# **NYISO Management Committee Meeting**

**February 28, 2006** 

## The Desmond Hotel 660 Albany-Shaker Road Albany, NY

10:00a.m. -- 4:00 p.m.

MINUTES OF THE MEETING

#### 1. Introduction, Meeting Objectives & Chairman's Report

Mr. Jerry Ancona of National Grid, Chairman, called the meeting to order at 10:01 a.m.

#### **MEETING OBJECTIVES**

- Act on Tariff language changes for Intermittent Suppliers of ICAP
- Act on National Grid Appeal of the OC vote on Locational Capacity Requirements
- Act on Board Selection Sub-Committee Follow-up Recommendations

#### 2. Approval of the Minutes

Mr. Ray Stalter (NYISO) received comments on the January 25 minutes and is still reviewing and will bring back for approval next month.

#### 3. President's Report

Mark Lynch, CEO and President of the NYISO, gave his report.

Price Error Elimination – Reported that a failover on February 12 -13 to the Alternate Control Center resulted in an incorrectly reset regulation requirements. As a result, consecutive hours of pricing were reserved and corrected. Plans are being made to have an enhancement come out by the end of the first quarter to address the causes of the errors that were found over the last few months. In the meantime, the team will continue to meet on a weekly basis to address the source of the price elimination errors. Mr. Lynch said that overall the errors are starting to be addressed and are settling down and will continue to be improved with the release of the software. As the year progresses he believes the errors will move toward zero. Mr. Lynch said that the NYISO is working hard to get the average number of days to correction to be two or less so that the Market Participants will have increased price transparency.

Bruce Bleiweis (DC Energy) asked Mr. Lynch if he anticipated putting the two day price correction requirement into a tariff at any time. Mr. Lynch explained that he thought it was too early in the process to commit to the two days. He said that the recent action by the Management Committee (MC) regarding the tariff filing contained a five day compliance requirement for price corrections. He also said there were issues that could arise, particularly when the new software is first installed that would make the two day requirement difficult. He said as time goes on they will continue to evaluate and will keep the two days or less as the goal.

Doreen Saia (Mirant) asked for an update on the time frame for the tariff filing that contained the price correction time compliance and wanted to ensure that it would still be filed even if it was during the summer capability period. Robert Fernandez (NYISO) said that he anticipated the filing to take place mid-March and even with a 60-day time period he would not expect this to bring them too far into the summer capability period.

In response to a request from Glenn Haake (IPPNY), Mr. Lynch agreed that the NYISO would provide a working group an explanation of the price corrections related to the failover issue. Stuart Nachmias of Con Edison asked why the alternative control center was activated in the first place. Mr. Lynch responded saying there was a malfunction in the hardware device that resulted in the switchover.

Mr. Lynch reviewed the Board of Directors action items:

- Approved Reliability Needs Assessment in December currently in process of accessing whether to go out and request alternate regulatory solutions as requested by several principals.
- January 2006 Board meeting discussed communications of Power Trends that is
  normally released in the spring but decision was made to release a bulletin and press
  release on summer readiness. In the fall, Power Trends will be released based on the
  comprehensive reliability planning process and all the analysis that is done with that.
- Received results of the SAS70 Audit and the Board approved release to MPs upon request.
- The Board had not been able to hold a Liaison Sub-committee meeting in several months. This was due to an abbreviated meeting schedule in December, and the effort to conduct interviews with potential Board candidates in January and February. A meeting will be held in March as scheduled.

Paul Gioia (representing Transmission Owners, NYPA and LIPA) stated that he interpreted the tariff to state that alternative regulated solutions would be issued if there are no viable Transmission Owner back-stop solutions. Mr. Lynch said he thought there was some latitude within that language but that the NYISO would review the language again and confirm.

 February meeting - the Board approved proposed changes to credit requirements for virtual transactions that was approved by MC in January.

- Approved the 205 Tariff filing with FERC regarding revised invoice settlement procedures.
- Board approved a recommendation from NYISO management to make a 206 filing on voltage support to ensure a rate is effective after the current expiration date of April 4. Filing will allow NYISO to establish a methodology to set the VSS rate going forward and look at allocation of payments across the state for locational requirements. It will also look at non-generation factors – not only the rate but the potential for escalation going forward.
- Board approved 205 filing with FERC regarding modification to attachment N
- Approved 205 filing on revision of rules subject to Board's decision.
- It was reported to the Board that parties had not yet reached agreement on Blackstart.
- Conducted second Board candidate interviews.

Mr. Charles Garber (NYISO) made an announcement of the Att. U Declaration of Bad Debt recoveries in the amount of \$2,760613.07, and Bad Debt Losses in the amount of \$292,969.00. These recoveries and losses will be refunded, to and collected from, the appropriate Market Participants with settlement of the April invoices.

Mr. Fernandez (NYISO) gave an update on the Calpine Bankruptcy. He reported that the NYISO credit department is monitoring the situation, but does not foresee any losses at this time. However, a protective claim has been filed and the legal department will continue to monitor the case.

Kevin Jones (Long Island Power Authority) noted that the last posting of The Seams Update wasin October and expressed concern that the commitment for quarterly updates was not being met. John Buechler (NYISO) said that the material was reported to BIC and the workload was what prevented it from being reported in January. He noted the concern.

Mark Younger (Slater Consulting) asked what the NYISO is doing to resolve the issue of scarcity prices that were recently identified in the Dave Patton report, prior to this summer. Mr. Lynch said that the NYISO will be scheduling a working group meeting with Dr. Patton and Market Participants soon in order to discuss these issues further.

#### 4. NYISO Liability Limitation in OATT

In a joint presentation of the NYISO and Transmission Owners (TOs), NYPA and LIPA Paul Gioia, representing the TO's, explained the background on the proposed revisions, the current provisions and rationale for the proposed tariff revisions. He indicated that it was his intention return to the next MC meeting with proposed tariff amendments. Tom Rudebusch (representing New York Association of Public Power) provided additional background, including the differences between the liability standards in the Services Tariff and the OATT.

#### 5. Proposed Tariff Revisions re: Intermittent Providers of Installed Capacity

#### (pursuant to BIC action and ICAP working group proposal for Hydros)

Mollie Lampi (NYISO) presented proposed tariff revisions for ICAP Rules for Intermittent Power Resources and Run of River Hydro. She explained why the revisions were being made and said that 90 days would be requested for the changes instead of 60 days so that the affected parties would have time to prepare.

Howard Fromer (PSEG) requested clarification regarding what data would be used to determine capacity values for new wind facilities for the 2006-07 capability year. He referred to studies that had previously been performed by GE to determine capacity factors for wind, and indicated that the ICAP and BIC Committees had been told that the GE study would be used for this purpose. John Charlton (NYISO) confirmed that the capacity values that would be imposed on new resources for the 2006-07 summer and winter capability periods will be established by the GE study once the new tariff provisions, which introduce seasonality into the measure of UCAP for Intermittent Power Resources, are approved.

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Mark Younger (Slater Consulting) also wanted a clarification and requested that the FERC filing letter language be clear as to the intent. Molly Lampi (NYISO) said that the tariff amendment introduces the concept of seasonality and when it is approved seasonality will go into effect. She explained that there will be different capacity methods in effect for the summer capacity period and that will not be any different than any other generator. She assured both Mr. Younger and Mr. Fromer that the tariff language would be explicit.

Tom Rudebusch (for NYAPP) raised concern with communication of issues as they impact municipal generation owners, and NYISO staff agreed to address these concerns by notifying NYAPP representatives before proposing further changes to sections on municipal generation in the future.

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There was a discussion regarding changes in the language of the tariff and incentives for run-of-river hydro to enter the market. Doreen Saia (Mirant) requested clarification in the tariff language and stated that her understanding was the role of run-of-river would change going forward. Ray Kinney (NYSEG) also inquired about changes in language. John Charlton (NYISO) noted that there would be manual changes to come and attachments that needed to be revised, and that would be accomplished in parallel with FERC changes.

Mr. Kinney requested it be noted that NYSEG/RGE believes that bringing a vote to the Management Committee without all the material being complete is problematic.

#### Motion #1:

Whereas the Business Issues Committee (BIC) approved a motion to recommend tariff modifications to address installed capacity rules for intermittent and limited control run-of-river hydro resources, as presented to the BIC on February 8, 2006, and Whereas, the BIC also directed the Installed Capacity (ICAP) Working Group to discuss the intent and expected impact on existing facilities of the proposed tariff language related to limited control run-of-river hydro facilities, and

**Whereas**, the ICAP Working Group discussed these issues at its meeting on February 17, 2006.

**Therefore**, the Management Committee (MC) hereby approves tariff modifications, and recommends to the NYISO Board of Directors that the NYISO make a filing pursuant to Section 205 of the Federal Power Act, to address installed capacity rules for intermittent and limited control run-of-river hydro resources, as presented to the MC on February 28th, 2006.

Motion passed by majority show of hands with abstentions.

6. National Grid Appeal of the OC vote on the February 9, 2006 Amendment to the Motion Regarding 2006 Locational Capacity Requirements.

Bart reported on National Grid's appeal to the Management Committee regarding the NYISO Operating Committee's decision at its February 9, 2006 meeting to reject motion #86.02a, addressing the proposed revision of the Locational Installed Capacity Requirements for Zone J and K that satisfy reliability criteria and are consistent with the LCRs associated with the Free Flowing Equivalent Installed Reserve Margin and the proposed establishment of a statewide ICAP requirement for the 2006-2007 Capability year that corresponds to the Free Flowing Equivalent IRM. National Grid believes that the current requirements distort market signals and require upstate zones to subsidize downstate capacity constraints.

National Grid believes that NYSRC's current IRM methodology lets intra-regional transmission limitations influence the region-wide resource adequacy requirement. This practice increases the cost to zones which are not import-constrained, but must nevertheless share the costs of additional capacity for zones which are import-constrained. As a result, the unconstrained zones in the state are allocated excess capacity resources in order to minimize LCRs of the transmission-constrained Zones J and K. Moreover, as a result of upstate customers directly subsidizing the capacity needs of downstate customers, locational price signals are diminished.

#### Background:

On February 2, 2006, FERC issued an order dismissing National Grids complaint against NYSRC and the NYISO which challenged their methodology for establishing the IRM for New York. FERC asked that National Grid first exhaust its methods of resolving this dispute within NYSRC and NYISO before filing a complaint with the Commission. FERC disagreed with National Grid's assertion that the NYISO stakeholder process is not appropriate to redress National Grid's concerns.

#### Motion in Opposition to National Grid's Appeal

Con Edisons, O&R, LIPA, NYPA, The City of NY, Consumer Power Advocates and New York Energy Consumer Council

Neil Butterklee presented the Motion in Opposition to National Grid's appeal. He noted that opponents believe that this issue should have been addressed and worked out through the stakeholder process at a working group meeting, rather than at the MC. He also noted that National Grid's amendment was procedurally deficient in that it requested the NYISO to take an action outside the scope of its legal authority, and that National Grid had failed to support both its allegations regarding the present IRM, ICR and LCR methodologies and its proposed FFM.

A special taskforce between the NYSRC ICS and the NYISO ICAP WG members has been formed to address National Grid's complaint. The Resource Adequacy Issues Task Force, will be having its first meeting on March 1<sup>st</sup>.

Jim Schiederich (Select Energy) stated that last year, NYISO-produced curve caused concern regarding the IRM outcome. Steve Jeremko (NYSEG) said every point along those curves satisfied the reliability process.

#### Motion #2:

In accordance with the Notice of Appeal submitted by National Grid on February 16, 2006, the Management Committee hereby reverses the decision of the Operating Committee and approves:

- (1) the revision of the Locational Installed Capacity Requirements ("LCRs") for Zone J and K that satisfy reliability criteria and are consistent with the LCRs associated with the Free Flowing Equivalent Installed Reserve Margin ("IRM"), and
- (2) the establishment of a Statewide Installed Capacity Requirement for the 2006 2007 Capability Year that corresponds to the Free Flowing Equivalent IRM.

Motion failed with 25.58% affirmative votes.

#### Lunch

# 7. Board Selection Sub-Committee Follow-up Recommendations (Executive Session)

Meeting in Executive Session the Committee considered the following motion:

#### Motion #3:

With regard to the upcoming vacancy on the Board, the MC has been informed that the Board has decided to interview a candidate not recommended by the MC. Pursuant to Section 5.04 of the ISO Agreement, the MC affirms and adopts the determination of the BSSC on the candidate, who had no affirmative votes from any sector, and the MC does not recommend the candidate for the upcoming vacancy.

Mr. Ancona, Chair of the MC reported the Motion passed unanimously by show of hands with abstentions.

#### 8. New Business

Glenn Haake (IPNY) asked for an update on Black Start in President's Report at next MC meeting.

