

## **NYISO Business Issues Committee Meeting**

*September 17, 2008*

*NYISO – Krey Blvd*

### **MOTIONS FROM THE MEETING**

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

Motion to approve the minutes of the July 16, 2008 BIC meeting.

**(The motion passed unanimously by show of hands)**

#### **Motion #2:**

The Business Issues Committee (BIC) hereby recommends that the Management Committee approve revisions to Attachment J (Section 5) of the OATT, and Attachment B (Section 3.6) of the Services Tariff as presented to the BIC provided that the BIC requests that the NYISO shall return to the next BIC meeting with a defined schedule including milestones to develop long term market solutions and, once developed, to implement them as expeditiously as possible. In addition, (1) the NYISO will actively work with Market Participants through the Market Issues Working Group to determine whether there is a need to develop additional tariff provisions to discourage future market manipulation in its market and protect Market Participants from bearing the consequences of any future market manipulation, and (2) the NYISO, subject to consultation with FERC staff, will report to the Management Committee at its meeting on September 25, 2008 on when it will be able to present to the Market Issues Working Group its analysis of the financial impact on its markets of the scheduling practices that are the subject of this motion.

**(The motion passed by show of hands)**

#### **Motion #3:**

The Business Issues Committee hereby recommends that the Management Committee approve revisions to the NYISO's tariffs to shorten the NYISO settlement cycle through the elimination of the six-month settlement adjustment, as is more fully described in the presentation made to the BIC meeting on September 17, 2008.

**(The motion passed by show of hands)**

#### **Motion #3a**

Motion to amend Motion #3 as follows:

The Business Issues Committee hereby recommends that the Management Committee approve revisions to the NYISO's tariffs to shorten the NYISO settlement cycle through the elimination of the six-month settlement adjustment, as is more fully described in the presentation made to the BIC meeting on September 17, 2008. Provided, however, that the (1) NYISO

agrees that the Discretionary Action Committee or Dispute and claims committee ("DAC") will not be used to address billing issues within the scope of the NYISO tariff's billing and settlement procedures and not be used to settle market participant claims for months for which the bill settlement close-out has been completed, and (2) the NYISO will make a presentation at the next Billing and Accounting Working group to explain the roles and responsibility of the DAC and to consider how to make its activities more transparent to market participants.

**(The motion failed by roll call vote 37.00% for)**

**Motion #4:**

The Business Issues Committee (BIC) hereby recommends that the Management Committee approve revisions to the NYISO's Tariff that deal with the manner in which UCAP is calculated for Limited Control Run of River Hydro facilities, pursuant to the presentation made to the BIC this date describing such tariff changes.

**(The motion passed by show of hands)**

**Motion #5:**

The Business Issues Committee hereby approves the proposed revisions to the Installed Capacity Manual, Section 5 as presented and revised at the September 17, 2008 Business Issues Committee meeting.

