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October 31, 2019  
File No.: 101926.1124

**BY RESS and EMAIL**

Ms. Christine E. Long  
Registrar and Board Secretary  
Ontario Energy Board  
2300 Yonge St.  
27<sup>th</sup> Floor, PO Box 2319  
Toronto, ON M4P 1E4

Dear Ms. Long:

**RE: Association of Major Power Consumers in Ontario (AMPCO) Application to Review Market Rule Amendment MR-00439-R00-R05 / OEB Case No.: EB-2019-0242**

We are writing to follow-up on Mr. Mondrow's letter dated October 25, 2019 and to request a modification to the hearing schedule. We write this letter with the consent of Mr. Mondrow.

Mr. Mondrow asked in his October 25, 2019 letter for an adjournment of the hearing from Monday, November 25 to Thursday, November 28 to accommodate AMPCO's witness, Colin Anderson. The IESO does not object to accommodating Mr. Anderson. The IESO, however, has availability issues if the hearing extends into the week of December 2, including, the fact that IESO counsel is committed to a hearing in another matter for the entire week of December 2 – 6, which was scheduled before this proceeding was commenced. The IESO's witness is also unavailable from December 9 to 11, 2019.

In order to try to address these scheduling conflicts, we contacted Mr. Mondrow who indicated that while AMPCO is of the view that this matter is of some urgency and should be dealt with as expeditiously as reasonably possible, AMPCO also appreciates that, like it does, the IESO has unavoidable scheduling constraints, and will, in these circumstances, agree to a rescheduling to December 12 and 13 and the week of December 16, 2019. The IESO is also available those dates and we understand the Board may have hearing availability those dates. We also spoke with Mr. Vellone and Ms. Krajewska, counsel for Kingston CoGen Limited Partnership, which is the only other party who at this stage has filed evidence and we understand Mr. Vellone/Ms. Krajewska and their client are also available on December 12 and 13, and the week of December 16, 2019. Based on our discussions with Mr. Mondrow, it is our joint view that the evidentiary portion of the hearing will take approximately 2 and not more than 3 days, which we anticipate would be followed by a short adjournment prior to reconvening for oral argument as contemplated in Procedural Order No. 3.

Accordingly, we request that the hearing be adjourned to December 12 and 13, and the week of December 16. In making this request, we are mindful, as Mr. Mondrow stated in his October 25 letter, of

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the complexity facing the Board in scheduling matters, particularly in this case where the Board's final decision must be rendered by January 24, 2020.

Yours truly,



Glenn Zacher

cc: IESO Regulatory Affairs  
James Hunter, *IESO*  
Patrick Duffy, *Stikeman Elliott LLP*  
Ljuba Djurdjevic, *OEB Staff*  
Michael Bell, *OEB Staff*  
Ian Mondrow, *Gowling WLG*  
Registered Interveners