



Market Rule Amendment Written Submission

This form is used to provide comment on a *market rule* amendment under consideration by the *IESO*. Please complete all four sections of this form and submit the completed form by email to the following:

Email Address: Rule.Amendments@ieso.ca
Attention: Market Rules Group
Subject: Market Rule Written Submission

All information submitted in this process will be used by the *IESO* solely in support of its obligations under the *Electricity Act, 1998*, the *Ontario Energy Board Act, 1998*, the *Market Rules* and associated policies, standards and procedures and its licence. All submitted information will be assigned the *confidentiality classification* of “Public” upon receipt. You should be aware that the *IESO* intends to *publish* this written submission.

Terms and acronyms used in this Form that are italicized have the meanings ascribed thereto in Chapter 11 of the *Market Rules*.

PART 1 – SUBMITTER’S INFORMATION

Please enter your organization and contact information in full.	
Name: <u>Martin Longlade</u>	
(if applicable) <i>Market Participant / Metering Service Provider</i> No. ¹ : _____	<i>Market Participant Class</i> : _____
Telephone: <u>705-929-2255</u>	Fax: _____
E-mail Address: <u>gc_squared@outlook.com</u>	

PART 2 – MARKET RULE AMENDMENT REFERENCE

Type of Rule Amendment Being Commented on (please indicate with x):	
<input type="checkbox"/> Amendment Submission	<input checked="" type="checkbox"/> Proposed Rule Amendment
<input type="checkbox"/> Recommended Rule Amendment	
MR Number: MR-00413 Amendment Proposal R00_____	
This <i>Market Rule</i> number is located on the “Current Market Rule Amendment” web page.	
Date Relevant Amendment Submission, Proposed or Recommended Rule Amendment Posted for Comment: <u>December 11, 2014</u>	

¹ This number is a maximum of 12 characters and does not include any spaces or underscore.

PART 3 – COMMENTS ON RULE AMENDMENT

Provide your comments.

Subject:

During the Technical Panel meeting December 9th it was identified that the defined Market Rule term “*applicable law*” has the following meaning as referenced in the material provided under Agenda Item 4 amendment submission Q00.

“Market rule, Chapter 11 definition of “applicable law”: means all laws, regulations, other statutory instruments and rules and other documents of a legislative nature which apply to the IESO or to market participants, and all orders of a government, governmental body, authority or agency having jurisdiction over the IESO or a market participant including, but not limited to, any license issued to the IESO or a market participant;”

Further it was pointed out by the Technical Panel Industrial Consumers Representative that the subject amendment submission relating to IESO authority to disconnect during emergency or for safety or reliability reasons as proposed appear to convey authority related to situations regarding violation of “any applicable law” rather than situations intended under the Section heading. There was no legal opinion presented by the IESO at the referenced Technical Panel meeting that indicated otherwise.

The relevant proposed market rule change in Chapter 4 Section 6.4 is copied below.

6.4 Disconnection During an Emergency or For Safety or Reliability Reasons

6.4.2 Where the *IESO* becomes aware of a threat to the safety of any persons, damage to equipment, property or violation of any applicable law~~the environment~~ or to the *reliability* of the *integrated power system* that requires urgent action, the *IESO* may issue a *disconnection order* directing the relevant *transmitter* or *distributor* to *disconnect* a person’s *facilities* or equipment from the *IESO-controlled* grid, its *transmission system* or its *distribution system*, as the case may be.

6.4.3 A *transmitter* may, in accordance with the provisions of its *licence*, any code issued by the *OEB* with which the *transmitter* is required to comply, or the *market rules*, immediately *disconnect* from the *IESO-controlled grid* the *facilities* or equipment of a person where:

6.4.3.1 such action is urgently required to ensure the safety of any person, prevent the damage of equipment, or to prevent the violation of any applicable law as a result of a threat to the safety of persons, property or the environment, or a threat of physical damage to the transmitter’s assets;

In absence of any IESO legal opinion that specifically addresses the limitations of the actions of the IESO and *transmitter* under 6.4.2 and 6.4.3 to situations described in the Section heading it is suggested that Section 6.4 be further amended with the addition of the following sub-section or similar wording that addresses the concern.

PART 3 – COMMENTS ON RULE AMENDMENT

6.4.4 Nothing in Section 6.4 shall be interpreted to allow or require the IESO or a transmitter to disconnect a person's facilities for violation of any *applicable law* other than those directly related to an emergency, or for safety or *reliability* reasons.

PART 4 – EXTERNAL CONSULTATION MEETING

If you believe that a special meeting of stakeholders would be necessary/desirable to discuss the issues raised by the rule amendment, please complete the following information:

External Stakeholding meeting necessary/desirable (please indicate with x):

Reason(s) why you believe a meeting is necessary/desirable: