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

Electric Market Design and Structure	)	Docket No. RM01-12-000
	)	
Regional Transmission Organizations	)	Docket Nos. RT01-99-000, 001, 002
	)	and 003
	)	
New York Independent System Operator, Inc.	)	Docket Nos. RT01-95-000, 001
	)	and 002
	)	
Bangor Hydro-Electric Company	)	Docket Nos. RT01-86-000, 001
	)	and 002
	)	
PJM Interconnection, L.L.C.	)	Docket Nos. RT01-2-000, 001,
	)	002 and 003
	)	
PJM Interconnection, L.L.C.	)	Docket No. RT01-98-000
	)	

**COMMENTS OF THE NEW YORK TRANSMISSION OWNERS ON TIMELINE AND  
REPORT BY THE NORTHEAST INDEPENDENT SYSTEM OPERATORS ON SEAMS  
RESOLUTION**

Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., LIPA, New York Power Authority, New York State Electric & Gas Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation, which are the Members of the Transmission Owners Committee of the Energy Association of New York State, (collectively referred to herein as "NYTOs") hereby individually and collectively file these comments in the above-captioned proceeding in accordance with the Federal Energy Regulatory Commission's "Notice of Request for Comments on Timeline and Report by the Northeast Independent System Operators on Seams Resolution," issued on June 18-19, 2002. The NYTOs appreciate the opportunity afforded by the Commission to comment on the June 12, 2002 joint submission of the New England, New York and PJM independent system operators regarding

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their timeline and report on their progress and plans for seams resolution in the Northeast. While progress has been made with respect to the identification and remediation of seams issues in the Northeast, significant work remains to be done. In these comments, the NYTOs offer a balanced approach to ensure continued progress in eliminating and preventing seams issues. In support hereof, the NYTOs respectfully state as follows:

### **I. Executive Summary**

In Section II of these comments, the NYTOs set forth their top priority seams issues and proposed solutions. Some progress has been made, but much more needs to be done.

In Section III of these comments, the NYTOs set forth the overall, long-term solution to recurring seams problems in the Northeast markets -- a single day-ahead market, a single or closely coordinated dispatch, and a common or compatible technology platform (the "Single Market"). Only through this objective can the markets achieve increased competition, liquidity, efficiency and reliability without recurring seams problems.

In Section IV of these comments, the NYTOs set forth a process to achieve both the short-term seams solutions and the longer-term Single Market objective. Currently, there is not a plan or process in place to achieve either.

### **II. Recommended Priorities to Correct Inter-regional Electric Market Trade Barriers (Seams Issues)**

The three Northeast ISOs have been working on seams issues for nearly two years.<sup>1</sup> Accomplishments have been made but much remains to be done. Outlined below is a list of high priority seams issues. This is not a comprehensive list of issues, but rather a supplemental list to that already created by the NYISO. This list is comprised of two sets of seams issues: 1) those

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<sup>1</sup> Participation by the Ontario independent system operator in this process should be

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issues either currently being addressed or on the list of identified issues to be addressed by the Northeast ISOs, but that the NYTOs continue to have reservations or questions on their effective resolution and 2) those issues that are not currently on the ISO's searns issues list and timeline but should be added and given priority for resolution. These issues are noted as **new issues**.

**1) Transaction Scheduling, Checkout and Curtailment Issues**

a) **Transaction Scheduling/Common Interface Tool** - The NYISO needs to update the market on the status of the Open Scheduling System ("OSS") project and coordinate its implementation with the PJM system. Agreement should be reached between PJM and NYISO on the capabilities of the interface tool and how the market will coordinate the information provided by the tool. The OSS as currently planned will simply provide a different method of entering bid information, and although it may be more convenient, it will not cure the fundamental market differences between PJM and New York such as pricing at the borders and providing physically firm transmission service. **This concept was approved by all three ISO senior stakeholder committees in the Spring of 2001.**

b) **Curtailment Management** - The NYISO continues to curtail import and export transactions to solve congestion problems within the NYISO, which it calls "locational curtailment." Locational curtailments do not make good economic sense in many instances and are implemented simply for expediency. Any unnecessary curtailments further disrupt predetermined schedules and cause unnecessary uncertainty in the market. Financial losses can be experienced if market participants hedge against a transaction and then find it cut in the real time. Better planning and

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encouraged.

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inter market coordination can minimize the curtailments and foster greater liquidity in the markets.

