

Renewed Market Rules

Chapter 10

Transmission Service and Planning

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1. Introduction

1.1 Objectives of this Chapter and Interpretation

- 1.1.1 This Chapter of the *market rules* sets forth the terms and conditions under which the *IESO* will administer the collection and distribution of *transmission services charges* for transactions that use the *IESO-controlled grid* for the transmission of *energy* and *ancillary services*.
- 1.1.2 The *market rules* in this Chapter and MR Ch.7 are intended to satisfy the requirements of section 27 of the *Electricity Act, 1998* that the conveyance of electricity into, through or out of the *IESO-controlled grid* shall be pursuant to the *market rules*.
- 1.1.3 This Chapter sets forth procedures that the *IESO* and *market participants* will use to assess the *reliability* of the *IESO-controlled grid*.
- 1.1.4 For the purpose of giving effect to the collection and *settlement* of *transmission services charges* contemplated in this Chapter 10, all references in MR Ch.9 s.6, other than MR Ch.9 s.6.2 to a *market participant* shall be deemed to include a reference to a *transmission customer*.
- 1.1.5 For the purpose of giving effect to the collection and *settlement* of *transmission services charges* contemplated in this Chapter 10, all references in MR Ch.6 to a *metered market participant* shall be deemed to include a reference to a *transmission customer*.

2. Transmission Services

2.1 Classes of Service

- 2.1.1 The *IESO* shall administer the collection and distribution of *transmission services charges* for the various classes of *transmission service* as required by this Chapter and in accordance with the terms of a rate order issued by the *OEB* to a *transmitter* whose *transmission system* forms part of the *IESO-controlled grid*.

2.2 Billing and Payment for Service

Billing Procedure

- 2.2.1 The *IESO* shall include a line item on each *invoice* issued in respect of an *energy market billing period* pursuant to MR Ch.9 to each *transmission customer* that is

required to pay for a *transmission service* with respect to which the *IESO* is required to collect charges in accordance with this Chapter, which shall cover the charges for *transmission services* during that *energy market billing period*. The charges for *transmission service* in such *invoice* shall be paid by the *transmission customer* on the *market participant payment date* associated with the *invoice* at the same time and in the same manner as required for the payment of *invoices* under MR Ch.9.

Reimbursement of Transmitters

- 2.2.2 The *IESO* shall include a line item on each *invoice* issued in respect of an *energy market billing period* pursuant to MR Ch.9 to each *transmitter* that is entitled to payment for a *transmission service* with respect to which the *IESO* is required to collect charges in accordance with this Chapter. Such line item shall, subject to section 2.2.2A, reflect an amount equal to that portion of the charges for *transmission services*, as invoiced to *transmission customers* pursuant to section 2.2.1, relating to that *transmitter's transmission system*. On each *IESO payment date* in respect of each applicable *energy market billing period*, the *IESO* shall remit any amount owing pursuant to such *invoice* to each applicable *transmitter* by *electronic funds transfer* in the manner provided in MR Ch.9 and in accordance with the applicable rate order issued by the *OEB* to the *transmitter*.
- 2.2.2A Notwithstanding any other provision of these *market rules*, the *IESO* shall not be required to make payment to a *transmitter* in respect of charges for *transmission services* relating to that *transmitter's transmission system* that have been *invoiced* to a *transmission customer* that is not a *market participant* until such time as the *IESO* has received payment from such *transmission customer* for such charges. Where such a *transmission customer* fails to pay such an *invoice*, the *IESO* shall not be required to take any action other than notifying the applicable *transmitter* of the default in payment.

Customer Default

- 2.2.3 Without limiting the generality of MR Ch.3 s.6.3.1.1, failure by a *market participant* to make payment to the *IESO* in respect of *transmission service* by the due date as described in section 2.2.1 constitutes an *event of default* in respect of that *market participant* pursuant to MR Ch.3 s.6 of and shall be dealt with by the *IESO* accordingly.

