

# NYISO Management Committee Meeting

March 2, 2005

Teleconference

10:00 a.m. – 3 p.m.

## **Draft MINUTES OF THE MEETING**

### **1. Introductions, Meeting Objectives & Chairman's Report**

Mr. Chris Wentlent of AES, Chairman, called the meeting to order at 10:05 AM and welcomed the members of the Management Committee ("MC"). The meeting objectives are to:

- Act on the February 2, 2005 Minutes
- Act on GRT Tariff Language

Mr. Wentlent informed the MC that agenda item #7, Sales Tax Tariff Language, would be discussed ahead of agenda item #6 Gross Receipts Tax Issue / Tariff Language. He also noted that the first Project Priority Team ("PPT") meeting for the year was conducted on February 23, 2005. It was the first time an open phone line was available Market Participants ("MP") to listen in on a listen only basis. Mr. Wentlent encouraged MPs to take advantage of this opportunity in the future. Some of the items covered were: a review of 2004 projects and how they performed in relation to the budget and the 2005 project list.

Mr. Wentlent announced the retirement of Mike Darroch of the Jamestown Board of Public Utilities ("BPU") and expressed his appreciation to Mr. Darroch's commitment and involvement in the Management Committee since the inception of the NYISO markets in 1999. On behalf of the MC, Mr. Wentlent congratulated Mr. Darroch and wished him a healthy and happy retirement.

### **Approval of the Minutes**

#### **Motion #1:**

Motion to approve the Minutes from the February 2, 2005 MC meeting.

***(Motion passed unanimously by show of hands with abstentions)***

## 2. President's Report

Mr. William Museler of the NYISO introduced Mr. Mark Lynch, the new President and Chief Executive Officer ("CEO") of the NYISO and thanked the MC members who provided stakeholder input to the CEO selection process. Mr. Museler praised Mr. Lynch's selection as the ideal person to lead the NYISO going forward, through the many challenges that lie ahead.

Mr. Lynch briefly introduced himself to the MC and thanked the Market Participants for their support. Mr. Lynch stated that he is looking forward to maintaining the good relations that Mr. Museler has fostered with the MC.

### Market Performance Highlights

Mr. Museler noted that due to the large number of anticipated changes to the real-time prices, the usual set of market graphs will not be available until later in March. A complete set of graphs is anticipated for the BIC meeting on March 16<sup>th</sup>. The natural gas price has decreased from January's price, while other fuel prices have fluctuated. He added that DAM Regulation prices were up, and Real-time Regulation prices were in the \$53 range.

Mr. Museler reported that the RTS prices were well within expected ranges for February.

### SMD2

Mr. Museler pointed out that under SMD2, the day ahead market remains virtually unchanged and the NYISO generally did not have to correct DAM prices. There were a number of issues affecting the calculation of real-time prices 1) The load forecasting misalignment between short term and long-term models, which was fixed on February 4<sup>th</sup>, and 2) The ramping logic mismatch that occurred at or close to the top of the hour. This was especially noticeable when units were ramping online and offline at the end of the day. Mr. Museler also stated that due to the need for a more comprehensive review the first month of SMD2 data no price corrections were made during the five-day window.

Due to the load forecasting and ramping logic issues, the first four days of prices under SMD2 will be replaced with RTC prices and will be reflected in next month's invoice. The prices from February 4<sup>th</sup> to the 23<sup>rd</sup> will be corrected and posted but will not be reflected in an invoice until the four month true up. The final corrected prices will be posted before the end of March.

Mr. Robert Fernandez, NYISO General Counsel, stated that the NYISO would file with the FERC to seek the necessary waiver of the five-day window to ensure the prices are corrected properly. The filing will be posted within several days.

Mr. Museler announced that the building the NYISO's plans to purchase is the Phoenix building in East Greenbush, NY. This will consolidate the NYISO's work-force into two

locations instead of four. All agreements are in place for the purchase of the facility. The NYISO is in the process of obtaining the permits to make necessary changes prior to the July closing date.

### **Automated Mitigation Procedure (AMP)**

Mr. Museler commented on the inadvertent activation of the AMP towards the end of January. The cause of the inadvertent activation was located and corrected in the SMD2 prior its deployment. The impact to individual inadvertently mitigated suppliers was approximately 3.2 million dollars. This amount will be credited back to those suppliers that were improperly mitigated.

Mr. Mark Younger, of Slater Consulting, asked if the impact to the suppliers also included generators that got paid less because of the effect on clearing prices due to the inadvertent mitigation. Mr. Museler responded that the impact measured only the impact on inadvertently mitigated generators. Mr. Museler noted that consistent with prior practices, the NYISO will not attempt to restate the day-ahead LBMP.

Mr. Glenn Haake, of IPPNY, requested an action item for the NYISO to calculate- and provide to market participants what the hour-by-hour impact to LBMPs of the improper mitigation as well as a calculation of the total reduction in payments made to suppliers as a result of the inappropriately reduced LBMPs compared to what suppliers would have received if the improper mitigation had not occurred. ~~was to suppliers, in respect to the lower payment they received relative to what they would have been paid.~~ Mr. Museler agreed to take the request under advisement.

