NYISO Management Committee Meeting

January 21, 2000 Con Edison New York City

MINUTES OF THE MEETING

I. <u>Introduction and Meeting Objectives</u>

Mr. Lou Rana, Chairperson of the NYISO Management Committee (MC), called the meeting to order and welcomed the members and guests.

Mr. Rana suggested the following objectives for the meeting:

- Action on Stage I ICAP Tariff and Auction Documents
- Action on Motion regarding Budget and Performance Review Subcommittee

II. ICAP Market and Auction Procedures for Summer 2000

Mr. Rana noted that the members of the Management Committee had received draft tariff provisions and auction procedures by electronic mail and that copies of these documents were also distributed at the meeting. A two-page memorandum addressing the purpose of the Summer 2000 filing and suggesting a mechanism for concluding the FERC filings was also distributed at the meeting.

Mr. Rana indicated that discussion and action at the meeting would proceed as follows:

Mr. Jim Scheiderich, Chairperson of the NY ISO Business Issues Committee (BIC), would review the features of the tariff and auction procedures.

Mr. Howard Fromer, facilitator of the BIC ICAP Working Group, would discuss a limited number of issues that required clarification or resolution at the meeting.

Mr. Ted Murphy, counsel to the NYISO, and Mr. Art Desell, NYISO staff, were available to answer any questions concerning the documents or the market and auction procedures.

Messrs. Rana, Scheiderich and Fromer would propose a process for finalizing the filing documents, based on the meeting's outcome.

Mr. Rana offered the following observations concerning NY's ICAP market and requirements. He noted that Con Edison is forecasting a peak load of 10340 MW for the

Summer 2000 period and that currently there are 7829 MW of resources available that meet the in-city criteria. However, the 80% locational ICAP requirement for New York City calls for 8272 MW to be located in-city, which produces a projected shortfall of 443 MW.

Mr. Rana emphasized that ICAP market and auction procedures which provide correct incentives for suppliers are essential to attract the additional supply needed in New York and that the MC must act quickly for the market and auction procedures before them to be in effect for the summer. Mr. Rana also noted that the NYISO was proceeding with a compliance filing to the current ICAP auction procedures and the market would be forced to use these procedures if new ones are not approved by FERC on a timely basis.

Overview

Mr. Scheiderich reviewed the features of the Stage I filing. He noted that Stage I does not implement unforced capacity or a one-month obligation procurement period, although those features were endorsed by the BIC. Mr. Scheiderich informed the members that these features require additional clarification among participants and study by the NYISO and that it is the intent of the BIC ICAP Working Group to have these issues resolved in time for implementation at the start of the Winter 2000 seasonal capability period.

Mr. Scheiderich noted that the Stage I tariff provisions contain enforcement provisions, in the form of sanctions and penalties for buyers and sellers, which have been controversial with some participants. Nevertheless, Mr. Scheiderich indicated that he viewed the enforcement provisions as reasonable compromises between the NYISO staff and the participants.

Issues

Mr. Fromer introduced the first of two issues requiring clarification. Mr. Fromer indicated that the Stage I tariff exempts certain municipally owned generation from the bidding and scheduling requirements of other ICAP suppliers. The exemption was provided because these resources are not visible to the NYISO's MIS and therefore cannot meet these requirements. Mr. Fromer noted that the BIC ICAP Working Group had intended to extend this exemption not only to certain existing municipally-owned resources, but also to those that would be in-service by the start of the Summer 2000 period. In order to clarify this intent, Mr. Fromer recommended that the tariff provisions be amended to indicate those resources "under construction" by December 31, 1999 also are entitled to the exemption.

Discussion ensued. Some representatives of Generators viewed this exemption as inequitable and disagreed that the Working Group had contemplated extending the exemption to resources under construction. Mr. Tom Rudebusch, representing municipal utilities, stated that the Working Group had incorporated the exemption throughout many discussions without any time limitation on municipal generation, and indicated that they were opposed to the insertion of the December 31, 1999 time requirement after the last meeting of the Working Group. As a compromise, Mr. Rudebusch indicated that the municipals would accept the clarified language offered by Mr. Fromer. Mr. Robert

Hiney of the New York Power Authority expressed the view that this exemption is important to allow the state to rely on all available resources during the Summer 2000 period, and that the equity issues could be revisited as the permanent ICAP market rules are developed. Discussion also clarified that that total amount of municipally-owned generation eligible for this exemption is approximately 70 MWs out of a total statewide requirement of over 30000 MWs.

