



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 060-2026

Water Security Agency

September 4, 2026

Summary:

The Applicant submitted an access to information request to the Water Security Agency (WSA) for correspondence related to a Request for Assistance (RFA) file. WSA initially presented the Applicant with a fee estimate of \$55,965.00. The Applicant clarified their access request twice, which resulted in WSA issuing revised fee estimates that ultimately only reduced the estimate by \$420.00.

The Applicant requested the Office of the Saskatchewan Information and Privacy Commissioner review the fee estimate issued by the WSA.

The Commissioner found that the WSA fee estimate was not reasonable. The fee estimate calculated by OIPC, and measured on a standard of reasonableness, should be \$5,073.00.

The Commissioner recommended that WSA issue a revised fee estimate in the amount of \$5,073.00, with a required 50% deposit of \$2,536.50 to begin processing the Applicant's request. If the Applicant pays the 50% deposit, then WSA is required to continue processing the Applicant's access to information request.

I BACKGROUND

[1] On January 2, 2026, the Applicant emailed an access to information request form to the Water Security Agency (WSA). The access to information request was for the time period: of May 1, 2025 to January 2, 2026. The following records were requested:¹

¹ The use of square brackets in this Report reflects the efforts on the part of OIPC to preserve the identity of the parties in this matter.

We are writing to request all correspondence for the period from May 1, 2025 to January 2, 2026 pertaining to the files, requests, and response from all parties of the drainage that is related to the Request for Assistance (RFA) [RFA file number]) file submitted by [full name of Applicant and Individual 1] regarding drainage concerns and trenches created/land moved on the land identified as [land location 1] and [land location 2] and surrounding land.

The request is for all emails, text messages, Webex Messenger correspondence, Microsoft Teams correspondence, voice recordings, all Microsoft Word documents including but not limited to Briefing Notes, SBAR documents, memos, and letters, historical aerial and satellite photography, hydrological analysis, GPS survey, Provincial Auditor report, and before and after pictures pertaining to the above file including the correspondence that pertains to [full name of Applicant], [full name of Individual 1], [name of third party business] and any of the representatives from [name of third party business], including but not limited to [full name of Individual 2].

The correspondence being requested should include but not be limited to any correspondence from the Client Services email and/or any of the individual employee emails who documented anything regarding this file, including [names of four individuals], Minister Daryl Harrison, Minister David Marit and all correspondence from their office including those who work in their office including the ministerial assistants and Chief of Staff, [names of eleven individuals].

- [2] On January 20, 2026, the WSA responded to the Applicant issuing a fee estimate in the amount of \$55,965.00. The WSA advised the Applicant that it would require a deposit of \$27,982.50 to process the full access request. The WSA also offered to work with the Applicant to modify their request to reduce or eliminate fees.
- [3] In emails between the WSA and the Applicant on January 30, 2026, the Applicant narrowed the scope of their request by removing the following information from their access request: “historical aerial and satellite photography, hydrological analysis, GPS survey, Provincial Auditor report”.
- [4] On February 4, 2026, the WSA issued a new fee estimate based on the narrowed scope of the Applicant’s request in the amount of \$55,575.00, a reduction of \$390.00 from the original fee estimate. The WSA advised the Applicant that it would require a deposit of \$27,787.50 to proceed with processing their access request. The WSA offered to work with the Applicant to modify their request to reduce or eliminate fees.

- [5] On February 10, 2026, the Applicant asked the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) to review the WSA fee estimate.
- [6] On February 17, 2026, the Applicant emailed the WSA stating a further desire to narrow the scope of the request. The Applicant removed the request involving “any voice recordings that was included in both the original and revised requests”.
- [7] On February 18, 2026, the WSA issued a revised fee estimate in the amount of \$55,545.00, a reduction of a further \$30.00. Now the WSA required a deposit of \$27,772.50 to proceed with processing the access request.
- [8] On February 20, 2026, OIPC contacted the WSA to explore early resolution options. It soon became obvious that early resolution was not possible.
- [9] On April 21, 2026, OIPC sent formal notice to both the WSA and the Applicant that it would be undertaking a review with respect to the fee estimate issued by WSA on February 18, 2026, in the amount of \$55,545.00.
- [10] OIPC invited both parties to provide submissions by May 21, 2026. Both the WSA and the Applicant provided OIPC with submissions on May 20, 2026. The WSA *did not* consent to OIPC sharing its submission with the Applicant.

