



EB-2008-0096

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

AND IN THE MATTER OF an application by the
Independent Electricity System Operator for renewal
of its licence

By delegation, before: Jennifer Lea

DECISION AND ORDER

The Application

The Independent Electricity System Operator ("IESO") filed an application dated April 30, 2008 with the Ontario Energy Board under section 60 of the *Ontario Energy Board Act, 1998* to renew its licence.

The IESO sought Board approval for:

1. Renewal of its licence for five years, beginning on July 31, 2008;
2. Proposed minor modifications to its current licence; and
3. Proposed deletion of the provisions in sections 16 and 17 of its present licence.

The Proceeding

The Board issued a Notice of Application and Hearing on May 16, 2008.

The Board's Notice of Application and Hearing for a licence renewal was posted and distributed by the IESO on May 21, 2008, in accordance with the Board's Letter of Direction.

No parties responded to the Notice of Application and Hearing.

Licence Renewal

After considering the application, it has been found to be in the public interest to renew the licence under Part V of the Act taking into account the determinations made below:

1. The Board approves the applicant's request for the renewal of its licence for a five year period beginning on July 31, 2008.
2. The Board accepts the minor modifications to the licence proposed by the IESO. These modifications are administrative in nature and do not affect the authorizations and obligations under the licence.
3. The applicant proposed the deletion of licence conditions under sections 16 and 17 of the present licence stating that these are no longer applicable. However, these licence provisions originate from a ministerial directive attached to the Order in Council (O.C. 600/99) issued on March 24, 1999 and no change can be made to these licence conditions without the issuance of a ministerial directive. As no ministerial directive has been issued to the Board to date which directs the Board to delete the licence conditions under sections 16 and 17 of the IESO licence, these IESO proposed changes cannot be made. As well, the IESO does acknowledge, in its application, that a ministerial directive is required for the proposed changes to those provisions in the licence that were put in by a directive.

IT IS THEREFORE ORDERED THAT:

The application for renewal of the IESO licence is granted, on such conditions as are contained in the attached licence.

DATED at Toronto, June 26, 2008

ONTARIO ENERGY BOARD

Original signed by

Jennifer Lea
Counsel, Special Projects