

Memorandum

To: Technical Panel
From: Robert Doyle
Date: June 18, 2019
Re: MR-00438: Dispute Resolution: Selection of a mediator or arbitrator other than an IESO
Dispute Resolution Panel member

The IESO proposes to amend the market rules concerning the selection of a mediator or arbitrator other than a Dispute Resolution Panel member for a dispute commenced under the market rules. This market rule amendment proposal will provide flexibility to the parties of a market rules dispute to select mediators or arbitrators that are not members of the Dispute Resolution Panel.

At the May 21 Technical Panel meeting, two Technical Panel members suggested a change to sections 2.6.2A and 2.7.1A of the market rule amendment proposal to add the word "qualified" before "persons". The IESO has incorporated that change into the attached draft rules. Following the Technical Panel vote to post for stakeholder review and comment at the May 21 meeting, no additional comments were received.

Accompanying materials are available on the Technical Panel [webpage](#) and listed below for reference.

- MR-00438-R00 Amendment Proposal which contains the updated rule language suggested by Technical Panel members

This proposal is a recommendation of the Advisory Group on IESO Governance and Decision-Making. Members of the Advisory Group provided input to the IESO on its market rules, market manuals and dispute resolution processes. The input was used to develop 14 [recommendations](#).

Panel Action and Next Steps

The IESO recommends that the Technical Panel vote to recommend MR-00438-R00 to the IESO Board for consideration at its August 28, 2019 meeting. The effective date of the rule amendments will be October 15, 2019.

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