Mr. Tim Bush, of Navigant, expressed concerns that the NYISO is unwilling to restate the day ahead LBMPs, even in cases where they appeared low. Mr. Bush further stated that by not restating the LBMPs, the guarantee payments to suppliers would be recovered via uplift and from customers that have effectively hedged their positions. Mr. Museler responded that the principle of not restating day ahead prices under these circumstances has been litigated previously with the FERC and has been sustained. Mr. Museler also suggested further discussion on this topic be referred to the Business Issues Committee ("BIC"). Mr. Younger, of Slater Consulting, suggested an immediate discussion at the earliest S&P meeting.

Mr. Ray Kinney of NYSEG commented that in current and past presentations, the NYISO has never completely indicated the accuracy of the AMP when triggered. Mr. Kinney requested the NYISO be specific in its presentations or in the minutes whether the operation of the AMP statewide was indeed incorrect. Mr. Museler replied that the recent operation of the AMP was incorrect.

Dr. Mayer Sasson, of Consolidated Edison, suggested that the NYISO include the correct functioning of the AMP in future analysis to determine whether the day ahead or the real-time prices are correct. Mr. Museler responded that the correct functioning of the AMP is included in the daily price validation analysis that is conducted by the NYISO.

Mr. Kevin Jones, of LIPA, requested an action item for the NYISO to provide the specific units and hours that were mitigated due to the software malfunction to LIPA. Mr. Museler agreed that the NYISO staff will provide that information.

### **Residual TCC Issues Update**

Mr. Museler commented on the residual TCC issues dated back to the May 2000 through October 2002 settlement period. These residual issues do not affect the non Transmission Owner ("TO") TCC holders. Mr. Sasson stated that the TCC errors could have affected the non-TO TCC holder due to the fact they were allowed to purchase TCCs representing transmission capacity that did not really exist. Mr. Museler replied that the NYISO is open for further discussion; however, the NYISO's approach at this time is to deal with the equity issue among the TOs.

Mr. Mike Mager, of Couch White, representing Alcoa/Reynolds Metals Company, commented that in addition to the TOs, this issue also indirectly affected the consumers paying TSC charges and requested that the NYISO provide information of the magnitude of the error. Mr. Mager also suggested the NYISO provide this information to the Public Service Commission ("PSC") to ensure that any appropriate corrections can also be made at the consumer level. Mr. Museler responded that the NYISO intends to provide an aggregated number so Market Participants can see the magnitude of error. Mr. Museler also stated in a hypothetical situation that the TSC rate could be increased or lowered based on how the TOs were affected. Therefore, based on this mechanism he believes that the consumers will not be harmed.

Mr. Jim Scheiderich, of Select Energy NY, commented that based on language in the NYISO Market Services Tariff, the NYISO should not have gone back to May 2000 to make corrections and expressed concerns that MPs will have to go back and re-open their books. Mr. Butterklee, of Consolidated Edison, replied that no conclusion should be drawn regarding this period until there is a real understanding of the impact.

Mr. Wentlent recommended further discussion of this issue be referred to the S&P and encouraged MPs with additional questions to attend the next S&P meeting.

Ms. Doreen Saia, representing Mirant, requested that the NYISO provide a full explanation regarding Mr. Scheiderich's concerns on the TCC issues. The explanation should include the basis for making the changes, the timeline for corrections and an explanation regarding how far back the NYISO believes it can retroactively correct these types of errors.

### **4. Billing Issues Update**

Mr. Charles Garber, CFO of the NYISO, commented on impacts of the residual TCC

issues on the final settlement schedules. Mr. Garber stated that assuming the remaining TCC issues are resolved as Mr. Museler indicated and the NYISO obtains the necessary FERC waiver in a timely manner, the NYISO expects to resume the final closeout settlement process in May with the Batch 2 Invoices for March-July 2000. This will allow the full 2 months (March & April) to review and process the first and second SMD2 bills, without also having to deal with the prior invoice final closeouts. Each subsequent batch of older invoices would be processed in successive months. The results of this process would be that the 24-Month Settlement Cycle postings would be back on schedule with the posting in September 2005 of Batch 7 and its invoicing in October 2005 and the 12-Month Settlement Cycle postings in February 2006 of batch 12 and its invoicing on March 7, 2006.

## 5. SMD2 Status Report

Mr. Rich Dewey, manager of NYISO Product and Project Management, stated that the transition to production for the SMD2 on February 1<sup>st</sup> very was successful. As a precaution, all of the day ahead prices were reserved but the results were later determined to be reliable. He noted that some other issues were encountered including:

- The speed of processing of the initial invoice due to the initial volume of data to process.
- Software issues that affected the real-time market prices and the real-time load forecast.
- Meter Authorities were not always able to get metered data to the NYISO in a timely manner.
- Slow operation with some software that interfaces with Market Participants software packages.

Mr. Dewey stated that some of the NYISO's internal developers and ABB are currently working to improve the SMD2 functionality and deploy coincident with the Controllable Tie Line ("CTL") deployment in May. A number of requests from MPs for additional features they would like to see added to the SMD2 software have been collected. Mr. Dewey urged MPs to continue to provide this input via their Committee Chairs or their Customer Relations Reps.

