

17 Attachment K – Reservation of Certain Transmission Capacity and LBMP Transition Period

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**17.9 BASIS FOR SETTLEMENTS; PROCEDURES FOR REVISING INFORMATION NECESSARY FOR GRANDFATHERED RIGHT AND GRANDFATHERED TCC SETTLEMENTS**

**9.1 ISO to Make GFR/GFTCC Settlements Based on Information Made Available Through Established Procedures**

A. The ISO shall maintain on its website a list of all Accepted Revisions, including the date each such Accepted Revision took effect. The ISO shall also maintain on its website a copy of Attachment L, Table 1A that will be updated from time to time to reflect Accepted Revisions.

B. Notwithstanding other provisions of the ISO Tariffs, but subject to Sections 9.1C and 9.1D of this Attachment K, the ISO shall base Settlements pertaining to Grandfathered Rights and Grandfathered TCCs (and conduct Centralized TCC Auctions and administer other processes pertaining to Grandfathered Rights and Grandfathered TCCs) on information listed in Attachment L, Table 1A, and on Accepted Revisions then in effect; provided, however:

(i) the ISO shall administer Reconfiguration Auctions and Centralized TCC Auctions on the basis of information listed in Table 1A and Accepted Revisions in effect thirty (30) or more days prior to the first round of the relevant auction and the ISO shall not include more recent changes, provided, however, and notwithstanding the provisions in Attachment M, to the extent that the ISO has received an Accepted Revision following the deadline for submitting the documentation necessary to request a Fixed Price TCC pursuant to which the ISO may offer a Fixed Price TCC under Section 9.1B(iii) of this Section 17, the ISO shall not administer Reconfiguration Auctions and Centralized TCC Auctions on the basis of information listed in the Accepted Revision until such time as the NYISO has established eligibility and processed a request for a Fixed Price TCC pursuant to Section 9.1B(iii).

(ii) the ISO shall perform Net Congestion Rent calculations under Attachment N of the ISO OATT on the basis of Table 1A and Accepted Revisions in effect thirty (30) or more days prior to the initial ISO calculation of the related allocation factors and the ISO shall not include more recent changes; and

(iii) the ISO shall ~~award~~process requests for Fixed Price TCCs on the basis of information listed in Table 1A and Accepted Revisions in effect thirty (30) or more days prior to the deadline for submitting the documentation necessary to request a Fixed Price TCC, provided however, and notwithstanding the provisions in Attachment M, if an Accepted Revision has been received following the deadline for submitting the

documentation necessary to request a Fixed Price TCC, the ISO shall expeditiously determine eligibility, and process a request as appropriate and pursuant to ISO Procedures, for a Fixed Price TCC on the basis of information contained in the Accepted Revision.

C. If a signatory to the ETA provides notification and documentation pursuant to Section 9.3 of this Attachment K that supports a change in an ETA or a change in Attachment L information that was effective prior to a Settlement, the ISO shall make adjustments to the Settlement, in accordance with and to the extent permitted by the billing and payment provisions of the ISO OATT.

D. A termination of an ETA based on the occurrence of an event, which event is described in the cells of Attachment L, Table 1A, and a change to information in the cells of Attachment L, Table 1A, which change is related to a footnote to Table 1A that informs, supplements or modifies information in the cells of Table 1A, shall be in effect as an Accepted Revision after the ISO receives written notification of the occurrence of the event or the change to information in the cells of Attachment L, Table 1A from a signatory to the ETA in accordance with the provisions of Section 9.3.

9.2 Responsibility for Providing Revised Information. The signatories to an ETA shall notify the ISO of any revisions to Table 1A information that may impact Settlements (and TCC related processes), including the termination of an ETA based on the occurrence of an event, in accordance with the provisions of Section 9.3. The signatories to an ETA shall also notify the ISO of any revisions to information in the cells of Attachment L, Table 1A, which revision may impact Settlements (and TCC related processes) and which is related to a footnote to Table 1A that informs, supplements, or modifies information in the cells of Table 1A.