Mr. Tim Bush, Sithe Energies, offered the following motion:

The proposed exemption for municipally-owned generation should be limited to existing generation of 25 MWs or less.

The motion was seconded and defeated by a wide majority by a show of hands.

Mr. Fromer offered the following motion:

The proposed exemption for municipally-owned generation should be clarified by inserting language in Section 5.8 (b) to indicate that resources "under construction" by December 31, 1999 will be eligible.

The motion was seconded and carried by a wide majority by a show of hands.

Mr. Fromer noted that there were two issues related to the in-city ICAP market that required clarification and discussion. The first concerns the implementation of the price cap on mitigated in-city units and the second addresses the distribution of rebates that may be available as a result of the in-city auction procedures.

Mr. Rana stated his view that the MC had already expressed a clear intent that the Stage I ICAP market and auction procedures must not lead to New York City customers paying more than the price-capped amount for any mitigated ICAP. Mr. Rana requested and received clarification from certain MC members that the rebate procedures, as currently drafted, met that standard. Mr. Rana also requested the NYISO staff to independently confirm that the tariff and auction procedures will not require New York City customers to pay more than the price-capped amount for any mitigated generation that is purchased, and to make any changes necessary to the documents to ensure this outcome. NYISO staff agreed to Mr. Rana's request.

Discussion of additional issues and further clarifications

The members raised numerous issues and questions during discussion. Ms. Gina Corrado, PECO, requested that the documents clarify the circumstances under which a supplier will be exposed to retroactive deficiency penalties. Mr. Fromer explained that this possibility might arise if a supplier sold more ICAP at the start of the obligation procurement period than its later DMNC test indicated it was eligible to sell, and also failed to cover that shortfall in the monthly auctions.

Mr. Peter Brown, Brown, Olson & Wilson, clarified that the intent concerning External System Resources is to allow these resources to participate in NY's ICAP market if they are located within control areas which have demonstrated that they are willing to curtail exports and own load on an equivalent basis. As currently drafted, section 5.12.1 implies that only resources which are also control areas can meet this criteria. It was agreed that the documents would be revised to reflect the intent articulated by Mr. Brown.

Ms. Mary Lynch, Orion Power, asked if the intent of section 5.12.5 is to allow resources which had demonstrated an increase in DMNC ratings during a capability period to sell the increased capacity prospectively during the remainder of the capability period. Ms. Lynch also inquired if this provision would extend to new capacity or just a restoration of previously existing capacity. During discussion, it was clarified that restoration of existing capacity during the capability period was covered by 5.12.5 but that new capacity was not. NYISO staff stated that it would investigate the reliability issues related to extending this provision to incremental capacity (that is, additional capacity at an existing resource) and if this extension would not compromise reliability, the documents would be revised to further extend these provisions to incremental capacity.

Mr. Ray Kinney, NYSEG, indicated his company's position that the price paid for recalled energy should not exceed the spot price in the area from which the energy is recalled. The proposal is to allow ICAP suppliers to submit recall bids, and to pay for recalled energy at the recall bid price. Mr. Kinney indicates that NYSEG will not support the filing if this provision stands.

Mr. Len Singer, Couch White, raised an issue concerning Stage I market features and Interruptible Load resources. Mr. Singer indicated that while the procedures appear to allow Interruptible Load to bid into the market, the NYISO systems are not able to support this activity. Mr. Singer stated his view that while Stage I is an improvement to the existing market design and auction procedures, he is not convinced that the systems necessary to support full participation by Interruptible Load cannot be made available by the Summer 2000 period. Mr. Singer indicated that if progress is not made on this front by the time that responses to the proposed filing are required, his clients may protest on the grounds of limited participation afforded these resources.

During discussion, Mr. Freilicher indicated that both the NYISO staff and Board of Directors are very supportive of providing full participation for Interruptible Load resources but that the implementation will require additional time. Mr. Scheiderich offered to discuss this issue at the next meeting of the BIC Scheduling & Pricing Working Group with NYISO staff available to review implementation matters. Mr. Rana requested the NYISO staff to present a timeline that will allow full participation of Interruptible Loads. Mr. Freilicher indicated that staff would report back at the next MC meeting.