## 6 Gross Receipts Tax Issue/ Tariff Language

Mr. Glenn Haake, of IPPNY, commenced the discussion of this matter by stating that while IPPNY and its members have consistently stated their position that suppliers into the NYISO markets are engaged solely in wholesale transactions and therefore are not subject to gross receipts taxes ("GRTs"), the existence of so called "direct customers" of the NYISO has raised a concern that taxing authorities could attempt to impose GRT liability on suppliers into the NYISO. He noted that this concern is not speculative, as one of IPPNY's members currently is undergoing an audit with respect to potential GRT

~~liability. He next introduced the following initiated the open discussion on the Gross Receipts Tax Issue/~~ Tariff Language-;

In addition to any other requirements set forth in this Tariff, any Customer, other than a Supplier, or Transmission Owner, or municipal electric utility, seeking to purchase any services under this Tariff for its own use shall satisfy the requirements of this Section 8.4.2 of the Services Tariff with respect to any applicable New York State and local "gross receipts" taxes provisions irrespective of whether such tax is a tax upon the Customer or upon a third party.

A. With respect to each jurisdiction in which a Customer, other than a Supplier or Transmission Owner, owns or operates a facility for which it engages in purchases from the NYISO-administered markets for its own use, such Customer shall:

1. Provide to the NYISO a current Reseller's Certificate of the kind and in the form prescribed in N.Y. Tax Law § 1132(c)(1)(form ST-120); or
2. Provide to the NYISO a copy of a current exemption certificate from each applicable taxing authority that exempts the Customer and its transactions from any state or local gross receipts tax ("GRT") that exists in the subject jurisdiction, or the substantial equivalent thereto; or
3. Provide to the NYISO a current written agreement or comparable document with or from each applicable taxing authority pursuant to which the Customer accounts for and pays directly to the taxing authority GRTs arising from its purchases, which agreement must provide that the taxing authority: (a) waives any and all claims for GRT liability against sellers into the NYISO-administered markets with respect to the Customer's purchases under the NYISO Tariffs; and (b) acknowledges that all sellers into the NYISO markets may enforce the aforementioned waiver of GRT liability.

B. As an alternative to the procedure set forth in Section A, a Customer that engages in purchases from the NYISO for its own use may demonstrate to the satisfaction of the NYISO that:

1. Each jurisdiction in which the Customer will engage in such purchases under the NYISO Tariffs does not impose a GRT; or
2. The receipts from the purchase by or sale to the Customer of such goods or services are not subject to the GRT imposed by such jurisdiction.

C. The showing required under Section B (1) above may be satisfied by presenting to the NYISO current tariff leaves for each utility in whose service territory the Customer engages in purchases for its own use under the NYISO Tariff (e.g., Niagara Mohawk – PSC 207 – Statement 35) showing that each such jurisdiction does not impose a GRT (i.e., that the jurisdiction is not listed on the Statement). It also may be satisfied by other, comparable documentary evidence that there is no GRT in a particular jurisdiction.

D. The showing required under Section B (2) above may be satisfied by presenting to the NYISO a certificate or other satisfactory written evidence from each applicable taxing authority.

F. Upon approval of the requirements set forth herein by FERC, the NYISO shall:

1. Inform each Customer known or believed to be engaging in purchases from the NYISO for its own use of the approved requirements but the failure by the NYISO to inform any Customer engaging in such purchases of such approved requirements or of such Customer to receive such information shall not excuse such Customer from complying with the requirements of this Section 8.4.2; and

2. Assign and make known to market participants one or more NYISO representatives responsible for responding to inquiries from such Customers, taxing authorities and others regarding the requirements.

G. Within six months after FERC's acceptance or approval of this Section 8.4.2 of this Tariff, each Customer subject to the requirements hereof shall provide the NYISO with the documentation required herein. Thereafter, Customers subject to these requirements shall satisfy them on an annual basis by January 15th of each calendar year; provided, however, that if the next January 15th is within six months of the date A Customer satisfied the requirements for the first time, then such Customer shall not be required to satisfy them again until January 15th of the following year (i.e., under no circumstances would a Customer be required to satisfy the requirements twice during a six-month period).

H. In the event a Customer fails to provide the required documentation, the NYISO shall terminate service to such Customer in accordance with the provisions of Article 7.5 of this Tariff.

J. The requirements imposed by this Section 8.4.2 shall be null and void if and when any of the following conditions occur:

1. The authority of municipalities in New York State to impose a GRT relating to electricity is rescinded or otherwise eliminated; or

2. A final and binding non-appealable decision is issued by an administrative agency or court of competent jurisdiction providing that sellers into the NYISO-administered markets are not liable for GRT imposed by reason of their sales into the NYISO-administered markets notwithstanding the existence of Customers who make purchases from the NYISO-administered markets for their own use.

Mr. Mike Mager, of Couch-White representing Alcoa/Reynolds Metals Company, ~~opposes~~ opposed this motion ~~on the grounds~~ arguing that this motion kills the Direct

Customer option for all current Direct Customers. Mr. Mager believes that this motion does great damage to a limited segment of the markets.

Mr. Tom Rudebusch, representing the City of Jamestown Board of Public Utilities, asked if the direct end-use customers pay a portion of the GRT charges pursuant to transmission service charges? Mr. Haake replied he does not believe that the commodity GRT could be included in a utility's transmission service charge because the commodity is based on the LBMP, which differs from hour to hour. Mr. Rudebusch also asked what is the intent of this motion, under Part H; will the NYISO terminate a customer solely under the Market Services Tariff or under the OATT Tariff as well? Mr. Fernandez replied that the NYISO would terminate customers solely under the Market Services Tariff. He also clarified that this is an amendment to the original tariff.