### 9. Adjourn

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

Management Committee - Attendance February 28, 2006 - 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.                     | Paul DeCotis               | ✓ David Coup               | Erin Hogan        | Chris Hall       | John Spath        |               |                |       |
| The City of New York   | End Use - Gov. Agency/Aggr.                     | Michael Delaney            | Gil Quiniones              | Thomas Simpson    | Jonathan Wallach | Tim Daniels       |               | ✓ John Dowling |       |
| Alcoa/Reynolds Metals Company  | End Use - Large Consumer                        | Robert Loughney            | Michael Mager              | ✓ Morgan Parke    |                  |                   |               | Ĭ              |       |
| Helmsley-Spear Inc.  | End Use - Large Consumer                        | David Bomke                | George Diamantopoulos      | Edward Strauss    | Herb Rose        |                   |               | ✓ John Dowling |       |
| IBM Corporation  | End Use - Large Consumer                        | Robert Loughney            | Michael Mager              | ✓ Morgan Parke    |                  | 1                 |               |                |       |
| Occidental Chemical Corp.  | End Use - Large Consumer                        | Robert Loughney            | Michael Mager              | ✓ Morgan Parke    |                  |                   |               |                |       |
| Praxair Inc.   | End Use - Large Consumer                        | Robert Loughney            | Michael Mager              | ✓ Morgan Parke    |                  |                   |               |                |       |
| Wegmans Food Markets   | End Use - Large Consumer                        | Robert Loughney            | Michael Mager              | ✓ Morgan Parke    |                  |                   |               |                |       |
| Metropolitan Transportation Authority  | End Use - Large Cons. Gov.                      | Jesse Samberg              | Gary Caplan                | Walter McCarroll  |                  |                   |               |                |       |
| American Sugar Refining, Inc.  | End Use - Small Consumer                        | John Gebhard               | Quintin George             | Catherine Luthin  | ✓ John Dowling   | Jennifer Kearney  |               |                |       |
| Association for Energy Affordability, Inc.                                       | End Use - Small Consumer                        | David Hepinstall           | ✓ Larry DeWitt             | ĺ                 |                  |                   |               |                |       |
| Beth Israel Health Care System   | End Use - Small Consumer                        | Catherine Luthin           | ✓ John Dowling             | Jennifer Kearney  | ✓ Tariq Niazi    | Doug Elfner       |               |                |       |
| Building and Realty Institute  | End Use - Small Consumer                        | Herb Rose                  | Judith Mondre              | Ted Lee           | ✓ Tariq Niazi    |                   |               |                |       |
| Columbia University  | End Use - Small Consumer                        | Catherine Luthin           | ✓ John Dowling             | Jennifer Kearney  | ✓ Tariq Niazi    | Doug Elfner       |               |                |       |
| 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                        | Catherine Luthin           | ✓ John Dowling             | Jennifer Kearney  | ✓ Tariq Niazi    | Doug Elfner       |               |                |       |
| New York University  | End Use - Small Consumer                        | Catherine Luthin           | ✓ John Dowling             | Jennifer Kearney  | ✓ Tariq Niazi    | Doug Elfner       |               |                |       |
| NY State Consumer Protection Board   | End Use - State Agency                          | ✓ Tariq Niazi              | Doug Elfner                |                   |                  | 1                 |               |                |       |
| AES NY   | Generation Owners                               | Christopher Wentlent       | Rick Santoroski            | Charles Sjoberg   |                  | 1                 |               |                | 1     |
| Astoria Energy LLC   | Generation Owners                               | Joseph Swift               | Leonard Singer             |                   |                  | 1                 |               |                | 1     |
| Calpine  | Generation Owners                               | Thomas Kaslow              | Tracee Bersani             | Richard Felak     |                  | 1                 |               |                |       |
| East Coast Power Linden Holding LLC  | Generation Owners                               | Thomas Hoatson             | Robert Licato              | Kathy Benini      |                  | 1                 |               |                |       |
| Edison Mission Marketing & Trading   | Generation Owners                               | ✓ William Roberts          | Jeffrey Ellis              | Peter Brown       | ✓ Rich Mooney    | 1                 |               |                |       |
| Entergy Nuclear Northeast  | Generation Owners                               | Marc Potkin                | Angelo Vai                 | Ron Mackowiak     |                  | 1                 |               |                |       |
| Indeck Energy Services   | Generation Owners                               | Mike Ferguson              | John Schrage               | ✓ Mark Younger    |                  |                   |               |                |       |
| KeySpan Ravenswood, LLC  | Generation Owners                               | Jim Brennan                | Rich Hohlman               | Joe Vignola       | Jim D'Andrea     | ✓ Madison Milhous | Rich Rapp     |                |       |
| Mirant New York, Inc.  | Generation Owners                               | James Mayhew               | ✓ Doreen Saia              | Vicki Lynch       |                  |                   |               |                |       |
| Selkirk Cogen Partners, L.P.   | Generation Owners                               | Tim Biittig                | Steve Kamppila             |                   |                  |                   |               |                |       |
| TransCanada Power Marketing  | Generation Owners                               | William Taylor             | Elaine Beaudry             |                   |                  |                   |               |                |       |
| Advantage Energy, Inc.   | Other Suppliers                                 | Kyle Storie                | 1                          |                   |                  |                   |               |                |       |
| Amerada Hess Corporation   | Other Suppliers                                 | Hemant Jain                | Kevin Laguardia            | Blas Hernandez    | George Braulke   |                   |               |                |       |
| Brascan Energy Marketing Inc.  | Other Suppliers                                 | ✓ Robert Ricketts          | Daniel Whyte               | ĺ                 |                  |                   |               |                |       |
| Cinergy Capital and Trading  | Other Suppliers                                 | John Deeds                 | Walt Yeager                |                   |                  |                   |               |                |       |
| Con Edison Energy  | Other Suppliers                                 | Ken Bekman                 | Ivan Kimball               | ĺ                 |                  |                   |               |                |       |
| Con Edison Solutions   | Other Suppliers                                 | Ken Bekman                 | Stephen Wemple             | ĺ                 |                  |                   |               |                |       |
| Conectiv   | Other Suppliers                                 | Bill Fehr                  | John Foreman               |                   |                  |                   |               |                |       |
| Constellation Energy Commodities, Inc.   | Other Suppliers                                 | ✓ Glen McCartney           | Dan Allegretti             | Sara O'Neill      |                  |                   |               |                |       |
| Constellation New Energy Inc.  | Other Suppliers                                 | Michael Constantine        | Sara O'Neill               |                   |                  |                   |               |                |       |
| Consumer Powerline   | Other Suppliers                                 | Vinay Gupta                | Mike Gordon                | Ray Stirbys       | Chaue Shen       |                   |               |                |       |
| Coral Power, LLC   | Other Suppliers                                 | ✓ Matt Picardi             | Marc Overdyk               | Dave French       |                  |                   |               |                |       |
| DC Energy  | Other Suppliers                                 | ✓ Bruce Bleiweis           | Dean Wilde                 | Andrew Stevens    |                  |                   |               |                |       |
| Dynegy   | Other Suppliers                                 | ✓ Barry Huddleston         | Jason Cox                  | Kevin White       |                  |                   |               |                |       |
| ECONnergy  | Other Suppliers                                 | Saul Horowitz              | Tom Halleran               | 1                 |                  |                   |               |                |       |
| Energy Spectrum  | Other Suppliers                                 | Gary David                 | Henry Hartstein            | Aron Iskowitz     |                  |                   |               |                |       |
| Epic Merchant Energy   | Other Suppliers                                 | Mike Kinsey                | ✓ Erik Abend               | Wade Sullivan     |                  |                   |               |                |       |
| Exelon Generation - Power Team   | Other Suppliers                                 | Scott Silverstein          | Joe Klimaszewski           | Jim Verna         |                  |                   |               |                |       |
| Fortistar/Lockport Energy Associates, L.P.                                       | Other Suppliers                                 | Roger Kelley               | Tom Gesicki                | ✓ Mark Younger    | ✓ Glenn Haake    |                   |               |                |       |
| FPL Energy   | Other Suppliers                                 | ✓ David Applebaum          | Fernando DaSilva           | Ron Scheirer      |                  |                   |               |                |       |
| Galt Power   | Other Suppliers                                 | ✓ Rick Mancini             | Stephen Fernands           |                   |                  |                   |               |                |       |
| HQ Energy Services   | Other Suppliers                                 | Michel Prevost             | Paul Norris                | Erik Bellavance   |                  | 1                 |               |                |       |
| KeySpan Energy Services  | Other Suppliers                                 | Terrence Kain              | Jim D'Andrea               | Edwin Kichline    | James Cross      | John Vaughn       |               |                |       |
| Morgan Stanley Capital Group   | Other Suppliers                                 | Patrick Murray             | Karen Kochonies            | Levon Kazarian    | Doron Ezickson   | Nikolai Markarian |               |                |       |
| NRG Power Marketing  | Other Suppliers                                 | Tim Foxen                  | Katie Sullivan             | Peter Chamberlain |                  |                   |               |                |       |
| NU / Select Energy   | Other Suppliers                                 | Gunnar Jorgensen           | ✓ Jim Scheiderich          | 1                 |                  |                   |               |                |       |
| Ontario Power Generation Inc.  | Other Suppliers                                 | Barry Green                | Dave Barr                  | Ken Lacivita      | Scott McArthur   | ✓ David Barr      | ✓ Glenn Haake |                |       |
| Orion Power New York   | Other Suppliers                                 | Liam Baker                 | John Meyer                 | ĺ                 |                  |                   |               | ✓ Doreen Saia  |       |
| PPM Energy   | Other Suppliers                                 | Donald Winslow             | Murray O'Neil              | 1                 |                  |                   |               |                |       |
| PP&L Energy Plus   | Other Suppliers                                 | ✓ Tom Hyzinski             | John Brodbeck              | Joseph Langan     | Sharon Weber     |                   |               |                |       |
|  |   | ✓ Howard Fromer            | Michael LaFalce            | Ĭ.                | 1                | 1                 | i             | i              | i     |
| PSEG Energy Resources & Trade  | Other Suppliers                                 |                            |                            |                   |                  |                   |               |                | 1     |
| PSEG Energy Resources & Trade<br>Sempra Energy Trading<br>SESCO Enterprises, LLC | Other Suppliers Other Suppliers Other Suppliers | Dan Staines Mike Schubiger | Maria Agovino Jim Thoresen | Scott Englander   | Barry Trayers    |                   |               |                |       |

