



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## **REVIEW REPORT 129-2020**

### **Saskatchewan Power Corporation**

**November 9, 2021**

#### **Summary:**

Saskatchewan Power Corporation (SaskPower) received an access to information request from the Applicant. SaskPower responded to the Applicant denying access to portions of the record pursuant to sections 17(1)(b)(i), (d), 18(1)(d) and 29(1) of *The Freedom of Information and Protection of Privacy Act* (FOIP). The Applicant requested a review from the Commissioner of SaskPower's application of sections 17(1)(b)(i), (d), 18(1)(d) and 29(1) of FOIP, and of its search efforts. The Commissioner found that SaskPower failed to meet its duty to assist pursuant to section 5.1(1) of FOIP and did not comply with section 8 of FOIP. The Commissioner found that SaskPower appropriately applied sections 17(1)(b)(i), (d) and 29(1) of FOIP to some portions of the record, but not all of the record; and that SaskPower did not apply section 18(1)(d) appropriately to the record. The Commissioner also found that SaskPower conducted a reasonable search. The Commissioner recommended SaskPower review its procedures for preparing records for applicants and for his office, and going forward meet its obligations under sections 5.1(1) and 8 of FOIP. The Commissioner also recommended that SaskPower continue to withhold portions of the record where sections 17(1)(b)(i), (d) and 29(1) of FOIP were found to apply and release the portions of the record where sections 18(1)(d) and 29(1) of FOIP were found not to apply. Lastly, the Commissioner recommended that SaskPower take no further action regarding search.

#### **I BACKGROUND**

- [1] On November 1, 2019, Saskatchewan Power Corporation (SaskPower) received an access to information request from the Applicant, requesting the following information:

All emails to and from [Manager, Meter Reading Central] containing the word "Kindersley". April 1, 2018 to present.

- [2] From November 2019 to January 2020, SaskPower worked with the Applicant in order to provide a fee estimate. The Applicant paid the 50% deposit on the fee estimate.
- [3] On January 3, 2020, SaskPower responded to the Applicant denying access to portions of the requested records pursuant to sections 17(1)(b)(i), (d), 18(1)(d) and 29(1) of *The Freedom of Information and Protection of Privacy Act* (FOIP).
- [4] On May 21, 2020, my office received a request for review from the Applicant. The Applicant requested that my office review the exemptions cited by SaskPower and questioned the search efforts of SaskPower. The Applicant believed that SaskPower did not locate and provide all responsive records.
- [5] On June 17, 2020, my office provided notification to the Applicant and SaskPower of my office's intent to undertake a review. Both parties were invited to provide submissions to my office. As well, my office requested a copy of the record from SaskPower.
- [6] On September 18, 2020, the Applicant provided their submission to my office and on November 11, 2020, SaskPower provided its submission.

## **II RECORDS AT ISSUE**

- [7] SaskPower responded to the Applicant with approximately 315 pages and withheld portions of the record, in full and in part, under sections 17(1)(b)(i), (d), 18(1)(d) and 29(1) of FOIP. For details of these pages, see Appendix A of this Report.

## **III DISCUSSION OF THE ISSUES**

### **1. Do I have jurisdiction?**

- [8] SaskPower qualifies as a “government institution” pursuant to section 2(1)(d)(ii) of FOIP and section 3 and Part I of the Appendix of *The Freedom of Information and Protection of*

*Privacy Regulations* (FOIP Regulations). Therefore, I have jurisdiction to conduct this review.

**2. Did SaskPower meet its obligations under sections 5.1(1) and 8 of FOIP when it prepared the records for the Applicant and my office?**

[9] In its submission, SaskPower stated that it properly gave access to as much of the records as could reasonably be severed without disclosing the information to which the Applicant was refused access. SaskPower asserted that it did a line-by-line review of each page and applied severing where appropriate.

[10] However, during the review it became apparent that there were issues with how SaskPower prepared the records for the Applicant and for my office, such as severing was inconsistently applied to pages and “white space redaction” was used, leaving it unclear as to what was removed for the Applicant and for my office. In addition, on page 176, SaskPower changed its scanning approach, by scanning two pages of the record on one sheet of paper sporadically, making it extremely hard for my office to identify the number of pages accurately.

[11] SaskPower applied “white space redactions” to multiple pages of the record. Instead of reviewing and withholding portions of those pages of the record and releasing the remainder, some of the pages were withheld in their entirety, when information was clearly releasable and had been released on other similar pages of the record. For example, the headers and footers of emails were inconsistently released or the subject line was inconsistently withheld. For another example on page 219, the document has the same email on the first half of the page and the second half of the page. However, the subject line of the email has been released on the first half of the page and withheld on the second half of the page. A report named, “Meter Reading Efficiency Project Scope” appeared on multiple pages of the record. It was released to the Applicant on pages 100 to 103, but redacted on multiple pages such as 67 to 70, 75 to 78, 84 to 87, 88 to 96, 99 to 103, 122 to 126, 172 to 175, second half of page 235 to first half of page 237, first half of page 239 to second half of page 240 and first half of page 242 to second half of page 245.

[12] My office noted another challenge with SaskPower’s submission (i.e. where SaskPower did provide a redacted red-lined set of the records), the exemptions applied to the redactions were not listed on those pages of the record. All the exemptions were listed on a separate set of the redacted records, as provided to the Applicant. Due to the double page scanning, it was extremely difficult for my office to align page numbers for the redacted and unredacted sets provided. Therefore, my office had to rely only on SaskPower’s submission to identify the exemptions applicable to each page of the record.

[13] In August 2021, my office requested SaskPower to rescan, re-paginate and resubmit a clean copy of the record, with the exemptions highlighted on the red-lined set. However, SaskPower was unable to do so in approximately three weeks’ time and requested another three weeks’ time, which would have delayed this Report further. Therefore, my office proceeded with this Report based on SaskPower’s original submission.

[14] Both the issues of “white space redacting” and inconsistent severing engage both section 5.1(1) of FOIP and section 8 of FOIP, which outline specific obligations on SaskPower in terms of its duty to assist and releasing as much of the record as possible.

[15] Section 5.1(1) of FOIP outlines a government institution’s duty to assist an applicant and provides:

**5.1(1)** Subject to this Act and the regulations, a government institution shall respond to a written request for access openly, accurately and completely.

...

[16] Section 5.1(1) of FOIP requires a government institution to respond to an applicant’s written access to information request openly, accurately and completely. This means that government institutions should make reasonable effort to not only identify and seek out records responsive to an applicant’s access to information request, but to explain the steps in the process and seek any necessary clarification on the nature or scope of the request within the legislated timeframe.