**(The motion passed unanimously by show of hands)**

**New York Independent System Operator - Committee Membership**

**Business Issues Committee - Attendance September 17, 2008 - 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. | John Williams       | Karl Michael          | ✓ David Coup         | Erin Hogan       | Christopher Hall  |                 |                   |           |
| The City of New York                       | End Use - Gov. Agency/Aggr. | ✓ Michael Delaney   | Gil Quiniones         | Thomas Simpson       | Jonathan Wallach | Craig Wilson      |                 |                   |           |
| Alcoa/Reynolds Metals Company              | End Use - Large Consumer    | Robert Loughney     | Michael Mager         | Jay Goodman          |                  |                   |                 | ✓ Garrett Bissell |           |
| Atco Properties & Management Inc.          | End Use - Large Consumer    | David Bomke         | George Diamantopoulos |                      |                  |                   |                 |                   |           |
| IBM Corporation                            | End Use - Large Consumer    | Robert Loughney     | Michael Mager         | Jay Goodman          |                  |                   |                 | ✓ Garrett Bissell |           |
| Occidental Chemical Corp.                  | End Use - Large Consumer    | Robert Loughney     | Michael Mager         | Jay Goodman          |                  |                   |                 | ✓ Garrett Bissell |           |
| Praxair Inc.                               | End Use - Large Consumer    | Robert Loughney     | Michael Mager         | Jay Goodman          |                  |                   |                 | ✓ Garrett Bissell |           |
| Wegmans Food Markets                       | End Use - Large Consumer    | Robert Loughney     | Michael Mager         | Jay Goodman          |                  |                   |                 | ✓ Garrett Bissell |           |
| Metropolitan Transportation Authority      | End Use - Large Cons. Gov.  | Jesse Samberg       | Gary Caplan           | Walter McCarroll     |                  |                   |                 |                   |           |
| American Sugar Refining, Inc.              | End Use - Small Consumer    | Catherine Luthin    | ✓ John Dowling        |                      |                  |                   |                 |                   |           |
| Association for Energy Affordability, Inc. | End Use - Small Consumer    | David Hepinstall    | Jamie Van Nostrand    |                      |                  |                   |                 |                   |           |
| Beth Israel Health Care System             | End Use - Small Consumer    | Catherine Luthin    | ✓ John Dowling        |                      |                  |                   |                 |                   |           |
| Fordham University                         | End Use - Small Consumer    | ✓ John Dowling      | Catherine Luthin      |                      |                  |                   |                 |                   |           |
| Memorial Sloan Kettering Cancer Center     | End Use - Small Consumer    | ✓ John Dowling      | Catherine Luthin      |                      |                  |                   |                 |                   |           |
| 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    | David Bomke         | Jennifer Kearney      | ✓ Tariq Niazi        | Doug Elfner      |                   |                 |                   |           |
| New York University                        | End Use - Small Consumer    | Catherine Luthin    | ✓ John Dowling        |                      |                  |                   |                 |                   |           |
| NY State Consumer Protection Board         | End Use - State Agency      | ✓ Tariq Niazi       | Doug Elfner           |                      |                  |                   |                 |                   |           |
| AES NY                                     | Generation Owners           | Doug Roll           | Charles Sjoberg       | Christopher Wentlent | ✓ Dave Evanoski  |                   |                 |                   |           |
| Astoria Energy LLC                         | Generation Owners           | Joseph Swift        | Leonard Singer        | Chuck McCall         | Lathrop Craig    |                   |                 |                   |           |
| Calpine                                    | Generation Owners           | ✓ Brett Kruse       | Seth Berend           | Brent Hebert         |                  |                   |                 |                   |           |
| East Coast Power Linden Holding LLC        | Generation Owners           | ✓ Roy Shanker       | Kurt Schreder         | Mark Mellana         | Andy Keleman     |                   |                 |                   |           |
| Edison Mission Marketing & Trading         | Generation Owners           | ✓ Ray Stalter       | Jeff Ellis            |                      |                  |                   |                 |                   |           |
| Entergy Nuclear Northeast                  | Generation Owners           | Marc Potkin         | Angelo Vai            | ✓ Ron Mackowiak      |                  |                   |                 |                   |           |
| Horizon Wind Energy                        | Generation Owners           | Patrick Doyle       | Gary Davidson         |                      |                  |                   |                 |                   |           |
| Indeck Energy Services                     | Generation Owners           | Mike Ferguson       | John Schrage          | ✓ Mark Younger       |                  |                   |                 |                   |           |
| Innovative Energy Systems Inc.             | Generation Owners           | Carol Muessigbrodt  | Peter Zelliff         |                      |                  |                   |                 |                   |           |
| KeySpan Ravenswood, LLC                    | Generation Owners           | James Flannery      | Joe Vignola           | Rich Hohlman         | Jim D'Andrea     | ✓ Madison Milhous | Edwin Kichline  |                   |           |
| Mirant New York, Inc.                      | Generation Owners           | Philip Smith        | Vicki Lynch           | ✓ Doreen Saia        |                  |                   |                 |                   |           |