### **Motion #2:**

The Management Committee ("MC") approves the tariff language, as presented and discussed today, March 2, 2005, to address concerns regarding "gross receipts" tax issues and requests that the Board authorize a filing to the FERC pursuant to Section 205 of the Federal Power Act to amend the Services Tariff accordingly.

***(Motion passed with 74.37% affirmative votes)***

## **7 Sales Tax Tariff Language, as revised with Tax Department**

Mr. Fernandez noted that today's motion addresses only the NYISO's legal obligation as a NYS sales tax collection agent. However, he also noted that the NYISO also recognizes Market Participant concerns about the possible imposition of Gross Receipts Taxes ("GRTs") and is committed to facilitating discussion among MPs to address those concerns.

The NYISO Services Tariff permits sales directly to end use customers (so-called "Direct Customers").

- There are "Direct Customers" today that have sales tax liability for purchases from the NYISO Administered Markets.
- NYS Department of Taxation and Finance notified NYISO in the Fall of 2003 that the NYISO is required to register as a collection agent for sales tax on electricity sold in the spot market and consumed by "Direct Customers".

NYISO's Response:

- Sought to convince NYS Tax Department to reconsider and reverse its determination that the NYISO should register as collection agent, but was unsuccessful.
- NYISO has a legal obligation that must be satisfied, i.e., registration as sales tax collection agent
- NYS Department of Taxation and Finance expects compliance by early 1st quarter 2005 Proposed Solution Proposed Solution



- Modify the tariff to require Customers to (i) supply a Reseller's Certificate or (ii) supply an exemption certificate or direct pay certificate or be a governmental entity or instrumentality not subject to the sales tax.

This approach will:

- Allow the NYISO to fulfill its legal obligation to register as collection agent.
- Avoid costly expenditure of MP funds and limited NYISO resources to administer a new sales tax function.

Mr. Haake of IPPNY asked if the tariff language regarding the sales tax is being revised to target solely the direct customers. Mr. Fernandez replied that is being revised to apply to all customers.

Mr. Fromer, of PSEG, requested that the NYISO take an action item to inquire about the Tax Department requirements for a foreign entity with no physical assets in the New York. Mr. Fernandez agreed to research the matter.

Mr. Paul Gioia, representing the NY Transmission Owners, asked what is the provision for approving the tariff language. Mr. Fernandez replied that the NYISO proposes completing the draft language and posting it for comments from the MC. Then, upon approval by the NYISO Board the NYISO will proceed with the filing.

Mr. Tim Bush commented that the process used in approving concepts and developing tariff language needs to be revisited by the Bylaws Committee. Mr. DeWitt agreed that the By-laws committee should review the matter. Mr. Bush also stated that the process used should include an approval by the Management Committee.

Mr. James D'Andrea, of Keyspan Ravenswood, requested that the NYISO inquire with the State Tax Department if a Generator is allowed to provide an exempt wholesale generator ("EWG") application for FERC and whether such documentation would be acceptable in lieu of a direct pay permit.

## **8. New Business**

No new business

## **9. Adjourn**

The meeting was adjourned at approximately 12:20

## **NYISO Management Committee Meeting**

*March 2, 2005*

*Teleconference*

### **MOTIONS FROM THE MEETING**

**Motion #1:**

Motion to approve the Minutes from the February 2, 2005 MC meeting.

***(Motion passed unanimously by show of hands with abstentions)***

**Motion #2:**

The Management Committee ("MC") approves the tariff language, as presented and discussed today, March 2, 2005, to address concerns regarding "gross receipts" tax issues and requests that the Board authorize a filing to the FERC pursuant to Section 205 of the Federal Power Act to amend the Services Tariff accordingly.

***(Motion passed with 74.37% affirmative votes)***

# New York Independent System Operator

## Management Committee - March 2, 2005

Motion: Motion #2

Result: Motion Passed

Sector with base percent	%	Active	Quorum	Adj. Percent	For	Against	Abstain	% For	% Against		
Generation Owners	21.5	✓	✓	21.50	3.00	1.00	2	16.13	5.38		
Other Suppliers	21.5	✓	✓	21.50	5.00	1.00	8	17.92	3.58		
Transmission Owners	20.0	✓	✓	20.00	4.00	0.00	0	20.00	0.00		
End Use Consumer			✓								
Large Consumer	9.0	✓		9.00	0.00	5.00	0	0.00	10.33		
Large Cons. Gov. Agency	2.0	✓		2.00	0.00	0.00	0	0.00	0.00		
Small Consumer	4.5	✓	✓	4.50	1.00	6.00	1	0.74	4.43		
Gov. State-wide Cons. Advocate	2.7	✓		2.70	0.00	0.00	1	0.00	0.00		
Gov. Sm. Cons. & Retail Aggr.	1.8	✓		1.80	1.00	0.00	1	4.50	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	8.00	3.00	0	5.09	1.91		
Environmental	2	✓		2.00	1.00	0.00	4	2.00	0.00		
				5	100.00		25.00	16.00	17	74.37	25.63
					100.00	Normalized to 100% :		74.37	25.63		

**New York Independent System Operator  
Management Committee - March 2, 2005**

**Motion  
Motion #2**

Sector	Organization	Representative	Affiliate	Present	For	Against
End Use - Gov. Agency/Aggr.	NYS Energy Research & Develop. Auth.	Erin Hogan		y		
End Use - Gov. Agency/Aggr.	The City of New York	Michael Delaney		y	1.00	
End Use - Large Consumer	Alcoa/Reynolds Metals Company	Michael Mager		y		1.00
End Use - Large Consumer	Helmsley-Spear Inc.					
End Use - Large Consumer	IBM Corporation	Michael Mager		y		1.00
End Use - Large Consumer	Occidental Chemical Corp.	Michael Mager		y		1.00
End Use - Large Consumer	Praxair Inc.	Michael Mager		y		1.00
End Use - Large Consumer	Xerox Corporation	Michael Mager		y		1.00
End Use - Large Cons. Gov.	Metropolitan Transportation Authority					
End Use - Small Consumer	American Sugar Refining, Inc.	John Dowling		y		1.00
End Use - Small Consumer	Association for Energy Affordability, Inc.	Larry DeWitt		y		
End Use - Small Consumer	Beth Israel Health Care System	John Dowling		y		1.00
End Use - Small Consumer	Building and Realty Institute	Tariq Niazi		y	1.00	
End Use - Small Consumer	Columbia University	John Dowling		y		1.00
End Use - Small Consumer	Mount Sinai Medical Center	John Dowling		y		1.00
End Use - Small Consumer	New York Presbyterian Hospital	John Dowling		y		1.00
End Use - Small Consumer	New York University	John Dowling		y		1.00
End Use - State Agency	NY State Consumer Protection Board	Tariq Niazi		y		
Generation Owners	AES NY	Christopher Wentlent		y	1.00	
Generation Owners	American National Power, Inc.					
Generation Owners	Astoria Energy LLC					
Generation Owners	Calpine					
Generation Owners	East Coast Power Linden Holding LLC					
Generation Owners	Edison Mission Marketing & Trading	William Roberts		y		
Generation Owners	Entergy Nuclear Northeast	Angelo Vai		y	1.00	
Generation Owners	Indeck Energy Services	Mark Younger		y	1.00	
Generation Owners	KeySpan Ravenswood, LLC	Jim D'Andrea		y		1.00
Generation Owners	Mirant New York, Inc.	Doreen Saia		y		
Generation Owners	Orion Power New York	Liam Baker	y	y		
Generation Owners	Selkirk Cogen Partners, L.P.					
Generation Owners	Sithe Energies, Inc.		y			
Generation Owners	TransCanada Power Marketing					
Other Suppliers	Advantage Energy, Inc.					
Other Suppliers	Amerada Hess Corporation					
Other Suppliers	Brascan Energy Marketing Inc.	Robert Ricketts		y	1.00	
Other Suppliers	Cinergy Capital and Trading					
Other Suppliers	Con Edison Energy		y			
Other Suppliers	Con Edison Solutions	Stephen Wemple	y	y		
Other Suppliers	Conectiv					
Other Suppliers	Constellation New Energy Inc.	Sara O'Neill	y	y		
Other Suppliers	Constellation Power Source	Glen McCartney		y		
Other Suppliers	Coral Power, LLC					
Other Suppliers	DC Energy					
Other Suppliers	Dominion Energy Marketing, Inc.					
Other Suppliers	Duke Energy North America, LLC					
Other Suppliers	Dynergy	Alan Foster		y		
Other Suppliers	ECONergy					
Other Suppliers	Epic Merchant Energy	Erik Abend		y		
Other Suppliers	Exelon Generation - Power Team					
Other Suppliers	Fortstar/Lockport Energy Associates, L.P.	Mark Younger		y	1.00	
Other Suppliers	FPL Energy	David Applebaum		y	1.00	
Other Suppliers	HQ Energy Services	Paul Norris		y		
Other Suppliers	KeySpan Energy Services	Jim D'Andrea	y	y		
Other Suppliers	Morgan Stanley Capital Group					
Other Suppliers	NRG Power Marketing					
Other Suppliers	NU / Select Energy	Jim Scheiderich		y		
Other Suppliers	Ontario Power Generation Inc.	David Barr		y		
Other Suppliers	PP&L Energy Plus	Sharon Weber		y		
Other Suppliers	PSEG Energy Resources & Trade	Howard Fromer		y	1.00	
Other Suppliers	Reliant Energy Services, Inc.	Liam Baker		y	1.00	
Other Suppliers	Sempra Energy Trading					
Other Suppliers	SESCO Enterprises, LLC					
Other Suppliers	Strategic Energy LLC	Francis Pullaro		y		1.00
Other Suppliers	Strategic Power Management, Inc.	Mario DiValentino		y		
Other Suppliers	TransEnergie U.S. Ltd.		y			
Other Suppliers	Williams Power Company					
Public Power - Authorities	Long Island Power Authority	Kevin Jones		y	1.00	
Public Power - Authorities	New York Power Authority	William Palazzo		y	1.00	
Public Power - Environmental	American Wind Energy Association	Larry DeWitt		y	1.00	
Public Power - Environmental	Environmental Advocates	Larry DeWitt		y		
Public Power - Environmental	Natl Resources Defense Council	Larry DeWitt		y		
Public Power - Environmental	Pace University	Larry DeWitt		y		
Public Power - Environmental	Scenic Hudson	Larry DeWitt		y		
Public Power - Munis & Co-ops	Bath Electric, Gas & Water Systems	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	City of Jamestown Board of Pub. Util.	Tom Rudebusch		y		1.00
Public Power - Munis & Co-ops	Lake Placid Village	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Municipal Commission of Boonville	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Plattsburgh Municipal Lighting Dept.	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Arcade	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Fairport	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Freeport	Tom Rudebusch		y		1.00
Public Power - Munis & Co-ops	Village of Rockville Centre	Tom Rudebusch		y		1.00
Public Power - Munis & Co-ops	Village of Solvay	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Westfield	Tim Bush		y	1.00	
Transmission Owners	Central Hudson Gas & Electric	John Watzka		y	1.00	
Transmission Owners	Consolidated Edison	Neil Butterklee		y	1.00	
Transmission Owners	National Grid	Jerry Ancona		y	1.00	
Transmission Owners	NY State Electric Gas (NYSEG)	Ray Kinney		y	1.00	
Transmission Owners	Orange & Rockland, Inc.		y			
Transmission Owners	Rochester Gas & Electric	Ray Kinney	y	y		
Non-voting	Boundless Energy, L.L.C		y			
Non-voting	Caithness Energy, L.L.C		y			
Non-voting	Cianbro		y			
Non-voting	Customized Energy Solutions	Rick Mancini	y	y		