II RECORDS AT ISSUE

- [11] There are no records in issue because this is a review of a fee estimate.

III DISCUSSION OF THE ISSUES

1. Jurisdiction

[12] The WSA qualifies as a “government institution” as defined by section 2(1)(d)(ii) of *The Freedom of Information and Protection of Privacy Act (FOIP)*² and section 3 and PART I of the Appendix of *The Freedom of Information and Protection of Privacy Regulations (FOIP Regulations)*.³ OIPC has jurisdiction to undertake this review pursuant to PART VII of *FOIP*.

2. The reasonableness of the fee estimate

[13] The WSA issued a fee estimate to the Applicant and thereby engaged section 9(2) of *FOIP*. Section 9(2) of *FOIP* provides that if the costs for processing access to records exceeds the prescribed amount of \$100.00⁴, then a fee estimate must be issued. Section 9(2) of *FOIP* states as follows:

9(2) Where the amount of fees to be paid by an applicant for access to records is greater than a prescribed amount, the head shall give the applicant a reasonable estimate of the amount, and the applicant shall not be required to pay an amount greater than the estimated amount.

[14] *FOIP* is an instrument that serves to foster openness, transparency and accountability in government institutions. Fees should not present an unreasonable barrier to access to information in Saskatchewan. Fees should be reasonable, fair and at a level that does not discourage a member of the community from exercising access rights. At the same time, the fee regime attached to *FOIP* should encourage applicants to be reasonable and to cooperate with government institutions in defining and clarifying their access requests.⁵

² [*The Freedom of Information and Protection of Privacy Act*](#), SS 1990-91, c. F-22.01, as amended.

³ [*The Freedom of Information and Protection of Privacy Regulations*](#), RRS c. F-22.01 Reg 1 (April 1, 1992), as amended.

⁴ The prescribed amount of \$100 is set by section 7(1) of the *FOIP Regulations*.

[15] *FOIP* provides for reasonable cost recovery when it comes to disclosure in relation to an access request: (1) fees may be recovered for searching for records; (2) fees may be recovered for record preparation for disclosure (i.e. determining the application of exemptions and the application of redactions); and (3) fees may be recovered for record reproduction (photocopying or transferring onto a thumb drive). A “reasonable fee estimate” is one that is proportionate to the work required on the part of the government institution to respond efficiently and effectively to an access request. A fee estimate is equitable when it is fair and even-handed. Applicants should bear a reasonable cost of producing records.⁶

[16] The WSA calculated the third and final fee estimate in the amount of \$55,545.00 as follows:

Description	Total # of Pages	Time (in hours)	Total Cost
Document Search and Retrieval for electronic records	73,246 pages	22.5 hours x \$15.00 per half hour	\$675.00
Severing and Document Preparation		1831 hours x \$15.00 per half hour	54,930.00
Less 2 hours free search and/or preparation time		(2.0) x \$15.00 per half hour	(60.00)
Total Fee Estimate			\$55,545.00
Deposit Required 50%			\$27,772.50

[17] The fee estimate above did not include fees for the production of records. The WSA submitted that “as this request did not involve paper records, reproduction costs were not estimated.” The WSA noted that it uses a secure document transfer site to release the records that would be at no cost to the Applicant.

⁵ OIPC [Review Report 136-2022](#) at paragraph [12].

⁶ OIPC [Review Report 214-2025 \(Part II\)](#) at paragraph [26].

[18] The analysis that follows will consider the reasonableness of the \$55,545.00 fee estimate issued by the WSA with respect to: (1) the WSA search for records; and (2) The WSA record preparation.

a. Reasonableness of the record search fee estimate

[19] Section 6(3) of the *FOIP Regulations* describes the fee formula government institutions may apply when estimating a fee for searching or preparing responsive records for disclosure. A government institution can charge up to \$15.00 for every 30 minutes of search or preparation time in excess of two hours. But the main point is that the first two hours of the search are without charge. Section 6(3) of *FOIP Regulations* provides as follows:

Fees

6(3) Where time in excess of two hours is spent in searching for a record requested by an applicant or in preparing it for disclosure, a fee of \$15 for each half-hour or portion of a half-hour of that excess time is payable at the time when access is given.