Process Proposal

Based on the discussion and clarifications at the meeting, Mr. Rana indicated that the tariff and auction documents would need to be revised. He suggested that a small group

be charged with this task so that a target filing date of January 28, 2000 could be met. After additional process discussion, Mr. Scheiderich offered the following motion:

The Management Committee approves of the 1/20 Tariff and related Auction description as presented, along with inclusion of any resolutions to issues resolved at the 1/21/00 Management Committee meeting.

Further, the MC agrees to a limited Participant group to oversee the finalization of the Tariff filing.

During discussion, it was clarified that the limited Participant group would be comprised of one representative from each sector, one PSC staff member and the Chairpersons of the MC, BIC and facilitator of the BIC ICAP Working Group. The group was directed to: work with NYISO staff and Hunton & Williams to revise the documents to reflect the discussion at the 1/21/00 MC meeting; sign off on the filing on behalf of the MC; and to file the documents with FERC no later than January 28, 2000.

The motion was seconded and approved by a vote of 93.4%.

III. Budget and Performance Review Subcommittee

The sponsor of the motion, Mr. Jim Parmelee, indicated that he wished to remove the item from the agenda at this meeting and would reintroduce his motion at the next regularly scheduled MC meeting.

IV. Adjournment

The meeting was adjourned at approximately 2:45 pm.

Respectfully submitted,

Gina Fedele Acting Secretary

Organization	Sector	Representative	Proxy	Alternate1	Alternate2	Guest
Metropolitan Transportation Authority	End Use - Gov. Agency/Aggr.	✓ Robin C. Stevens		✓ Walter McCarroll		
NYS Energy Research & Develop. Auth.	End Use - Gov. Agency/Aggr.	Peter R. Smith		✓ Charles Kowalski	✓ Jeffrey Gerber	
The City of New York	End Use - Gov. Agency/Aggr.	Jay L. Kooper		✓ Richard B. Miller		
ATCO Management Co.	End Use - Large Consumers	Peter DiCapua		Scott Petersen		
IBM Corporation	End Use - Large Consumers	✓ Leonard H. Singer				
Occidental Chemical Corp.	End Use - Large Consumers	✓ Leonard H. Singer				
Praxair Inc.	End Use - Large Consumers	✓ Leonard H. Singer				
Reynolds Metals Company	End Use - Large Consumers	✓ Leonard H. Singer				
Xerox Corporation	End Use - Large Consumers	✓ Leonard H. Singer				
Aaron Breidenbaugh	End Use - Small Consumers	✓ Aaron Breidenbaugh				
Association for Energy Affordability, Inc.	End Use - Small Consumers	✓ David Hepinstall		✓ Molli Lampi		
Citizens Advisory Panel	End Use - Small Consumers	Gordian Raacke				
New York Energy Buyers Forum	End Use - Small Consumers	Catherine Luthin	✓ Molli Lampi	John Dowling		✓ Sheila Sweeney
NY State Consumer Protection Board	End Use - State Agency	✓ Tariq N. Niazi				
AES NY	Generation Owners	✓ Christopher Wentlent		Rick Santoroski		
East Coast Power	Generation Owners	Jack Feinstein		Gary Keevill		
Edison Mission Marketing & Trading	Generation Owners	Kenneth L. Lackey		Lou Ann Basham	Tom Green	
Indeck Energy Services	Generation Owners	Mike Janczak	✓ John Reese	Mike Ferguson		
KeySpan Ravenswood, Inc	Generation Owners	Howard A. Kosel		James Brennan	✓ Dick Ackerson	
NRG Energy	Generation Owners	✓ Marc Dworkin		Nancy Jones		
Orion Power New York	Generation Owners	Mark Sudbey		√ Janet Audunson		✓ Mary Lynch
PG&E Generating	Generation Owners	Daniel E. DuBois	✓ John Reese	Scott Miller		
Sithe Energies, Inc.	Generation Owners	Scott Weiner		✓ Timothy R. Bush	✓ Garry Brown	✓ Mark Younger
Southern Energy of NY	Generation Owners	Craig Lesser		✓ Mark Petro		
TransCanada Power Marketing	Generation Owners	William Taylor		Elaine Beaudry		
NYS Department of Public Service	Non-voting	✓ Saul Rigberg		Joel Brainard	✓ Mark Reeder	
1st Rochdale Cooperative NYC	Other Suppliers	✓ Phyllis J. Kessler		Gregory Wortham		
Aquila Energy Marketing Corp.	Other Suppliers	Jason T. Stever		✓ Peter Brown		
Citizens Power LLC	Other Suppliers	William Roberts		✓ Alan Foster		
Con Edison Energy	Other Suppliers	Ken Bekman		Ivan Kimball		
Con Edison Solutions	Other Suppliers	Ken Bekman		✓ Stephen Wemple		
Constellation Power Source	Other Suppliers	✓ Harvey Reed		Douglas Keegan	✓ David Taylor	
Dynegy	Other Suppliers	Dave Black				
Energetix, Inc.	Other Suppliers	Byron Farnsworth				
Enron Power Marketing Inc.	Other Suppliers	✓ Howard A. Fromer				
HQ Energy Services	Other Suppliers	Matthew LaRocque	✓ Michel Prevost	Johane Meagher		
KeySpan Energy Services	Other Suppliers	✓ Ruben Brown		Angela Schorr	Ellen Shaw	
Niagara Mohawk Energy Marketing	Other Suppliers	Jim Cifaratta		Sam Moreton		
NU / Select Energy	Other Suppliers	Gunnar Jorgensen		✓ James Scheiderich		
Ontario Power Generation Inc.	Other Suppliers	✓ Barry Green		Tasos Karatsoreos	Tom May	
PECO Energy Company	Other Suppliers	Marjorie R. Philips		✓ Regina Carrado		
PP&L Energy Plus	Other Suppliers	John Brodbeck		✓ Glen McCartney	Roger Dolan	