Collection Obligation

- 2.2.3A The *IESO* shall not be required to collect charges for *transmission service* from any *transmission customer* in respect of the *transmission system* of a given *transmitter* unless the information or documentation referred to:
- 2.2.3A.1 in section 3.1.3, 5.1.3 or 6.1.3; or
 - 2.2.3A.2 where section 6A.1.2 applies, in that section,

as may be applicable, relating to that *transmission customer* has been provided.

2.3 Arranging for Transmission Service and Dispatch

- 2.3.1 *Energy and ancillary service* transactions, including import and export transactions, using the *IESO-controlled grid* shall be arranged with the *IESO* using the *offer, bid, self-scheduling, contracted ancillary services* and other procedures set forth in MR Ch.7.
- 2.3.2 *Energy and ancillary service* transactions, including import and export transactions, using the *IESO-controlled grid* shall be subject to *dispatch* by the *IESO*:
 - 2.3.2.1 in accordance with the procedures for *dispatching generation resources, electricity storage resources, dispatchable loads and boundary entity resources*, based on the *offers, bids, self-schedules*, and forecasts of *intermittent generation* submitted by *market participants* pursuant to MR Ch.7 or in accordance with the terms of applicable *contracted ancillary services* contracts; and
 - 2.3.2.2 in circumstances where the *IESO* determines that *curtailment* is necessary to protect the *reliability* of the *IESO-controlled grid* or the *integrated power system* or to ensure the safety of any person, prevent the damage of equipment, or to prevent the violation of any *applicable law* pursuant to MR Ch.5.

3. Network Service

3.1 Network Service

- 3.1.1 [Intentionally left blank]
- 3.1.2 The *IESO* shall collect charges for *network service* from each *transmission customer*:
 - 3.1.2.1 [Intentionally left blank]
 - 3.1.2.2 [Intentionally left blank]
 - 3.1.2.3 [Intentionally left blank]
 - 3.1.2.4 that is identified by an applicable *transmitter* pursuant to section 3.1.3.1 as being required by the applicable rate order issued by the *OEB* to pay for *network service*; and

- 3.1.2.5 in respect of which the necessary *meter point* documentation has been provided by the *transmission customer's metering service provider* pursuant to MR Ch.6 App.6.5 s. 1.3A.
- 3.1.3 Each *transmitter* whose *transmission system* forms part of the *IESO-controlled grid* and to whom the *OEB* has issued a rate order shall:
 - 3.1.3.1 provide to the *IESO*, and update as required, a list of those *transmission customers* that, pursuant to the terms of the rate order issued to the *transmitter* by the *OEB*, are required to pay charges in respect of *network service* relating to such *transmission system*; and
 - 3.1.3.2 for each *transmission customer* identified in the list referred to in section 3.1.3.1, provide to the *IESO*, as required under any agreement between the *IESO* and the *transmitter*, written confirmation of its approval of that portion of the *meter point* documentation specified in such agreement and of any updates thereto prepared in accordance with MR Ch.6 App.6.5 s.1.3 for each *transmission delivery point*, as described in the applicable transmission rate schedule approved by the *OEB*, for such *transmission customer*; and
 - 3.1.3.3 annually review the list of *transmission customers* provided to the *IESO* in accordance with section 3.1.3.1 and the information provided pursuant to section 3.1.3.2 and promptly notify the *IESO* of any errors within such list or information.
- 3.1.4 The *IESO* shall notify each *transmitter* providing the list referred to in section 3.1.3.1 as to the identity of those *transmission customers* who have:
 - 3.1.4.1 not been registered with the *IESO* as a *market participant*; or
 - 3.1.4.2 otherwise ceased to be a *market participant*.

3.2 Arranging for Network Service

- 3.2.1 [Intentionally left blank]
- 3.2.2 [Intentionally left blank]
- 3.2.3 No *transmission customer* shall commence to obtain *network service* until the relevant *transmitter* and the *transmission customer* have completed the installation of all equipment required to connect the *transmission customer* to, or otherwise provide access to, the *IESO-controlled grid*, as specified in MR Ch.4, and the applicable *connection point*, other than an *interconnection*, or *embedded connection point* has, where required by these *market rules*, a *metering installation* that complies with the requirements of MR Ch.6.