# New York Independent System Operator - Committee Membership

## Management Committee - Attendance March 2, 2005- Albany, NY - Parties Checked in Attendance

Organization	Sector	Representative	Alternate1	Alternate2	Alternate3	Alternate4	Alternate5	Proxy	Guest
NYS Energy Research & Develop. Auth.	End Use - Gov. Agency/Aggr.	Paul DeCotis	David Coup	✓ Erin Hogan	Chris Hall	John Spath			
The City of New York	End Use - Gov. Agency/Aggr.	✓ Michael Delaney	Gil Quiniones	Thomas Simpson	Jonathan Wallach	Tim Daniels			
Alcoa/Reynolds Metals Company	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Helmstley-Spear Inc.	End Use - Large Consumer	David Bomke	George Diamantopoulos	Edward Strauss	Herb Rose				
IBM Corporation	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Occidental Chemical Corp.	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Praxair Inc.	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Xerox Corporation	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Metropolitan Transportation Authority	End Use - Large Cons. Gov.	Jesse Samberg	Gary Caplan	Walter McCarroll					
American Sugar Refining, Inc.	End Use - Small Consumer	John Gebhard	Quintin George	Catherine Luthin	✓ John Dowling	Jennifer Kearney			
Association for Energy Affordability, Inc.	End Use - Small Consumer	David Hepinstall	✓ Larry DeWitt						
Beth Israel Health Care System	End Use - Small Consumer	Catherine Luthin	✓ John Dowling	Jennifer Kearney	✓ Tariq Niazi	Doug Elfner			
Building and Realty Institute	End Use - Small Consumer	Herb Rose	Judith Mondre	Ted Lee	✓ Tariq Niazi				
Columbia University	End Use - Small Consumer	Catherine Luthin	✓ John Dowling	Jennifer Kearney	✓ Tariq Niazi	Doug Elfner			
Mount Sinai Medical Center	End Use - Small Consumer	Catherine Luthin	✓ John Dowling	Jennifer Kearney	✓ Tariq Niazi	Doug Elfner			
New York Presbyterian Hospital	End Use - Small Consumer	Catherine Luthin	✓ John Dowling	Jennifer Kearney	✓ Tariq Niazi	Doug Elfner			
New York University	End Use - Small Consumer	Catherine Luthin	✓ John Dowling	Jennifer Kearney	✓ Tariq Niazi	Doug Elfner			
NY State Consumer Protection Board	End Use - State Agency	✓ Tariq Niazi	Doug Elfner						
AES NY	Generation Owners	✓ Christopher Wentlent	Rick Santoroski	Charles Sjoberg					
American National Power, Inc.	Generation Owners	Dorothy Capra	Bill Henson						
Astoria Energy LLC	Generation Owners	Joseph Swift	Leonard Singer						
Calpine	Generation Owners	Thomas Kaslow	Tracee Bersani	Richard Felak					
East Coast Power Linden Holding LLC	Generation Owners	Thomas Hoatson	Robert Licato	Kathy Benini					
Edison Mission Marketing & Trading	Generation Owners	✓ William Roberts	✓ Jeffrey Ellis	Peter Brown	Rich Mooney				
Entergy Nuclear Northeast	Generation Owners	Marc Potkin	✓ Angelo Vai	Ron Mackowiak					
Indeck Energy Services	Generation Owners	Mike Ferguson	John Schrage	✓ Mark Younger					
KeySpan Ravenswood, LLC	Generation Owners	Jim Brennan	Rich Hohliman	Joe Vignola	✓ Jim D'Andrea	✓ Madison Milhous	Rich Rapp		
