

(BILL 100—MINISTRY OF ENERGY DRAFT CONSULTATION REGULATION)

ONTARIO REGULATION

proposed to be made under the

ELECTRICITY ACT, 1998

ONTARIO POWER AUTHORITY PROCUREMENT PROCESSES

Assessment of capability of IESO-administered markets

1. The OPA shall not commence the procurement process under section 25.30 of the Act unless it has, in consultation with the Board and the IESO, made an assessment of the capability of the IESO-administered markets to,

- (a) meet the need for electricity supply or capacity as described in clause 25.30 (1) (a) of the Act; or
- (b) supply measures that will manage electricity demand or result in the improved management of electricity demand as described in clause 25.30 (1) (b) of the Act.

Factors for consideration

2. The OPA shall not commence the procurement process under section 25.30 of the Act unless,

- (a) it has considered the factors identified in the integrated power system plan in respect of the advisability of entering into contracts; or
- (b) in the opinion of the OPA, after consultation with the IESO, extraordinary circumstances exist that justify proceeding with a procurement process without consideration of the factors mentioned in clause (a).

Terms or conditions of contract

3. The OPA shall ensure that, to the greatest extent possible, any contract it enters into under subsection 25.30 (1) of the Act does not contain terms or conditions that have the effect of restricting entry into the IESO-administered markets by generators who are not parties to a procurement contract with the OPA.

Principles in the procurement process

4. In developing procurement processes under section 29.29 of the Act, the OPA shall comply with the following principles:

1. Procurement processes and criteria must be fair, open, clearly stated and accessible to a broad range of interested bidders.
2. To the greatest extent possible, the procurement of electricity supply and capacity and the procurement of reductions in electricity demand shall be achieved through competitive processes.
3. No conflict of interest or unfair advantage shall be allowed in the selection process.
4. Evaluation criteria and processes must be transparent and clearly stated for all interested bidders.