- c) **NERC tagging and transaction reservations** - The NYISO essentially ignores NERC tag information. PJM uses the NERC tag information and when necessary will call TLRs to solve a problem. NYISO generally pays its way out of a problem and does not call a TLR resulting in a higher cost of operation to the LSEs in New York. This issue needs to be discussed to provide consistency between the markets. **This concept was approved by all three ISO senior stakeholder committees in the Spring of 2001.**
- d) **Ramping** - Inconsistency in ramping requirements is still a major issue that needs to be addressed to improve liquidity, ensure efficient control area to control area transfers, and facilitate price convergence. The NYTOs recommend that the ISOs move to a common 15 minute ramp requirement. **This concept was approved by all three ISO senior stakeholder committees in the Spring of 2001.**

## 2) Installed Capacity Issues

- a) **Common ICAP Market Rules** - PJM and NYISO have filed with FERC a resolution of the issues in the ICAP deliverability between the markets that should allow the sale of a common ICAP product across the Northeast. The Joint Capacity Adequacy Group ("JCAG"), a regional working group composed of PJM, NYISO, ISO-NE and Ontario IMO, has developed a number of near-term and long term enhancements to improve the ICAP market design. The NYISO, with stakeholder participation, should review the recommendations of the JCAG and comment on how and when it will address the recommendations.

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### 3) External Proxy Bus Issues

- a) **BME Proxy Bus Pricing** – Current pricing needs to be thoroughly examined and re-designed. Prices that are set to \$1000 at the interfaces for administrative expedience are costing New York ratepayers millions of dollars and providing inefficient price signals. **New Issue.**
- b) **Proxy Buses** -- The ISOs should jointly review the market advantages of establishing additional proxy buses to properly model and price flows between the control areas. **New Issue.**
- c) **Congestion Costs that Exceed the Price Difference Between ISOs** - The ISOs need to address those instances where congestion costs exceed the locational marginal price differences between ISOs. For example, congestion between the New England proxy bus (N) and zone K (Long Island) frequently exceeds the difference in prices between the ISOs in both the forward and real-time markets. This is especially problematic when the congestion is a reflection of modeling limitations rather than an accurate indicator of the market value of transmission. **New Issue.**
- d) **Double Counting of Losses** - It is important that the calculation of losses for external transactions avoid introducing inaccuracies that affect the prices paid to move power among ISOs (a current trade barrier) and avoid the double counting of losses among pools. Where calculated losses are greater than those actually incurred, a barrier to trade is erected. **New Issue.**

### 4) Re-dispatch Costs

- a) **Multi-area Dispatch/Congestion Management:** Multi-area dispatch and congestion management would help resolve the inefficient pricing at the proxy buses. The

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interregional congestion management pilot program established a good foundation to move to a more permanent solution and should be pursued further.

- b) **Real-Time Re-dispatch Costs as Seen by New England** - New England's procedure of calculating and allocating re-dispatch cost after the fact creates another trade barrier, since it prevents the costs of moving power from New England to New York from being known in advance. New England also currently cuts transactions that would otherwise incur real-time re-dispatch costs, reducing the energy flows and predictability of real-time purchases. It is expected that New England's implementation of SMD will address this issue.

- 5) **Day Ahead Market Scheduling, Check Out and Posting Times** --The ISOs should strive to establish the same scheduling windows to facilitate the development of a Single Market among the three current Northeast ISO regions. Currently, a day-ahead transaction will have to be either pre-scheduled or bid into the DAM in New York without knowledge of what the day-ahead prices in New England will be, since the New England market bidding closes after the New York market closes. A better coordinated scheduling, check out and posting process would provide a better platform for inter-control area trading prior to implementation of the Single Market. **This concept was approved by the senior committees of the three Northeast ISOs in the Spring of 2001.**

- 6) **Real Time Transaction Scheduling** - Given the volatility of the real time prices, the 75 minute scheduling window in the NYISO required to schedule control area to control area real-time transactions increases price risk for the market participants and discourages trading. As a result, price differences between control areas can persist causing

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inefficiency and distorted price signals. The ISOs should strive to shorten and make consistent the real-time scheduling windows.

**7) Transmission Service, Planning and Expansion, and TSC Issues**

- a) **TTC/ATC** - Because PJM allocates transmission service using a reservation-based system and NYISO allocates transmission using a financial system, it is difficult to determine the firm ATC available for market participants' use at any given time. While this may be a fundamental difference in the market models that has no good solution, it is still reasonable for the market to expect the ISO's to post accurate TTC data for the interface. PJM and NYISO were requested to provide a single ISO website where each RTO or ISO's TTC/ATC information are posted side by side. This information would be useful to Market Participants, but ultimately PJM/NYISO must resolve differences between the interface values and reconcile these differences prior to posting to the market place. As values change throughout the day or for various periods the values need to be updated and reconciled as soon as practical.