| New Athens Generating Co.                  | Generation Owners           | Jack Breen          | Chris Bursaw          | Dan DeVinney         | Rich Felak       |                   |                 |                   |           |
| Noble Environmental Power LLC              | Generation Owners           | Thomas Swank        | Liz Grisaru           | Sidney Chang         |                  |                   |                 |                   |           |
| Selkirk Cogen Partners, L.P.               | Generation Owners           | Tim Biittig         | Steve Kamppila        |                      |                  |                   |                 |                   |           |
| TransCanada Power Marketing                | Generation Owners           | William Taylor      | ✓ Dan Congel          | Elaine Beaudry       |                  |                   |                 |                   |           |
| UPC Wind                                   | Generation Owners           | Steve Vavrik        | Mike Jacobs           |                      |                  |                   |                 |                   |           |
| BJ Energy                                  | Other Suppliers             | Bing Ni             | George Lee            |                      |                  |                   |                 |                   |           |
| Brookfield Energy Marketing Inc.           | Other Suppliers             | Robert Ricketts     | Daniel Whyte          | ✓ Frank Francis      |                  |                   |                 |                   |           |
| Cinergy Capital and Trading                | Other Suppliers             | John Deeds          | Walt Yeager           |                      |                  |                   |                 |                   |           |
| Citi Group Energy                          | Other Suppliers             | Lisa Yoho           |                       |                      |                  |                   |                 |                   |           |
| Con Edison Solutions                       | Other Suppliers             | Stephen Wemple      | Rich Staines          |                      |                  |                   |                 |                   |           |
| Connectiv                                  | Other Suppliers             | Robert Steele       | Tony Gabrieli         | Gloria Ogenyi        |                  |                   |                 |                   |           |
| Constellation Energy Commodities, Inc.     | Other Suppliers             | ✓ Glen McCartney    | Dan Allegretti        | Tim Daniels          |                  |                   |                 |                   |           |
| Constellation New Energy Inc.              | Other Suppliers             | Michael Constantine |                       |                      |                  |                   |                 |                   |           |
| Consumer Powerline                         | Other Suppliers             | Marie Pieniasek     | Janette Dudley        | Nick Planson         | Ray Stirbys      | Pamela Quinlin    |                 |                   |           |
| Coral Power, LLC                           | Other Suppliers             | Matt Picardi        | Dave French           |                      |                  |                   |                 |                   |           |
| Cross Sound Cable Co.                      | Other Suppliers             | John Miller         | Brian Reinhart        | Bradley Railing      | Jose Rotger      |                   |                 |                   |           |
| DC Energy                                  | Other Suppliers             | ✓ Bruce Bleiweis    | Chris Carpenter       | Andrew Stevens       | Matthew Tate     | Sadao Milberg     | Dean Wilde      |                   | David Kuo |
| Dynergy                                    | Other Suppliers             | ✓ Glenn Haake       | Barry Huddleston      |                      |                  |                   |                 |                   |           |
| Energy Curtailment Specialists, Inc        | Other Suppliers             | Glen Smith          | Stephen Lynch         |                      | Mike Jaeger      |                   |                 |                   |           |
| Energy Spectrum                            | Other Suppliers             | Gary David          | Henry Hartstein       | Aron Iskowitz        | Ruben Brown      | Arthur Pearson    |                 |                   |           |
| EnerNoc                                    | Other Suppliers             | David Brewster      | Aaron Breidenbaugh    |                      |                  |                   |                 |                   |           |
| Epic Merchant Energy NY, LP                | Other Suppliers             | Michael Kinsey      | Robert Erbrick        | Pierre Tournois      | ✓ Erik Abend     | Gordon Scott      | Wesley Anderson |                   |           |
| Exelon Generating Co. LLC                  | Other Suppliers             | Denise Foster       | Jack Crowley          |                      |                  |                   |                 |                   |           |
| Fortistar/Lockport Energy Associates, L.P. | Other Suppliers             | Tom Gesicki         | ✓ Mark Younger        |                      |                  |                   |                 |                   |           |
| FPL Energy                                 | Other Suppliers             | David Applebaum     | David DaSilva         | Ron Scheirer         |                  |                   |                 | ✓ Doreen Saia     |           |
| Galt Power                                 | Other Suppliers             | ✓ Rick Mancini      | Stephen Fernands      | Bill Schofield       | ✓ Alan Ackerman  |                   |                 |                   |           |
| Hess Corporation                           | Other Suppliers             | ✓ Dennis Sobieski   | Kevin Laguardia       | George Braulke       |                  |                   |                 |                   |           |
| HQ Energy Services                         | Other Suppliers             | ✓ Michel Prevost    | Paul Norris           | Erik Bellavance      |                  |                   |                 |                   |           |
| Integrus Energy Services                   | Other Suppliers             | Michael Haugh       |                       |                      |                  |                   |                 |                   |           |

