

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Generator Run Status Information )**

**Docket No. RM05-16-000**

**COMMENTS OF  
ISO/RTO COUNCIL ON  
NOTICE OF INQUIRY**

The California Independent System Operator, Inc. (“CAISO”), the Independent Electricity System Operator of Ontario (“IESO”), ISO New England, Inc. (“ISO-NE”), Midwest Independent Transmission System Operator, Inc. (“MISO”), New York Independent System Operator, Inc. (“NYISO”), PJM Interconnection, L.L.C. (“PJM”), and Southwest Power Pool (“SPP”) hereby jointly submit comments<sup>1</sup> as the ISO/RTO Council (“IRC”)<sup>2</sup> in response to the Notice of Inquiry (“NOI”) issued in this proceeding on May 27, 2005.<sup>3</sup>

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<sup>1</sup> In addition to supporting these joint comments, certain IRC members will submit individual comments in this proceeding. The Electric Reliability Council Of Texas (ERCOT) is a member of the IRC but is not a participant in these comments as it would not be subject to the proposed rule. The Canadian ISOs are also not subject to Commission jurisdiction or a proposed rule on this matter.

<sup>2</sup> The nine functioning Independent System Operators (“ISOs”) and Regional Transmission Organizations (“RTOs”) in North America formed the IRC in April 2003. The IRC’s mission is to work collaboratively to develop effective processes, tools and standard methods for improving competitive electricity markets across North America. In fulfilling this mission, it is the IRC’s goal to provide a perspective that balances reliability standards with market practices so that each complements the other, thereby resulting in efficient, robust markets that provide competitive and reliable service to customers.

<sup>3</sup> Generator Run Status Information, Docket No. RM05-16-000, Notice of Inquiry (May 27, 2005).

The IRC's members understand the Commission's need for timely access to generator run status information in order to fulfill its market monitoring responsibilities. IRC members within the Commission's jurisdiction are available to work with the Commission and to help it find a way to obtain better access to real-time data without compromising generators' legitimate confidentiality requirements. At this time, the IRC's members have not developed joint answers to each of the NOI's specific questions but would like to make two general suggestions for the Commission's consideration.

First, a number of RTOs and ISOs already collect a significant portion of the information that the Commission is interested in gathering. RTOs and ISOs also conduct a variety of audits and analyses of the data. Subject to the confidentiality concerns noted below, jurisdictional IRC members would be available to share any of this information with the Commission. At the same time, the IRC's members believe that the Commission should make generators the primary reporters of their own data because that is more likely to be the most efficient option in most instances. The fact that RTOs and ISOs currently have a substantial amount of data related to generator run status does not mean that it would be easy, or inexpensive, for them to function as clearinghouses for all of the information that the Commission may find to be of interest. In the same vein, requiring RTOs and ISOs to reformat or recompile information that they currently collect could impose significant new burdens and costs. The IRC's members respectfully request that the Commission keep these issues in mind as it develops its policies.

Second, as the NOI recognizes, much of the information to which that the Commission seeks greater access is highly commercially sensitive. Just as importantly, much of it is also protected as confidential information under RTO and ISO tariffs. The Commission obviously has a right to gain access to this data. Nevertheless, in order to

eliminate legal conflicts, and ease compliance by RTOs and ISOs, the Commission should clearly address this issue in this proceeding. One possibility would to include a provision in whatever final rule may ultimately be issued that would require all jurisdictional RTOs and ISOs to make compliance filings revising their tariffs in a way that would facilitate their cooperation with the Commission.

Respectfully submitted,

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