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

#### Management Committee - Attendance February 28, 2006 - Albany, NY - Parties Checked in Attendance

| Organization                          | Sector                        | Representative      | Alternate1           | Alternate2        | Alternate3       | Alternate4      | Alternate5  | Proxy           | Guest             |
|---------------------------------------|-------------------------------|---------------------|----------------------|-------------------|------------------|-----------------|-------------|-----------------|-------------------|
| Strategic Energy LLC                  | Other Suppliers               | Jason Barker        | Jeff Knox            | Pamela Melton     |                  |                 |             |                 |                   |
| TransÉnergie U.S. Ltd.                | Other Suppliers               | Raymond Coxe        | ✓ Michael Jacobs     |                   |                  |                 |             |                 |                   |
| Williams Power Company                | Other Suppliers               | David Singer        | Mark Lassman         | Robert O'Connell  |                  |                 |             |                 |                   |
| Long Island Power Authority           | Public Power - Authorities    | ✓ Kevin Jones       | Jim Wittine          | Dave Clarke       |                  |                 |             |                 |                   |
| New York Power Authority              | Public Power - Authorities    | Bob Deasy           | ✓ William Palazzo    | Kim Byham         |                  |                 |             |                 | ✓ Scott Brown     |
| American Wind Energy Association      | Public Power - Environmental  | Valerie Strauss     | ✓ Larry DeWitt       | Douglas Ward      | ✓ Mike Jacobs    |                 |             |                 |                   |
| Environmental Advocates               | Public Power - Environmental  | Anne Reynolds       | ✓ Larry DeWitt       |                   |                  |                 |             |                 |                   |
| Nat'l Resources Defense Council       | Public Power - Environmental  | Dale Bryk           | ✓ Larry DeWitt       |                   |                  |                 |             |                 |                   |
| Pace University                       | Public Power - Environmental  | Edward Smeloff      | ✓ Larry DeWitt       |                   |                  |                 |             |                 |                   |
| Scenic Hudson                         | Public Power - Environmental  | ✓ Larry DeWitt      |                      |                   |                  |                 |             |                 |                   |
| Bath Electric, Gas & Water Systems    | Public Power - Munis & Co-ops | Matthew Benesh      | ✓ Tim Bush           | Jim Hamilton      | Ken Moore        | Jack Brown      |             |                 |                   |
| City of Jamestown Board of Pub. Util. | Public Power - Munis & Co-ops | ✓ David Gustafson   | Wally Haase          | John Oelbracht    | Steven Kulig     | ✓ Tom Rudebusch |             |                 |                   |
| Lake Placid Village                   | Public Power - Munis & Co-ops | Peter Kroha         | ✓ Tim Bush           |                   |                  |                 |             |                 |                   |
| Municipal Commission of Boonville     | Public Power - Munis & Co-ops | Kenneth Stabb       | ✓ Tim Bush           |                   |                  |                 |             |                 |                   |
| Plattsburgh Municipal Lighting Dept.  | Public Power - Munis & Co-ops | Jack Brown          | ✓ Tim Bush           |                   |                  |                 |             |                 |                   |
| Village of Arcade                     | Public Power - Munis & Co-ops | Larry Kilburn       | ✓ Tim Bush           |                   |                  |                 |             |                 |                   |
| Village of Fairport                   | Public Power - Munis & Co-ops | Ken Moore           | ✓ Tim Bush           | Paul Pallas       |                  |                 |             |                 |                   |
| Village of Freeport                   | Public Power - Munis & Co-ops | Hubert Bianco       | Anthony Fiore        | ✓ Tom Rudebusch   |                  |                 |             |                 |                   |
| Village of Rockville Centre           | Public Power - Munis & Co-ops | Paul Pallas         | Jim Hamilton         | Matthew Benesh    | Jim Hamilton     | Jack Brown      | Ken Moore   | ✓ Tom Rudebusch |                   |
| Village of Solvay                     | Public Power - Munis & Co-ops | Anthony Modafferi   | ✓ Tim Bush           |                   |                  |                 |             |                 |                   |
| Village of Westfield                  | Public Power - Munis & Co-ops | Jim Hamilton        | ✓ Tim Bush           | Matthew Benesh    | Jack Brown       | Ken Moore       |             |                 |                   |
| Central Hudson Gas & Electric         | Transmission Owners           | Charles Freni       | ✓ John Watzka        |                   |                  |                 |             |                 |                   |
| Consolidated Edison                   | Transmission Owners           | Terry Agriss        | ✓ Stuart Nachmias    | ✓ Neil Butterklee |                  |                 |             |                 | ✓ Mayer Sasson    |
| National Grid                         | Transmission Owners           | ✓ Jerry Ancona      | Wes Yeomans          | Janet Gail Besser | Herb Schrayshuen | ✓ Bart Franey   | Terron Hill |                 | ✓ Roxanne Maywalt |
| NY State Electric Gas (NYSEG)         | Transmission Owners           | ✓ Ray Kinney        | ✓ Patti Caletka      | Hank Masti        | Cliff Olson      | Denis Wickham   |             |                 |                   |
| Orange & Rockland, Inc.               | Transmission Owners           | None Assigned       |                      |                   |                  |                 |             |                 |                   |
| Rochester Gas & Electric              | Transmission Owners           | ✓ Ray Kinney        | ✓ Patti Caletka      | Hank Masti        | Cliff Olson      | Denis Wickham   |             |                 |                   |
| Ace Energy Company, Inc               | Non-voting                    | Marie Pieniazek     | Stephen Lynch        |                   |                  |                 |             |                 |                   |
| Boundless Energy, L.L.C               | Non-voting                    | John Tompkins       | Brian Chernack       | Chuck Gilbert     |                  |                 |             |                 |                   |
| Caithness Energy, L.L.C               | Non-voting                    | Ross Ain            | Gary Keevill         | Mitchell Garber   |                  |                 |             |                 |                   |
| Customized Energy Solutions           | Non-voting                    | ✓ Rick Mancini      | Stephen Fernands     | Bill Schofield    |                  |                 |             |                 |                   |
| Ecogen, L.L.C                         | Non-voting                    | Tom Hagner          |                      |                   |                  |                 |             |                 |                   |
| Energetix, Inc.                       | Non-voting                    | Barney Farnsworth   |                      |                   |                  |                 |             |                 |                   |
| Energy Curtailment Specialists, Inc   | Non-voting                    | Marie Pieniazek     | Stephen Lynch        |                   |                  |                 |             |                 |                   |
| 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     | Mario Boucher        |                   |                  |                 |             |                 |                   |
| NYS Department of Public Service      | Non-voting                    | Penny Rubin         | ✓ Rajendra Addepalli |                   |                  |                 |             |                 | ✓ Bill Heinrich   |
| Stealth Energy                        | Non-voting                    | Gad Cohen           |                      |                   |                  |                 |             |                 |                   |
| The Structure Group                   | Non-voting                    | Bob Furry           | Alex Lago            |                   |                  |                 |             |                 |                   |
| Tom Halleran                          | Non-voting                    | Tom Halleran        |                      |                   |                  |                 |             |                 |                   |
| US Direct                             | Non-voting                    | Marie Pieniazek     | Stephen Lynch        |                   |                  |                 |             |                 |                   |
| William P. Short                      | Non-voting                    | William Short       | Marc Schaefer        | Joe DeVito        | John Brodbeck    | Ron Matlock     | Paul Savage | Roberto Denis   |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      | 1                 |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      | 1                 |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    |                     |                      |                   |                  |                 |             |                 |                   |
| zNew Member                           | Non-voting                    | None Assigned       | 1                    | 1                 | 1                | 1               | I           | 1               | 1                 |