**New York Independent System Operator - Committee Membership**

**Business Issues Committee - Attendance September 17, 2008 - Albany, NY - Parties Checked in Attendance**

| Organization                          | Sector                        | Representative      | Alternate1         | Alternate2      | Alternate3        | Alternate4   | Alternate5  | Proxy         | Guest |
|---------------------------------------|-------------------------------|---------------------|--------------------|-----------------|-------------------|--------------|-------------|---------------|-------|
| KeySpan Energy Services               | Other Suppliers               | Terrence Kain       | Jim D'Andrea       | Edwin Kichline  | James Cross       | John Vaughn  |             |               |       |
| Liberty Power Corp.                   | Other Suppliers               | David Hernandez     |                    |                 |                   |              |             |               |       |
| Morgan Stanley Capital Group          | Other Suppliers               | Patrick Murray      | Karen Kochonies    | Levon Kazarian  | Doron Ezickson    |              |             |               |       |
| NRG Power Marketing LLC               | Other Suppliers               | ✓ Brad Kranz        | Lee Davis          | Jon Sepich      |                   |              |             |               |       |
| Ontario Power Generation Inc.         | Other Suppliers               | Richard Gell        | Richard Barr       | Jim Masterakos  | Ken Lacivita      | Erica Cheung |             |               |       |
| PPM Energy                            | Other Suppliers               | Thresa Allen        | T.H. Rawls         | Tom Shields     |                   |              |             |               |       |
| PP&L Energy Plus                      | Other Suppliers               | ✓ Joseph Langan     | Tom Hyzinski       | Roland Moor     | David Yannarell   | Sharon Weber |             |               |       |
| PSEG Energy Resources & Trade         | Other Suppliers               | ✓ Howard Fromer     | Michael LaFalce    | Bob Logan       | ✓ Dennis Sobieski |              |             |               |       |
| Reliant Energy Solutions Northeast    | Other Suppliers               | Richard Barlette    | John Rohrback      | Derek Bandera   |                   |              |             |               |       |
| Sempra Energy Trading                 | Other Suppliers               | Dan Staines         | Maria Agovino      | Scott Englander | Barry Trayers     | Harry Singh  |             |               |       |
| SESCO Enterprises, LLC                | Other Suppliers               | Mike Schubiger      | Jim Thoresen       |                 |                   |              |             |               |       |
| Strategic Energy LLC                  | Other Suppliers               | Jason Barker        | Jeff Knox          | Pamela Melton   |                   |              |             |               |       |
| U.S. Power Generating Co.             | Other Suppliers               | ✓ Liam Baker        | Mark Sudbey        |                 |                   |              |             |               |       |
| Long Island Power Authority           | Public Power - Authorities    | ✓ Kevin Jones       | Dave Clarke        |                 |                   |              |             |               |       |
| New York Power Authority              | Public Power - Authorities    | ✓ William Palazzo   | Robert Gow         | Paul Rougeaux   | Kevin Kipers      |              |             |               |       |
| American Lung Association             | Public Power - Environmental  | Jamie Van Nostrand  | Michael Seilback   |                 |                   |              |             |               |       |
| American Wind Energy Association      | Public Power - Environmental  | ✓ Valerie Strauss   | Carol Murphy       | Rob Gramlich    |                   |              |             |               |       |
| Environmental Advocates               | Public Power - Environmental  | Jamie Van Nostrand  | Robert Moore       | David Gahl      | Jackson Morris    |              |             |               |       |
| Nat'l Resources Defense Council       | Public Power - Environmental  | Jamie Van Nostrand  | Donna Decostanzo   | Dale Bryk       |                   |              |             |               |       |
| Pace University                       | Public Power - Environmental  | Jamie Van Nostrand  | Dan Rosenblum      | Tom Bourgeois   |                   |              |             |               |       |
| Scenic Hudson                         | Public Power - Environmental  | Jamie Van Nostrand  |                    |                 |                   |              |             |               |       |
| Bath Electric, Gas & Water Systems    | Public Power - Munis & Co-ops | Ken Moore           | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| City of Jamestown Board of Pub. Util. | Public Power - Munis & Co-ops | ✓ David Gustafson   | David Leathers     | Steven Kulig    | Tom Rudebusch     |              |             |               |       |
| Lake Placid Village                   | Public Power - Munis & Co-ops | Peter Kroha         | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| Municipal Commission of Boonville     | Public Power - Munis & Co-ops | Kenneth Stabb       |                    |                 |                   |              |             |               |       |
