hearst Block
900 Bay Street
Toronto ON M7A 2E1
Tel.: 416-327-6758
Fax: 416-327-6754

Ministère de l'Énergie

Bureau du ministre

4^e étage, édifice Hearst
900, rue Bay
Toronto ON M7A 2E1
Tél. : 416 327-6758
Téléc. : 416 327-6754



October 24, 2011

Mr. Colin Andersen
Chief Executive Officer
Ontario Power Authority
1600-120 Adelaide Street West
Toronto ON M5H 1T1

Dear Mr. Andersen:

Community opposition to the Greenfield South Generation Facility, currently under construction in Mississauga, is well documented. On October 12th, Council of the City of Mississauga passed a resolution asking the government to take immediate action to stop construction and return the site to pre-construction condition. In addition, condominium towers were recently constructed in the general area of the plant.

The government has heard the community's concerns about this plant proceeding as originally planned, prompting our intention to relocate the plant.

Accordingly, I am requesting that the Ontario Power Authority commence discussions on a priority basis with Greenfield South Power Corporation, as project proponent, that would lead to a satisfactory resolution of the Mississauga site.

Sincerely,

A handwritten signature in black ink, appearing to read "Ch. Bentley".

Christopher Bentley
Minister

c: David Lindsay, Deputy Minister

Fisher, Petra (ENERGY)

From: Energy In The News (ENERGY)
Sent: November-02-11 12:57 PM
To: Bacci, Gloria (ENERGY); Biggs, Megan (ENERGY); Brown, Nzínga (ENERGY); Calwell, Carolyn (ENERGY); Carson, Cheryl (ENERGY); Cayley, Daniel (ENERGY); Cheung, Cathy (ENERGY); Collins, Jason R. (ENERGY); Cooper, Linda (ENERGY); Dier, Kirby (ENERGY); Dreyfuss, Eric (ENERGY); George, Shemain (ENERGY); Gerard, Paul (ENERGY); Gibbs, Diana (ENERGY); Gordon, Robert (ENERGY); Johnson, Paul (ENERGY); Kacaba, Jennifer (ENERGY); King, Ryan (ENERGY); Kourakos, Georgina (ENERGY); Kovesfalvi, Sylvia (ENERGY); Krstev, Viki (ENERGY); Kulendran, Jesse (ENERGY); Landmann, Peter (ENERGY); Lindsay, Ken (ENERGY); Linington, Brenda (ENERGY); Malcolm, Pauline (ENERGY); Mieto, Erika (ENERGY); Mitchell, Andrew (ENERGY); Morton, Robert (ENERGY); Nutter, George (ENERGY); O'Donnell, Cheryl (ENERGY); Olsheski, Mark (ENERGY); Oxford, Kelly (ENERGY); Perry, Ann (ENERGY); Perun, Halyna N. (ENERGY); Pitkeathly, Doreen (ENERGY); Pletsch, Adam (ENERGY); Prithipal, Shantie (ENERGY); Rehob, James (ENERGY); Renwick, Meredith (ENERGY); Sharkawi, Rula (ENERGY); Shear, Dan (ENERGY); Silva, Joseph (ENERGY); Sluiman, Harmony (ENERGY); Smith, Mark (ENERGY); Springman, Hartley (ENERGY); Stefanac, Rosalind (ENERGY); Sylvis, Laura (ENERGY); Thompson, Erin (ENERGY); Todd, Brian (ENERGY); Wismer, Jennifer (ENERGY); Wolgelerenter, Debbie (ENERGY); Zoladek, Marta (ENERGY)
Subject: Transcript: Premier's Availability at Rotman (Nov 2)

The Premier was interviewed at the Rotman School of Management this morning. A full transcript is attached. Below is a transcript of questions related to the proposed gas plant in Mississauga.