- [17] My office's *Guide to FOIP*, Chapter 3: "Access to Records", updated June 29, 2021 (*Guide to FOIP*, Ch. 3), addresses the duty to assist starting at page 14. During the review of the pages of the record at issue, my office noted that it appeared that SaskPower did not respond accurately and completely to the Applicant.
- [18] "Accurately" means careful; precise; lacking errors, i.e. the government institution must understand what the applicant is actually looking for including reviewing the records line-by-line before a decision is made with respect to what, if any, exemptions apply (*Guide to FOIP*, Ch. 3, p. 16).
- [19] "Completely" means having all its parts; entire; finished; including every item or element; without omissions or deficiencies; not lacking in any element or particular i.e. the information from a government institution must be comprehensive and not leave any gaps in its response to an applicant's access to information request (*Guide to FOIP*, Ch. 3, pp. 16-18).
- [20] Section 8 of FOIP provides:
- 8** Where a record contains information to which an applicant is refused access, the head shall give access to as much of the record as can reasonably be severed without disclosing the information to which the applicant is refused access.
- [21] "Severability" is the principle described in section 8 of FOIP requiring that information be disclosed if it does not contain, or if it can be reasonably severed from, other information that the head of a government institution is authorized or obligated to refuse to disclose under the Act (*Guide to FOIP*, Ch. 3, pp. 44-46).
- [22] In order to comply with section 8 of FOIP, a line-by-line analysis of the record at issue is required to determine which exemptions apply to which portions of the records. The government institution is required to sever those portions that may qualify for a mandatory or discretionary exemption and release the balance of the record to the applicant. Upon review, it appeared as though SaskPower was inconsistent with its approach in severing.

[23] “White space redaction” is where software removes the content of a record in such a way that it renders the redacted content indistinguishable from the blank background of the document. As also discussed in my office’s Review Reports [025-2020](#) and [127-2020](#), white space redaction lacks specificity because when reviewing the responsive pages, an applicant cannot tell if the white space accounts for a missing line, paragraph, table, image etc. or if the page was naturally left blank. The preference is black-out or grey-out redacting, which allows sufficient visual context to indicate the length and general nature of the information (e.g. chart, column, list, sentence or paragraph) (*Guide to FOIP*, Ch. 3, pp. 46-48).

[24] By inconsistently severing records and by using white space redactions, SaskPower did not respond to the Applicant accurately or completely or meet its obligations to sever the record in compliance with section 8 of FOIP. Therefore, I find that SaskPower failed to meet its duty to assist pursuant to section 5.1(1) of FOIP and did not comply with section 8 of FOIP.

[25] Going forward, I encourage SaskPower to provide my office with a redacted red-lined version of the record that is paginated consistent with the version provided to the applicant. I also encourage SaskPower to list the exemption(s) applied on each page of the redacted red-lined version of the record, adjacent to the redacted information. This allows my office to not only see what has been withheld, but also identify the exemption(s) that was applied to it, without having to look at multiple sets of the record where the page numbers are not consistent. I also recommend that SaskPower use black-out or grey-out redacting when processing records. For assistance with severing, SaskPower can review my office’s webinar: *Modern Age Severing Made A Lot Easier*, available at [oipc.sk.ca](http://oipc.sk.ca).

### **3. Did SaskPower properly apply section 17(1)(b)(i) of FOIP?**

[26] SaskPower applied section 17(1)(b)(i) to portions of the record. These pages appear to constitute emails and attachments.

[27] Section 17(1)(b)(i) of FOIP provides:

17(1) Subject to section (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

...

(b) consultations or deliberations involving:

(i) officers or employees of a government institution;

...

[28] My office uses the following two-part test to determine if section 17(1)(b)(i) of FOIP applies:

1. Does the record contain consultations or deliberations?
2. Do the consultations or deliberations involve officers or employees of a government institution, a member of the Executive Council, or the staff of a member of the Executive Council?

(*Guide to FOIP*, Chapter 4: “Exemptions from the Right of Access”, updated on April 30, 2021, pp. 131-136 (*Guide to FOIP*, Ch. 4))

[29] A “consultation” can be defined as follows:

- the action of consulting or taking counsel together: deliberation, conference;
- a conference in which the parties consult and deliberate.

A consultation can occur when the views of one or more officers or employees of a government institution are sought as to the appropriateness of a particular proposal or suggested action. It can include consultations about prospective future actions and outcomes in response to a developing situation. It can also include past courses of action. For example, where an employer is considering what to do with an employee in the future, what has been done in the past can be summarized and would qualify as part of the consultation or deliberation.

(*Guide to FOIP*, Ch. 4, p. 131)

[30] A “deliberation” can be defined as follows:

- the action of deliberating (to deliberate: to weigh in mind; to consider carefully with a view to a decision; to think over); careful consideration with a view to a decision;

- the consideration and discussions of the reasons for and against a measure by a number of employees/ supervisors.

A deliberation can occur when there is a discussion or consideration of the reasons for or against an action. It can refer to discussions conducted with a view towards making a decision.

(*Guide to FOIP*, Ch. 4. pp. 131-132)

***1. Does the record contain consultations or deliberations?***

[31] In its submission, SaskPower provided that the records on which it applied section 17(1)(b)(i) of FOIP were:

- a. Emails between SaskPower employees; and
- b. Analysis and recommendations

regarding the functioning and challenges of the meter reader team in Kindersley, Saskatchewan and the management of an employee (the Applicant).

[32] In its submission, SaskPower further stated:

The redactions all relate to the views of one or more employees of SaskPower as to the appropriateness of a particular proposal or suggested action. In particular, the emails discuss past measures with a particular employee (the Applicant). Records in this category meet the requirements to be designated a “consultation”. Further emails discuss future courses of action with a particular employee (the Applicant), are all with a view towards making a decision regarding the employee (the Applicant). These records meet the requirements to be designated a “deliberation”. The first part of the test is therefore met.

All emails are exclusively between SaskPower employees which meets the second part of the test for section 17(1)(b)(i).

[33] Upon review of these pages, it appears portions of the pages 25 to 26, 63, 66, 82, 104 to 109, 122, 128 to 170, 172, 195, the first half of page 196, the first and second half of pages 219, 224, the first half of page 227, the second half of page 231, the second half of page 232 to the second half of page 233, the second half of page 235 to the first half of page 237, the first half of page 238 and the second half of page 238, were emails regarding: the functioning and challenges of the meter reader team in Kindersley, Saskatchewan; the



management of an employee [the Applicant]; and discussions regarding their work practices or issues that a Manager or Supervisor experienced with that employee. All the redactions related to views of one or more employees of SaskPower as to the appropriateness of a particular proposal or suggested action. Other emails discussed the ongoing concerns regarding SaskPower's assets, discussions and decisions regarding its management, SaskPower's specific meter reading routes, dropped meter reading routes and recurring concerns or status and steps to improve effective management.