| Plattsburgh Municipal Lighting Dept.  | Public Power - Munis & Co-ops | William Treacy      | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| Village of Arcade                     | Public Power - Munis & Co-ops | Larry Kilburn       | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| Village of Fairport                   | Public Power - Munis & Co-ops | Ken Moore           | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| Village of Freeport                   | Public Power - Munis & Co-ops | Anthony Fiore       | Ted Kimlingen      | Tom Rudebusch   |                   |              |             |               |       |
| Village of Rockville Centre           | Public Power - Munis & Co-ops | Paul Pallas         | Thomas Cardile     | Tom Rudebusch   |                   |              |             |               |       |
| Village of Solvay                     | Public Power - Munis & Co-ops | Anthony Modafferi   | ✓ Richard Bolbrock | Mark Cordeiro   |                   |              |             |               |       |
| Village of Westfield                  | Public Power - Munis & Co-ops | Jim Hamilton        | Ken Moore          | Matthew Benesh  |                   |              |             |               |       |
| Central Hudson Gas & Electric         | Transmission Owners           | James Valleau       | ✓ Ting Chan        | Rick Greener    | Eugene Schultz    |              |             |               |       |
| Consolidated Edison                   | Transmission Owners           | Stuart Nachmias     | Deidre Altobell    | Gerald Dunbar   | Neil Butterklee   |              |             | ✓ Norman Mah  |       |
| National Grid                         | Transmission Owners           | ✓ Madison Milhous   | Bart Franey        | ✓ Terron Hill   | Joseph Rossignoli |              |             |               |       |
| NY State Electric Gas (NYSEG)         | Transmission Owners           | ✓ Ray Kinney        | ✓ Patti Caletka    | Steve Jeremko   | Hank Masti        |              |             |               |       |
| Orange & Rockland, Inc.               | Transmission Owners           | None Assigned       |                    |                 |                   |              |             |               |       |
| Rochester Gas & Electric              | Transmission Owners           | ✓ Ray Kinney        | ✓ Patti Caletka    | Steve Jeremko   | Hank Masti        |              |             |               |       |
| Acciona Wind Energy USA, LLC          | Non-voting                    | Dan DuBois          | Pete Zedick        |                 |                   |              |             |               |       |
| Ace Energy Company, Inc               | Non-voting                    |                     | Stephen Lynch      |                 |                   |              |             |               |       |
| ACENY                                 | Non-voting                    | Carol Murphy        | ✓ Valerie Strauss  |                 |                   |              |             |               |       |
| Ancona Consulting                     | Non-voting                    | Jerry Ancona        |                    |                 |                   |              |             |               |       |
| Boundless Energy, L.L.C               | Non-voting                    | Chuck Gilbert       | Mark Mainetti      |                 |                   |              |             |               |       |
| Caithness Energy, L.L.C               | Non-voting                    | Ross Ain            | Gary Keevill       | Mitchell Garber |                   |              |             |               |       |
| Customized Energy Solutions           | Non-voting                    | ✓ Rick Mancini      | Stephen Fernands   | Bill Schofield  | ✓ Alan Ackerman   |              |             |               |       |
| DTE Energy                            | Non-voting                    | Gregory Pakela      | Raymond Wieszczyk  |                 |                   |              |             |               |       |
| Ecogen, L.L.C                         | Non-voting                    | Tom Hagner          |                    |                 |                   |              |             |               |       |
| Energetix, Inc.                       | Non-voting                    | Barney Farnsworth   | Gerald Strassner   |                 |                   |              |             |               |       |
| 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       |                    |                 |                   |              |             |               |       |
| New York Regional Interconnect        | Non-voting                    | Chris Thompson      | Leonard Singer     |                 |                   |              |             |               |       |
| NYS Department of Public Service      | Non-voting                    | ✓ Bill Heinrich     | David Drexler      |                 |                   |              |             |               |       |
| The Structure Group                   | Non-voting                    | Ishita Roy          | Phung Nguyen       |                 |                   |              |             |               |       |
| Tom Halleran                          | Non-voting                    | Tom Halleran        |                    |                 |                   |              |             |               |       |
| US Direct Energy Inc.                 | Non-voting                    |                     | Stephen Lynch      | Glen Smith      |                   |              |             |               |       |
| William P. Short                      | Non-voting                    | William Short       | Marc Schaefer      | Joe DeVito      | John Brodbeck     | Ron Matlock  | Paul Savage | Roberto Denis |       |
| Beacon Power Corporation              | Non-voting                    | Judith Judson       | Bill Capp          |                 |                   |              |             |               |       |

