

# ISO Rules

## Part 100 General

### Division 103 Administration

#### Section 103.13 Request for Reconsideration



External Consultation Draft  
October 30, 2018

#### Applicability

1 Section 103.13 applies to:

- (a) a **person** who has received an **ISO** decision on the following grounds:
  - i. An eligibility decision relating to participation in the capacity market;
  - ii. A decision requiring participation in a **base auction** or **rebalancing auction**;
  - iii. A decision relating to the obligations of a specific **capacity market participant** in regards to a **base auction** or **rebalancing auction**; or
  - iv. Any other decision made prior to a **base auction** or **rebalancing auction** relating to participation by a specific **capacity market participant** with respect to that auction.  
(an “**ISO** reviewable decision”)
- (b) the **Market Surveillance Administrator**, where the decision enumerated in Section 1(a)(i-iv) relates to fair, efficient, and open competition in the capacity market; and
- (c) the **ISO**.

#### Requirements

##### Submission of Request for Reconsideration

2 A **person** or the **Market Surveillance Administrator** seeking reconsideration of an **ISO** reviewable decision must, in the manner the **ISO** specifies, submit to the **ISO** a request for reconsideration within 5 **business days** of receiving the **ISO** reviewable decision.

##### Content of Request for Reconsideration

3(1) The **person** or the **Market Surveillance Administrator** must ensure that the request for reconsideration referred to in subsection 2:

- (a) is signed by:
  - (i) if the **person** is a corporation, an officer of the corporation;
  - (ii) if the **person** is a partnership, one of its partners;
  - (iii) if the **person** is an individual, the individual in their personal capacity; or
  - (iv) the **Market Surveillance Administrator**;
- (b) contains an attestation that the request for reconsideration is complete and accurate; and
- (c) includes a concise statement identifying the following:
  - (i) the relevant part of the **ISO** reviewable decision being reconsidered;
  - (ii) the facts on which the person or the **Market Surveillance Administrator** relies;
  - (iii) the grounds for disputing the **ISO** reviewable decision;
  - (iv) the arguments supporting each of the grounds for the request for reconsideration;
  - (v) the relief requested; and

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(vi) a schedule listing any supplemental documentation submitted with the request for reconsideration.

(2) The **ISO** may request that the **person** or the **Market Surveillance Administrator** provide additional information as it pertains to the request for reconsideration submitted in accordance with subsection 3(1).

#### Request Notification

4 The **ISO** must, if a request for reconsideration is received from the **Market Surveillance Administrator**, within 1 **business day** of receiving the request for reconsideration, provide a copy of the request to a directly affected **person**.

5 The **ISO** must, if a request for reconsideration is received from a **person**, within 1 **business day** of receiving the request for reconsideration, provide a copy of the request to the **Market Surveillance Administrator** if, in the opinion of the **ISO**, the request for reconsideration relates to fair, efficient, and open competition in the capacity market.

#### Reconsideration Decision

6 The **ISO** must review the request for reconsideration and issue a written decision to the **person** or the **Market Surveillance Administrator** making the request for reconsideration within 5 **business days** of receiving the request referred to in subsection 2.

7 The **ISO** must, as soon as reasonably practicable, upon making a decision regarding a request for reconsideration received from the **Market Surveillance Administrator**, provide a copy of the reconsideration decision to the **Market Surveillance Administrator** and any directly affected **person**.

8 The **ISO** must, as soon as reasonably practicable, upon making a decision regarding a request for reconsideration received from a **person**, provide a copy of the reconsideration decision to:

- (a) the **person** who submitted the request; and
- (b) the **Market Surveillance Administrator** if, in the opinion of the **ISO**, the request for reconsideration relates to fair, efficient, and open competition in the capacity market.

#### Revision History

Date	Description
xxxx-xx-xx	Initial release