



Market Rule Amendment Submission

Please complete the first four parts of this form and submit the completed form by email or fax to the following:

Email Address: Rule.Amendments@theIMO.com

Fax No.: (416) 506-2847 Attention: Market Rules Group

Subject: *Market Rule Amendment Submission*

All information submitted in this process will be used by the *IMO* 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 *IMO* will *publish* this *amendment submission* if the Technical Panel determines it warrants consideration and may invite public comment.

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 contact information in full

Name: Tracy Leng	
(if applicable) <i>Market Participant / Metering Service Provider No.</i> ¹ :	<i>Market Participant Class:</i> Other
Telephone: (416) 506-2834	Fax: (416) 506-2847
Email Address: rule.amendments@theimo.com	

PART 2 – MARKET RULE AMENDMENT SUBMISSION INFORMATION

Subject: Definitions		
Title: Rule Note: Definition of Transmitter		
Nature of request (please indicate with X): <input type="checkbox"/> Alteration <input checked="" type="checkbox"/> Deletion <input type="checkbox"/> Addition <input type="checkbox"/> Clarification		
Chapter: 11	Appendix:	Sections: 1 (Rule Note)
Sub-sections proposed for amending/clarifying :		

¹ This field is restricted to a maximum of 12 characters and does not allow any spaces or underscore.

PART 3 – DESCRIPTION OF THE ISSUE

Provide a brief description of the issue and reason for the proposed amendment. If possible, provide a qualitative and quantitative assessment of the impacts of the issue on you and the *IMO-administered markets*. Include the Chapter and Section number of the relevant market rules.

The Rule Note at the beginning of the definition section in Chapter 11 states that the definitions of the terms “transmitter” and “transmission system” may require certain persons to fulfill certain obligations under the market rules. These obligations may, at times, be inconsistent for those market participants exempt from corollary obligations under the *Electricity Act, 1998* or the *Ontario Energy Board Act, 1998*. For example, a market participant who is licensed by the Ontario Energy Board (OEB) as a distributor, despite the fact they convey electricity at voltages of more than 50 kilovolts, would “technically” fit the definition of transmitter under the market rules and be required to meet the obligations of a transmitter under the market rules. The Rule Note indicates that this potential inconsistency needs to be addressed.

It is the IMO’s view that while there is a the potential for inconsistency in the designation of an entity as a transmitter it has not been a problem to date nor is it expected to in the future. As such there is no need for a Rule Note in the market rules that require the potential inconsistency to be addressed. Leaving the Rule Note in the market rules creates confusion and uncertainty concerning transmitters and their obligations.

The IMO and OEB are endowed with different statutory responsibilities. There will be circumstances where, for reliability reasons, a market participant should be subject to the market rules regarding transmitters notwithstanding that the market participant may not be licensed as a transmitter by the OEB or may otherwise be exempt from some of the obligations of a transmitter under the *Ontario Energy Board Act, 1998*. If a problem were to arise due to the lack of uniformity between the two regimes, participants are eligible to apply for an exemption from the market rule obligations. Also, should the need arise at a later time, the IMO may on its own initiative, or on that of a market participant’s amend the market rules to appropriately identify certain participants who fit the definition of transmitter from some or all obligations of transmitters under the market rules.

PART 4 – PROPOSAL (BY SUBMITTER)

Provide your proposed amendment. If possible, provide suggested wording of proposed amendment.

Delete Rule Note 1 of Chapter 11(definitions).

PART 5 – FOR IMO USE ONLY

<i>Technical Panel Decision on Rule Amendment Submission</i>	
MR number: MR-00027	
Date submitted to <i>Technical Panel</i>:	
Accepted by <i>Technical Panel</i> as: ___ General ___ Urgent <input checked="" type="checkbox"/> Minor (please indicate with X)	Date: August 20, 2002
Criteria for acceptance: The existence of this rules note may lead to possible confusion concerning market participant obligations under the market rules.	
Priority: Low	
Criteria for assigning priority: The Technical panel determined that the rule note may lead to confusion but the extent to which this issue is adversely affecting a number of market participants is low.	
Not accepted (please indicate with X):	
Clarification/interpretation required (please indicate with X):	
<i>Technical Panel</i> minutes reference: IMOTP 110-1	

PART 5 – FOR *IMO* USE ONLY

***Technical Panel Comments:* The Technical Panel determined that this Amendment Submission was minor and non-impactive and therefore, stakeholding is not required. As a result the Technical Panel also determined that they would vote on the Market Rule Amendment Proposal at the same time as making the above determination.**