Q: Premier, that gas plant in Mississauga is beginning to look an awful lot like those homes on the Oak Ridges Moraine in 2003. You said they wouldn't be built; you would stop them. But after the election, you couldn't. This gas plant, you said during the election, you would stop it. It continues to the point where it has grown like a... it looks like a complete facility there now. You say it is going to be moved. How can you convince us you will actually stop this plant because it has not stopped in the month you promised?

PREMIER MCGUINITY: We are working on it. It has been a bit more complicated than we originally anticipated. But we will relocate that plant.

Q: (Inaudible) You can't relocate a plant (inaudible). Will you tear it down?

PREMIER MCGUINITY: Discussions are ongoing. That's all I can say at this point.

Q: (Inaudible)

PREMIER MCGUINITY: I get you. I get you.

Q: Has it reached the point where it makes more economic sense just to build the thing?

PREMIER MCGUINITY: We made a commitment to relocate and we will.

PREMIER'S AVAILABILITY AT ROTMAN

Date: November 2, 2011
Length: 9:30 minutes
Speaker(s): Premier Dalton McGuinty

Unrelated content removed



▪ **Corporate Issues ▪ Cabinet Office ▪**

▪ call (416) 314-5734 or (416) 314-5735 Sun-Fri 5am-10pm ▪ call Paul Stinson at (416) 561-0632 at all other times ▪

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[REDACTED]

Q: Premier, that gas plant in Mississauga is beginning to look an awful lot like those homes on the Oak Ridges Moraine in 2003. You said they wouldn't be built; you would stop them. But after the election, you couldn't. This gas plant, you said during the election, you would stop it. It continues to the point where it has grown like a...it looks like a complete facility there now. You say it is going to be moved. How can you convince us you will actually stop this plant because it has not stopped in the month you promised?

PREMIER MCGUINTY: We are working on it. It has been a bit more complicated than we originally anticipated. But we will relocate that plant.

Q: (Inaudible) You can't relocate a plant (inaudible). Will you tear it down?

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PREMIER MCGUINTY: I get you. I get you.

Q: Has it reached the point where it makes more economic sense just to build the thing?

PREMIER MCGUINTY: We made a commitment to relocate and we will.

Q: [Speaking French]

PREMIER MCGUINTY: [Speaking French 13:00 to 14:00 minutes]

PREMIER MCGUINTY: Thanks everybody. Thank you.

Fisher, Petra (ENERGY)

From: Kulendran, Jesse (ENERGY)
Sent: November-02-11 1:05 PM
To: Lindsay, David (ENERGY)
Cc: Silva, Joseph (ENERGY)
Subject: Premier's Avail: Mississauga Gas Plant

EXCERPT FROM PREMIER'S AVAILABILITY AT ROTMAN

Date: November 2, 2011

Q: Premier, that gas plant in Mississauga is beginning to look an awful lot like those homes on the Oak Ridges Moraine in 2003. You said they wouldn't be built; you would stop them. But after the election, you couldn't. This gas plant, you said during the election, you would stop it. It continues to the point where it has grown like a...it looks like a complete facility there now. You say it is going to be moved. How can you convince us you will actually stop this plant because it has not stopped in the month you promised?

PREMIER MCGUINITY: We are working on it. It has been a bit more complicated than we originally anticipated. But we will relocate that plant.

Q: (Inaudible) You can't relocate a plant (inaudible). Will you tear it down?

PREMIER MCGUINITY: Discussions are ongoing. That's all I can say at this point.

Q: (Inaudible)

PREMIER MCGUINITY: I get you. I get you.

Q: Has it reached the point where it makes more economic sense just to build the thing?

PREMIER MCGUINITY: We made a commitment to relocate and we will.

Jesse Kulendran · Senior Coordinator, Policy & Special Projects
Office of the Deputy Minister · Ministry of Energy
Tel.: 416-327-7025 · Blackberry: 416-206-1394

Fisher, Petra (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-02-11 2:13 PM
To: @ENERGY-COMM-Issues_and_MediaRelations
Subject: FW: [Updated] Transcript: Premier McGuinty's Avail at Rotman - French sections translated
Attachments: 20111102 - Premier McGuinty's Avail at Rotman.doc
Duplicate attachment removed

Is someone sending this out - highlighting the bit about Greenfield?

