

CHANGES SINCE THE BIC APPEAR IN BLUE;

17.9 Basis for Settlements; Procedures for Revising Information Necessary for Grandfathered Right and Grandfathered TCC Settlements

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

17.9.1.1 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.

17.9.1.2 Notwithstanding other provisions of the ISO Tariffs, but subject to Sections 17.9.1.3, 17.9.1.4, 17.9.1.5 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*, see provisions in 17.9.1.3³ and
- (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 process requests for Fixed Price TCCs, [pursuant to Attachment M](#), 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*, for requests for Fixed Price TCCs based on Accepted Revisions in effect [fewer than 30 days](#) ~~on or~~ prior to the ~~last day of the next Capability Period but~~ [deadline or](#) following the deadline for submitting the documentation necessary to request a Fixed Price TCC, see 17.9.1.3.

17.9.1.3 If an Accepted Revision, pursuant to which the ISO may offer an entity a Fixed Price TCC, is in effect [fewer than 30 days](#) prior to the ~~last day of the next Capability Period but~~ [deadline or](#) following the deadline for submitting the documentation necessary to request a Fixed Price TCC pursuant to Attachment M, the ISO shall:

(i) As provided for in the ISO Transmission Congestion Contracts Manual, use the specified period of time (“reasonable period”) to expeditiously determine eligibility of the entity and, if eligible, offer the entity a Fixed Price TCC [pursuant to Attachment M](#) and process its request for, or decline of, a Fixed Price TCC; ~~If it is requested, the Fixed Price TCC will have an effective date of the day following the termination date of the ETA listed in the Accepted Revision;~~

(ii) ~~Settle the Market~~ [Base settlements pertaining to Grandfathered Rights and Grandfathered TCCs](#) pursuant to the terms of the Accepted Revision; ~~that is, Congestion Rent payments will not be made after the date that the Accepted Revision indicates the~~ [Settlements pertaining to Grandfathered Rights](#) ~~or and~~ [Grandfathered TCCs](#), ~~terminated~~ [will reflect the termination of, or other change in, the Grandfathered TCC or](#)

Grandfathered Right provided by the Accepted Revision, except as otherwise provided in 17.9.1.4 and Attachment M;

(iii) Hold the transmission Capacity made available by the Accepted Revision out of Centralized TCC Auctions and Reconfiguration Auctions ~~during the reasonable period as established in 17.9.1 C (i).~~ If until it is determined that the party is not eligible for a Fixed Price TCC, declines the Fixed Price TCC, or elects an effective date for the Fixed Price TCC of the first day of the following Capability Period. As appropriate, the transmission Capacity made available by the Accepted Revision will be released into Reconfiguration Auctions and/or Centralized TCC Auctions that occurs ~~after the date on which the reasonable period expires~~ 30 days or more after the terms of the Accepted Revision make it available. If the entity elects to take some or all of its Fixed Price TCC, the ISO shall not release transmission Capacity made available by the Accepted Revision into ~~the TCC auctions~~ a Reconfiguration Auction or Centralized TCC Auction to the extent it supports the Fixed Price TCC. [MCL Notes: This is just a clarification]

17.9.1.4 If a signatory to the ETA provides notification and documentation pursuant to Section 17.9.3 that supports a change in an ETA or a change in Attachment L information, or entitlement to a Fixed Price TCC, 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.

17.9.1.5 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 17.9.3.

17.9.2 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 17.9.3. 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.

17.9.3 Process for Making Accepted Revisions Other than Accepted Revisions Pursuant to Section 17.9.1.4

17.9.3.1 *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 17.9.1.

17.9.3.2 *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 17.9.1. 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.

17.9.3.3 *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 17.9.1. 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.

17.9.3.4 *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 17.9.1.4 or Sections 17.9.3.1(i), 17.9.3.2(i), or 17.9.3.3(i).

17.9.3.5 *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 Revision strictly on the basis of the receipt of such information and the representations it receives from the parties to the ETA.

17.9.4 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.