9.3 Process for Making Accepted Revisions Other than Accepted Revisions Pursuant to Section 9.1 D.

A. *Non-NYPA/LIPA ETAs (Accepted Revision Due to ETA Amendment).* For an ETA in which neither NYPA nor LIPA is the provider of service, a proposed revision to Attachment L, Table 1A pursuant to an amendment of the underlying ETA will be in effect as an Accepted Revision as of the start of the second day following the day that (i) the ISO has received a written notification of a change in the ETA from a signatory to the ETA in accordance with ISO Procedures, and (ii) the ISO has received a FERC order approving the change, provided however, settlements and the administration of other processes pertaining to Grandfathered Rights and Grandfathered TCCs will be made in accordance with the provisions of Section 9.1

B. *Non-NYPA/LIPA ETAs (Accepted Revision Not Due to ETA Amendment).* For ETAs in which neither NYPA nor LIPA is the provider of service, a proposed revision to Attachment L, Table 1A to make it consistent with the existing terms of an ETA will be in effect as an Accepted Revision as of the start of the second day following the day that: (i) the ISO has received a written notification of a change in the Table 1A information from a signatory to the ETA in accordance with ISO Procedures and confirmation that a copy of the notification has been provided to all other signatories to the ETA, and a copy thereof, and (ii) the ISO has received FERC orders, copies of the relevant agreement(s) (including amendments thereto), or other

information relevant to the change, provided however, settlements and the administration of other processes pertaining to Grandfathered Rights and Grandfathered TCCs will be made in accordance with the provisions of Section 9.1. If the ISO receives notification from any signatory to the ETA that it objects to the requested change in the information in Table 1A, the ISO will immediately notify the party requesting the change and the ISO will not implement the requested change until the disagreement between the signatories has been resolved pursuant to the dispute resolution provisions of the ETA or by an appropriate legal authority.

C. *NYPA/LIPA ETAs.* For ETAs in which NYPA or LIPA is the provider of service, a proposed revision to Attachment L, Table 1A pursuant to an amendment of a transmission agreement or to make Table 1A consistent with the existing terms of a transmission agreement will be in effect as an Accepted Revision as of the start of the second day following the day that (i) the ISO has received a written notification of a change in the ETA or change in Attachment L information from a signatory to the ETA in accordance with ISO Procedures and confirmation that a copy of the notification has been provided to all other signatories to the ETA, and a copy thereof, and (ii) the ISO has received copies of the relevant agreement(s) (including amendments thereto) or other information relevant to the change, provided however, settlements and the administration of other processes pertaining to Grandfathered Rights and Grandfathered TCCs will be in accordance with the provisions of Section 9.1. If the ISO receives notification from any signatory to the ETA that it objects to the requested change in the information in Table 1A, the ISO will immediately notify the party requesting the change and the ISO will not implement the requested change until the disagreement between the signatories has been resolved pursuant to the dispute resolution provisions of the ETA or by an appropriate legal authority.

D. *ISO to Notify Market.* The ISO shall provide reasonable notice to all Customers when it receives written notification of a change to Table 1A information pursuant to Section 9.1 (D) or Sections 9.3 A (i); B (i) or C (i).

E. *ISO Responsibility for Review.* In receiving written notification of a proposed revision to Attachment L, Table 1A and copies of information related to such change, the ISO will process the Accepted Change strictly on the basis of the receipt of such information and the representations it receives from the parties to the ETA.

#### 9.4 Accepted Revisions to be Incorporated into Attachment L

The ISO shall biannually present revisions to Attachment L, Table 1A to stakeholders for filing with the Commission to reflect Accepted Revisions posted on the ISO website; provided, however, that the ISO shall have no obligation to propose revisions to Table 1A if no Accepted Revisions have been posted on the ISO website.