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

✓ Ira Freilicher
Kevin Jones

James Schmidt

Hunton & Williams
Hunton & Williams
Hunton & Williams

✓ Rob Fernandez
 ✓ Mark Lynch
 NYISO
 NYISO

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

#### Management Committee - Attendance February 28, 2006 - Albany, NY - Parties Checked in Attendance

| Organization     | Sector     | Representative | Alternate1 | Alternate2 | Alternate3 | Alternate4 | Alternate5 | Proxy | Guest |
|------------------|------------|----------------|------------|------------|------------|------------|------------|-------|-------|
| John Buechler    | NYISO      | l              |            |            |            | ļ          |            | Į.    | 1     |
| Mollie Lampi     | NYISO      |                |            |            |            |            |            |       |       |
| John Charlton    | NYISO      |                |            |            |            |            |            |       |       |
| Charles Garber   | NYISO      |                |            |            |            |            |            |       |       |
| Elaine Robinson  | NYISO      |                |            |            |            |            |            |       |       |
| Debra Murley     | NYISO      |                |            |            |            |            |            |       |       |
| Leigh Bullock    | NYISO      |                |            |            |            |            |            |       |       |
| Ray Stalter      | NYISO      |                |            |            |            |            |            |       |       |
| Debbie Eckels    | NYISO      |                |            |            |            |            |            |       |       |
| Dave Lawrence    | NYISO      |                |            |            |            |            |            |       |       |
| Garry Brown      | NYISO      |                |            |            |            |            |            |       |       |
| John Buechler    | NYISO      |                |            |            |            |            |            |       |       |
| John Cutting     | NYISO      |                |            |            |            |            |            |       |       |
| Jane Lathrop     | NYISO      |                |            |            |            |            |            |       |       |
| Ernie Cardone    | NYISO      |                |            |            |            |            |            |       |       |
| Frank Murray     | NYISO      |                |            |            |            |            |            |       |       |
| Andrew Hartshorn | Airtricity |                |            |            |            |            |            |       |       |

#### Key:

✓ = In attendance

# New York Independent System Operator Management Committee - February 28, 2006

Motion: Motion #

Result: Motion Failed

| Sector with base percent       | %    | Active       | Quorum | Adj. Percent | For       | Against   | Abstain | % For | % Against |
|--------------------------------|------|--------------|--------|--------------|-----------|-----------|---------|-------|-----------|
| Generation Owners              | 21.5 | ✓            | *      | 7.82         | 0.00      | 3.00      | 1       | 0.00  | 7.82      |
| Other Suppliers                | 21.5 | ✓            | ✓      | 21.50        | 0.00      | 7.00      | 7       | 0.00  | 21.50     |
| Transmission Owners            | 20.0 | ✓            | ✓      | 20.00        | 3.00      | 1.00      | 0       | 15.00 | 5.00      |
| End Use Consumer               |      |              | ✓      |              |           |           |         |       |           |
| Large Consumer                 | 9.0  | ✓            |        | 9.00         | 5.00      | 1.00      | 0       | 5.08  | 5.25      |
| Large Cons. Gov. Agency        | 2.0  | ✓            |        | 2.00         | 0.00      | 0.00      | 0       | 0.00  | 0.00      |
| Small Consumer                 | 4.5  | $\checkmark$ | ✓      | 4.50         | 0.00      | 7.00      | 1       | 0.00  | 5.17      |
| 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      | 1.00      | 1       | 0.00  | 4.50      |
| Public Power                   |      |              | ✓      |              |           |           |         |       |           |
| State Power Authorities        | 8    | ✓            |        | 8.00         | 0.00      | 2.00      | 0       | 0.00  | 15.00     |
| Munis and Coops                | 7    | ✓            |        | 7.00         | 0.00      | 0.00      | 11      | 0.00  | 0.00      |
| Environmental                  | 2    | $\checkmark$ |        | 2.00         | 4.00      | 0.00      | 1       | 2.00  | 0.00      |
|                                |      |              |        |              |           |           |         |       |           |
|                                |      |              | 4      | 86.32        | 12.00     | 22.00     | 23      | 22.08 | 64.24     |
|                                |      |              |        | 86.32 No     | ormalized | to 100% : |         | 25.58 | 74.42     |

