



Independent Electricity System Operator
Application to amend licence EI-2013-0066

PROCEDURAL ORDER NO. 2
May 27, 2024

The Independent Electricity System Operator (IESO) filed an application with the Ontario Energy Board (OEB) on March 25, 2024, under section 74(1)(b) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Schedule B). The IESO's application requested amendments to its OEB licence (Licence)¹ related to the material the IESO is required to file with the OEB in respect of an application to review a Market Rule amendment under section 33 of the *Electricity Act, 1998* (Application).

A Notice of Hearing was issued on April 26, 2024. Each of the Association of Power Producers of Ontario (APPrO), and the Canadian Renewable Energy Association, Energy Storage Canada and Ontario Waterpower Association, jointly referred to as "REASCWA" (REASCWA), applied for intervenor status and cost eligibility.

Procedural Order No. 1, issued on May 14, 2024, approved APPrO and REASCWA as intervenors with eligibility to apply for an award of costs under the OEB's [Practice Direction on Cost Awards](#) and provided for submissions and reply submissions. As indicated in Procedural Order No. 1, the scope of the submissions is limited to the proposed wording changes in the draft license amendments that were filed by the IESO in the Application.

The Application consists of a letter setting out the requested amendments as well as a draft of the Licence with the proposed amendments. The OEB notes that there is a discrepancy between the requested amendments set out in the letter and the draft amended Licence portions of the Application.

The letter portion of the Application requests the following amendment to paragraph 6.3(iii) of the Licence:

- iii. minutes, ~~or~~ meeting notes, ~~of~~ and relevant materials from all stakeholder meetings (including meetings of the Licensee's Strategic Stakeholder Advisory Committee) and of all meetings of the Licensee's Technical Panel ~~at which the~~

¹ EI-2013-0066 <https://www.rds.oeb.ca/CMWebDrawer/Record/803298/File/document>

~~amendment or the subject matter of the amendment was discussed concerning~~ the **Market Rule Amendment Proposal**; (emphasis added)

However, the tracked changes in the draft amended Licence portion of the Application states:

iii. ~~minutes, or meeting notes, and relevant materials from~~ all stakeholder meetings (including meetings of the Licensee's Strategic Stakeholder Advisory Committee) and of all meetings of the Licensee's Technical Panel at which the amendment or the subject matter of the amendment was discussed concerning the **Market Rule amendment**; (emphasis added)

The OEB notes that there appears to be a discrepancy in the Application material between the use of the terms "Market Rule Amendment Proposal" and "Market Rule amendment" in the proposed amendments to paragraph 6.3(iii) of the Licence. The OEB requires the IESO to file an update to its Application to clarify the discrepancy and file any additional information that may assist the OEB in its determination of the Application. The IESO is required to file the Application update by May 29, 2024.

Given the need for an update and clarification of the Application, the OEB is also revising the schedule for filing submissions on the Application.

It is necessary to make provision for the following matters related to this proceeding.

Further procedural orders may be issued by the OEB.

THE OEB ORDERS THAT:

1. The IESO will file an update to its Application to address the discrepancy in the Application with respect to the requested amendment to paragraph 6.3 of its Licence by **May 29, 2024**.
2. Any written submissions by OEB staff and intervenors shall be filed with the OEB and served on all other parties by **June 5, 2024**.
3. The IESO may file a written reply submission with the OEB and serve it on intervenors by **June 14, 2024**.

Parties are responsible for ensuring that any documents they file with the OEB, such as applicant and intervenor evidence, interrogatories and responses to interrogatories or any other type of document, **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2024-0128** for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Parties are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact registrar@oeb.ca for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Natasha Gocool at natasha.gocool@oeb.ca and OEB Counsel, Ljuba Djurdjevic at ljuba.djurdjevic@oeb.ca.

Email: registrar@oeb.ca

Tel: 1-877-632-2727 (Toll free)

DATED at Toronto, May 27, 2024

ONTARIO ENERGY BOARD

Nancy Marconi
Registrar