[20] As a rule, search time does not include time spent copying records, going from office to office or to off-site storage, or having someone review the results of a search.⁷ Search time consists of every half hour of manual search required to locate and identify responsive records. Search time includes the following:

- 1) The physical search for paper records;
- 2) The examination of file indices or paper/electronic records;
- 3) The pulling of paper files; and
- 4) The perusal of files to determine responsiveness.

[21] In this case, the WSA based its fee estimate with respect to this phase of the search *solely* on the time it took to search for records. The fee estimate did not include the time that was spent reviewing the records for responsiveness as is indicated in item 4 above. We decided

⁷ OIPC [Review Report 108-2025](#) at paragraph [63].

to review the records management practices and the WSA search strategy prior to a consideration of the reasonableness of the fee estimate.

i) Records management practices

- [22] The WSA explained that Request for Assistance (RFA) files generally involve email correspondence involving two parties (the Complainant and Respondent), and a variety of other documentation and attachments that relate to drainage concerns. This documentation could include internal assessments to determine if the complaint is valid and resolvable, aerial photographs from drones and other types of internal reports. The type of documents and the volume of documents in the file varies for each file. The WSA noted that the Applicant had previously received most of the correspondence on their RFA file, as part of the RFA process.
- [23] The WSA confirmed that its employees are instructed to save all documentation, including emails, to the appropriate RFA file. The WSA has an internal policy, *Email Management Guidelines*, that mandates the saving of all relevant documentation to the appropriate file. As a result, the Applicant's RFA file *should* have all related correspondence saved to the file. However, the WSA conceded that based on past experience, employees do not always adhere to the policy. This means that when responding to access to information requests, a search of individual employee email accounts can result in the detection of additional correspondence that was not saved to the appropriate file. This failure to follow internal policy results is a waste of time and increased costs to the Applicant.
- [24] In this case, the vast majority of the records involved emails. In preparing a reasonable and equitable fee estimate, government institutions should ensure Applicants do not bear costs arising from administrative inefficiencies or poor records management practices.⁸ The WSA provided this office with a copy of its in-house *Email Management Guidelines* for staff which provides as follows:

⁸ OIPC [Review Report 109-2025](#) at paragraph [12].

Managing Government Email Records

As is the case for all other government records, email must be filed, retained and disposed of in accordance with WSA's records management policies. Ideally, emails should be filed and retained alongside other records that pertain to the activity or business transaction. Emails sent or received over Microsoft Outlook are archived using a cloud-based storage system, however if an email meets the definition of a government record an employee is responsible for:

1. saving the email as a Portable Document Format (PDF); and
2. uploading the document to the appropriate shared network drive that classifies and retains the correspondence record appropriately.

Using Outlook Folders for Managing Email

Since emails are archived and maintained using a cloud-based storage system, emails can be filed and managed using Outlook folders that match the same descriptions used on WSA's Shared Network Drives. This method of retention should only be used as a secondary means to filing emails and attachments.

Outlook is not WSA's electronic record management system since an employee's inbox is only easily accessible to the individual and not the organization. Outlook should not retain government records that belong with official records.

...

3. Identify Who is Responsible for a Message

Because it is common for multiple copies of an email message to exist, the following guidelines establish who is responsible for managing messages in different circumstances.

- **Sender** - Typically, when email messages are exchanged, the person who initiated the correspondence is responsible for classifying and filing it. For example, if someone sends an email with a draft of a new policy to five people asking them to review and respond with feedback, the sender is responsible for filing and retaining the initial email and all subsequent messages related to it. The other five people can delete their copies of the emails if they do not have a business need to retain them.
- **Recipient** – In some circumstances, the recipient of the email will be required to classify and file it. When an individual receives an email from outside WSA, the recipient is responsible for its classification, as no other copy exists within WSA.
- **Group** - In cases where a group of people work together on a project, committee, task force, etc., it is advisable to assign the responsibility for managing all email messages of the group to one individual. Although the rest of the group may need to keep their copies of the messages for

the duration of the project, once it is complete their copies are considered transitory records and can be deleted, since they are assured that the official copy of messages have been filed and retained by the assigned individual. Alternately, the group may decide to set up a shared folder into which all members may file emails related to the project, committee, etc.