**New York Independent System Operator - Committee Membership**

**Business Issues Committee - Attendance September 17, 2008 - Albany, NY - Parties Checked in Attendance**

| Organization             | Sector     | Representative | Alternate1       | Alternate2 | Alternate3 | Alternate4 | Alternate5 | Proxy | Guest |
|--------------------------|------------|----------------|------------------|------------|------------|------------|------------|-------|-------|
| MAG Energy Solutions INC | Non-voting | Martin Roberge | Alexandre Vezina |            |            |            |            |       |       |
| GenPower Trading LLC     | Non-voting | Ron Mucci      | Mark Scott       |            |            |            |            |       |       |
| CPV Valley, LLC          | Non-voting | Chris Bursaw   | Steven Remillard | Rich Felak |            |            |            |       |       |

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

- ✓ Tim Bush IPPNY
- ✓ Mollie Lampi NYISO
- ✓ Rana Mukerji NYISO
- ✓ Leigh Bullock NYISO
- ✓ Pete Lemme NYISO
- ✓ Jim Alcombright NYISO
- ✓ Mary Lou Caprara NYISO
- ✓ Dave Lawrence NYISO
- ✓ Patricia Farrell NYISO
- ✓ John Charlton NYISO
- ✓ Kathy Whitaker NYISO
- ✓ Mary McGarvey NYISO
- ✓ Janet Joyce NYISO
- ✓ Sheri Prevratil NYISO
- ✓ Tim Duffy NYISO
- ✓ Kevin Jones Hunton & Williams

