



Office of the Information  
and Privacy Commissioner

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October 21, 2011

Gene McLean, Managing Director  
Digital Wyzdom Inc.  
Brookfield Place  
161 Bay Street, 27th Floor Toronto, Canada, M5J 2S1

Dear Mr. McLean:

I have received your October 18, 2011 email, in which you ask for my assistance regarding Delta's issue in directly notifying approximately 51,000 clients whose addresses are 6 - 10 years old and have no email addresses.

Section 19.1 (2) of the Personal Information Protection Act Regulation gives me the discretion to decide whether the notification may be given to the affected individuals indirectly if I determine that direct notification would be unreasonable in the circumstances. In exercising my discretion, I reviewed Delta's stale address issue as described in your October 18 email and considered all the circumstances of this case. Given the circumstances, I agree that it would not be reasonable to send out thousands of letters just to have them returned to Delta. Consequently, I do not require Delta to notify these individuals directly, but do require it to notify approximately 51, 000 affected individuals indirectly by posting a general notification about the breach containing the information set out in section 19.1 (1) (b) of the Personal Information Protection Act Regulation on Delta's website for a period of 30 days and placing the said notification for a reasonable period in two major daily newspapers in the cities of Calgary and Edmonton.

Thank you for bringing this matter to my attention.

Should you have further questions or concerns please contact my Director of the Personal Information Protection Act, Ms. Diane McLeod-McKay at (403) 297-6452.

Yours truly,

Frank Work, Q.C.  
Information and Privacy Commissioner