

NYISO Market Data Retention Policy

October 8, 1999

1. **Purpose.** Pursuant to the provisions of the NYISO Market Monitoring Plan, this NYISO Market Data Retention Policy (“Data Retention Policy”) sets forth the requirements for the retention of market information by the Market Monitoring Unit of the NYISO and by Market Parties. The provisions of this Data Retention Policy shall be binding on the NYISO and Market Parties, and shall supersede any prior specifications by the NYISO for the retention by the Market Monitoring Unit or Market Parties of the market data or information specified in this Data Retention Policy.

2. **Defined Terms.** Capitalized terms shall have the meanings specified herein or in the New York Independent System Operator Agreement (“NYISO Agreement”), the New York Independent System Operator Market Administration and Control Area Services Tariff (“NYISO Services Tariff”), or the New York Independent System Operator Market Monitoring Plan (“NYISO Market Monitoring Plan”). The foregoing, together with the New York Independent System Operator Open Access Transmission Tariff, the Agreement between New York Independent System Operator and Transmission Owners, the New York State Reliability Council Agreement and the Agreement between the New York Independent System Operator and the New York State Reliability Council, are referred to herein as the “NYISO Tariffs and Agreements.”

3. **Addendum B Data.** Except as specified herein, a Market Party shall retain the data and information specified in Addendum B of the NYISO Market Monitoring Plan for a period of six years from the date to which the data relates.

4. **NYISO Market Data.** The NYISO shall retain for a period of six years from the date to which the data or information relates:

- a. Data or information required to be submitted to, or otherwise used by, the NYISO in connection with the bidding, scheduling and dispatch of resources or loads in the New York energy, ancillary services, TCC or ICAP markets;
- b. Data or information used or monitored by the NYISO on system conditions in the New York Control Area, including but not limited to transmission constraints or planned or forced facility outages, that materially affect transmission congestion costs or market conditions in the New York energy, ancillary services or ICAP markets;
- c. Data or information monitored by the Market Monitoring Unit in the course of its implementation of the NYISO Market Monitoring Plan on conditions in markets external to New York, or on fuel prices or other economic conditions, that materially affect market conditions in the New York energy, ancillary services, TCC or ICAP markets;

- d. Data or information relating to the imposition of, or a decision not to impose, Mitigation Measures; and
- e. Such other data or information as the Market Monitoring Unit may deem relevant to the implementation of the NYISO Market Monitoring Plan.

5. **Other Retention Requirements.** The foregoing obligations to retain data or information shall not alter any data retention requirements that may otherwise be applicable to the NYISO or a Market Party, nor shall any such other data retention requirement alter the requirements specified above.

6. **Destruction of Data or Information.** The NYISO or a Market Party may, at its option, purge or otherwise destroy any data or information that has been retained for the longest applicable period specified above, provided the retention of such data or information is not mandated by the FERC, the NYPSC, or other applicable requirement or obligation.

7. **Statutes of Limitations.** Compliance with the requirements specified herein for the retention of data or information shall not suspend or waive any statute of limitations or doctrine of laches, estoppel or waiver that may be applicable to any claim asserted against the NYISO or a Market Party.