[Emphasis added]

- [25] If the above policy had been followed, the need to search individual email accounts would have been eliminated. Because this request was for the time period of May 1, 2025 to January 2, 2026, by the time the request was made on January 2, 2026, the bulk of responsive emails would have been saved to the appropriate RFA file – thus greatly reducing the time required to effect the search.
- [26] Also curious is the fact that WSA staff are instructed to not delete emails after saving the correspondence to the official government record. Instead, a copy of the email is retained in the employee's email account for "secondary means only." The Provincial Archives of Saskatchewan resource *Email Management Guidelines* provides that "once the email is captured into the shared directory the copy found in the email system is considered a transitory record and may be deleted. This approach allows the institution to integrate emails with related electronic records while retaining the ability to easily search for, retrieve and re-transmit the information. It also allows a complete record of the transaction to be found in one location."⁹
- [27] The current practice of saving emails in the appropriate RFA file and then saving them in the employee's outlook folder results in record duplication. Because this is a fee estimate, there is no record in issue to review, but we are confident the vast size of this record (estimated to be over 73,000 pages) is rife with duplication. The Court of King's Bench for Saskatchewan has instructed that there is little value in ordering the reproduction, redaction and disclosure of duplicated documents. Such practice is a waste of time for government employees and does nothing to further transparency.¹⁰

⁹ Provincial Archives of Saskatchewan resource [Email Management Guidelines](#) (2016) at page 3.

- [28] The WSA confirmed that its *Email Management Guidelines* are “currently under review, and an updated guideline is expected to be available in the coming months.” We highly recommend that the WSA abolish its current practice of retaining a secondary copy of an email in employee accounts. The WSA should also ensure compliance with the in-house *Email Management Guidelines*, as this will assist in its processing of access to information requests in the future.

ii) Search Strategy

- [29] The OIPC resource *Steps to Charging Fees* recommends a best practices strategy for a record search:¹¹

2. Make A Search Strategy

- Set out steps you are going to take when doing your search.
- A search strategy could include:
 - searching for records in multiple formats;
 - identifying which departments to look in;
 - identifying who will search for the records.
- At this stage, the public body should not be completing the search. The goal at this stage is to develop an estimate of how many responsive records may exist and what it will take to search, prepare and reproduce the records.

- [30] When a government institution is at the initial phase of composing a search strategy and thinking of estimating fees that may result from the anticipated strategy – the actual search should not be conducted until the Applicant agrees to pay the fee. To do otherwise is to put the cart before the horse. Section 9(4) of *FOIP* allows for the payment of half of the fee estimate *prior* to the commencement of the search. In this case, the WSA identified ten employees and had those ten conduct searches and complete forms outlining their search efforts as part of the search strategy phase. All searches were conducted in early January,

¹⁰ [*Kasprick v Saskatchewan Power Corporation*](#), 2025 SKKB 139 at paragraph [65].

¹¹ OIPC resource: [*Steps to Charging Fees*](#) at page 1, step 2.

before the WSA issued its first fee estimate and prior to the Applicant narrowing the scope of their request on two further occasions. We have summarized the detailed search that was conducted by employees at the WSA in advance of a proper fee estimate confirmation below:

Employee	Accounts searched	Keyword(s) used	Total MB of records located	Search time
Executive Director, Agriculture Water Management	3 Electronic Folders	Applicant last name Individual 2 last name	1.058 MB	10 minutes
	1 Email Account	Applicant's last name Individual 2's last name	86.7 MB	1 hour
Manager, Approvals South	1 Email Account	Applicant's RFA file number	None reported	0.5 hours
Manager, Client Services	3 Electronic Directories	Relevant telephone numbers Applicant first and last name Individual 1 first name	24.6 MB	3.5 hours
	5 Email Accounts	Not reported	51.9 MB	1.5 hours
Executive Director, Communications and Client Services	1 Email Account	Applicant RFA file number Applicant first and last name Individual 1 first and last name Third party business name	142 MB	1 hour