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

From: Snyder, Trevor (CAB)

Sent: November 2, 2011 2:00 PM

To: @CAB-QPscrums

Subject: [Updated] Transcript: Premier McGuinty's Avail at Rotman - French sections translated

PREMIER'S AVAILABILITY AT ROTMAN

Date: November 2, 2011

Length: 9:30 minutes

Speaker(s): Premier Dalton McGuinty

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Unrelated content removed

Q: Premier, that gas plant in Mississauga is beginning to look an awful lot like those homes on the Oak Ridges Moraine in 2003. You said they wouldn't be built; you would stop them. But after the election, you couldn't. This gas plant, you said during the election, you would stop it. It continues to the point where it has grown like a...it looks like a complete facility there now. You say it is going to be moved. How can you convince us you will actually stop this plant because it has not stopped in the month you promised?

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Q: Has it reached the point where it makes more economic sense just to build the thing?

PREMIER MCGUINTY: We made a commitment to relocate and we will.

Unrelated content removed

Fisher, Petra (ENERGY)

From: Smith, Mark (ENERGY)
Sent: November-02-11 2:14 PM
To: Kovesfalvi, Sylvia (ENERGY); @ENERGY-COMM-Issues_and_MediaRelations
Subject: RE: [Updated] Transcript: Premier McGuinty's Avail at Rotman - French sections translated

Someone sent out the greenfield section at 12:57.

Mark Smith
Media and Issues Officer
Ministry of Energy and Ministry of Infrastructure
416-326-5001

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

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November 2, 2011 2:13 PM
To: @ENERGY-COMM-Issues_and_MediaRelations
Subject: FW: [Updated] Transcript: Premier McGuinty's Avail at Rotman - French sections translated

Is someone sending this out - highlighting the bit about Greenfield?

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

From: Snyder, Trevor (CAB)
Sent: November 2, 2011 2:00 PM
To: @CAB-QPscrums
Subject: [Updated] Transcript: Premier McGuinty's Avail at Rotman - French sections translated

PREMIER'S AVAILABILITY AT ROTMAN

Date: November 2, 2011
Length: 9:30 minutes
Speaker(s): Premier Dalton McGuinty

Unrelated content removed

Unrelated content removed

Unrelated content removed

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Fisher, Petra (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-02-11 7:25 PM
To: Lindsay, David (ENERGY)
Cc: Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: RE: Mississauga gas plant

Privileged and Confidential

Perhaps we can connect first thing in the morning. On my end, I can call Mike Lyle – it wouldn't hurt to have a discussion with him that indicates that we're in the midst of exploring further options – but I'll wait to hear from you.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
BB: (416) 671-2607
E-mail: Halyna.Perun2@ontario.ca

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From: Lindsay, David (ENERGY)
Sent: November 2, 2011 6:58 PM
To: Perun, Halyna N. (ENERGY)
Cc: Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: Re: Mississauga gas plant

Thanks for this advice Halyna.

We should have a discussion about next steps. I understand the OPA Board is meeting tomorrow (Thursday) to consider options.

I wouldn't want the OPA Board to make decision or present a proposal to us which we haven't considered or which our Minister or the AG might not be comfortable.

Under protection of client privilege we may need to consider how the Minister and the OPA Board can both be comfortable in these next steps.

David

From: Perun, Halyna N. (ENERGY)
To: Lindsay, David (ENERGY)
Cc: Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)

Sent: Wed Nov 02 18:27:02 2011

Subject: Mississauga gas plant

Privileged and Confidential

The Deputy Attorney General advises against proceeding with a Ministerial direction under the *Electricity Act, 1998* to the OPA as this exposes the government to a likely successful lawsuit in tort for misfeasance in public office. Further, it provides Eastern Power with an avenue to get to court quicker (via an application for judicial review challenging the Minister's statutory power of decision).

