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October 21, 2019
File No.: 101926.1124

BY EMAIL: : boardsec@oeb.ca

Kristen Walli
Board Secretary
Ontario Energy Board
2300 Yonge St.
Toronto, ON M4P 1E4

Dear: Ms. Walli:

RE: Association of Major Power Producer in Ontario (AMPCO) Application to Review Market Rule Amendment MR-00439-R00-R05 - EB-2019-0242

We are counsel to the Independent Electricity System Operator (IESO) in this proceeding and we are writing to request a change to the timeline and procedure prescribed by Procedural Order No. 2 for the written hearing of AMPCO's motion to stay (Motion) implementation of the subject Market Rule amendments (Amendments).

The Procedural Order does not recognize the IESO's right as the respondent on the Motion – against whom AMPCO is seeking an order enjoining the IESO from implementing the Amendments – to file evidence responding to the evidence filed by AMPCO in support of the Motion. The Procedural Order also has the IESO (and other intervenors) filing legal submissions in advance of legal submissions by AMPCO, which is the moving party and has the onus of demonstrating the need for a stay.

We accordingly propose a modest change to the procedure and timeline for the hearing of the Motion, which will not materially delay the hearing of the Motion, nor affect in any way the procedure and timeline for the hearing of the Application, which is proceeding on a parallel track separate and apart from the Motion. We propose the following changes to Procedural Order No. 2:

1. The IESO (and any other intervenors who may wish to file evidence) shall file responding evidence, if any, on the Motion and serve it on all parties by October 25, 2019.
2. AMPCO shall file its argument in chief on the Motion by October 29, 2019.
3. OEB staff and intervenors shall file argument, if any, supporting or opposing the Motion by November 1, 2019.
4. The IESO shall file responding argument by November 5, 2019.

Yours truly,

A handwritten signature in black ink, appearing to read "PDuffy".

Patrick G. Duffy

cc: Ian Mondrow
All Parties
James Hunter, *IESO*
Glenn Zacher, *Stikeman Elliott LLP*