Correspondence Consultant, Communications	1 Electronic Directory	Applicant last name Individual 2 last name	12.19 MB	30 minutes
Senior Executive Administrator President's Office	2 Email Accounts	Applicant first and last name Individual 1 first and last name	72.0 MB	1 hour
Senior Executive Administrator, Agriculture Services & Economic Development	2 Email Accounts	Applicant first and last name Individual 1 first and last name	93 MB	1 hour
Specialist, Compliance, Agriculture Water Management	5 Electronic Folders	Applicant RFA file number Applicant last name Individual 2 last name	7,129.90 MB	5.5 hours
	1 Email Account	Same as above	85.7 MB	3 hours
Manager, Compliance, Agriculture Water Management	1 Electronic Directory	Applicant RFA file number Applicant last name Individual 2 last name	0.856 MB	0.5 hours
	1 Email Account	Same as above	150 MB	3 hours

Supervisor, Compliance, Agriculture Water Management	3 Electronic Folders	Applicant RFA file number	~1 MB	1 hour
	1 Email Account	Applicant RFA file number	3.96 MB	1 hour
Totals			7,854.864MB or 7.8 GB	22.5 hours

[31] The keywords used in the search appear to reasonably relate to the Applicant’s access request, but the fact remains that this massive search should not have been conducted until the government institution was able to develop a search strategy, estimate the amount of time to conduct the search and calculate the fee estimate associated with having 10 employees conduct such a search. At that point the Applicant could make an informed decision. As it was, the Applicant’s narrowing tactics left little to be desired and did not radically reduce the fee estimate in the long run.

[32] Conducting the actual search prior to refining and planning the actual search itself resulted in another major problem in connection with this fee estimate – each of the 10 employees ran their own searches independently of each other and the time estimates for each employee’s search were inconsistent, and in some cases much longer than could have been reasonably expected.

iii) Reasonable time estimate for record search

[33] The WSA reported the search took 22.5 hours. This exceeded the general standards established by this office. The WSA Chief Access Officer confirmed that the review of the records for responsiveness was left for the access/privacy office. This admission came in spite of the fact that “employees would have a general expectation of what their searches should result in and would pivot their search attempts if they felt that too much or not enough was showing up”.

[34] The problem of course is that without a review for responsiveness at the time of the search, many irrelevant records were likely produced for the access team to review.

[35] OIPC has set out the following general standards for estimating search time:¹²

- It should take an experienced employee one minute to visually scan 12 pages of paper or electronic records for responsiveness.
- It should take an experienced employee five minutes to search one regular file drawer for responsive file folders.
- It should take three minutes to search one active email account and transfer the results to a separate folder or drive. This standard also applies to searching other electronic devices such as cellphones.

[36] Based on a review of the locations searched by the WSA employees and the general standards outlined by this office, a reasonable search for records and a reasonable fee could be calculated as follows:

Employee	Accounts searched	Keyword(s) used	Reasonable time to search ¹³
Executive Director, Agriculture Water Management	3 Electronic Folders	Applicant last name Individual 2 last name	3 folders x 3 minutes per location = 9 minutes
	1 Email Account	Applicant's last name Individual 2's last name	1 email account x 3 minutes = 3 minutes
Manager, Approvals South	1 Email Account	Applicant's RFA file number	One email account x 3 minutes = 3 minutes

¹² *Supra*, footnote 7 at paragraph [64].

¹³ *Ibid.*

Manager, Client Services	3 Electronic Directories	Relevant telephone numbers Applicant first and last name Individual 1 first name	Three locations x 3 minutes per location = 9 minutes
	5 Email Accounts	Not reported	Five email accounts x 3 minutes/email account = 15 minutes
Executive Director, Communications and Client Services	1 Email Account	Applicant RFA file number Applicant first and last name Individual 1 first and last name Third party business name	One email account x 3 minutes = 3 minutes
Correspondence Consultant, Communications	1 Electronic Directory	Applicant last name Individual 2 last name	One electronic directory x 3 minutes per location = 3 minutes
Senior Executive Administrator President	5 Email Accounts	Applicant first and last name Individual 1 first and last name	Five email accounts x 3 minutes/email account = 15 minutes
Senior Executive Administrator, Agriculture Services & Economic Development	2 Email Accounts	Applicant first and last name Individual 1 first and last name	Two email accounts x 3 minutes/email account = 6 minutes