**This concept was approved by the senior committees of the three Northeast ISOs in the Spring of 2001.**

- b) **Elimination of Inter-Control Area Charges in the Northeast** - The Commission has made clear its strong support for the elimination of pancaked inter-control area embedded cost transmission charges across a region that constitutes a natural market for electricity, such as the Northeast region. The NYTOs would support the elimination of inter-control area embedded cost transmission charges in the Northeast region, provided that each transmission owner's transmission revenue recovery is adequately maintained. As parties in the Northeast develop proposals to eliminate

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economic seams such as control area border charges, the Commission must recognize that recovery of the costs of transmission facilities is a prerequisite to the development of a robust transmission infrastructure.

- c) **Generation Interconnection** - New projects in one ISO control area can give rise to the need for upgrades in another control area. The ISOs should develop a coordinated approach to assessing system impacts and cost allocation to address such circumstances.
  - d) **Merchant Transmission** - The treatment of merchant transmission interconnection agreements and procedures among the ISOs should be standardized. **New Issue.**
  - e) **Congestion Between ISOs**- There is a concern that congestion between ISOs will have to be paid twice, even after SMD is implemented. **New Issue.**
  - f) **Consistent Commitment Rules, Including Accounting for External Purchases and Sales** - Inconsistent commitment rules and the inconsistent accounting for external purchases and sales results in inefficient unit commitment decisions. For example, commitments that do not account for external purchases and sales may result in an over-commitment or under-commitment of resources that may inappropriately increase the spread between the day-ahead and real time prices. This unpredictability of real time prices creates a barrier to efficient trading. **New Issue.**
- 8) **Other Issues**
- a) **Operating Reserves** - Currently it is not possible to sell operating reserves between control areas. Rules should be established that allow the sale of reserves between control areas.
  - b) **Inter-Control Area PARs Operation** - One of the modeling considerations that



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affects the consistency of external congestion prices with prevailing prices is the ability to optimize external PARs. This issue would be addressed by the implementation of a Single Market for the entire Northeast region. Prior to implementation of the Single Market, PARs should be modeled and operated in an economically efficient manner subject to preexisting contractual obligations. **New Issue.**

- c) **MMU Coordination:** PJM, NYISO, and ISO-NE should communicate regularly on regional matters that relate to market monitoring and market power issues. Also, a process should be established to routinely review the ability for some market participants to manipulate the markets across the interfaces. **New Issue.**

- d) **Investigation of Inefficient Utilization of Inter-Control Area Interfaces -** Frequently, less expensive resources in neighboring control areas are not being utilized. The ISOs should track when the markets between the systems are operating efficiently and when they are not and why. The study should be more detailed than simply calculating average price spreads, since averages over longer periods of time can obscure the hour to hour spreads as well as the reactions of the market participants. **New Issue.**

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### III. Single Market in the Northeast Region

The Northeast electric markets are at a cross-roads. The NYISO has announced its intention to spend substantial sums on software development and has recognized that its hour-ahead and real-time market software need to be overhauled or replaced even if the New York market stands alone from New England and PJM. Meanwhile, ISO-NE has invested in a platform like PJM's, in order to implement locational based marginal pricing and a congestion management system as soon as reasonably possible.

Before the ISOs make significant investments in new software, the NYTOs urge the Commission to endorse the goal of creating a "Single Market" for the three ISOs in the Northeast.<sup>2</sup> Consistent with the NYTO's July 2, 2002 filing in Docket No. RM01-12, the "Single Market" they endorse means a single unit commitment and a single or closely coordinated dispatch using a common or compatible technology platform. This need not interfere with efforts to address problems that have been identified in the current ISO markets, provided that such efforts are cost effective in the context of developing a Single Market in the Northeast. The single commitment will allow for a single, seamless day-ahead market. The single or closely coordinated dispatch will allow for a single, seamless real-time market. Together, these markets will produce greater competition, liquidity, efficiency and reliability. Once this goal is adopted, then it will guide reasonable software development plans that are coordinated in a larger context.

The best way to address seams issues is through development of a Single Market, with

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<sup>2</sup> Although it is based on a different software platform than PJM's or ISO-NE's, and although much of the market design will have been developed without serious input from PJM or its stakeholders, the NYISO has indicated that its "SMD 2.0" will be fully compatible with PJM's markets. This claim seems premature because absent coordination and a well-developed and transparent plan to achieve the Single Market, it is not possible to know how the NYISO design may deviate from ISO-NE and PJM's own versions of SMD as they evolve. The NYTOs urge the Commission to require the three ISOs to coordinate their software development efforts

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one set of market rules and a single software platform or fully compatible platforms that can support a single market. If all three ISOs implement different versions of "SMD" with incompatible platforms and market rules, then any seams resolutions now will be short-lived. If, as SMD evolves, each ISO defines its own version of SMD, the markets will eventually drift apart. Market participants and the ISOs themselves will end up devoting substantial resources to diagnosis and correction that could otherwise be devoted to common, single market improvements. Each round of software modification will cost much more because three different platforms would be forced to fit together.

