

March 1, 2013

Sent By E-mail

Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
27th floor
Toronto, ON M4P 1E4



Barristers & Solicitors / Patent & Trade-mark Agents

Norton Rose Canada LLP
TD Waterhouse Tower, Suite 2300
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On January 1, 2012, Macleod Dixon joined
Norton Rose OR to create Norton Rose Canada.
Direct line
+1 416.216.2303

Your reference

Our reference
00052600-0318

Email
Jennifer.Teskey@nortonrose.com

Dear Ms. Walli:

IN THE MATTER OF the Electricity Act, 1998, S.O. 1998, c. 15, Schedule A;

AND IN THE MATTER OF an Application made collectively by entities that have renewable energy supply procurement contracts with the Ontario Power Authority in respect of wind generation facilities for an Order revoking certain amendments to the market rules and referring the amendments back to the Independent Electricity System Operator for further consideration.

Board File No.: EB-2013-0029

Pursuant to Procedural Order No. 4 dated February 28, 2013, please find enclosed Declarations and Undertakings signed by Alan Mark and Jennifer Teskey, counsel for the Independent Electricity System Operator.

Yours very truly,

A handwritten signature in black ink, appearing to read "J. Teskey", with a large, stylized flourish extending from the bottom right.

Jennifer Teskey

JT/dm

Enclosures

Copies to: Alan Mark
 All Parties

DOCSTOR: 2644478\1

IN THE MATTER OF the *Ontario Energy Board Act 1988*, S.O. 1998, c 15, (Schedule B) (the "Act");

AND IN THE MATTER OF an Application made collectively by entities that have renewal energy supply procurement contracts with the Ontario Power Authority in respect of wind generation facilities for an Order revoking amendments to the market rules and referring the amendments back to the Independent Electricity System Operator for further consideration.

DECLARATION AND UNDERTAKING

I, Alan Mark, am counsel of record for the Independent Electricity System Operator.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

UNDERTAKING

I undertake that:

1. I will use Confidential Information exclusively for duties performed in respect of this proceeding.
2. I will not divulge Confidential Information except to a person granted access to such Confidential Information or to the Board.

3. I will not reproduce, in any manner, Confidential Information without the prior written approval of the Board. For this purpose, reproducing Confidential Information includes scanning paper copies of Confidential Information, copying the Confidential Information onto a diskette or other machine-readable media and saving the Confidential Information onto a computer system.
4. I will protect Confidential Information from unauthorized access.
5. With respect to Confidential Information other than in electronic media, I will, promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding:
 - (a) return to the Board Secretary, under the direction of the Board Secretary, all documents and materials in all media containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information; or
 - (b) destroy such documents and materials and file with the Board Secretary a certification of destruction in the form prescribed by the Board pertaining to the destroyed documents and materials.
6. With respect to Confidential Information in electronic media, I will:
 - (a) promptly following the end of this proceeding or within 10 days after the end of my participation in this proceeding, expunge all documents and materials containing Confidential Information, including notes, charts, memoranda, transcripts and submissions based on such Confidential Information, from all electronic apparatus and data storage media under my direction or control and file with the Board Secretary a certificate of destruction in the form prescribed by the Board pertaining to the expunged documents and materials; and
 - (b) continue to abide by the terms of this Declaration and Undertaking in relation to any such documents and materials to the extent that they subsist in any electronic apparatus and data storage media under my direction or control and cannot reasonably be expunged in a manner that ensures that they cannot be retrieved.
7. For this purposes of paragraphs 5 and 6, the end of this proceeding is the date on which the period for filing a review or appeal of the Board's final order in this proceeding expires or, if a review or appeal is filed, upon issuance of a final decision on the review or appeal from which no further review or appeal can or has been taken.

8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario, this 1st day of March, 2013.

Signature:

Name:


Alan Mark

Company/Firm:

Norton Rose Canada LLP

Address:

TD Waterhouse Tower, Suite 2300
79 Wellington Street West
Toronto, ON M5K 1H1

Telephone:

(416) 216-4865

Fax:

(416) 360-8277

E-mail:

alan.mark@nortonrose.com

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AND IN THE MATTER OF an Application made collectively by entities that have renewal energy supply procurement contracts with the Ontario Power Authority in respect of wind generation facilities for an Order revoking amendments to the market rules and referring the amendments back to the Independent Electricity System Operator for further consideration.

DECLARATION AND UNDERTAKING

I, Jennifer Teskey, am counsel of record for the Independent Electricity System Operator.

DECLARATION

I declare that:

1. I have read the *Rules of Practice and Procedure* of the Ontario Energy Board (the "Board") and all Orders of the Board that relate to this proceeding.
2. I am not a director or employee of a party to this proceeding for which I act or of any other person known by me to be a party in this proceeding.
3. I understand that this Declaration and Undertaking applies to all information that I receive in this proceeding and that has been designated by the Board as confidential and to all documents that contain or refer to that confidential information ("Confidential Information").
4. I understand that execution of this Declaration and Undertaking is a condition of an Order of the Board, that the Board may apply to the Superior Court of Justice to enforce it.

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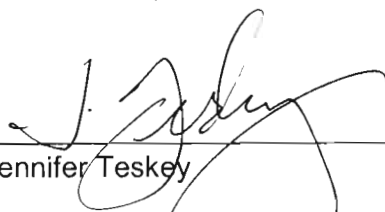
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8. I will inform the Board Secretary immediately of any changes in the facts referred to in this Declaration and Undertaking.

Dated at Toronto, Ontario, this 1st day of March, 2013.

Signature:

Name:


Jennifer Teskey

Company/Firm:

Norton Rose Canada LLP

Address:

TD Waterhouse Tower, Suite 2300
79 Wellington Street West
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