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PP&L Inc.	Other Suppliers	Garreth Kirkner				
PSEG Energy Technologies Inc.	Other Suppliers	Patricia Esposito		Ken Lempicki		
Public Service Electric & Gas Company	Other Suppliers	James D. Hebson		Michael LaFalce		
Sempra Energy Trading	Other Suppliers	Phil Borrello		Dana Volpe		
Southern Company Energy Marketing	Other Suppliers	✓ Marty Matijasich		Vicki Lynch		
Strategic Energy Ltd.	Other Suppliers	John E. Molinda		✓ Jacqueline Cochrane	James P. McCormick	Peter Chamberlain
TransÉnergie U.S. Ltd.	Other Suppliers	José A. Rotger				
Long Island Power Authority	Public Power - Authorities	Seth D. Hulkower		√ Jim Parmelee		✓ Don Wilkes
New York Power Authority	Public Power - Authorities	✓ Robert A. Hiney		William Palazzo	√ Kim Byham	
Adirondack Council	Public Power - Environmental	✓ Mollie Lampi		Bernard Melewski	,	
Environmental Advocates	Public Power - Environmental	Jason K. Babbie				
Pace University	Public Power - Environmental	✓ Mollie Lampi				
Scenic Hudson	Public Power - Environmental	Cara Lee		✓ Molli Lampi		
Sierra Club - Atlantic Chapter	Public Power - Environmental	Frank Morris		John Stouffer		
Bath Electric, Gas & Water Systems	Public Power - Munis & Co-ops	W. Neal Wrinkle	✓ Paul Pallas			
City of Jamestown Board of Pub. Util.	Public Power - Munis & Co-ops	✓ Michael Darroch		Wally Haase	✓ Tom Rudebusch	
Town of Massena	Public Power - Munis & Co-ops	Clifford Engstrom	✓ Paul Pallas			
Village of Fairport	Public Power - Munis & Co-ops	Ken Moore	✓ Paul Pallas			
Village of Freeport	Public Power - Munis & Co-ops	✓ Hubert Bianco		Robert Kortright		
Village of Rockville Centre	Public Power - Munis & Co-ops	✓ Paul J. Pallas				
Village of Westfield	Public Power - Munis & Co-ops	Jim Hamilton	✓ Paul Pallas			
Central Hudson Gas & Electric	Transmission Owners	✓ Ronald Brand		Carl Meyer		✓ J. Watzka
Consolidated Edison	Transmission Owners	✓ Lou Rana				√ W. Jaeger
Niagara Mohawk Power Company	Transmission Owners	Clement E. Nadeau		✓ Jerry J. Ancona		✓ Marti Amati
NY State Electric Gas	Transmission Owners	Denis Wickham		✓ Raymond Kinney		✓ J. Charlton
Orange & Rockland, Inc.	Transmission Owners	✓ Phil Nannery				✓ Paul Gioia
Rochester Gas & Electric Co.	Transmission Owners	✓ Clifton Olson		✓ Laurie King-Pirchner		
NYISO	Non-voting					Bill Museler
NYISO	Non-voting					✓ Jonathan Mayo
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NYISO	Non-voting					David Patton
Hunton and Williams	Non-voting					✓ Gina Fedele
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Hunton and Williams	Non-voting					✓ Gina Fedele
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Hunton and Williams	Non-voting					James Schmidt
Hunton and Williams	Non-voting					✓ Ira Freilicher
Hunton and Williams	Non-voting					✓ Ted Murphy
NYISO	Non-voting					✓ Art Desell
	Non-voting					✓ Kristen Kranz