Mirant New York, Inc.	Generation Owners	James Mayhew	✓ Doreen Saia	Vicki Lynch					
Orion Power New York	Generation Owners	✓ Liam Baker	Bill Berg						
Selkirk Cogen Partners, L.P.	Generation Owners	Tim Biittig	Steve Kampilla						
Sithe Energies, Inc.	Generation Owners	Scott Silverstein	Joe Klimaszewski	Jim Verna					
TransCanada Power Marketing	Generation Owners	William Taylor	Elaine Beaudry						
Advantage Energy, Inc.	Other Suppliers	Kyle Storie							
Amerada Hess Corporation	Other Suppliers	Hemant Jain	Kevin Laguardia	Bias Hernandez		George Braulke			
Brascan Energy Marketing Inc.	Other Suppliers	✓ Robert Ricketts	Daniel Whyte						
Cinergy Capital and Trading	Other Suppliers	Jason Barker	Walt Yeager						
Con Edison Energy	Other Suppliers	Ken Bekman	Ivan Kimball						
Con Edison Solutions	Other Suppliers	Ken Bekman	✓ Stephen Wemple						
Conectiv	Other Suppliers	Bill Fehr	John Foreman						
Constellation New Energy Inc.	Other Suppliers	Peter Duprey	Carrie CullenHitt	✓ Sara O'Neill		Susan Chamberlin			
Constellation Power Source	Other Suppliers	Daniel Allegretti	✓ Glen McCartney	Mary Lynch		Carrie CullenHitt			✓ Joe Lewis
Coral Power, LLC	Other Suppliers	Matt Picardi	Marc Overdyk	Dave French					
DC Energy	Other Suppliers	Bruce Bleiweis	Dean Wilde	Andrew Stevens					
Dominion Energy Marketing, Inc.	Other Suppliers	Wes Walker	Lou Oberski	Michael Bekker					
Duke Energy North America, LLC	Other Suppliers	Stacy Dimou	Del Disher						
Dynegy	Other Suppliers	✓ Alan Foster	Jason Cox	Kevin White					
ECONergy	Other Suppliers	Saul Horowitz	Tom Halleran						
Epic Merchant Energy	Other Suppliers	Mike Kinsey	✓ Erik Abend	Wade Sullivan					
Exelon Generation - Power Team	Other Suppliers	Scott Silverstien	Joe Klimaszewski	Jim Verna					
Fortistar/Lockport Energy Associates, L.P.	Other Suppliers	Roger Kelley	✓ Tom Gesicki	Mark Younger	✓ Glenn Haake				
FPL Energy	Other Suppliers	✓ David Applebaum	Fernando DaSilva	Ron Scheirer					
HQ Energy Services	Other Suppliers	Michel Prevost	✓ Paul Norris	Benoit Goyette					
KeySpan Energy Services	Other Suppliers	Terrence Kain	✓ Jim D'Andrea	Edwin Kichline	James Cross	John Vaughn			
Morgan Stanley Capital Group	Other Suppliers	Patrick Murray	Karen Kochonies	Levon Kazarian	Doron Ezickson	Nikolai Markarian			
NRG Power Marketing	Other Suppliers	Tim Foxen	Katie Sullivan	Peter Chamberlain					
NU / Select Energy	Other Suppliers	Gunnar Jorgensen	✓ Jim Scheiderich						
Ontario Power Generation Inc.	Other Suppliers	Barry Green	Tasos Karatsoreros	Ken Lacivita	Scott McArthur	✓ David Barr	✓ Glenn Haake		
PP&L Energy Plus	Other Suppliers	Tom Hyzinski	John Brodbeck	Joseph Langan	✓ Sharon Weber				
PSEG Energy Resources & Trade	Other Suppliers	✓ Howard Fromer	Michael LaFalce						
Reliant Energy Services, Inc.	Other Suppliers	✓ Liam Baker	Bill Berg						
Sempre Energy Trading	Other Suppliers	Dan Staines	Maria Agovino	Scott Englander	Robert Fagan				