Specialist, Compliance, Agriculture Water Management	5 Electronic Folders	Applicant RFA file number Applicant last name Individual 2 last name	Five locations x 3 minutes per location = 15 minutes
	1 Email Account	Same as above	One email account x 3 minutes = 3 minutes
Manager, Compliance, Agriculture Water Management	1 Electronic Directory	Applicant RFA file number Applicant last name Individual 2 last name	One location x 3 minutes = 3 minutes
	1 Email Account	Same as above	One email account x 3 minutes = 3 minutes
Supervisor, Compliance, Agriculture Water Management	3 Electronic Folders	Applicant RFA file number	Three locations x 3 minutes per location = 9 minutes
	1 Email Account	Applicant RFA file number	One email account x 3 minutes = 3 minutes
Reasonable Time for Search by OIPC Standards			102 minutes or 1.7 hours
Reasonable Fee for Search by OIPC Standards			1.7 hours x \$15/half hour = \$51.00

[37] The estimated fee of \$675.00 for the physical search for records is unreasonable.

b. Reasonableness of the fee estimate for preparing the records for disclosure

[38] As noted earlier, section 6(3) of *FOIP Regulations* allows for \$15.00 per half hour of time spent preparing the records for disclosure. Preparing a record for disclosure includes the time anticipated that will be spent physically redacting exempted information from the records.¹⁴

[39] As outlined at paragraph [16] of this Report, WSA estimated it would take 1,831 hours to prepare the record for disclosure and calculated the estimated fee for this to be \$54,930.00. All of this before any call was made whether or not the records were even analysed for responsiveness. The WSA advised the Applicant that “it is important to note that some of the records you are seeking may contain exemptions such as advice from officials and personal information and redactions will be applied”:

Fees for preparing records for disclosure: WSA utilizes the approved calculation of estimating that 75% of all pages may require severing and is based on two minutes per page to prepare the records for severing and preparation.

[Emphasis added]

[40] The Applicant submitted that a fee in excess of \$54,000 is illogical considering their request relates to a limited period of time for records related to one specific file, their RFA file, not to multiple files:

WSA asserts that this single file, spanning approximately eight to nine months and relating to two quarter sections of land, contains approximately 73,277 pages of responsive records. On its face, this figure lacks credibility given the limited scope and duration of the matter.

Even more concerning is WSA’s assertion that approximately 1,832 hours would be required for severing and preparing the records for disclosure. At 7.5 working hours per day, this equates to approximately 244 working days or nearly 49 full work weeks — effectively the equivalent of one full-time employee working almost an entire year devoted solely to severing records associated with one small file.

¹⁴ OIPC [Review Report 221-2025](#) at paragraph [62].

To further place this estimate into perspective, there are approximately 176 working days within the responsive timeframe. WSA's estimate effectively suggests that it created or received approximately 416 pages of responsive material every single workday over the course of the entire period for this one file. In other words, the estimate implies a sustained production of 416 pages per day for 176 consecutive working days relating solely to drainage concerns involving two quarter sections of land.

[Emphasis added]

- [41] The WSA submitted that “while the applicant is adamant that the scope of the request is limited to a single file, they also remained adamant that a large number of individuals were to be included in the scope of the request”. WSA reported that employees searching for records were encouraged to locate everything they deem appropriate but allow the Chief Access Officer to review the records for responsiveness. On this point, WSA's submission stated:

...In the case of this request, it is likely that there will be duplication in the records located between the ten employees who contributed to the estimate of fees. However, due to the applicant's insistence that the list of employees' records all be included, as per the chapter three OIPC guidance as well as subsection 9(4) of the Act, my office could not, in good faith of the process and to ensure government resources are not wasted, search for or reduce the volume of, the potentially responsive records beyond the fee estimation process.

[Emphasis added]

- [42] Still, the WSA conceded that there is a high likelihood of record duplication because in many instances multiple individuals were included on the same email thread.
- [43] In Ontario, government institutions must provide sufficient evidence to uphold a quoted preparation fee. This quote must include: (1) an estimate of the total number of pages to be disclosed; (2) an estimate of what portions of these pages would require multiple severances; and (3) an estimate of the proportion of the records that it estimates are non-responsive or duplicative (for which it cannot claim severing fees).¹⁵

¹⁵ ON OIPC [Order PO-4244](#) at paragraphs [36] to [39].

