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April 8<sup>th</sup>, 2021

Ms. Jessica Savage  
Program Delivery Executive, Market Renewal  
Independent Electricity System Operator  
120 Adelaide Street  
Toronto, Ontario, M5H 1T1

RE: MR-00451-R00

Dear Ms. Savage,

As part of the implementation of the IESO's Market Renewal Program ("MRP") Capital Power appreciates the opportunity to provide comments on the changes proposed in *MRP Implementation Batch 1*. Capital Power finds the proposed changes to broadly reflect design determinations made during the MRP Stakeholder Engagement Process, though it is understood that amendments proposed in future batches may trigger the need for further review by market participants or the Technical Panel. Capital Power looks forward to being provided an opportunity to once again review the changes proposed in *MRP Implementation Batch 1* once all batches have been provided to market participants for review and comment.

While the proposed changes appear to broadly reflect determinations made by the IESO during MRP stakeholder engagement, Capital Power is concerned with the proposed addition of section 2.2.3C to the market rules. The IESO has stated the proposed 2.2.3C is for the purpose of "*specifying that the IESO has the discretion to reject registration information if the IESO determines that the facility specific or resource-specific information submitted by a market participant does not conform to the technical capabilities of the facility or any associated resources [.]*" and further suggested that the section serves to clarify pre-existing requirements alluded to within the IESO Market Rules. Capital Power respectfully suggests that any such pre-existing requirements must be explicitly identified and objectively understood as consistent with the proposed amendment, and that it is insufficient to rely on allusions to a requirement sought to be clarified through amendment. Where the market rules do not objectively establish the meaning of a requirement, or the interpretation of a section of the market rule is disputed, Capital Power understands the dispute resolution process to be the appropriate process through which questions of interpretation should be adjudicated.

As drafted, section 2.2.3C appears to expand the scope of the IESO's discretion to reject facility registration, thereby diluting the IESO's obligation under the existing section 2.2.3.2 to "*approve an application for registration of a facility if...the IESO is satisfied on reasonable grounds that the facility is capable of operating as described in the registration information or as otherwise provided by the market rules in respect of the relevant physical service*". In light of this concern, Capital Power would appreciate further detail from the IESO regarding any pre-existing obligations that objectively establish the IESO's discretion to reject facility registration information where it does not conform to the technical capabilities of the facility.

Capital Power again appreciates the opportunity to provide comments and feedback to the IESO as part of the MRP engagement. Should you have any questions for us about our comments here, or more generally, please don't hesitate to contact me at [REDACTED] or [REDACTED].



Sincerely,



Emma Coyle  
Director, Regulatory & Environmental Policy  
Capital Power