#### **New York Independent System Operator**

#### Management Committee - February 28, 2006

#### Motion Motion #

| 0.1   | II a   | 100                            | ll a ceru        | l       |      | II      |
|---|--|--------------------------------|------------------|---------|------|---------|
| Sector  | Organization   | Representative                 | Affiliate        | Present | For  | Against |
| End Use - Gov. Agency/Aggr. End Use - Gov. Agency/Aggr.   | NYS Energy Research & Develop. Auth.  The City of New York   | David Coup  John Dowling       |                  | y       |      | 1.00    |
| End Use - Large Consumer  | Alcoa/Reynolds Metals Company  | Morgan Parke                   |                  | y       | 1.00 |         |
| End Use - Large Consumer  | Helmsley-Spear Inc.  | John Dowling                   |                  | у       |      | 1.00    |
| End Use - Large Consumer  | IBM Corporation  | Morgan Parke                   |                  | у       | 1.00 |         |
| End Use - Large Consumer  | Occidental Chemical Corp.  Praxair Inc.  | Morgan Parke                   |                  | y       | 1.00 |         |
| End Use - Large Consumer End Use - Large Consumer   | Wegmans Food Markets   | Morgan Parke<br>Morgan Parke   |                  | y<br>V  | 1.00 |         |
| End Use - Large Cons. Gov.  | Metropolitan Transportation Authority  | morgan rano                    |                  | ,       | 1.00 |         |
| End Use - Small Consumer  | American Sugar Refining, Inc.  | John Dowling                   |                  | у       |      | 1.00    |
| End Use - Small Consumer  | Association for Energy Affordability, Inc.   | Larry DeWitt                   |                  | у       |      |         |
| End Use - Small Consumer  | Beth Israel Health Care System   | John Dowling                   |                  | у       |      | 1.00    |
| End Use - Small Consumer  | Building and Realty Institute  Columbia University   | Tariq Niazi                    |                  | у       |      | 1.00    |
| End Use - Small Consumer End Use - Small Consumer   | Mount Sinai Medical Center   | John Dowling John Dowling      |                  | y       |      | 1.00    |
| End Use - Small Consumer  | New York Presbyterian Hospital   | John Dowling                   |                  | v       |      | 1.00    |
| End Use - Small Consumer  | New York University  | John Dowling                   |                  | у       |      | 1.00    |
| End Use - State Agency  | NY State Consumer Protection Board   | Tariq Niazi                    |                  | у       |      |         |
| Generation Owners   | AES NY   |                                |                  |         |      |         |
| Generation Owners   | Astoria Energy LLC   |                                |                  |         |      |         |
| Generation Owners   | Calpine  |                                |                  |         |      |         |
| Generation Owners Generation Owners   | East Coast Power Linden Holding LLC Edison Mission Marketing & Trading   | William Roberts                |                  | v       |      |         |
| Generation Owners   | Entergy Nuclear Northeast  | William Roberts                |                  | ,       |      |         |
| Generation Owners   | Indeck Energy Services   | Mark Younger                   |                  | у       |      | 1.00    |
| Generation Owners   | KeySpan Ravenswood, LLC  | Madison Milhous                |                  | у       |      | 1.00    |
| Generation Owners   | Mirant New York, Inc.  | Doreen Saia                    |                  | у       |      | 1.00    |
| Generation Owners   | Selkirk Cogen Partners, L.P.   |                                |                  |         |      |         |
| Generation Owners Other Suppliers   | TransCanada Power Marketing Advantage Energy, Inc.   |                                |                  |         |      |         |
| Other Suppliers Other Suppliers   | Advantage Energy, Inc.  Amerada Hess Corporation   |                                |                  |         |      |         |
| Other Suppliers Other Suppliers   | Brascan Energy Marketing Inc.  | Robert Ricketts                |                  | у       |      | 1.00    |
| Other Suppliers   | Cinergy Capital and Trading  |                                |                  |         |      |         |
| Other Suppliers   | Con Edison Energy  |                                | у                |         |      |         |
| Other Suppliers   | Con Edison Solutions   |                                | у                |         |      |         |
| Other Suppliers   | Conectiv   | Clan MaCt                      |                  |         |      |         |
| Other Suppliers Other Suppliers   | Constellation Energy Commodities, Inc.  Constellation New Energy Inc.  | Glen McCartney                 | v                | у       |      |         |
| Other Suppliers Other Suppliers   | Consumer Powerline   |                                | y                |         |      |         |
| Other Suppliers   | Coral Power, LLC   | Matt Picardi                   |                  | у       |      |         |
| Other Suppliers   | DC Energy  | Bruce Bleiweis                 |                  | у       |      |         |
| Other Suppliers   | Dynegy   | Barry Huddleston               |                  | у       |      | 1.00    |
| Other Suppliers   | ECONnergy  |                                |                  |         |      |         |
| Other Suppliers Other Suppliers   | Energy Spectrum  Epic Merchant Energy  | Erik Abend                     |                  |         |      |         |
| Other Suppliers Other Suppliers   | Exelon Generation - Power Team   | LIK ADEIIG                     |                  | у       |      |         |
| Other Suppliers   | Fortistar/Lockport Energy Associates, L.P.   | Mark Younger                   |                  | v       |      | 1.00    |
| Other Suppliers   | FPL Energy   | David Applebaum                |                  | y       |      | 1.00    |
| Other Suppliers   | Galt Power   | Rick Mancini                   |                  | у       |      |         |
| Other Suppliers   | HQ Energy Services   |                                |                  |         |      |         |