Rather, he has asked that the letter be recast as a Minister's letter requesting the OPA to reconsider continuing the contract and ultimately requesting the OPA to end it, based on public policy grounds.

In order for the Minister to make a decision to send such a letter, we would put before him documents that would outline why it is not in the public interest to continue the plant. The record would contain, for example, copies of the City of Mississauga resolution; letters from the public complaining about the plant; press clippings etc.

Ultimately, should the Crown be sued or judicial review sought, the record would show that the Minister pursued a lawful act for a proper purpose.

We'll work with CLOC tomorrow to determine exactly what would be required to put before the Minister and we'll draft up a proposed letter.

CLOC is also reviewing the option of assigning the OPA contract to the Crown and wishes to have some discussion with Finance about this option before advising on it further.

We'd be happy to discuss this development further with you.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
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Fisher, Petra (ENERGY)

From: Lindsay, David (ENERGY)
Sent: November-02-11 7:34 PM
To: Perun, Halyna N. (ENERGY)
Subject: Re: Mississauga gas plant

Let's chat in the morning. All is fine for tonight.

From: Perun, Halyna N. (ENERGY)
To: Lindsay, David (ENERGY)
Cc: Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Sent: Wed Nov 02 19:25:10 2011
Subject: RE: Mississauga gas plant

Privileged and Confidential

Perhaps we can connect first thing in the morning. On my end, I can call Mike Lyle – it wouldn't hurt to have a discussion with him that indicates that we're in the midst of exploring further options – but I'll wait to hear from you.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
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I wouldn't want the OPA Board to make decision or present a proposal to us which we haven't considered or which our Minister or the AG might not be comfortable.

Under protection of client privilege we may need to consider how the Minister and the OPA Board can both be

comfortable in these next steps.

David

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To: Lindsay, David (ENERGY)
Cc: Jennings, Rick (ENERGY); Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Sent: Wed Nov 02 18:27:02 2011
Subject: Mississauga gas plant

Privileged and Confidential

The Deputy Attorney General advises against proceeding with a Ministerial direction under the *Electricity Act, 1998* to the OPA as this exposes the government to a likely successful lawsuit in tort for misfeasance in public office. Further, it provides Eastern Power with an avenue to get to court quicker (via an application for judicial review challenging the Minister's statutory power of decision).

Rather, he has asked that the letter be recast as a Minister's letter requesting the OPA to reconsider continuing the contract and ultimately requesting the OPA to end it, based on public policy grounds.

In order for the Minister to make a decision to send such a letter, we would put before him documents that would outline why it is not in the public interest to continue the plant. The record would contain, for example, copies of the City of Mississauga resolution; letters from the public complaining about the plant; press clippings etc.

Ultimately, should the Crown be sued or judicial review sought, the record would show that the Minister pursued a lawful act for a proper purpose.

We'll work with CLOC tomorrow to determine exactly what would be required to put before the Minister and we'll draft up a proposed letter.

CLOC is also reviewing the option of assigning the OPA contract to the Crown and wishes to have some discussion with Finance about this option before advising on it further.

We'd be happy to discuss this development further with you.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
Ph: (416) 325-6681 / Fax: (416) 325-1781
BB: (416) 671-2607
E-mail: Halyna.Perun2@ontario.ca

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Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November 3, 2011 7:35 AM
To: MacLennan, Craig (ENERGY)
Cc: Silva, Joseph (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Re:

Of course - we'll get to work.

Carolyn

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

From: MacLennan, Craig (ENERGY)
To: Calwell, Carolyn (ENERGY)
Sent: Thu Nov 03 07:04:15 2011
Subject:

Carolyn,

Can we pls start drafting mississauga legislation in case we need it pls.