# New York Independent System Operator - Committee Membership

## Management Committee - Attendance March 2, 2005- Albany, NY - Parties Checked in Attendance

Organization	Sector	Representative	Alternate1	Alternate2	Alternate3	Alternate4	Alternate5	Proxy	Guest
SESCO Enterprises, LLC	Other Suppliers	Mike Schubiger	Jim Thoresen						
Strategic Energy LLC	Other Suppliers	✓ Francis Pullaro	Michael Swider	Jeffrey Knox	Brian Vayda				
Strategic Power Management, Inc.	Other Suppliers	✓ Mario DiValentino	Thomas Folchi						
TransEnergie U.S. Ltd.	Other Suppliers	José Rotger	Michael Jacobs						
Williams Power Company	Other Suppliers	David Singer	Mark Lassman	Robert O'Connell					
Long Island Power Authority	Public Power - Authorities	Jim Parmelee	✓ Kevin Jones	Jim Wittine					
New York Power Authority	Public Power - Authorities	Robert Hiney	✓ William Palazzo	✓ Kim Byham					
American Wind Energy Association	Public Power - Environmental	Valerie Strauss	✓ Larry DeWitt	Douglas Ward	Mike Jacobs				
Environmental Advocates	Public Power - Environmental	Anne Reynolds	✓ Larry DeWitt						
Natl Resources Defense Council	Public Power - Environmental	Dale Bryk	✓ Larry DeWitt						
Pace University	Public Power - Environmental	Edward Smeloff	✓ Larry DeWitt						
Scenic Hudson	Public Power - Environmental	✓ Larry DeWitt							
Bath Electric, Gas & Water Systems	Public Power - Munis & Co-ops	✓ Tim Bush	Jim Hamilton	Matthew Benesh	Ken Moore	Jack Brown			
City of Jamestown Board of Pub. Util.	Public Power - Munis & Co-ops	Michael Darroch	David Gustafson	Wally Haase	✓ Tom Rudebusch				
Lake Placid Village	Public Power - Munis & Co-ops	Peter Kroha	✓ Tim Bush						
Municipal Commission of Boonville	Public Power - Munis & Co-ops	Kenneth Stabb	✓ Tim Bush						
Plattsburgh Municipal Lighting Dept.	Public Power - Munis & Co-ops	Jack Brown	✓ Tim Bush	Paul Pallas					
Village of Arcade	Public Power - Munis & Co-ops	Larry Kilburn	✓ Tim Bush						
Village of Fairport	Public Power - Munis & Co-ops	Ken Moore	✓ Tim Bush	Paul Pallas					
Village of Freeport	Public Power - Munis & Co-ops	Hubert Bianco	✓ Anthony Fiore	✓ Tom Rudebusch					
Village of Rockville Centre	Public Power - Munis & Co-ops	Paul Pallas	Jim Hamilton	Matthew Benesh	Jim Hamilton	Jack Brown	Ken Moore	✓ Tom Rudebusch	
Village of Solway	Public Power - Munis & Co-ops	Anthony Modafferi	✓ Tim Bush						
Village of Westfield	Public Power - Munis & Co-ops	Jim Hamilton	✓ Tim Bush	Paul Pallas	Matthew Benesh	Jack Brown	Ken Moore		
Central Hudson Gas & Electric	Transmission Owners	Charles Freni	✓ John Watzka						
Consolidated Edison	Transmission Owners	Terry Agriss	Rebecca Craft	✓ Neil Butterklee					
National Grid	Transmission Owners	✓ Jerry Ancona	Wes Yeomans	Janet Gail Besser	Herb Schrayshuen	Bart Franey	Terron Hill		✓ P Gioia.M Sasson
NY State Electric Gas (NYSEG)	Transmission Owners	✓ Ray Kinney	✓ Patti Caletka	Hank Masti	Cliff Olson	Denis Wickham			
Orange & Rockland, Inc.	Transmission Owners	None Assigned							
Rochester Gas & Electric	Transmission Owners	✓ Ray Kinney	✓ Patti Caletka	Hank Masti	Cliff Olson	Denis Wickham			
Boundless Energy, L.L.C	Non-voting	John Tompkins	Brian Chernack	Chuck Gilbert					
Caithness Energy, L.L.C	Non-voting	Ross Ain	Jack Feinstein						
Cianbro	Non-voting	Chuck Hewitt	John Tompkins						
Customized Energy Solutions	Non-voting	✓ Rick Mancini	Stephen Fernands	Bill Schofield					
Ecogen, L.L.C	Non-voting	Tom Hagner							
Energetix, Inc.	Non-voting	Barney Farnsworth							
Fluent Energy	Non-voting	✓ Michael Mastroianni	David Koplas	Margie Miller					
Hudson River Energy Group	Non-voting	Frank Radigan	Richard Canfield						
Hydro-Quebec TransEnergie	Non-voting	Glenn Sylvain	Mario Boucher						
NYS Department of Public Service	Non-voting	Penny Rubin	Rajendra Addepalli						✓ B Heinrich/M Reeder
Stealth Energy	Non-voting	Gad Cohen							
The Structure Group	Non-voting	✓ Bob Furry	Alex Lago						
Tom Halleran	Non-voting	Tom Halleran							
William P. Short	Non-voting	William Short	Marc Schaefer	Joe DeVito	John Brodbeck	Ron Matlock	Paul Savage	Roberto Denis	
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting	None Assigned							

**NYISO and Hunton & Williams Members in Attendance:**

- ✓ Ira Freilicher Hunton & Williams
- Kathy Robb Hunton & Williams
- James Schmidt Hunton & Williams
- ✓ Rob Fernandez NYISO
- ✓ Bill Museler NYISO
- ✓ Chuck King NYISO
- ✓ Mollie Lampi NYISO

# New York Independent System Operator - Committee Membership

## Management Committee - Attendance March 2, 2005- Albany, NY - Parties Checked in Attendance

Organization	Sector	Representative	Alternate1	Alternate2	Alternate3	Alternate4	Alternate5	Proxy	Guest
✓ Mark Lynch	NYISO								
✓ Belinda Thornton	NYISO								
✓ Elaine Robinson	NYISO								
✓ Frank Francis	NYISO								
✓ Leigh Bullock	NYISO								
✓ Ray Stalter	NYISO								
✓ Debbie Eckels	NYISO								
✓ Rich Dewey	NYISO								
✓ Brad Kranz	NYISO								
✓ John Buechler	NYISO								
✓ Charles Garber	NYISO								
✓ Mike Calimano	NYISO								
✓ Ernie Cardone	NYISO								
✓ Vinny Budd	NYISO								
✓ Ed Schwerdt	NPCC								
Andrew Hartshorn	NYISO/LECG								

**Key:**

✓ = In attendance