[34] My office noted that all of the emails contain consultations or deliberations regarding SaskPower's work product, employee management, asset management, efficiency issues, possible or proposed solutions and decisions to address those issues. Therefore, the first part of the test for section 17(1)(b)(i) of FOIP is met.

***2. Do the consultations or deliberations involve officers or employees of a government institution, a member of the Executive Council, or the staff of a member of the Executive Council?***

[35] "Officers or employees of a government institution" means an individual employed by a government institution and includes an individual retained under a contract to perform services for the government institution (*Guide to FOIP*, Ch. 4. p. 132).

[36] When providing a submission to my office, the government institution should identify the individuals involved in the consultations or deliberations, include the job title of each, list organization affiliation and clarification as to each individuals role in the decision making process. SaskPower did not provide this information with their submission to my office. However, upon request from my office during the review, SaskPower provided a copy of the organization chart for the "Metering Services – Distribution and Customer Services" division dated July 1, 2019. It also provided a list of job titles of all employees of the "Metering Service" division.

[37] Upon review of these pages, my office noted that all the emails were exchanged between SaskPower's managers, Human Resources (HR) team, Health, Wellness and Safety team and other SaskPower employees and appear to involve the appropriate employees within

SaskPower. As such, the consultations and deliberations involve officers and employees of a government institution. Therefore, the second part of the test for section 17(1)(b)(i) of FOIP is met.

[38] My office noted that due to inconsistent severing SaskPower withheld email text on page 127 of the record, while it already released this information to the Applicant on page 74 of the record. Similarly, the first half and second half of page 195 of the record contains duplicate emails dated October 30, 2019 and October 28, 2019. My office noted that the paragraph that was severed on page 195 of the record, in the email dated October 28, 2019, was already released to the Applicant on page 235 of the record.

[39] In conclusion, as both parts of the test are met, I find that SaskPower appropriately applied section 17(1)(b)(i) of FOIP to the emails. However, since SaskPower already released some portions of the record to the Applicant, I recommend that it releases page 127 and a portion of page 195 to the Applicant and continue to withhold remaining portions of the record where it applied section 17(1)(b)(i) of FOIP. For details, see Appendix A of this Report.

[40] SaskPower also applied sections 17(1)(d) and 29(1) of FOIP to some portions of these emails. However, as I have found section 17(1)(b)(i) of FOIP applies to these emails, there is no need to consider sections 17(1)(d) and 29(1) of FOIP on these pages of the record. Below I will consider if SaskPower correctly applied sections 17(1)(d) and 29(1) of FOIP to the remaining portions of the record. For details, see Appendix A of this Report.

#### **4. Did SaskPower properly apply section 17(1)(d) of FOIP?**

[41] Section 17(1)(d) of FOIP provides:

**17(1)** Subject to section (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

...

(d) plans that relate to the management of personnel or the administration of a government institution and that have not yet been implemented;

...

[42] Section 17(1)(d) is a discretionary class-based exemption. It permits refusal of access in situations where release of a record could reasonably be expected to disclose plans that relate to the management of personnel or the administration of a government institution, which have not yet been implemented. The provision protects as a class of record, plans that relate to the internal management of government institutions, for example, plans about the relocation or reorganization of government institutions or the management of personnel, and plans to abolish positions or programs.

[43] My office uses the following three-part test to determine if section 17(1)(d) of FOIP applies:

1. Does the record contain a plan(s)?
2. Does the plan(s) relate to:
  - i. management of personnel? or
  - ii. the administration of the government institution?
3. Has the plan(s) been implemented by the government institution?

*(Guide to FOIP, Ch. 4, pp. 140-144)*

[44] In its submission, SaskPower provided that the records on which it applied section 17(1)(d) of FOIP were:

- a. Emails between SaskPower employees; and
- b. Analysis and recommendations

regarding the functioning and challenges of the meter reader team in Kindersley, Saskatchewan and the management of an employee (the Applicant).

[45] In its submission, SaskPower further stated:

The records are emails between SaskPower employees relating to leave management, staffing requirements, hours and conditions of work, and employee performance. The emails discuss things to be done, options and proposals, and intentions and decisions as they related to the overall management of one employee (the Applicant) and the meter reading team generally. The employee in question is currently on long term

disability leave, therefore no plans could be implemented until the employee returns to the workplace.

[46] Upon review of the record, it appears that SaskPower applied section 17(1)(d) of FOIP on pages 27 to 35, 66 to 70, 75 to 78, 84 to 87, 88 to 96, 99 to 103, 123 to 126, 172 to 175, the second half of page 235 to the first half of page 237, the second half of page 226, the first half of page 239 to the second half of page 240 and the first half of page 242 to the second half of page 245. The pages primarily consist of three documents as follows:

- a. Business Continuity Planning document (BCP document);
- b. Office layout for new Kindersley office in Saskatchewan (Office layout); and
- c. Meter Reading Efficiency Project – Project Scope (MREP document) – this document has multiple versions and is repeated on multiple pages.

[47] I will now consider each part of the test for each document to determine its application.

*1. Does the record contain a plan(s)?*

[48] A “plan” is a formulated and especially detailed method by which a thing is to be done; a design or scheme. A detailed proposal for doing or achieving something; an intention or decision about what one is going to do (*Guide to FOIP*, Ch. 4. p. 141).

[49] Upon review of each document my office noted the following:

- a. **BCP document** - This item is on pages 27 to 35, where SaskPower released the cover email and only severed the plan document. This document appears to be a detailed business continuity plan for the meter reading team in Saskatchewan, discussing the team’s goals and targets.
- b. **Office layout** - The second item is on the second half of page 226 and appears to be a floor layout plan of SaskPower’s new office in Kindersley, Saskatchewan, showing the office floor plan and seating arrangements for staff.
- c. **MREP document** - The third item is on pages 67 to 70 and repeated on pages 75 to 78, 84 to 87, 88 to 96, 100 to 103, 123 to 126, 172 to 175, the second half of page 235 to the first half of page 237, the first half of page 239 to the second half of page 240 and the first half of page 242 to the second half of page 245. This document appears to be a detailed plan regarding the meter reading team and steps planned to improve efficiency through this project.

[50] As all the above items are detailed plans, I find that the first part of the test for section 17(1)(d) of FOIP is met.

**2. Does the plan(s) relate to:**

***i) the management of personnel?***

***ii) the administration of the government institution?***

[51] “Management of personnel” refers to all aspects of the management of human resources of a public body that relate to the duties and responsibilities of employees. This includes staffing requirements, job classification, recruitment and selection, employee salary and benefits, hours and conditions of work, leave management, performance review, training, separation and layoff. It also includes the management of personal service contracts, (i.e. contracts of service), but not the management of consultant, professional or other independent contractor contracts (i.e. contracts for service) (*Guide to FOIP*, Ch. 4. p. 141).