3.3 Maintaining Network Service

3.3.1 [Intentionally left blank]

3.3.2 To the extent that a *transmission customer* desires to add a new *delivery point* for *network service*, the *transmission customer* shall provide the *IESO* with as much advance notice as practicable of such addition. No *transmission customer* shall establish a new *delivery point* until *connection facilities* at the new delivery point have been completed and satisfy the requirements of MR Ch.4.

3.4 Rates and Charges for Network Service

3.4.1 The rates and charges, if any, for *network service* to be applied to the *transmission customers* identified in a list provided to the *IESO* pursuant to section 3.1.3.1 shall be as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*.

3.5 [Intentionally left blank]

3.6 Responsibilities of Market Participants Utilising Network Service

3.6.1 Each *transmission customer* that is a *market participant* utilising *network service* shall plan, construct, operate and maintain its system, *facilities* and equipment in accordance with MR Ch.4 and MR Ch.5.

3.7 [Intentionally left blank]

3.8 Import Transactions

3.8.1 The *IESO-controlled grid* shall be available for the transmission of *energy* and *ancillary services* into the *IESO control area* from a neighbouring *transmission system*. Charges for *network service* shall not be applicable to a *market participant* in respect of the use of the *IESO-controlled grid* for such transmission. The *IESO* shall determine the available transmission capability at each *interconnection* with a neighbouring *transmission system* for imports into the *IESO control area* and shall manage congestion over such *interconnections* in accordance with MR Ch.7 s.3A.1.4.

3.9 [Intentionally left blank]

4. Export Transmission Service

4.1 Availability of Export Transmission Service

4.1.1 The *IESO-controlled grid* shall be available for the transmission of *energy* out of the *IESO control area* into a neighbouring *transmission system*. Charges for *network service* shall not be applicable to a *market participant* in respect of the use of the *IESO-controlled grid* for such transmission. The *IESO* shall determine the available transmission capability at each *interconnection* with a neighbouring *transmission system* for exports out of the *IESO control area* and shall manage congestion over such *interconnections* in accordance with MR Ch.7 s.3A.1.4.

4.1.2 The *IESO* shall collect charges for *export transmission service* from each *transmission customer* that uses the *IESO-controlled grid* for the transmission of *energy* out of the *IESO control area*.

4.2 [Intentionally left blank]

4.3 Arranging for Export Transmission Service

4.3.1 To arrange for *export transmission service*, a *transmission customer* desiring such service shall be a *market participant* and shall register to use a *boundary entity resource* to which the *export transmission service* will relate. A *transmission customer* that is a *market participant* may obtain *export transmission service* once it has registered to use the *boundary entity resource*.

4.4 Responsibility for Third-Party Arrangements

4.4.1 Each *transmission customer* obtaining *export transmission service* shall be responsible for any arrangements with other *control areas* or third parties that are necessary to deliver *energy* from the *IESO-controlled grid* to the *transmission customer's delivery point* outside the *IESO-controlled grid*.

4.5 Rates and Charges for Export Transmission Service

4.5.1 The rates and charges, if any, for *export transmission service* to be applied to the *transmission customers* referred to in section 4.1.2 shall be as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*.

4.6 Tariff Response Charge for Exports to the United States of America

- 4.6.1 The *IESO* may, upon written request from the *Minister*, administer a charge for export transactions to the United States of America, to be applied to *registered market participants* with *interchange schedules* for *energy* destined for the United States of America, whether directly or through another Canadian jurisdiction. The amount and end date of this charge shall be as established by the *Minister*. This charge shall be payable in accordance with the *settlement process*.
- 4.6.2 Notwithstanding any other provision of these *market rules*, the *IESO* shall place any funds collected pursuant to section 4.6.1 into a separate account. The *IESO* shall disburse the proceeds of this account in accordance with the *Minister's* written request.
- 4.6.3 Notwithstanding any other provision of these *market rules*, the dispute resolution process provided for in MR Ch.3 s.2 shall not apply to any dispute pertaining to this section 4.6. No cause of action shall arise against the *IESO* or any of its current or former directors, officers, employees, or agents, as a direct or indirect result of:
- 4.6.3.1 the enactment, operation, administration, or repeal of this section 4.6; or
 - 4.6.3.2 anything done or not done by the *IESO* to comply with this section 4.6.
- 4.6.4 Notwithstanding MR Ch.1 s.13.1, no proceeding, including but not limited to any proceeding for a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, or any remedy under any statute, that is directly or indirectly based on or related to anything referred to in this section 4.6 may be brought or maintained against the *IESO* or any of its current or former directors, officers, employees, or agents.
- 4.6.5 Section 4.6.4 shall apply to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages, or any other remedy or relief, and includes a proceeding to enforce a judgment or order made by a court or tribunal outside of Canada.
- 4.6.6 Notwithstanding any other provision of these *market rules*, no person is entitled to any compensation or any other remedy or relief for the actions or omissions listed in section 4.6.3.
- 4.6.7 The commencement date of the charge under section 4.6.1 shall be as established by the *Minister*.