The NYTOs believe it is important for the Commission to require a process of meaningful coordination now so the three markets can converge and remain in sync.

#### **IV. Commission Action is Crucial to Achieve Short-Term Seams Resolutions and the Single Northeast Market**

Prompt Commission action is needed to achieve a seamless market in the Northeast – both near-term seams solutions and longer term Single Market development.

The NYISO has indicated that between the Commission's SMD and the memorandum of understanding the NYISO and PJM entered into earlier this year concerning seams solutions, nothing more would be required to coordinate seams solutions and common market development with PJM. The NYTOs disagree and believe that more is required. First, the NYISO/PJM agreement to resolve seams issues, dated March 15, 2002, does not describe any stakeholder process to help identify and resolve seams issues. It is the customers of the ISOs and the market participants who have demanded the resolution of seams issues. Second, the agreement does not include New England. The resolution of seams issues must include all three of the Northeast

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by adopting the process we have outlined below.

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ISOs. Third, the New York and PJM ISOs have failed to identify any seams issues that they will voluntarily subject to the fast track process described in their agreement.

As stated in our July 2, 2002 filing, the NYTOs believe that a coordinated effort among the three Northeast ISOs must be promptly undertaken to address seams and develop and implement the Single Market (the "Action Plan"). This Action Plan should include the creation of a Northeast CEO Committee, comprised of the CEOs of the three Northeast ISOs, and a Northeast Stakeholder Working Group, comprised of stakeholders in the three ISOs, and representatives of state regulatory agencies. The CEO Committee should be given the responsibility to develop, in close coordination with the Stakeholder Working Group, a detailed implementation plan with specific milestones and timeframes to resolve seams issues and develop the Single Market for the Northeast region.

Any Commission-approved Action Plan should include:

- (a) the assignment of direct responsibility to each ISO to achieve the objectives of the plan;
- (b) active stakeholder involvement in the process including the assignment of direct responsibility to specific stakeholder committees to ensure timely stakeholder review and input on all issues; and
- (c) regular reports to the Commission on the progress of the joint ISO effort.

The plans developed by the joint efforts of the CEO Committee and Stakeholder Working Group should be forwarded to the senior stakeholder committee and board of each ISO for review and approval. Provisions should be made for joint meetings among the senior stakeholder committees when that would be helpful in expediting the process. The ISOs must work with the three ISO stakeholder committees and a more efficient mechanism for doing so is required.

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Utilization of the stakeholder process is crucial to identify seams issues and to develop solutions that will work in reality.<sup>3</sup> If the stakeholder/ISO process does not result in a resolution of Single Market or seams issue, the Commission should allow all parties to pursue, consistent with the Commission's Rules of Practice and Procedure, Commission sponsored mediation or alternative dispute resolution with respect to a significant dispute over an issue relating to the resolution of a seam or the development and implementation of the Single Market including access to a settlement judge or expedited Commission review in order to resolve the issue. Furthermore, the Commission may wish to consider establishing a specific process to address these issues should they become numerous.

The NYTOs believe that this type of backstop process is important in ensuring that seams are properly addressed and that the Single Market is developed in a timely manner. Appropriate participation by the Commission and its staff's in this process may be useful in achieving consensus. The NYTOs also believe that this more transparent process of coordination among the ISOs, more effective stakeholder participation and the assistance of the Commission and its staff, when necessary, will have a positive impact on the cooperation and follow-through of all relevant parties.

The NYTOS believe that this process will result in the prompt resolution of seams issues and the expeditious development of a Single Market in the Northeast.

The entire process described above should not be applied only to solving short-term seams problems. The NYTOs urge the Commission to adopt their recommended scope of this

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<sup>3</sup> This process should be guided by the lessons we have learned from the MOU process. The MOU stakeholder process was inefficient because each seams issue had to be vetted in three different ISO lower committees and then three different ISO senior committees. The process would have been much more efficient if a three-ISO steering group could have convened all three of the ISOs' relevant committees to vet issues at one time and to take action on them at the same

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project – development of the Single Market as discussed in Section III, above. The proposed process can work to achieve this objective as well.

**V. Conclusion**

The NYTOs respectfully request that the Commission adopt the recommendations contained herein and direct the ISOs to implement the NYTO's suggested action plan so that the indicated seams issues and the Single Market development can be promptly addressed.

Respectfully submitted,

*/s/ Rebecca J. Michael*

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### CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list in this proceeding in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure.

Dated at Washington, D.C. this 10th day of July, 2002.

*/s/ Rebecca J. Michael*

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