New York Independent System Operator

Management Committee - January 21, 2000

Motion: Motion to approve Stage 1 ICAP 1/20/2000 Tariff and Auction description

Result: Motion Passed

Sector with base percent	%	Active	Quorum	Adj. Percent	For	Against	Abstain	% For	% Against
Generation Owners	21.5	 ✓	✓	21.50	8.00	0.00	0	21.50	0.00
Other Suppliers	21.5	✓	✓	21.50	8.00	1.00	2	19.11	2.39
Transmission Owners	20	✓	✓	20.00	4.00	1.00	0	16.00	4.00
End Use Consumers	40		✓	45.00	5.00	0.00	0	45.00	0.00
Large Consumers	10	✓		15.00	5.00	0.00	0	15.00	0.00
Small Consumers	5	x ✓		0.22	2.00	0.00	1	0.22	0.00
Gov. State-wide Cons. Advocate	2	\ \ \		3.00	1.00	0.00	0 1	3.00	0.00
Gov. Sm. Cons. & Retail Aggr.	2	'		2.00	2.00	0.00	ı	2.00	0.00
Public Power			✓						
State Power Authorities	8	✓		8.00	2.00	0.00	0	8.00	0.00
Munis and Coops	7	✓		7.00	7.00	0.00	0	7.00	0.00
Environmental	2	✓		2.00	3.00	0.00	0	2.00	0.00
			i						
			5	100.22	42.00	2.00	4	93.83	6.39
				100.22 No	ormalized	to 100% :		93.63	6.37