[52] “Administration of a public body” comprises all aspects of a public body’s internal management, other than personnel management, that are necessary to support the delivery of programs and services. Administration includes business planning, financial operations, and contract, property, information, and risk management (*Guide to FOIP*, Ch. 4. p. 142).

[53] “Relate to” should be given a plain but expansive meaning. The phrase should be read in its grammatical and ordinary sense. There is no need to incorporate complex requirements (such as “substantial connection”) for its application, which would be inconsistent with the plain unambiguous meaning of the words of the statute. “*Relating to*” requires some connection between the information and the management of personnel or the administration of a government institution (*Guide to FOIP*, Ch. 4. p. 142).

[54] Upon review of each document my office noticed the following:

- a. **BCP document** - This plan discusses items such as meter reading operations, resources and training, resources considerations, its administration and an overview organization chart with locations and number of positions in each location in

Saskatchewan. This information would qualify as planning of personnel and administration for SaskPower.

- b. **Office layout** - This document is the floor layout plan for the new office in Kindersley, Saskatchewan. This document shows the seating arrangements for staff such as central manager, meter reader supervisor, meter readers, inspectors, crew, district supervisor, conference rooms, etc. The record shows the number of offices, workstations and various teams' placement within the new office. This information would qualify as planning of personnel and administration for SaskPower.
- c. **MREP document** - This document discusses items such as project description, vision, objectives, scope, requirements, deliverable, personnel involved, business process and systems, implementation plan, timeline schedule and approvals. This document outlines how the project would affect the personnel involved in this project, their work responsibilities, the timeline of such responsibilities etc. This information would qualify as planning of personnel and administration for SaskPower.

[55] As all the above items are detailed plans regarding the management of personnel and administration of SaskPower, I find that the second part of the test for section 17(1)(d) of FOIP is met.

### ***3. Has the plan(s) been implemented by the government institution?***

[56] "Implementation" means the point when the implementation of a decision begins. For example, if a government institution decides to go forward with an internal budget cut or restructuring of departments, implementation commences when this plan of action is communicated to its organizational units. In order for the third part of the test to be met, the plan(s) cannot yet have been implemented. However, it is not necessary for the implementation activities to have been completed (*Guide to FOIP*, Ch. 4. p. 142).

[57] "Yet" means at some time in the future, in the remaining time available, before all is over (*Guide to FOIP*, Ch. 4. p. 143).

[58] The plans can relate to a government institution and not just the one relying on the exemption.

[59] Section 17(1) includes the requirement that access can be refused where it “could reasonably be expected to disclose” the protected information listed in the exemptions. A government institution cannot rely on section 17(1)(d) for a record that fits within the enumerated exclusions listed at section 17(2). Before applying section 17(1) of FOIP, government institutions should ensure that section 17(2) of FOIP does not apply to any of the records (*Guide to FOIP*, Ch. 4, pp. 143-144).

[60] Upon review of each document my office noted the following:

- a. **BCP document** - There is no indication in the document that this plan was implemented during the timeframe of the Applicant’s access to information request (April 1, 2018 to November 1, 2019), it appeared to be in discussion stage.
- b. **Office layout** - The cover email is dated September 11, 2019 and states that administration of this plan would require at least a few months, indicating that the plan was yet to be implemented during the timeframe of the Applicant’s access to information request (April 1, 2018 to November 1, 2019).
- c. **MREP document** - This document explains that the plan was developed for rollout at multiple SaskPower locations, therefore it appears that implementation at all locations would be required to ensure the project scope was completed and achieved. The dates of implementation in the plan document were up to February 28, 2020, implying that the plan was yet to be implemented during the timeframe of the Applicant’s access to information request (April 1, 2018 to November 1, 2019).

[61] As all the above items are plans that are yet to be implemented and could reasonably be expected to disclose SaskPower’s personnel and administrative information, I find that the third part of the test for section 17(1)(d) of FOIP is met.

[62] However, as listed above, the third item “Meter Reading Efficiency Project – Project Scope” appears on multiple pages of the record, such as on pages 67 to 70 and repeated on pages 75 to 78, 84 to 87, 88 to 96, 100 to 103, 123 to 126, 174 to 175, the second half of page 235 to the first half of page 237, the first half of page 239 to the second half of page 240 and the first half of page 242 to the second half of page 245. My office noted that this document seems to have been edited on different dates, such as September 3, 2019, September 9, 2019 and October 16, 2019. Due to inconsistent redacting, this document

dated September 3, 2019, was released to the Applicant on pages 89 to 92, but redacted on pages 84 to 87 (draft document with edits proposed), and the document dated September 9, 2019 released on pages 100 to 103, but redacted on pages 67 to 70, 75 to 78, 123 to 126, 174 to 175 (only pages 1 and 2 of the document), the first half of page 239 to the second half of page 240 and the first half of page 242 to the second half of page 245.

[63] As the document has already been released to the Applicant twice on pages 89 to 92 and again on pages 100 to 103, there is no need to withhold this document on other pages, except the draft version on pages 84 to 87 and the revised version dated October 16, 2019, from second half of page 235 to first half of page 237.

[64] In conclusion, as all three parts of the test are met for all three documents, I find that SaskPower appropriately applied section 17(1)(d) of FOIP to the record. However, since SaskPower already released some portions of the record to the Applicant, I recommend that it release pages 67 to 70, 75 to 78, 123 to 126, 174 to 175 (page 1 and 2 of document), the first half of page 239 to the second half of page 240 and the first half of page 242 to the second half of page 245, to the Applicant and continue to withhold remaining portions of the record where it applied section 17(1)(d) of FOIP. For details, see Appendix A of this Report.

## **5. Did SaskPower properly apply section 18(1)(d) of FOIP?**

[65] Section 18(1)(d) of FOIP provides:

**18(1)** A head may refuse to give access to a record that could reasonably be expected to disclose:

...

(d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the Government of Saskatchewan or a government institution;

...

[66] Section 18(1)(d) is a discretionary harm-based exemption. It permits refusal of access in situations where release of a record could reasonably be expected to disclose information,



the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the Government of Saskatchewan or a government institution.

[67] My office uses the following two-part test to determine if section 18(1)(d) of FOIP applies:

1. Are there contractual or other negotiations occurring involving the Government of Saskatchewan or a government institution?
2. Could release of the record reasonably be expected to interfere with the contractual or other negotiations?

