

June 9, 2005

 Phone: (416) 869-3600 ext. 5350
 Fax: (416) 869-3525
 Email: anne@gotransit.com

 Mr. Mike Sullivan
 72 Church Street
 Weston, ON M9N 1N3

Dear Mr. Sullivan:

Subject: Freedom of Information
Access Request ADM-0126-05

I am replying to your above-noted access request dated April 18, 2005.

Representations have been received from the third parties involved and I have listed your access documents individually for easier reference.

	Description	Release In Full or Part	Denied Under Exemption
1.	Addendum to Rail Infrastructure Construction Operating Agreement with CN Rail	Released In Part (financial severances)	S.17(1) S.18(1)
2.	Canada Strategic Infrastructure Fund Agreement	Released In Part (financial severances)	S.18(1)
3.	Contract NC-2004-GT-009 Preliminary Environmental Assessment Georgetown/Weston Corridor Rail Extension (SNC-Lavalin)	Denied	S.17(1) S.18(1)
4.	Stakeholder Agreement Letter between Toronto Union Station and Lester B. Pearson International Airport (SNC-Lavalin)	Denied	S.17(1) S.18(1)

By means of an explanation, Section 17(1) of the Act states:

17. (1) A head shall refuse to disclose a record that reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, where the disclosure could reasonably be expected to,
- (a) prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (b) result in similar information no longer being supplied to the institution where it is in the public interest that similar information continue to be so supplied;
 - (c) result in undue loss or gain to any person, group, committee or financial institution or agency; or
 - (d) reveal information supplied to or the report of a conciliation officer, mediator, labour relations officer or other person appointed to resolve a labour relations dispute. R.S.O. 1990, c. F.31, s. 17 (1); 2002, c. 18, Sched. K, s. 6.

By means of an explanation, Section 18 of the Act states:

18. (1) A head may refuse to disclose a record that contains,
- (a) trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Ontario or an institution and has monetary value or potential monetary value;
 - (b) information obtained through research by an employee of an institution where the disclosure could reasonably be expected to deprive the employee of priority of publication;
 - (c) information where the disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution;
 - (d) information where the disclosure could reasonably be expected to be injurious to the financial interests of the Government of Ontario or the ability of the Government of Ontario to manage the economy of Ontario;
 - (e) positions, plans, procedures, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of an institution or the Government of Ontario;
 - (f) plans relating to the management of personnel or the administration of an institution that have not yet been put into operation or made public;
 - (g) information including the proposed plans, policies or projects of an institution where the disclosure could reasonably be expected to result in premature

disclosure of a pending policy decision or undue financial benefit or loss to a person;

- (h) questions that are to be used in an examination or test for an educational purpose;
- (i) submissions in respect of a matter under the *Municipal Boundary Negotiations Act* commenced before its repeal by the *Municipal Act, 2001*, by a party municipality or other body before the matter is resolved. R.S.O. 1990, c. F.31, s. 18 (1); 2002, c. 17, Sched. F, Table; 2002, c. 18, Sched. K, s. 7.

GO Transit feels the documents not released meet the intent of these guidelines. I am to advise you that you may request a review of any decision by the Information and Privacy Commissioner, Suite 1700, 80 Bloor Street West, Toronto, Ontario, M5S 2V1. Please note that you have thirty (30) days from receipt of this letter to request a review.

If you would like to appeal this decision, please provide the Commissioner's office with the following:

1. the file number listed at the beginning of this letter;
2. a copy of this decision letter; and
3. a copy of the original request for information which you sent to this institution.

In addition, you must send an appeal fee to the Commissioner's office. If your request was for your personal information, the appeal fee is \$10.00. The appeal fee for all other requests for information is \$25.00. Please include the fee in your letter of appeal – appeal fees should be in the form of either a cheque or money order, made payable to the Minister of Finance.

If there is anything further I can help you with, please let me know.

Sincerely,



Ann Elliott Biebl
Freedom of Information &
Protection of Privacy Coordinator