5. Line Connection Service

- 5.1.1 The *IESO* shall collect charges for *line connection service* from each *transmission customer*.

- 5.1.1.1 that is identified by an applicable *transmitter* pursuant to section 5.1.3.1 as being required by an applicable rate order issued by the *OEB* to pay for *line connection service*; and
- 5.1.1.2 in respect of which the necessary *meter point* documentation has been provided by the *transmission customer's metering service provider* pursuant to MR Ch.6 App.6.5 s.1.3A.

The rates and charges, if any, for *line connection service* to be applied to such *transmission customer* shall be as established by the *OEB* from time to time under the *Ontario Energy Board Act, 1998*.

5.1.2 [Intentionally left blank]

5.1.3 Each *transmitter* whose *transmission system* forms part of the *IESO-controlled grid* and to whom the *OEB* has issued a rate order shall:

- 5.1.3.1 provide to the *IESO*, and update as required, a list of those *transmission customers* that, pursuant to the terms of the rate order issued to the *transmitter* by the *OEB*, are required to pay charges in respect of *line connection service* relating to such *transmission system*;
- 5.1.3.2 for each *transmission customer* identified in the list referred to in section 5.1.3.1, provide to the *IESO*, as required under any agreement between the *IESO* and the *transmitter*, written confirmation of its approval of that portion of the *meter point* documentation specified in such agreement and of any updates thereto prepared in accordance with MR Ch.6 App 6.5 s.1.3 for each *transmission delivery point*, as described in the applicable transmission rate schedule approved by the *OEB*, for such *transmission customer*; and
- 5.1.3.3 annually review the list of *transmission customers* provided to the *IESO* in accordance with section 5.1.3.1 and the information provided pursuant to section 5.1.3.2 and promptly notify the *IESO* of any errors within such list or information.

5.1.4 The *IESO* shall notify each *transmitter* providing the list referred to in section 5.1.3.1 as to the identity of those *transmission customers* who have:

- 5.1.4.1 not been registered with the *IESO* as a *market participant*; or
- 5.1.4.2 otherwise ceased to be a *market participant*.

6. Transformation Connection Service

6.1.1 The *IESO* shall collect charges for *transformation connection service* from each *transmission customer*:

6.1.1.1 that is identified by an applicable *transmitter* pursuant to section 6.1.3.1 as being required by an applicable rate order issued by the *OEB* to pay for *transformation connection service*; and

6.1.1.2 in respect of which the necessary *meter point* documentation has been provided by the *transmission customer's metering service provider* pursuant to MR Ch.6 App.6.5 s.1.3A.

The rates and charges, if any, for *transformation connection service* to be applied to such *transmission customer* shall be as established by the *OEB* from time to time under the *Ontario Energy Board Act, 1998*.

