

emcl

29-11-16

Hon. H. MacDonald  
Response to question  
taken as notice.

Questions taken as notice

November 29, 2016

Bell Aliant Contract

Mister Speaker, I indicated that by the first of this week I would table the Bell Aliant contract.

After consulting with my Department I learned that a FOIPP process is still underway in the Commissioner's Office. Under the Freedom of Information Act, the Minister's Office is not part of this process.

Mr. Speaker, as part of this process our department advised the applicant and Bell that we had reached our decision to release the full un-redacted contract. I will table this letter today.

Bell filed a Request for Review with the Commissioner. The Commissioner is now performing this review.

Today my Department wrote to the Commissioner, re-iterating our position that the contract should be released as soon as possible. I will table this letter also.

The information contained in the contract is nearly 10 years old and in the department's view the sensitivity of the information does not outweigh the public interest in releasing this contract.

Our government is committed to creating a competitive environment across P.E.I. We want the best possible value for Islanders.

As is clear by the letters tabled, my department wishes to release the full contract but must respect the FOIPP process.

As Minister, I am obviously frustrated on this issue. I will continue to pursue the release of the unredacted contract.



Economic  
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PO Box 2000, Charlottetown  
Prince Edward Island  
Canada C1A 7N8

Bureau du sous-ministre  
C.P. 2000, Charlottetown  
Île-du-Prince-Édouard  
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November 29, 2016

Karen A. Rose  
Information and Privacy Commissioner  
PO Box 2000  
Charlottetown PE C1A 7N8

Dear Ms. Rose:

Re: Request for Review under the Freedom of Information and Protection of Privacy Act  
Ref. No. 2016-166 and FI-16-212

Your office is in receipt of our October 5th, 2016 letter to Bell Aliant which fully explains the Departments rationale why we decided to release of the un-redacted Strategic Partnership Agreement (2008), Addendum to Strategic Partnership Agreement (2010), and Addendum to Strategic Partnership Agreement (2013).

It should be noted that the original Freedom of Information request was only for the 2008 Agreement. The Department, in the interest of full disclosure, expanded the request to include the 2010 and 2013 Addendums.

In addition to the Freedom of Information Act analysis in our October 5th letter, I am writing to express my Departments opinion that release of these agreements is in the public interest. These agreements committed government to procure services in exchange for Bell investing in increased hi-speed internet delivery capacity. It is my Departments, and indeed the current Governments intention to procure services of this nature in open and competitive processes. To withhold information on prior procurement is not in keeping with this intent.

The information contained in the contract is nearly 10 years old and in the Department's view the sensitivity of the information does not outweigh the public interest in releasing this contract. Our government is committed to creating a competitive environment across P.E.I. to provide Internet access. We want the best possible value for Islanders.

Thank you in advance for considering these factors in your deliberations.

Sincerely,

Neil Stewart, CA  
Deputy Minister



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Bureau du sous-ministre  
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October 5, 2016

2016-166

Mr. Peter Bevan-Baker  
Office of the Third Party  
Hon. George Coles Building  
PO Box 2000  
Charlottetown, PE C1A 7N8

Dear Mr. Bevan-Baker:

Re: *Freedom of Information and Protection of Privacy Act* (the "Act")

Your request for access to records under the Act was received by the Department of Economic Development and Tourism on September 9, 2016. Your request is as follows:

"The agreement between the Province of PEI and Bell Aliant to expand Broadband Internet access. November 2008"

The request was revised to include 2010 and 2013 addendums.

Further to our September 13, 2016 letter to you, I am writing today to inform you that we have decided to provide access, in full to the records you have requested. We will forward the records to you in 30 days unless the third party asks the Information and Privacy Commissioner to review our decision to disclose these records.

If you have any questions, please contact the Access and Privacy Services Office at 902-569-7390 or [apso@gov.pe.ca](mailto:apso@gov.pe.ca).

Sincerely,

Neil Stewart  
Deputy Minister

c. APPO