| Other Suppliers   | KeySpan Energy Services  |                                | у                |         |      |         |
| Other Suppliers Other Suppliers   | Morgan Stanley Capital Group  NRG Power Marketing  |                                |                  |         |      |         |
| Other Suppliers Other Suppliers   | NU / Select Energy   | Jim Scheiderich                |                  | у       |      | 1.00    |
| Other Suppliers   | Ontario Power Generation Inc.  | David Barr                     |                  | y       |      |         |
| Other Suppliers   | Orion Power New York   | Doreen Saia                    |                  | ý       |      | 1.00    |
| Other Suppliers   | PPM Energy   |                                |                  |         |      |         |
| Other Suppliers   | PP&L Energy Plus   | Tom Hyzinski                   |                  | у       |      |         |
| Other Suppliers Other Suppliers   | PSEG Energy Resources & Trade Sempra Energy Trading  | Howard Fromer                  |                  | у       |      | 1.00    |
| Other Suppliers Other Suppliers   | SESCO Enterprises, LLC   |                                |                  |         |      |         |
| Other Suppliers Other Suppliers   | Strategic Energy LLC   |                                |                  |         |      |         |
| Other Suppliers   | TransÉnergie U.S. Ltd.   | Michael Jacobs                 | у                | у       |      |         |
| Other Suppliers   | Williams Power Company   |                                |                  |         |      |         |
| Public Power - Authorities  | Long Island Power Authority  | Kevin Jones                    |                  | у       |      | 1.00    |
| Public Power - Authorities  | New York Power Authority   | William Palazzo                |                  | у       |      | 1.00    |
| Public Power - Environmental  Public Power - Environmental  | American Wind Energy Association<br>Environmental Advocates  | Larry DeWitt  Larry DeWitt     |                  | y       | 1.00 |         |
| Public Power - Environmental  Public Power - Environmental  | Nat'l Resources Defense Council  | Larry DeWitt                   |                  | y       | 1.00 |         |
| Public Power - Environmental  | Pace University  | Larry DeWitt                   |                  | y       | 1.00 |         |
| Public Power - Environmental  | Scenic Hudson  | Larry DeWitt                   |                  | y       |      |         |
| Public Power - Munis & Co-ops   | Bath Electric, Gas & Water Systems   | Tim Bush                       |                  | у       |      |         |
| Public Power - Munis & Co-ops   | City of Jamestown Board of Pub. Util.  | David Gustafson                |                  | у       |      |         |
| Public Power - Munis & Co-ops<br>Public Power - Munis & Co-ops  | Lake Placid Village  Municipal Commission of Boonville   | Tim Bush                       |                  | у       |      |         |
| Public Power - Munis & Co-ops  Public Power - Munis & Co-ops  | Municipal Commission of Boonville  Plattsburgh Municipal Lighting Dept.  | Tim Bush Tim Bush              |                  | y       |      |         |
| Public Power - Munis & Co-ops<br>Public Power - Munis & Co-ops  | Village of Arcade  | Tim Bush                       |                  | y       |      |         |
| Public Power - Munis & Co-ops   | Village of Fairport  | Tim Bush                       |                  | у       |      |         |
| Public Power - Munis & Co-ops   | Village of Freeport  | Tom Rudebusch                  |                  | у       |      |         |
| Public Power - Munis & Co-ops   | Village of Rockville Centre  | Tom Rudebusch                  |                  | у       |      |         |
| Public Power - Munis & Co-ops   | Village of Solvay  | Tim Bush                       |                  | у       |      |         |
| Public Power - Munis & Co-ops   | Village of Westfield   | Tim Bush                       |                  | у       | 4.00 |         |
| Transmission Owners   | Central Hudson Gas & Electric  Consolidated Edison   | John Watzka<br>Stuart Nachmias |                  | y<br>y  | 1.00 | 1.00    |
| Transmission Owners   | National Grid  | Jerry Ancona                   |                  | y       | 1.00 |         |
| Transmission Owners Transmission Owners   |  | Ray Kinney                     |                  | y       | 1.00 |         |
| Transmission Owners Transmission Owners Transmission Owners   | NY State Electric Gas (NYSEG)  |                                |                  |         |      |         |
| Transmission Owners   | NY State Electric Gas (NYSEG) Orange & Rockland, Inc.  | ,                              | у                |         |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners   | Orange & Rockland, Inc. Rochester Gas & Electric   | Ray Kinney                     | y<br>y           | у       |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners Non-voting  | Orange & Rockland, Inc. Rochester Gas & Electric Ace Energy Company, Inc   |                                | y<br>y           | у       |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners Non-voting Non-voting   | Orange & Rockland, Inc.  Rochester Gas & Electric  Ace Energy Company, Inc  Boundless Energy, L.L.C  |                                | y<br>y<br>y      | у       |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners Transmission Owners Non-voting Non-voting Non-voting            | Orange & Rockland, Inc. Rochester Gas & Electric Ace Energy Company, Inc Boundless Energy, L.L.C Caithness Energy, L.L.C                         | Ray Kinney                     | y<br>y<br>y      | У       |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners Transmission Owners Non-voting Non-voting Non-voting Non-voting | Orange & Rockland, Inc. Rochester Gas & Electric Ace Energy Company, Inc Boundless Energy, LLC Caithness Energy, LLC Customized Energy Solutions |                                | y<br>y<br>y<br>y | у       |      |         |
| Transmission Owners Transmission Owners Transmission Owners Transmission Owners Transmission Owners Non-voting Non-voting Non-voting            | Orange & Rockland, Inc. Rochester Gas & Electric Ace Energy Company, Inc Boundless Energy, L.L.C Caithness Energy, L.L.C                         | Ray Kinney                     | y<br>y<br>y      | у       |      |         |