6.1.2 [Intentionally left blank]

6.1.3 Each *transmitter* whose *transmission system* forms part of the *IESO-controlled grid* and to whom the *OEB* has issued a rate order shall:

6.1.3.1 provide to the *IESO*, and update as required, a list of those *transmission customers* that, pursuant to the terms of the rate order issued by the *OEB*, are required to pay charges in respect of *transformation connection service* relating to such *transmission system*;

6.1.3.2 for each *transmission customer* identified in the list referred to in section 6.1.3.1, provide to the *IESO*, as required under any agreement between the *IESO* and the *transmitter*, written confirmation of its approval of that portion of the *meter point* documentation specified in such agreement and of any updates thereto prepared in accordance with MR Ch.6 App.6.5 s.1.3 for each *transmission delivery point*, as described in the applicable transmission rate schedule approved by the *OEB*, for such *transmission customer*; and

6.1.3.3 annually review the list of *transmission customers* provided to the *IESO* in accordance with section 6.1.3.1 and the information provided pursuant to section 6.1.3.2 and promptly notify the *IESO* of any errors within such list or information.

6.1.4 The *IESO* shall notify each *transmitter* providing the list referred to in section 6.1.3.1 as to the identity of those *transmission customers* who have:

6.1.4.1 not been registered with the *IESO* as a *market participant*; or

6.1.4.2 otherwise ceased to be a *market participant*.

6A. Other Transmission Service

6A.1.1 The *IESO* shall, where required by the terms of a rate order issued by the *OEB* to a *transmitter* whose *transmission system* forms part of the *IESO-controlled grid*, collect charges for any *transmission service* other than one referred to in sections 3, 4, 5 and 6 from each *transmission customer* that is required by such rate order to pay for such *transmission service* and, where section 6A.1.2 applies:

6A.1.1.1 that has been identified in the list referred to in section 6A.1.2.1; and

6A.1.1.2 in respect of which the information referred to in section 6A.1.2.2 has been provided.

The rates and charges for such *transmission service* shall be as established by the *OEB* from time to time under the *Ontario Energy Board Act, 1998*.

6A.1.2 At the request of the *IESO*, each *transmitter* whose *transmission system* forms part of the *IESO-controlled grid* shall provide to the *IESO*, and shall update as required:

6A.1.2.1 a list of those *transmission customers* that, pursuant to the terms of a rate order issued by the *OEB*, are required to pay charges in respect of any *transmission service* referred to in section 6A.1.1 relating to such *transmission system*; and

6A.1.2.2 such other information as the *IESO* may reasonably require in respect of such *transmission customer*, including but not limited to any confirmation that may be required from the *transmitter* under any agreement between it and the *IESO*, so as to enable the *IESO* to perform any necessary calculations for the charges referred to in section 6A.1.2.1 in a manner consistent with the rate order referred to in that section.

6A.1.3 The *IESO* shall notify each *transmitter* providing the list referred to in section 6A.1.2.1 as to the identity of those *transmission customers* who have:

6A.1.3.1 not been registered with the *IESO* as a *market participant*; or

6A.1.3.2 otherwise ceased to be a *market participant*.

6A.1.4 Each *transmitter* whom has provided a list of *transmission customers* and/or other information as may be reasonably required by the *IESO* in accordance with section 6A.1.2 shall annually review such list and information and promptly notify the *IESO* of any errors within such list or information.

6B. Liability

6B.1.1 The *IESO* shall be entitled to and shall rely on the list of *transmission customers* provided pursuant to section 3.1.3.1, 5.1.3.1, 6.1.3.1 or 6A.1.2.1 and on the *meter point* documentation or other information provided pursuant to section 3.1.2.2, 5.1.1.2, 6.1.1.2 or 6A.1.1.2, regardless of whether any portion of such *meter point* documentation has been confirmed by the applicable *transmitter*, for the purpose of the collection and distribution of charges for a *transmission service* and, notwithstanding section 13 of Chapter 1:

6B.1.1.1 the *IESO* shall not be liable to any person in respect of the collection from a *transmission customer* of, or the failure to collect from that *transmission customer*, charges in respect of a *transmission service* by reason of the erroneous identification, inclusion or exclusion of that person on or from such list or by reason of any inaccuracies in such *meter point* documentation or other information; and

6B.1.1.2 the applicable *transmitter* providing the *IESO* with such list or other information shall indemnify and hold harmless the *IESO* in respect of any and all claims, losses, costs, liabilities, obligations, actions, judgements, suits, expenses, disbursements and damages incurred, suffered, sustained or required to be paid, directly or indirectly, by, or sought to be imposed upon, the *IESO* arising from the allocation or collection by the *IESO* of charges in respect of a *transmission service* by reason of the erroneous identification, inclusion or exclusion of a person on or from such list or by reason of any inaccuracies in such other information or *meter point* documentation pertaining to any of its *transmission customers*,

provided that nothing in this section 6B.1.1 shall be construed as affecting the liability of the *IESO* in respect of the manner of calculation of charges for a *transmission service* collected from a person that is properly identified or included on such list and in respect of which such *meter point* documentation or other information is accurate.

