



Order No. 1000 Compliance Filing
Related to the Use of
"Transmission Owner"

John Buechler

Executive Regulatory Policy Advisor

Greg Williams

Manager, TCC Market Operations

New York Independent System Operator

Joint ESPWG/TPAS/MWIG/ICAPWG

August 9, 2016

KCC

Topics

- ◆ **Background**
- ◆ **Referenced Definitions**
- ◆ **Overview of Review Process**
- ◆ **Identified Revisions**
- ◆ **Schedule of Compliance Filing**

Background

- ◆ **On December 23, 2016, FERC directed the NYISO to file its *pro forma* Operating Agreement for new TOs as a part of its Order No. 1000 compliance filing.¹**
- ◆ **In preparation of its filing, the NYISO identified the need to review its Tariffs and to address the differences between the requirements as they apply to the original TOs versus new TOs.**
- ◆ **On March 23, 2016, FERC granted an extension of time for the NYISO to review its Tariffs to clarify the treatment of new TOs that execute the *pro forma* Operating Agreement.²**

1. Conditional Order, FERC Docket No. ER13-102-007 (Dec. 23, 2015)

2. Notice of Extension of Time, FERC Docket No. ER13-102-007 (Mar. 23, 2016)

Referenced Definitions

- ◆ **Transmission Owner** – “The public utility or authority (or its designated agent) that owns facilities used for the transmission of Energy in interstate commerce and provides Transmission Service under the Tariff.”
- ◆ **Member Systems** – “The eight Transmission Owners that comprise the membership of the New York Power Pool.”
- ◆ **Investor-Owned Transmission Owners** – Listing the Member Systems by name with the exception of NYPA and LIPA.

NYISO Review Process

◆ General Principles:

- 1) *“Transmission Owner” includes the original eight TOs, NY Transco, and any new TOs that execute a pro forma Operating Agreement and meet definition*
 - Distinguishing language (e.g., “with a Transmission District”) or the context are used to limit applicability of a Tariff provision to TOs presently serving load, while accommodating the potential of other TOs that may serve load in the future.
- 2) *“Member Systems,” “Investor-Owned Transmission Owners,” or distinguishing language (e.g., reference to ISO/TO Agreement) are used when a provision only applies to all or some of the original TOs due to the then-existing conditions at the NYISO’s formation or their ongoing obligations.*

NYISO Review Process

- ◆ **Majority of Tariff provisions referencing “Transmission Owner” require no change because:**
 - *References to “Transmission Owner” appropriately applies to both original TOs and new TOs*
 - *The provision is inapplicable based upon its plain language or is appropriately self-limiting in the context in which “Transmission Owner” is used*
 - **e.g., MST 5.11.1 – “Each Transmission Owner and each municipal electric utility will submit to the ISO. . . the weather-adjusted Load within its Transmission District . . .”**

Identified Revisions

- ◆ **Refer to matrix for identified revisions.**

Schedule of Compliance Filing

- ◆ **ESPWG meetings on August 25 and September 7, 2016 with other working groups, as needed**
- ◆ **September 13, 2016 – Submit compliance filing to FERC**

The mission of the New York Independent System Operator, in collaboration with its stakeholders, is to serve the public interest and provide benefit to consumers by:

- *Maintaining and enhancing regional reliability*
- *Operating open, fair and competitive wholesale electricity markets*
- *Planning the power system for the future*
- *Providing factual information to policy makers, stakeholders and investors in the power system*

www.nyiso.com