

## **FIT to be Untied**

For Immediate Release  
April 19, 2018

Toronto, Ontario - In ***"FIT to be Untied"*** author and Professor of Law, Bruce Parady describes how a newly elected Ontario Legislature could legally terminate, tax or amend the province's Feed-in Tariff (FIT) electricity contracts which have proven to be expensive and contentious.

A new Ontario government may cancel, tax or amend FIT contracts without triggering a right to compensation (except for foreign investors) if it does so with legislation that is express and unambiguous. *The Canadian Constitution* and principles of representative democracy demand that each new government be free to pursue its own policies without restrictions created by long-term contracts made by the previous regime. Cancelling long-term electricity contracts or imposing a royalty or other tax is a legitimate legal step that a newly elected government could take.

Professor of Law at Queen's University, author Bruce Parady has taught at law schools in Canada, the United States and New Zealand, served for almost a decade on the Ontario Environmental Review Tribunal as adjudicator and mediator, and is an occasional columnist for the *National Post*. He has written extensively on environmental law and governance, ecosystem management, climate change, property and tort theory, human rights, and the rule of law.

*CCRE Commentary* is published about six times a year with each issue covering a single topic. Previous issues covered redesign of the feed-in-tariff, ensuring customers benefit from utility mergers, re-establishing realistic electricity prices and gaining public acceptance for energy infrastructure.

The Council for Clean & Reliable Energy (CCRE) is a forum for reasoned analysis on subjects related to energy policy. In the past, the Council has sponsored conferences on the Auditor General's report on Ontario's renewable energy program, clean coal technology, nuclear power, governance models in the electricity sector, biomass energy opportunities and rationalizing electricity distribution.

The opinions expressed in this *CCRE Commentary* are those of the author and do not represent the views of the CCRE.

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