Market Relations Page 1 of 1

New York Independent System Operator

Management Committee - January 21, 2000

Motion Motion to approve Stage 1 ICAP 1/20/2000 Tariff and Auction description

Sector	Organization	Representative	Affiliate	Present	For	Against
End Use - Gov. Agency/Aggr.	Metropolitan Transportation Authority	Robin C. Stevens		у		
End Use - Gov. Agency/Aggr.	NYS Energy Research & Develop. Auth.	Charles Kowalski		у	1.00	
End Use - Gov. Agency/Aggr.	The City of New York	Richard B. Miller		у	1.00	
End Use - Large Consumers	ATCO Management Co.	Languard II Cinnan			4.00	
End Use - Large Consumers End Use - Large Consumers	IBM Corporation Occidental Chemical Corp.	Leonard H. Singer Leonard H. Singer		y y	1.00	
End Use - Large Consumers	Praxair Inc.	Leonard H. Singer		y	1.00	
End Use - Large Consumers	Reynolds Metals Company	Leonard H. Singer		у	1.00	
End Use - Large Consumers	Xerox Corporation	Leonard H. Singer		у	1.00	
End Use - Small Consumers	Aaron Breidenbaugh	Aaron Breidenbaugh		у	1.00	
End Use - Small Consumers	Association for Energy Affordability, Inc.	David Hepinstall		у	1.00	
End Use - Small Consumers	Citizens Advisory Panel	NA 1811				
End Use - Small Consumers End Use - State Agency	New York Energy Buyers Forum NY State Consumer Protection Board	Molli Lampi Tariq N. Niazi		У	1.00	
Generation Owners	AES NY	Christopher Wentlent		y y	1.00	
Generation Owners	East Coast Power	Chilotophor Worklone	у	,	1.00	
Generation Owners	Edison Mission Marketing & Trading					
Generation Owners	Indeck Energy Services	John Reese		у	1.00	
Generation Owners	KeySpan Ravenswood, Inc	Dick Ackerson		у	1.00	
Generation Owners	NRG Energy	Marc Dworkin		У	1.00	
Generation Owners	Orion Power New York	Janet Audunson		у	1.00	
Generation Owners Generation Owners	PG&E Generating Sithe Energies, Inc.	John Reese Timothy R. Bush		У	1.00	
Generation Owners	Southern Energy of NY	Mark Petro		y y	1.00	
Generation Owners	TransCanada Power Marketing	mant roug		,		
Non-voting	NYS Department of Public Service	Saul Rigberg		у		
Other Suppliers	1st Rochdale Cooperative NYC	Phyllis J. Kessler		у	1.00	
Other Suppliers	Aquila Energy Marketing Corp.	Peter Brown		у		
Other Suppliers	Citizens Power LLC	Alan Foster		у		1.00
Other Suppliers	Con Edison Energy Con Edison Solutions	Stanban Wampla	у			
Other Suppliers Other Suppliers	Constellation Power Source	Stephen Wemple Harvey Reed	у	y y	1.00	
Other Suppliers	Dynegy	Tiarvey Need		y	1.00	
Other Suppliers	Energetix, Inc.		у			
Other Suppliers	Enron Power Marketing Inc.	Howard A. Fromer		у	1.00	
Other Suppliers	HQ Energy Services	Michel Prevost		у	1.00	
Other Suppliers	KeySpan Energy Services	Ruben Brown	у	у		
Other Suppliers	Niagara Mohawk Energy Marketing	James a Cabadaladah	у		4.00	
Other Suppliers Other Suppliers	NU / Select Energy Ontario Power Generation Inc.	James Scheiderich Barry Green		У	1.00	
Other Suppliers	PECO Energy Company	Regina Carrado		y y	1.00	
Other Suppliers	PP&L Energy Plus	Glen McCartney		y	1.00	
Other Suppliers	PP&L Inc.	,	у	,		
Other Suppliers	PSEG Energy Technologies Inc.					
Other Suppliers	Public Service Electric & Gas Company					
Other Suppliers	Sempra Energy Trading					
Other Suppliers	Southern Company Energy Marketing	Marty Matijasich	У	У		
Other Suppliers Other Suppliers	Strategic Energy Ltd. TransÉnergie U.S. Ltd.	Jacqueline Cochrane	у	у		
Public Power - Authorities	Long Island Power Authority	Jim Parmelee		у	1.00	
Public Power - Authorities	New York Power Authority	Robert A. Hiney		у	1.00	
Public Power - Environmental	Adirondack Council	Mollie Lampi		у	1.00	
Public Power - Environmental	Environmental Advocates					
Public Power - Environmental	Pace University	Mollie Lampi		у	1.00	
Public Power - Environmental	Scenic Hudson	Molli Lampi		У	1.00	
Public Power - Environmental Public Power - Munis & Co-ops	Sierra Club - Atlantic Chapter Bath Electric, Gas & Water Systems	Paul Pallas			1.00	
Public Power - Munis & Co-ops Public Power - Munis & Co-ops	City of Jamestown Board of Pub. Util.	Michael Darroch		y y	1.00	
Public Power - Munis & Co-ops	Town of Massena	Paul Pallas		y	1.00	
Public Power - Munis & Co-ops	Village of Fairport	Paul Pallas		y	1.00	
Public Power - Munis & Co-ops	Village of Freeport	Hubert Bianco		y	1.00	
Public Power - Munis & Co-ops	Village of Rockville Centre	Paul J. Pallas		у	1.00	
Public Power - Munis & Co-ops	Village of Westfield	Paul Pallas		у	1.00	
Transmission Owners	Central Hudson Gas & Electric	Ronald Brand		у	1.00	
Transmission Owners	Consolidated Edison	Lou Rana		у	1.00	
Transmission Owners Transmission Owners	Niagara Mohawk Power Company NY State Electric Gas	Jerry J. Ancona Raymond Kinney		У	1.00	1.00
Transmission Owners	141 Olale Liebliib Gas			у		1.00
Transmission Owners	Orange & Rockland, Inc.	Phil Nannery	у	у		

Market Relations Page 1 of 1