6B.1.2 Notwithstanding section 13.4.1 of Chapter 1, the liability and indemnification provisions of section 6B.1.1 shall apply to any agreement between the *IESO* and a *transmitter* pursuant to sections 3.1.3, 5.1.3, 6.1.3, or 6A.1.2.2.

6C. Correction of Errors in Lists

6C.1.1 The *IESO* shall promptly notify the applicable *transmitter* upon becoming aware that a *transmission customer* may be erroneously identified, included or excluded on or from a list of *transmission customers* provided by such *transmitter* pursuant to

section 3.1.3.1, 5.1.3.1, 6.1.3.1 or 6A.1.2.1. Where applicable, the *transmitter* shall promptly update the list accordingly.

6C.1.2 Subject to section 6C.1.4, the *IESO* shall use reasonable efforts to adjust the applicable *settlement statement* of a *transmission customer* that:

6C.1.2.1 has been charged or that has failed to be charged for a *transmission service* by reason of the erroneous identification, inclusion or exclusion of that *transmission customer* on or from a list of *transmission customers* provided by the applicable *transmitter* pursuant to section 3.1.3.1, 5.1.3.1, 6.1.3.1 or 6A.1.2.1; or

6C.1.2.2 has been incorrectly charged for a *transmission service* by reason of any inaccuracies in the *meter point* documentation or other information referred to in section 3.1.3.2, 5.1.3.2, 6.1.3.2 or 6A.1.2.2.

6C.1.3 Subject to section 6C.1.4, where the *IESO*:

6C.1.3.1 charges a *transmission customer* for *transmission service* pursuant to section 6C.1.2.1, the *IESO* shall include such charge on the applicable *invoice* issued to the *transmission customer* in accordance with section 2.2.1 and shall, subject to section 2.2.2A, include as a credit on the applicable *invoice* submitted to each applicable *transmitter* an amount equal to that portion of the charges for *transmission services*, as charged to *transmission customers*, relating to that *transmitter's transmission system* in accordance with section 2.2.2;

6C.1.3.2 credits a *transmission customer* for charges for *transmission service* for which it should not have been charged pursuant to section 6C.1.2.1 the *IESO* shall include such credit on the applicable *invoice* issued to the *transmission customer* in accordance with section 2.2.1 and shall include as a debit on the applicable *invoice* submitted to each applicable *transmitter* an amount equal to that portion of the charges for *transmission services*, as credited to *transmission customers*, relating to that *transmitter's transmission system* in accordance with section 2.2.2; or

6C.1.3.3 corrects the amount charged for a *transmission service* pursuant to section 6C.1.2.2, the *IESO* shall include an amount equal to such correction as a credit or debit, as the case may be, on the applicable *invoice* issued to the *transmission customer* in accordance with section 2.2.1 and shall include as a credit or debit, as the case may be, on the applicable *invoice* submitted to each applicable *transmitter* an amount equal to such correction, as credited or debited to *transmission customers*, relating to that *transmitter's transmission system* in accordance with section 2.2.2.

- 6C.1.4 The *IESO* shall not take any action or make any correction under section 6C in regards to any *settlement amount* if a limitation period applicable to such *settlement amount* prescribed in *applicable law* has lapsed. Additionally, where a *transmitter* fails to conduct a review, in accordance with sections 3.1.3.3, 5.1.3.3, 6.1.3.3, or 6A.1.4, as the case may be, the *IESO* shall not take any action or make any correction under section 6C in regards to any *settlement amount* pertaining to the information which the *transmitter* failed to review that arose prior to the date on which the *transmitter* failed to conduct the applicable review.
- 6C.1.5 If a *market participant* disagrees with the *IESO's* conclusion and action taken in accordance with section 6C.1.2, the *market participant* may pursue their disagreement through the dispute resolution process outlined in MR Ch.3 s.2.

