

7.4 Billing Dispute

A. Corrections or Adjustments to Settlement Information

Settlement information for services furnished prior to October 1, 2002, shall be subject to correction or adjustment for errors by the ISO in arithmetic, computation, or estimation for up to twenty-four (24) months from the date of the initial invoice for the month in which service is rendered and as further provided in Section 7.4.C, below. Settlement information for services furnished beginning October 1, 2002, and thereafter shall be subject to correction or adjustment for errors by the ISO in arithmetic, computation or estimation for up to twelve (12) months from the date of the initial invoice for the month in which service is rendered and as further provided in Section 7.4.C, below. The NYISO shall notify all Customers of errors identified and the details of corrections or adjustments made pursuant to this Section 7.4.A.

B. Customer Challenges to the Accuracy of Settlement Information

After making any necessary corrections in accordance with Section 7.4.A, the ISO shall issue a corrected invoice for Customer review, clearly indicating the start of the Customer review period. In the event that the ISO determines no corrections to an invoice are necessary, it shall reissue the original invoice for Customer review, clearly indicating the start of the Customer review period. Customers shall then be permitted to review the accuracy of settlement information contained in the invoice for a period of: (i) twelve (12) months for invoices for services furnished prior to October 1, 2002, and (ii) four (4) months for invoices for services furnished beginning October 1, 2002, and thereafter.

In order to challenge settlement information contained in an invoice, a Customer shall first make payment in full, including any amounts in dispute. Customer challenges to settlement information shall: (i) be submitted to the ISO in writing, (ii) be clearly identified as a settlement challenge, (iii) state the basis for the Customer's challenge, and (iv) include supporting documentation, if applicable.

C. Review and Correction of Challenged Invoices

The ISO shall evaluate a settlement challenge as soon as possible within two (2) months following the conclusion of the challenge period specified in Section 7.4.B; *provided, however*, the ISO may, upon notice to Customers within this time of extraordinary circumstances requiring

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a longer evaluation period, take up to six (6) months to evaluate a settlement challenge. The ISO shall not be limited to the scope of Customer challenges in its review of a challenged invoice and may, at its discretion, review and correct any other elements and intervals of a challenged invoice. Corrections to a challenged invoice shall be applied to all Customers that were or should have been affected by the original settlement and shall not be limited to the Customer challenging the invoice; *provided, however*, that the ISO may recover *de minimis* amounts or amounts that the ISO is unable to collect from individual Customers through Rate Schedule 1 of the Services Tariff.

If the ISO determines that corrections or adjustments to a challenged invoice are necessary and can quantify them with reasonable certainty, the ISO shall provide all Customers with the details of the corrections or adjustments within the timeframe established in this Section 7.4.C and shall then provide a period of twenty-five (25) days for Customers to review the corrected settlement information and provide comments to the ISO regarding the implementation of those corrections or adjustments.

If no errors in the implementation of corrections or adjustments are identified during a twenty-five (25) day Customer comment period, the ISO shall issue a close-out Settlement ("Close-Out Settlement"), clearly identified as such, in the next monthly billing invoice. If an error in the implementation of a correction or adjustment is identified during a twenty-five (25) day Customer comment period, the ISO shall make such further corrections as are necessary to address the error and shall then provide another period of twenty-five (25) days for Customers to review and comment on the implementation of those further corrections.

A Close-Out Settlement shall not be subject to further correction by the ISO except as ordered by the Commission or a court of competent jurisdiction; *provided, however*, that nothing herein shall be construed to restrict any stakeholder's right to seek redress from the Commission in accordance with the Federal Power Act.