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BY RESS
registrar@oeb.ca

Ms. Nancy Marconi, Registrar
Ontario Energy Board
PO Box 2319
26th Floor, 2300 Yonge Street
Toronto, ON M4P 1E4

Dear Ms. Marconi:

Re: Capital Power Corporation, Thorold CoGen L.P., Portlands Energy Centre L.P. dba Atura Power, St. Clair Power L.P., TransAlta (SC) L.P. (the “NQS Generation Group”)
Application for Review of Amendments to the Independent Electricity System Operator (“IESO”) Market Rules – EB-2024-0331 (“Application”)

On November 19, 2024, the Ontario Energy Board (“OEB”) issued Procedural Order No. 1 (“**PO1**”) wherein the OEB states that the issues with respect to the hearing of the Application has their basis in section 33(9) of the *Electricity Act*; namely, whether the market rule amendments (i) are inconsistent with the purposes of the OEB Act; or (ii) unjustly discriminate against or in favour of a market participant or class of market participants. The NQS Generation Group was directed to file a more detailed issues list by November 22, 2024, if it wishes to do so.

The NQS Generation Group accepts the issues articulated by the OEB in PO1 as the issues are the same as the three preceding applications to review market rule amendments (EB-2019-0242, EB-2013-0029 / EB-2013-0010 and EB-2007-0040). The NQS Generation Group notes that the evidentiary matters under section 21 of the *Ontario Energy Board Act* may need to be added to the issues list if it is not resolved at the pre-hearing conference, which the NQS Generation Group proposes as follows

Should the OEB exercise its discretion under section 21(1) of the *Ontario Energy Board Act* to give directions or require the preparation of evidence by the IESO: (a) as requested in Schedule A of the Application; or (b) by any other party requesting information from the IESO.

The NQS Generation Group may make further submissions, if necessary, at the pre-hearing conference on the issues list.

Yours truly,

BORDEN LADNER GERVAIS LLP

A handwritten signature in black ink, appearing to read "Colm Boyle". The signature is written in a cursive, flowing style.

Colm Boyle

JV/CB