[44] In ON OIPC Order MO-4650, a fee estimate of \$669,761.90 was reviewed and it was revealed that insufficient evidence was provided to support such a high percentage of pages of the records would require severing:¹⁶

[51] As I explain below, based on the wording of the request and Hydro's representations, I do not accept that such a high percentage of pages for each type of file will require multiple severances. Therefore, I find that Hydro's estimated preparation fee is excessive and not reasonable.

...

[55] I accept that, given the volume of records and the number of potential exemptions and exclusions that may apply to them, a significant amount of time and effort is necessary to prepare the records for disclosure. However, I find that Hydro's fee estimate for preparing the records for disclosure is not reasonable in the circumstances of this appeal. By assuming that 84.5% of the pages need to be redacted and that each page that requires redaction will require multiple redactions to allow for two minute per page of time, in my view, Hydro has provided an excessive preparation fee.

...

[57] Based on the wording of the request and the types of responsive records, as well as the anticipated exemptions and exclusion that Hydro submits would apply, I find that only 25% of the pages, not the estimated 84.5% of the pages, would require multiple severances is a reasonable estimation in the circumstances. There are 640,234 pages in total. Twenty-five percent of these pages would be 160,058 pages...

...

[59] Furthermore, in not providing details about the actual records located, I find that Hydro's general description of the records does not support its claim that almost all of them would require such extensive severing.

[Emphasis added]

[45] The WSA submission did not explain the exact considerations behind an estimation that 75% of the records would require redactions so as to prepare the records for disclosure.

[46] The WSA calculated its total estimated number of pages based on guidance in a Ministry of Justice (Justice), Access and Privacy Branch (APB) resource entitled *Preparing a Cost*

¹⁶ ON OIPC [Order MO-4650](#) at paragraphs [51] to [59].

*Estimate: Fee and Fee Estimates for Access Requests under FOIP.*¹⁷ This document attempts to correlate the size of an electronic file into an estimated number of pages:

There is no direct correlation between pages and disk space occupied, so for records managed in an electronic format, estimating the number of pages is more complex. The size of an electronic file depends on a number of factors:

- the application used;
- the format and style of the document - such as whether it is in plain black and white text or contains full-colour images or graphics; and
- whether the document contains other systems data that does not translate into machine-readable information. The following table may be used to assist in estimating the equivalent number of printed pages in an electronic record.

DOCUMENT TYPE	AVERAGE NUMBR OF PAGE PER:		
	1 GB (Gigabyte)	1 MB (Megabyte)	1 KB (Kilobyte)
Microsoft Word	64,782	63	0.062
Microsoft Excel	165,791	161	0.157
Microsoft PowerPoint	17,552	17	0.0017
E-mail	100,099	97	0.095
Image	15,477	15	0.015

[47] Using the above guidance, the WSA, the estimated total number of pages in the record to be:

Document Type	Total MB of records ¹⁸	Average Number of Pages/ 1 MB ¹⁹	Total Number of Estimate Pages
Emails	686.9 MB	97 pages	66,629 pages

¹⁷ Justice, APB resource, [Preparing a Cost Estimate: Fee and Fee Estimates for Access Requests under FOIP](#) (June 2018) at p. 12 (Appendix A – Measurement Guidelines).

¹⁸ Based on records located in searches conducted by the ten employees.

¹⁹ Based on the Justice APB fee estimate resource guideline, *supra*, footnote 17.

Other formats of electronic records	412 MB of Images	15 pages	6,617 pages
	15 MB of word documents and a small amount of excel files	63 pages/1 MB (Microsoft Word)	
		161 pages/1 MB (Microsoft Excel)	
TOTAL Estimated Pages			73,246 pages