*(Guide to FOIP, Ch. 4, pp. 174-177)*

[68] In its submission, SaskPower explained that the records on which it applied section 18(1)(d) of FOIP were:

- a. Email “Detailing Expense” from [Manager Meter Reading, Saskatoon] to [SaskPower employee] dated Monday, October 21, 2019;
- b. [Name of project] Projects – Consulting Engineers – Project Managers, SaskPower Kindersley Maintenance Hub – Construction Meeting #6, dated Wednesday, September 4, 2019; and
- c. Email “2019 SaskPower Gas Retailer Reads” from [a SaskPower employee – MF] to CS Senior Meter Readers and CS Meter Readers, dated Friday, October 18, 2019 (including attachment).

[69] SaskPower further explained that:

- a. The “Detailing Expense” email relates to a contractual dispute between SaskPower and [name of cleaning company]. How SaskPower handles contractual disputes directly impacts SaskPower’s bargaining power with existing and potential contractors.
- b. The [name of project] Projects document are minutes relating to the management of an ongoing contract with [name of construction company]. This particular project is still underway, and the release of internal discussion notes could be detrimental to the ongoing contractual relationship with [name of construction company]. Additionally, SaskPower’s project management strategies should not be released, as they may impact future negotiations with both [name of construction company] and other similar contractors.

- c. The “2019 SaskPower Gas Retailer Reads” email and attachments are meter readings provided to SaskEnergy as part of an arrangement with SaskEnergy. Upon review for the preparation of this submission, it was discovered that this record is third party information and should not be released without appropriate notice and submissions from those third parties.

[70] Upon review of the record, it appears that SaskPower applied section 18(1)(d) on pages 73, 176 to the first half of page 177, the second half of page 177, the first half of page 178 to the second half of page 191 and page 224. The pages primarily consist of three items as follows:

- a. Email, subject – Detailing expenses – October 21, 2019;
- b. Minutes of [name of project] Projects – September 4, 2019; and
- c. Email, subject – Gas Retailer Reads for 2019 – October 18, 2019.

[71] I will now consider each part of the test for each document to determine its application.

***1. Are there contractual or other negotiations occurring involving the Government of Saskatchewan or a government institution?***

[72] A “negotiation” can be defined as a consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter. It can also be defined as dealings conducted between two or more parties for the purpose of reaching an understanding. It connotes a more robust relationship than “consultation”. It signifies a measure of bargaining power and a process of back-and-forth, give-and-take discussion (*Guide to FOIP*, Ch. 4, pp. 174-175).

[73] Prospective or future negotiations could be included within this exemption, as long as they are foreseeable. It may be applied even though negotiations have not yet started at the time of the access to information request, including when there has not been any direct contact with the other party or their agent. However, a vague possibility of future negotiations is not sufficient. There must be a reasonable fact-based expectation that the future negotiations will take place.

[74] Once a contract is executed, negotiation is concluded. The exemption would generally not apply unless, for instance, the same strategy will be used again and it has not been publicly disclosed.

[75] The exemption covers negotiations either conducted directly by employees or officers of a government institution or Government of Saskatchewan or conducted by a third party acting as an agent of the government institution. It does not cover information relating to negotiations to which a government institution or the Government of Saskatchewan is not a party.

[76] Upon review of each document my office noted the following:

- a. **Email, subject – Detailing expenses – October 21, 2019** – This item is on page 73, it is an email from the [Manager Meter Reading, Saskatoon] to another SaskPower employee. In this email, the Manager discusses their concern with the service and the charges quoted by a vendor. This email does not discuss how SaskPower handles issues with its vendors; instead it discusses how the Manager is not satisfied with the service and cost. SaskPower does not provide any evidence if there were in fact any ongoing negotiations with this vendor in this email or its submission to my office. Therefore, I am not persuaded that if released this email could affect any negotiations. I find that this email does not meet the first part of the test; therefore, I will not assess the second part of the test for this email.
- b. **Minutes of [name of project] Projects – September 4, 2019** – This item is a three page document, from first half of page 176 to first half of page 177. It appears to be minutes of a meeting between SaskPower and one of its consulting firms. The minutes discuss the items underway, status of each item and summary of action required. There are no financial discussions in this document and it does not appear to be a negotiation document. In its submission SaskPower explained that this project was still underway and it was concerned about the release of “internal discussion notes” and that they may hamper future negotiations. This document offers no evidence of any negotiations, instead only minutes of a meeting that merely shows that SaskPower is conducting business with that consulting firm for a project. Again, SaskPower does not provide any evidence if there were in fact any ongoing negotiations with this consulting firm in this email or its submission to my office. Therefore, I am not persuaded that if released this email could affect any negotiations. I find that this document does not meet the first part of the test; therefore, I will not assess the second part of the test for this document.
- c. **Email and attachment, subject – Gas Retailer Reads for 2019 – October 18, 2019** – This item is from second half of page 177 to second half of page 191. This item includes an internal email from [Meter Reading Specialist] to SaskPower

employees in the meter reading division. In its submission, SaskPower explained that this email and attachments were meter readings provided to SaskEnergy as part of an arrangement with SaskEnergy, and it considered it as third party information. However, during this review, on September 16, 2021, SaskPower informed my office that it was no longer relying on any third party exemptions in this matter. As SaskPower did not provide any supporting evidence or argument for the application of section 18(1)(d) of FOIP for this document, I do not find that section 18(1)(d) of FOIP applies to these pages of the record. I find that this document does not meet the first part of the test; therefore, I will not assess the second part of the test for this document.

[77] As all three documents did not meet the first part of the test, I do not need to assess these documents for the second part of the test for section 18(1)(d) of FOIP.

[78] In conclusion, I find that SaskPower did not apply section 18(1)(d) of FOIP appropriately to the record. Therefore, SaskPower should release portions of the record where it applied section 18(1)(d) of FOIP. For details, see Appendix A of this Report.

## **6. Did SaskPower properly apply section 29(1) of FOIP?**

[79] Section 29(1) of FOIP protects the privacy of individuals whose personal information may be contained within records responsive to an access to information request made by someone else. Section 29(1) requires a government institution to have the consent of the individual whose personal information is in the record prior to disclosing it unless it has authority to disclose without consent pursuant to section 29(2) or section 30 of FOIP. Section 29(1) of FOIP provides:

**29(1)** No government institution shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 30.

[80] When dealing with information in a record that appears to be personal information, the first step is to confirm that the information indeed qualifies as “personal information” as defined in section 24(1) of FOIP.

[81] In its submission to my office, SaskPower did not specify which sections of section 24(1) of FOIP are engaged in the record. However, upon review of the record, it appears that sections 24(1)(b), (d) and (k)(i) of FOIP are engaged. Sections 24(1)(b), (d) and (k)(i) of FOIP provide:

**24(1)** Subject to sections (1.1) and (2), “personal information” means personal information about an identifiable individual that is recorded in any form, and includes:

...

(b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

...

(d) any identifying number, symbol or other particular assigned to the individual, other than the individual’s health services number as defined in *The Health Information Protection Act*;

...

(k) the name of the individual where:

(i) it appears with other personal information that relates to the individual; or

...

[82] In its submission, SaskPower provided that the records on which it applied section 29(1) of FOIP were “emails between SaskPower employees”.

[83] In its submission to my office, SaskPower further stated:

The portion of the records that reveal individual’s names in the context of their performance as employees are the personal information of those individuals.

Accordingly, SaskPower submits that the records were properly withheld on the basis of section 29(1).

[84] Upon review of these pages, it appears SaskPower withheld portions of pages 56 to 62, 64, 65 (duplicate of page 64), the first half of page 194 to the second half of page 194, and the second half of page 204 to the first half of page 208. These emails pertain to employees other than the Applicant, regarding those employees’ vacation requests, project assignments, their performance matters and management issues. For example, pages 64

and 65 are an email where only names of two employees (other than the Applicant) have been redacted; it appears that both names are of employees taking a leave from SaskPower.

[85] Information regarding any employee taking a leave from a government institution would constitute the employment history of that employee and would qualify as personal information as defined in section 24(1)(b) of FOIP. Though an employee name is not considered personal information, when an employee name is combined with personal information regarding their leave from a government institution and that personal information has already been released, the name would qualify as personal information as defined in section 24(1)(k)(i) of FOIP. As SaskPower has released the email to the Applicant and redacted only the names of these employees, I recommend the employee names continue to be withheld pursuant to section 29(1) of FOIP. For details, see Appendix A of this Report.

[86] SaskPower released an email to the Applicant on page 193, which discusses a potential move of some employees from one team to another regarding their training/ learning notification and their reporting manager. Information regarding any employee's training/ learning needs constitutes employment history of those employees and would qualify as personal information as defined in section 24(1)(b) of FOIP. As explained above, though an employee name is not considered personal information, when an employee name is combined with personal information regarding their training/ learning needs regarding specific courses that has already been released, the name would qualify as personal information as defined in section 24(1)(k)(i) of FOIP. Therefore, I recommend the employee names continue to be withheld pursuant to section 29(1) of FOIP.

[87] Accordingly, in the attachment document on the first half of page 194, SaskPower redacted names of 19 out of 30 employees including one name of one employee that appears to be the trainer. However, in the same attachment document, on the second half of page 194, SaskPower released the names of 11 out of 30 employees. This may lead to multiple potential privacy breaches. Therefore, I recommend SaskPower notify the affected 11 out of 30 employees and work with my office to address these potential privacy breaches. For details, see Appendix A of this Report.

- [88] SaskPower released an email to the Applicant titled, “Urgent – Action Required and Please Do Not Forward – Management Incident Dashboard” dated September 11, 2019. This email starts from the first half of page 200 to the first half of page 208. This email has two attachments and SaskPower released the email and the first attachment to the Applicant.
- [89] The second attachment is from the second half of page 204 to the first half of page 208 and SaskPower used “white space redaction” on all of these pages. This attachment lists names of some employees with their outstanding safety training and overdue Emergency Medical Services Management Information System tasks. These pages list data elements such as due date, employee name and employee number (other than the Applicant), status and incident date.
- [90] In my office’s Review Report [F-2005-001](#) and [128-2020](#), it was found that employee numbers when linked to an employee name qualifies as personal information as defined in section 24(1)(d) of FOIP. Therefore, I find that SaskPower appropriately applied section 29(1) of FOIP to the employee names and employee numbers. However, if the employee names and employee numbers are redacted, then the remaining information becomes de-identified and can be released to the Applicant. Therefore, SaskPower should only redact the employee names and employee numbers, and release the remaining document to the Applicant.
- [91] During the review of the record, my office noticed that as a result of inconsistent severing in preparing the record, SaskPower released page 218 (first and second half) regarding one employee in full to the Applicant. This page contained emails regarding overtime requests of that individual, such information would qualify as their personal information as defined by section 24(1)(b) of FOIP. This may lead to a potential privacy breach. Therefore, I recommend SaskPower notify the affected employee and work with my office to address this potential privacy breach.
- [92] However, I also find that some information withheld on one page of the record (page 36) does not constitute personal information. The information pertains to the Applicant only

and there are opinions contained in the severed information that pertain to the Applicant. Section 31(1) of FOIP provides that individuals have a right to have access to their own personal information contained in a record. Therefore, I find that SaskPower did not appropriately apply section 29(1) of FOIP to that portion of the record. I recommend SaskPower release this information on page 36 to the Applicant.

[93] In conclusion, I find that there is personal information involved as defined in sections 24(1)(b), (d) and (k)(i) of FOIP on some pages of the record. Hence, I find that SaskPower properly applied section 29(1) of FOIP to those portions of the record. However, I also find that some information withheld on some pages does not constitute personal information. Therefore, I also find that SaskPower did not appropriately apply section 29(1) of FOIP to some portions of the record.

[94] I recommend that SaskPower continue to withhold some portions of the record and release the remaining portions as outlined above. For details, see Appendix A of this Report.

**7. Did SaskPower conduct a reasonable search for records?**

[95] During the initial correspondence with my office, the Applicant had requested a review of SaskPower's search efforts, advising that they did not believe that SaskPower had located and provided them with all the responsive records. Therefore, I will review if SaskPower conducted a reasonable search.

[96] Section 5 of FOIP provides as follows:

**5** Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a government institution.

[97] Section 5 of FOIP is clear that access to records must be granted if they are in the possession or under the control of the government institution subject to any exemptions that may apply pursuant to FOIP.



[98] If a government institution indicates that records do not exist, an applicant may request my office conduct a review of the government institution's search efforts. FOIP does not require a government institution to prove with absolute certainty that records do not exist, but it must demonstrate that it has conducted a reasonable search to locate the records.