7. [Intentionally left blank – section deleted]

8. Information Requirements

8.1 [Intentionally left blank – section deleted]

8.2 [Intentionally left blank – section deleted]

8.3 [Intentionally left blank – section deleted]

8.4 [Intentionally left blank – section deleted]

8.5 [Intentionally left blank – section deleted]

8.6 [Intentionally left blank – section deleted]

8.7 Retirements

8.7.1 [Intentionally left blank – section deleted]

8.7.2 Each *transmitter* whose *transmission system* forms part of the *IESO-controlled grid* shall provide to the *IESO* not less than six months' advance notice of the commencement of planned retirements of transmission *facilities*, including notification of any plans the *transmitter* may have to construct replacement *facilities* for those being retired. If the *IESO* believes that a planned retirement of transmission *facilities* may have an adverse effect on the *reliability* of the *IESO-controlled grid*, or on the efficient operation of the *IESO-administered markets*, the

IESO may request that the *transmitter* not retire the *facility*. If the *IESO* and a *transmitter* disagree regarding the retirement of a transmission *facility*, or with respect to the *transmitter's* plans to replace such a *facility*, the matter may, subject to *licence* of the *IESO* or of the *transmitter* or to the provisions of the applicable *operating agreement*, be submitted for resolution using the dispute resolution procedures set forth in MR Ch.3 s. 2.

8.8 Transmitter Data Access

8.8.1 Each *transmitter* for which the *IESO* administers the collection and distribution of *transmission services charges* for the various classes of *transmission service* as required by this Chapter and as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998* and whose *transmission system* forms part of the *IESO-controlled grid* shall, where applicable, have access to the following *confidential information* related to each type of *transmission services charge* in a manner and form specified by the *IESO*:

- 8.8.1.1 *energy* readings that reside in the *metering database* pursuant to MR Ch.6 s.10.1.5.3 which have been loss adjusted and totalized to their respective *delivery points* defined for the purposes of *transmission services charges* as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*;
- 8.8.1.2 *interchange schedule data* used in the calculation of *transmission services charges* as required by this Chapter and as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*;
- 8.8.1.3 the coincident or non-coincident peak *demand* quantity for each transmission *delivery point* to the extent that such quantities are relevant to the calculation of *transmission services charges* as required by this Chapter and as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*;
- 8.8.1.4 the peak *demand* quantity applicable to the *transmitter's transmission system* or the *IESO-controlled grid* as the case may be, to the extent that such quantities are relevant to the calculation of *transmission services charges* as required by this Chapter and as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*; and
- 8.8.1.5 the *transmission services charges* payable by each *transmission customer* to the transmitter at each *delivery point* defined for the purposes of *transmission services charges* or *intertie metering point* to the extent that such data is relevant to the calculation of *transmission services charges* as required by this Chapter and as established by the *OEB* from time to time pursuant to the *Ontario Energy Board Act, 1998*.

- 8.8.2 The *transmitter* to whom the disclosure of information described in section 8.8.1 is made shall use the *confidential information* so disclosed solely for the purposes of collecting and administering those *transmission services charges* and shall use all reasonable efforts to protect the confidentiality of such *confidential information*, including but not confined to adherence of any code, licence condition, order by the *OEB* or applicable law regarding the separation of the *transmitter's* commercial activities and information with respect to any other affiliated entities as may be defined in said code, licence condition, order, or applicable law.
- 8.8.3 Notwithstanding MR Ch.1 s.13, the applicable *transmitter* receiving the *confidential information* referred to in section 8.8.1 shall indemnify and hold harmless the *IESO* in respect of any and all claims, losses, costs, liabilities, obligations, actions, judgements, suits, expenses, disbursements and damages incurred, suffered, sustained or required to be paid, directly or indirectly, by, or sought to be imposed upon, the *IESO* arising from the subsequent use of such information by, the *transmitter*.

9. [Intentionally left blank – section deleted]