- [48] The problem with these calculations is that there was no accounting/accommodation for possible page duplication or responsiveness.
- [49] In an effort to understand if the estimated number of pages calculated was reasonable and to try to gain an understanding of the volume of duplicate records that may be involved, this office attempted to reconcile the number of records estimated by the WSA and to determine if there was a way to more accurately reflect the number of pages at issue.
- [50] The Applicant always asserted that they were not interested in duplicate pages, and yet it is still possible that the Applicant contributed to the duplication in the first place by copying multiple WSA employees on emails related to this matter. We say this not to blame the Applicant, but to recognize that there are sure to be many duplicate emails within the content of the ten employees who conducted searches.²⁰
- [51] WSA submitted that the majority of the responsive record consists of emails and the Applicant's RFA file should have all correspondence and emails saved to it, provided its in-house *Email Management Guidelines* were adhered to. To take into account the expected duplication of emails saved in both the Applicant's RFA file and employee email accounts, records located in the search of email accounts should not be included in the estimate for calculating the total number of pages of emails. The following page calculation for emails should apply:

²⁰ In a 2017 decision, Office of the Information and Privacy Commissioner of Ontario [Order MO-3446](#), the City of Vaughan suggested the appellant should have known there would be duplicate emails since their search parameters identified multiple people. It was noted that the City also could have been expected or been aware of this contingency as "the duplicative nature of email records exchanged between numerous individuals is, in my view, well known."

Total MB of Email Records Reported by the WSA: 686.9 MB²¹

MINUS: 685.26 MB of emails reported by WSA in its search of Outlook email accounts²²

Reasonable estimate of emails: 686.9 MB – 685.26 MB = 1.64 MB of emails

Using the calculation method utilized by the WSA of 97 pages of emails/1 MB, this would total: **159.08 pages of emails**

- [52] Based on the above calculation of a reasonable estimate of emails, the following is OIPC's calculation of the estimated total number of pages:

Document Type	OIPC's calculation of the Estimated Total Number of Pages
Emails	159.08 pages
Other formats of electronic records	6,617 pages ²³
Total Estimated Pages	6776.08 pages

- [53] Using the estimated total number of pages calculated by this office of 6776.08, a reasonable estimate for preparing records for disclosure, based on the WSA estimate that 75% of the records may require severing, is as follows:

6,776.08 estimate pages x 75% = 5,082.06 estimated pages

5,082.06 estimated pages x 2 minutes/page to sever records²⁴ = 10,164.12 minutes or 169.40 hours

169.40 hours x \$15/half hour = **\$5,082.00**

²¹ The total MB of email records reported by the WSA, as outlined in the table at paragraph [47] of this Report.

²² The total number of MB of email records located in email accounts by the 10 WSA employees that conducted searches, as outlined in the table at paragraph [30] of this Report.

²³ The total estimated pages of other formats of electronic records, as reported by WSA in the table at paragraph [47] of this Report.

²⁴ OIPC resource: [Fee Estimate – Quick Calculation Guide](#) at page 2.

- [54] The fee estimate calculated by the WSA versus what this office has calculated to be a reasonable fee estimate is a difference of \$50,472.00 as follows:

Fee Calculation	WSA Fee Estimate Calculation	OIPC Fee Estimate Calculation
Total Estimated Pages of records	73,246 estimated pages	6,776.08 estimated pages
Estimated fee to search for records and review for responsiveness	22.5 hours x \$15/half hour \$675.00	1.7 hours x \$15/half hour \$51.00
Estimated Fee to prepare records for disclosure	1,831 hours x \$15/half hour \$54,930	169.40 hours x \$15/half hour \$5,082.00
Subtotal Estimated Fees	\$55,605.00	\$5,133.00
Less: two hours of free search/preparation time	(\$60.00)	(\$60.00)
Total Fee Estimate	\$55,545.00	\$5,073.00
Difference between fee calculated by WSA and OIPC	\$50,472.00	

- [55] The WSA should issue a revised fee estimate to the Applicant in the amount of \$5,073.00 and continue to process the access request if the Applicant pays \$2,536.50 for the 50% deposit.

IV FINDINGS

- [56] OIPC has jurisdiction to undertake this review pursuant to PART VII of *FOIP*.
- [57] The WSA did not demonstrate that the fee estimate of \$55,545.00 is reasonable.
- [58] This office has calculated the reasonable fee estimate to be \$5,073.00.

V RECOMMENDATION

[59] I recommend that the WSA issue a revised fee estimate in the amount of \$5,073.00, with a required 50% deposit in the amount of \$2,536.50. If the Applicant pays the deposit, WSA will be required to continue processing the Applicant's access to information request.

Dated at Regina, in the Province of Saskatchewan, this 4th day of September, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner