

Stakeholder Engagement Plan SE-48

Improving Dispute Resolution Process

Efficiency and Flexibility



[Revision 1 – March 11, 2008: Section V: Schedule of Activities Updated](#)

I. Introduction

The market rules describe the negotiation, mediation and arbitration steps that are used to resolve issues between parties that are subject to the dispute resolution process. The IESO is seeking to amend the dispute resolution market rules (Chapter 3, section 2) to facilitate resolution of disputes through good faith negotiation, improve administrative efficiency and flexibility, and align the market rules with the practice that has evolved since market opening.

Background

The market rule dispute resolution provisions apply to disputes between a market participant and the IESO and may also be used in disputes between market participants where agreed to by the parties. The existing provisions prescribe a sequence of good faith negotiations, exchange of a notice of dispute, response and any cross-claim, mediation, and arbitration.

Since market opening, there have been 25 notices of disputes filed, all regarding disputes between the IESO and market participants. To the knowledge of the IESO, the dispute resolution provisions have not been used for any disputes between market participants. None of the disputes involving the IESO have proceeded to mediation or arbitration.

While the existing process has proven to be successful in resolving disputes without the need for mediation or arbitration, the process should be modified to further facilitate and encourage settlement through negotiation and to improve administrative efficiency.

II. Stakeholders

These discussions will be of interest to all market participants.

III. Stakeholder Engagement Goals and Objectives

Goal

The goal of the stakeholder engagement plan is to gather stakeholder feedback on the proposed changes to the market rule provisions regarding dispute resolution.

Objectives

1. Collect stakeholder feedback through the Technical Panel on the proposed market rule amendment.

IV. Stakeholder Engagement Approach and Methods

The implementation of this stakeholder engagement plan will be in accordance with the IESO's approved stakeholder engagement principles. The stakeholder plan will be subject to review and updated as the process evolves and stakeholder comments are incorporated, and as revisions are warranted.

The stakeholder engagements approach will be feedback with request for stakeholder review and written feedback.

The Technical Panel would be the main stakeholder consultation body for this initiative. The Technical Panel has the authority to recommend market rules to the IESO Board and this market rule change will follow the rule amendment process and the stakeholder consultation processes associated within the market rule amendment process. This includes the opportunity for web posting of rule proposals and requests for stakeholder review and input. Stakeholders have the opportunity to contact their Technical Panel representative directly. Contact information can be found at:

<http://www.ieso.ca/imoweb/governance/TechPanelMembers.asp>.

Web-Based Postings

Web-based posting will provide all stakeholders with an efficient lower cost method to be informed of the process and provide feedback. This will provide the opportunity for all interested stakeholders to offer feedback on any proposed changes.

This is a public consultation and information supplied will be posted on the IESO website including identification of the contributing participant.

Market Manuals

The applicable market manuals will be revised as a result of the market rule changes. The consultation process for those changes will follow the market manuals change process described in the [IESO Stakeholder Engagement Process](#) document.

V. Decision Making Steps and Schedule of Activities

Stakeholder Engagement Schedule	
Activity	Target Date
1. Technical Panel briefing and discussion of issues	September 18, 2007 (completed)
2. Post and Communicate draft stakeholder plan.	October 11, 2007
3. Presentation to the Technical Panel on the stakeholder plan	October 16, 2007
4. Closing date for stakeholder written submissions on stakeholder plan.	October 25, 2007
5. Post IESO response to stakeholder written comments on stakeholder plan.	November 1, 2007
6. Technical Panel meetings to consider market rule amendment and recommendation to IESO Board. Publish draft amendment proposal for stakeholder review and comment.	October 2007 - Q1 2008
7. IESO Board meeting for approval of market rule amendments.	February 15, 2008
8. Posting of IESO Board Decision.	February 21, 2008
9. Market Manual changes.	June 4, 2008