[99] A "reasonable search" is one in which an employee, experienced in the subject matter, expends a reasonable effort to locate records reasonably related to the access to information request. A reasonable effort is the level of effort you would expect of any fair, sensible person searching areas where records are likely to be stored. What is reasonable depends on the request and related circumstances (*Guide to FOIP*, Ch. 3, pp. 8-9). Examples of information to support its search efforts that government institutions can provide to my office include the following:

- For personal information requests - explain how the individual is involved with the government institution (i.e. client, employee, former employee etc.), and why certain departments/divisions/branches were included in the search.
- For general requests - tie the subject matter of the request to the departments/divisions/branches included in the search. In other words, explain why certain areas were searched and not others.
- Identify the employee(s) involved in the search and how the employee(s) is experienced in the subject matter.
- Explain how the records management system is organized (both paper & electronic) in the departments/divisions/branches included in the search.
- Describe how records are classified within the records management system. For example, are the records classified by:
  - alphabet
  - year
  - function
  - subject
- Consider providing a copy of your organization's record schedule and screen shots of the electronic directory (folders & subfolders);
- If the record has been destroyed, provide copies of record schedules and/or destruction certificates;

- Explain how you have considered records stored off-site;
- Explain how records that may be in the possession of a third party but in the government institution's control have been searched such as a contractor or information management service provider.
- Explain how a search of mobile electronic devices was conducted (i.e. laptops, smart phones, cell phones, tablets).
- Explain which folders within the records management system were searched and how these folders link back to the subject matter requested. For electronic folders – indicate what key terms were used to search if applicable.
- Indicate the calendar dates each employee searched.
- Indicate how long the search took for each employee.
- Indicate what the results were for each employee's search.
- Consider having the employee that is searching provide affidavit to support the position that no record exists or to support the details provided. For more on this, see the IPC resource, Using Affidavits in a Review with the IPC available on the IPC website.

*(Guide to FOIP, Ch. 3, pp. 9-11).*

[100] The preceding list is intended to be a guide. Each case will require different search strategies and details depending on the records requested.

[101] In its submission to my office, SaskPower explained that it has established a process to handle searching for records more efficiently. It explained:

Each Vice-President designates a Business Unit Representative (“BU Rep”) as a point of contact for each Business Unit. The BU Rep would have a better knowledge of which employees within the Business Unit would likely be in possession of records responsive to the Request for Information. Upon receipt of an access to information request by the Freedom of Information Coordinator (the “Coordinator”), the Coordinator reaches out to the BU Rep requesting they coordinate a search strategy and complete a spreadsheet on behalf of the Business Unit. The BU Rep is given a deadline within which to provide the Coordinator a completed search strategy spreadsheet encompassing the search undertaken by the Business Unit. If the search indicates that the time to search for the records would be greater than 6 hours, then an Estimate of Costs is prepared. If the search indicates that the time to search for the

records would be less than 6 hours, the Business Unit is then asked to complete the search and provide the records to the Coordinator.

[102] In its submission, SaskPower listed dates and details of its email exchanges with its staff, to identify the responsive records and conduct a thorough search. The details of SaskPower's search can be summarized as follows:

- November 1, 2019 – the FOI coordinator contacted the [Manager, Meter Reading Central], the only employee named in the scope of the Applicant's access to information request, to request an estimate of time it would take them to search for the records.
- November 1, 2019 – the [Manager, Meter Reading Central] informed the FOI coordinator that they estimated 1008 pages (252 emails most with attachments, therefore 4 pages per email). As there was only one employee reporting search time, a search spreadsheet was not prepared.
- December 10, 2019 – the [Manager, Meter Reading Central] provided their response to the FOI division.

[103] My office noted that it appeared that no paper records were searched or found by this Manager named in the Applicant's access to information request. Therefore, my office contacted SaskPower to clarify if they had conducted any search for paper records. My office also inquired if SaskPower had searched all archived emails during April 1, 2018 to November 1, 2019 (time period provided in the Applicant's access to information request).

[104] SaskPower explained, that as the scope of the Applicant's access to information request was for emails only, it only conducted an electronic search for records. The search was performed for all emails for the dates referred to in the Applicant's access to information request. SaskPower further explained that in this case, there was only one Manager in the Distribution Services Business Unit who conducted the search and they searched their "Outlook", which would have included archives.

[105] At this point, I need to determine if the Applicant provided any evidence to support their assertion that SaskPower did not locate and provide them with all the responsive records. Upon review of the Applicant's submission, I do not find any helpful argument or evidence

to prove their aforesaid assertion. In addition, some issues were raised that were not within the scope of this review. For example, concerns regarding the Applicant's privacy.

[106] I note that the Applicant submitted three access to information requests to SaskPower between October 7, 2019 and November 1, 2019. In their submission, the Applicant raised concern that there were records responsive to one access request that were not provided to them in response to the other two. However, upon review, the scope of the three access to information requests were all different, so would capture different records.

[107] In Review Report [159-2019](#) at paragraph [16], I stated that applicants set the parameters of their search requests, so public bodies can conduct an adequate search for records. As such, there is some onus on an applicant to establish their basis for believing further records exist, such as by providing supporting evidence.

[108] Therefore, based on the search efforts provided by SaskPower, I find that SaskPower conducted a reasonable search to locate records requested in the Applicant's access to information request.

#### **IV FINDINGS**

[109] I find that SaskPower failed to meet its duty to assist pursuant to section 5.1(1) of FOIP and did not comply with section 8 of FOIP.

[110] I find that SaskPower appropriately applied section 17(1)(b)(i) of FOIP to portions of the record. For details, see Appendix A of this Report.

[111] I find that SaskPower appropriately applied section 17(1)(d) of FOIP to portions of the record. For details, see Appendix A of this Report.

[112] I find that SaskPower did not appropriately apply section 18(1)(d) of FOIP to portions of the record. For details, see Appendix A of this Report.

[113] I find that SaskPower appropriately applied section 29(1) to some portions of the record. For details, see Appendix A of this Report.

[114] I find that SaskPower did not appropriately apply section 29(1) to some portions of the record. For details, see Appendix A of this Report.

[115] I find that SaskPower conducted a reasonable search to locate records requested in the Applicant's access to information request.

## **V RECOMMENDATIONS**

[116] I recommend that SaskPower review its procedures for preparing records for applicants and for a review by my office and ensure that it is consistent with its obligations under section 5.1(1) of FOIP and section 8 of FOIP.

[117] I recommend going forward SaskPower use black-out or grey-out severing when it applies redactions to a record.

[118] I recommend that SaskPower continue to withhold records where it appropriately applied sections 17(1)(b)(i), (d) and 29(1) of FOIP. For details, see Appendix A of this Report.

[119] I recommend that SaskPower release pages of the record where it did not appropriately apply sections 18(1)(d) and 29(1) of FOIP. For details, see Appendix A of this Report.

[120] I recommend SaskPower notify the 12 affected employees (11 as per paragraph 89 and 1 as per paragraph 93 of this Report), whose privacy may have been allegedly breached and work with my office to address these potential privacy breaches. For details, see Appendix A of this Report.

[121] I recommend that SaskPower take no further action with regard to its search efforts in this matter.

Dated at Regina, in the Province of Saskatchewan, this 9<sup>th</sup> day of November, 2021.