NYISO  
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 NYISO

**Key:**

✓ = In attendance

# New York Independent System Operator

## Business Issues Committee - September 17, 2008

Motion: Motion # 3A

Result: Motion Failed

| Sector with base percent       | %    | Active | Quorum | Adj. Percent | For    | Against              | Abstain | % For | % Against |       |
|--------------------------------|------|--------|--------|--------------|--------|----------------------|---------|-------|-----------|-------|
| Generation Owners              | 21.5 | ✓      | ✓      | 21.50        | 0.00   | 5.00                 | 3       | 0.00  | 21.50     |       |
| Other Suppliers                | 21.5 | ✓      | ✓      | 21.50        | 0.00   | 9.00                 | 5       | 0.00  | 21.50     |       |
| Transmission Owners            | 20.0 | ✓      | ✓      | 20.00        | 3.00   | 0.00                 | 1       | 20.00 | 0.00      |       |
| End Use Consumer               |      |        | ✓      |              |        |                      |         |       |           |       |
| Large Consumer                 | 9.0  | ✓      |        | 9.00         | 0.00   | 5.00                 | 0       | 0.00  | 20.00     |       |
| Large Cons. Gov. Agency        | 2.0  | ✓      |        | 2.00         | 0.00   | 0.00                 | 0       | 0.00  | 0.00      |       |
| Small Consumer                 | 4.5  | ✓      | ✓      | 4.50         | 0.00   | 0.00                 | 7       | 0.00  | 0.00      |       |
| 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         | 0.00   | 0.00                 | 2       | 0.00  | 0.00      |       |
| Public Power                   |      |        | ✓      |              |        |                      |         |       |           |       |
| State Power Authorities        | 8    | ✓      |        | 8.00         | 2.00   | 0.00                 | 0       | 9.07  | 0.00      |       |
| Munis and Coops                | 7    | ✓      |        | 7.00         | 6.00   | 0.00                 | 1       | 7.93  | 0.00      |       |
| Environmental                  | 2    | ✓      |        | 2.00         | 0.00   | 0.00                 | 1       | 0.00  | 0.00      |       |
|                                |      |        |        | 5            | 100.00 | 11.00                | 19.00   | 21    | 37.00     | 63.00 |
|                                |      |        |        |              | 100.00 | Normalized to 100% : |         | 37.00 | 63.00     |       |

# New York Independent System Operator

## Business Issues Committee - September 17, 2008

Motion: Motion # 3A

Result: Motion Failed

| Sector with base percent       | %    | Active | Quorum | Adj. Percent | For    | Against              | Abstain | % For | % Against |       |
|--------------------------------|------|--------|--------|--------------|--------|----------------------|---------|-------|-----------|-------|
| Generation Owners              | 21.5 | ✓      | ✓      | 21.50        | 0.00   | 5.00                 | 3       | 0.00  | 21.50     |       |
| Other Suppliers                | 21.5 | ✓      | ✓      | 21.50        | 0.00   | 9.00                 | 5       | 0.00  | 21.50     |       |
| Transmission Owners            | 20.0 | ✓      | ✓      | 20.00        | 3.00   | 0.00                 | 1       | 20.00 | 0.00      |       |
| End Use Consumer               |      |        | ✓      |              |        |                      |         |       |           |       |
| Large Consumer                 | 9.0  | ✓      |        | 9.00         | 0.00   | 5.00                 | 0       | 0.00  | 20.00     |       |
| Large Cons. Gov. Agency        | 2.0  | ✓      |        | 2.00         | 0.00   | 0.00                 | 0       | 0.00  | 0.00      |       |
| Small Consumer                 | 4.5  | ✓      | ✓      | 4.50         | 0.00   | 0.00                 | 7       | 0.00  | 0.00      |       |
| 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         | 0.00   | 0.00                 | 2       | 0.00  | 0.00      |       |
| Public Power                   |      |        | ✓      |              |        |                      |         |       |           |       |
| State Power Authorities        | 8    | ✓      |        | 8.00         | 2.00   | 0.00                 | 0       | 9.07  | 0.00      |       |
| Munis and Coops                | 7    | ✓      |        | 7.00         | 6.00   | 0.00                 | 1       | 7.93  | 0.00      |       |
| Environmental                  | 2    | ✓      |        | 2.00         | 0.00   | 0.00                 | 1       | 0.00  | 0.00      |       |
|                                |      |        |        | 5            | 100.00 | 11.00                | 19.00   | 21    | 37.00     | 63.00 |
|                                |      |        |        |              | 100.00 | Normalized to 100% : |         |       | 37.00     | 63.00 |