Cm

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November 3, 2011 8:04 AM
To: Lindsay, David (ENERGY); Jennings, Rick (ENERGY)
Cc: Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: Fw:

Privileged and Confidential

Please see Craig's request below. It is a good idea to start work on legislation so that we are not caught scrambling. We'll need policy direction all around and in particular re how to structure compensation. We'll also need to know if we can approach the OPA for assistance. May we discuss briefly at your convenience?

Halyna Perun
A\Director
Ph: 416 325 6681
BB: 416 671 2607

Sent using BlackBerry

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

From: Calwell, Carolyn (ENERGY)
To: MacLennan, Craig (ENERGY)
Cc: Silva, Joseph (ENERGY); Perun, Halyna N. (ENERGY)
Sent: Thu Nov 03 07:34:47 2011
Subject: Re:

Of course - we'll get to work.

Carolyn

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

From: MacLennan, Craig (ENERGY)
To: Calwell, Carolyn (ENERGY)
Sent: Thu Nov 03 07:04:15 2011
Subject:

Carolyn,

Can we pls start drafting mississauga legislation in case we need it pls.

Cm

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-03-11 8:42 AM
To: 'Michael Lyle'
Cc: Calwell, Carolyn (ENERGY)
Subject: our call

As we were cut off, do you want to have the signed document delivered to my office – to my attention asap this morning and I or Carolyn will ensure it gets to the Deputy for signature?

Thanks

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
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777 Bay Street, 4th Floor, Suite 425
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Cayley, Daniel (ENERGY)

From: Michael Lyle <Michael.Lyle@powerauthority.on.ca>
Sent: November-03-11 8:45 AM
To: Perun, Halyna N. (ENERGY)
Cc: Calwell, Carolyn (ENERGY)
Subject: Re: our call
Attachments: greenest2011_english-(custom)verysmall.gif

.gif attachment is signature image below

Yes. Sorry about that.

From : Perun, Halyna N. (ENERGY) [mailto:Halyna.Perun2@ontario.ca]
Sent: Thursday, November 03, 2011 08:42 AM
To : Michael Lyle
Cc: Calwell, Carolyn (ENERGY) <Carolyn.Calwell@ontario.ca>
Subject: our call

As we were cut off, do you want to have the signed document delivered to my office – to my attention asap this morning and I or Carolyn will ensure it gets to the Deputy for signature?

Thanks

Halyna

Halyna N. Perun
A/Director
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Fisher, Petra (ENERGY)

From: Schultz, Daniel (ENERGY)
Sent: November-03-11 9:11 AM
To: 'Betsy McRae '
Subject: Interesting they only figured that out now

Hard to stop Mississauga gas plant, Liberals admit – Toronto Star, CFTO, Global, Canadian Press, Mississauga.com, Waterloo Region Record

Yesterday, Premier Dalton McGuinty said that it will take some time to stop the construction of a gas-fired power plant in Mississauga, which was controversially cancelled two weeks before the October 6th election. The Progressive Conservatives have charged that the Liberal Party announced the plan to move the plant to an undetermined location in order to win votes in the neighbouring swing riding of Mississauga South, where the race between Cabinet Minister Charles Sousa and the PC candidate was tight. Speaking at the University of Toronto's Rotman School of Management, the Premier said the relocation has been "a little bit more complicated" than the Liberal Party originally expected. The Toronto Star reports that during a tense exchange with reporters yesterday, Energy Minister Chris Bentley refused to get into specifics on the talks apparently going on between the Ontario Power Authority (OPA) and Eastern Power, which is still building the plant. The Minister said, "There are discussions, I understand, between the OPA and Eastern. We certainly hope they reach a resolution as early as possible. I understand the interest in the minute-by-minute or hour-by-hour goings-on (but) I think it's probably not in the interest of either the discussions or of the people of Ontario that I engage in those...So I'll let the discussions continue." He also said, "We have given a commitment to relocate the plant. It will be relocated." PC Leader Tim Hudak has warned the government is "making the (financial) hole ever worse" by drawing out the move of the plant.