Ronald J. Kruzeniski, Q.C.  
Saskatchewan Information and Privacy  
Commissioner

**Appendix A**

<b>Page # Unredacted version (as provided to IPC)</b>	<b>Description</b>	<b>Exemption of FOIP SaskPower Applied</b>	<b>Withheld in Full (F) or Part (P)</b>	<b>Exemption found to Apply</b>
25 - 26	Email; subject – Route 7061, Cycle 6 – August 15, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold
27 – 35	Email and attachment; subject – Business Continuity Planning – November 8, 2019	17(1)(b)(i), 17(1)(d) and 29(1) – applied on attachment only	P	17(1)(d) of FOIP, continue to withhold
36	Email; subject – CC – September 24, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	Release information
50 – 62	Email and attachment; subject – Copy of MR FTE SEPT OUTLINE.xlsx – September 18, 2019	17(1)(b)(i), 17(1)(d) and 29(1) - exemptions applied on attachments only	P	Section 29(1) of FOIP, continue to withhold employee name and number, release the rest
63	Email; subject – Coverage for Kindersley? – February 22, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) and 29(1) of FOIP, continue to withhold
64	Email; subject – Coverage for Kindersley – Feb Mar – January 25, 2019	29(1) on names only	P	29(1) of FOIP, continue to withhold
65	Duplicate of page 64			
66 – 70	Email and attachment; subject – [subject] - September 12, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(b)(i) of FOIP continue to withhold, except the subject of this email (already released on page 122); and Release attachment, as already released to Applicant on page 100 – 103.
73	Email; subject – Detailing expenses – October 21, 2019	18(1)(d)	P	Release

75 – 78	Attachment to email; subject – Discussion – Final Project Scope – September 30, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	Release attachment, already released on page 100 – 103.
82	Email; subject – Efficiency Project PRs – September 23, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) and 17(1)(d) of FOIP, continue to withhold
84 – 87	Attachment to email; subject – Efficiency Project Scope (003) – gmb review 190906 – September 6, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	Release attachment, as already released to Applicant on page 100 – 103.
88 – 96	Email and attachment; subject – Efficiency Project Scope - September 6, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(d) of FOIP – Release, as already released to Applicant on pages 89 to 92
99 – 103	Email and attachment; subject – Final Project Scope – September 25, 2019	Released in full to Applicant		Attachment document already released to Applicant
104 - 109	Email and attachment; subject – Follow up on Jan 29 <sup>th</sup> – February 11, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(b)(i) of FOIP, continue to withhold
122 - 126	Email and attachment; subject – Create a Position – Efficiency Project – September 12, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(b)(i) of FOIP, continue to withhold and Release attachment, as already released to Applicant on page 100 – 103.
127	Email; subject – Final Project Scope – September 26, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	Release information, as already released to Applicant on page 74
128 – 171	Email and attachment; subject – Dropped route Update –	17(1)(b)(i), 17(1)(d) and 29(1);	P	17(1)(b)(i) of FOIP, continue to withhold



	October 2019 – November 4, 2019	white space redaction on attachment		
172 – 175	Email and attachment; subject – Efficiency Project scope – September 12, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(b)(i) of FOIP on email, continue to withhold; Release attachment, as already released to Applicant on page 100 – 103.
176 – first half of 177	Minutes of Walker Projects – September 4, 2019	18(1)((d)	P	Release
second half of 177 – second half of 191	Email and attachment; subject - Gas Retailer Reads for 2019	18(1)(d); white space redaction on attachment	P	Release
First half of page 194	Attachment to email; subject – Incorrect staff in my list – September 5 - 6, 2019	29(1) on names; redacted 19 names	P	29(1) of FOIP, continue to withhold
Second half of page 194	Attachment to email; subject – Incorrect staff in my list – September 5 - 6, 2019	Released names of 11 employees	P	Notify affected individuals and report to IPC
195 (2 identical emails on first and second half of this page)	Email chain; subject – Metering – Change Support – touch base – October 30, 2019 and October 28, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold; Release paragraph for October 28, 2019 email as already released to Applicant on first half of page 235
196	Email and attachment; subject – Please review and update asap – September 27 – 30, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold
200 – first half of 204 (released) Second half of 204 – first half of 208	Email and attachment; subject – Urgent – Action Required and Please Do Not Forward – Management Incident Dashboard – September 11, 2019 - Second attachment to this email	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	Full	29(1) of FOIP, continue to withhold employee names and numbers, release the remaining document.
First half of 218	Email; subject – OT July 9 <sup>th</sup> – July 9, 2019	Released	Full	Notify affected individual and report to IPC

Second half of 218	Email; subject – OT July 23/19 – July 23, 2019	Released	Full	Notify affected individual and report to IPC
219 – first and second half of page, duplicate email	Duplicate email; subject – Kindersley info – September 16, 2021	17(1)(b)(i), 17(1)(d) and 29(1); inconsistent redacting	P	17(1)(b)(i) of FOIP, continue to withhold; Release subject in header
224	Attachment to Email chain; subject – Kindersley Maintenance Hub Project – Monthly Update (Dec 2018 to Aug 2019) – January 9 – September 9, 2019	18(1)(d); white space redaction on attachment	Full	17(1)(b)(i) of FOIP, continue to withhold
Second half of 226	Attachment to email chain; subject – Kindersley New Bdg – Assign Names in Workspace	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	Full	17(1)(d) of FOIP, continue to withhold
First half of 227	Email; subject – Kindersley Office – February 25, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold
Second half of 231	Email; subject – Letter from [Applicant’s name] – September 12, 2019	17(1)(b)(i), 17(1)(d) and 29(1); inconsistent redacting	P	17(1)(b)(i) of FOIP, continue to withhold
Second half of 232 to second half of 233	Email chain; subject – Metrics/ Lju’s Bill cycle dashboard – April 10 - November 6, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold
First half of page 235	Email; subject – Metering – Change Support – touch base – October 30, 2019			Paragraph already released to Applicant in email dated October 28, 2019, but redacted on page 195
Second half of 235 to first half of 237	Email and attachment; subject – Metering – Change Support – touch base – October 30, 2019	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	17(1)(b)(i) and 17(1)(d) of FOIP, continue to withhold

First half of 238	Email; subject – Support for Brandon – May 28, 2019	17(1)(b)(i), 17(1)(d) and 29(1)	P	17(1)(b)(i) of FOIP, continue to withhold
First half of 239 to second half of 240	Attachment to email; subject – Template for Project Scope	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	Release attachment, as already released to Applicant on page 100 – 103.
First half of 242 to second half of 245	Attachment to email; subject – Time and Kms Project	17(1)(b)(i), 17(1)(d) and 29(1); white space redaction on attachment	P	Release attachment, as already released to Applicant on page 100 – 103.