

**NYISO Business Issues Committee Meeting Minutes - DRAFT**  
Wednesday, February 16, 2005

NYS Nurses Association  
11 Cornell Road  
Latham, NY 12110

**1. Welcome & Meeting Objectives**

Jim Scheiderich, Chair of the Business Issues Committee (BIC), called the meeting to order at 10:09 AM and welcomed the members of BIC. Attendees introduced themselves, naming the organizations they represent.

**2. Approval of minutes for January 19, 2005**

NYISO staff distributed the final draft minutes from the January 19<sup>th</sup> meeting, which included Market Participant comments, to BIC members before the meeting. Additional comments were provided in discussion of the Minutes for inclusion in the distribution of the final Minutes for the meeting January 19<sup>th</sup> meeting.

Motion 1:

Motion to approve the minutes from the January 19<sup>th</sup> BIC meeting.

*(Motion passed unanimously by a show of hands.)*

**3. Chair's Report**

Mr. Scheidrich noted that, with regard to the proposed Working Groups Issues Matrix circulated during the previous BIC, one comment was received and further responses were encouraged.

**4. Market Operations Report**

Mr. Brad Kranz of the NYISO presented the Market Operations Report and detailed market performance highlights. Mr. Kranz noted that February LBMPs rose slightly from January LBMPs. Fuel prices increased relative to December 2004. High regulation prices continued during February. Mr. Kranz noted that the February "Percentage of Real-Time Corrections" chart included data and trends for monthly real-time prices with corrections. In response to a request from Glen McCartney of Constellation Power Source, Mr. Kranz replied that the restoration of the Daily Energy Report to the NYISO web site in its previous form was a NYISO priority, however suggestions for changes had been made by Market Participants and were being taken into consideration.

Ms. Belinda Thornton of the NYISO announced that Mr. Mark Lynch has been selected by the Board of Directors to serve as the new President and CEO of the NYISO, starting March 1<sup>st</sup>, 2005. Ms. Thornton noted that Bill Museler would serve as Special Assistant to Board Chairman John W. Boston through the end of April.

**5. Regional Market Enhancements**

Mr. Kranz noted that RTS was successfully deployed and full cutover to SMD operation occurred on February 1<sup>st</sup>. A joint stakeholder meeting regarding Intra-hour Transaction Scheduling was held on January 18, 2005 and addressed a Market Participant-proposed approach. ISO/RTO capacity market proposals will be reviewed at a joint meeting of the ISO-NE, the NYISO, and PJM scheduled for late March. Mr. John Charlton of the NYISO noted that both ISO-NE and PJM would file their respective RAM proposals with FERC in March. Mr. Gerald Deaver of the NYISO reported that the NYISO would be filing a RAM report on April 1<sup>st</sup>. The NYISO will develop a schedule for the resolution of issues regarding inter-control area provision of reserves by April 2005. The NYISO is analyzing the implementation of multiple proxy busses and will address the issue in a future seams coordination meeting. The NYISO is beginning to explore the potential for rate pancaking relief between the NYCA and PJM.

Ms. Thornton provided an update on Tariff Attachment N and the previously-identified TCC issues regarding settlements from May to October 2002. She explained that the NYISO would be proposing tariff changes, specifically the retention of any calculations in the Tariff as opposed to placing any such formulas in an NYISO Manual. She noted that the NYISO would be distributing a white paper addressing the proposed Attachment N methodology, that a S&P Working Group meeting was scheduled for February 18<sup>th</sup>, and that a BIC teleconference was scheduled for February 25<sup>th</sup> to discuss the proposal. A Board of Directors vote, contingent on both the BIC and MC vote, would transpire in March. Ms. Thornton

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stated that the complete list of calculation issues was identified for June through October 2002. The issues were divided into TO and non-TO issues and the NYISO was working with LECG to quantify issues. In response to a question from Mr. Glenn Haake of IPPNY, Mr. Tim Bush of Navigant Consulting replied that the allocation of TCC revenues would probably affect TSCs and that it would be helpful to quantify the magnitude. In response to a question from Mr. Mike Mager of Multiple Intervenors, Ms. Thornton replied that the release of the quantified issues would conflict with the NYISO's obligations to protect confidential information, but that the NYISO would analyze the potential impacts of aggregated data.

### 6. Working Group Updates

#### A. Billing and Accounting

The February 10<sup>th</sup> meeting of the BAWG discussed SMD2 settlements. It was noted that although no errors were reported in settlement calculations, the NYISO was requesting that Market Participants continue detailed reviews of settlement data. The BAWG also discussed Final Bill Closeouts and issues regarding Station Power self-supply. The BAWG is currently compiling settlement processes that need to be added to the Billing and Accounting Manual. The BAWG recommends that the NYISO make the SAS-70 list of Market Participant responsibilities publicly available.

#### B. Billing Issues Resolution Team

No report

#### C. Electric System Planning (Joint OC/BIC WG)

The ESPWG met on February 7<sup>th</sup> to discuss the compliance filing, due February 26<sup>th</sup>, for the comprehensive reliability process. The ESPWG also discussed outstanding implementation issues relative to the comprehensive reliability process, including CRRP data input, criteria for halting a regulated project, the NYISO CRRP, cost allocation details, and the PSC straw proposal for screening process for alternative regulated proposals. The "Strawman" proposal for the NYISO Economic Planning Process will be presented to the OC for action on February 17<sup>th</sup>.

#### D. Installed Capacity

The ICAPWG convened January 27<sup>th</sup> and February 14<sup>th</sup>. During the January 27<sup>th</sup> meeting, the ICAPWG discussed the ICAP manual and the update process for DMNC reporting by gas turbines. The ICAPWG will discuss and vote on changes to the ICAP Manual resulting from the demand curves on March 1<sup>st</sup>. Recent topics have also included DMNC testing and how intermittent facilities will be treated, changes to [GASD-GADS](#) reporting and data relating to how reserve [shortages-shut-downs](#) are accounted for, and long-range resource adequacy issues. Topics at future meetings will include SCR related-issues, import rights and long range capacity issues.

#### E. Interconnection Issues Task Force

The IITF met on January 25<sup>th</sup> to review findings of a preliminary study conducted by the NYISO and Powergen. The report was jointly filed with FERC on February 7<sup>th</sup> by the NYISO and NYCA Transmission Owners with the exception of LIPA and National Grid. [Those two entities filed a separate compliance filing requesting FERC to order the NYISO to implement a deliverability standard.](#) Future meetings will report on additional issues regarding deliverability studies.

#### F. Market Structure

No report

#### G. Price Responsive Load

No report

#### H. Scheduling & Pricing

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The S&PWG convened on January 14<sup>th</sup> and February 15<sup>th</sup>. Among the issues discussed were administrative requirements for ELRs and CLRs, bidding and scheduling issues associated with dual upper operating limits, and proposed changes to the balancing settlements for ELRs and CLRs. The AMP was discussed, with particular attention to including Rest of State data in the operating report and instances where AMP inadvertently mitigated BPCG. The NYISO has identified start-ups and shut downs not being captured in BPCG as a "2<sup>nd</sup> day" issue and is in the process of determining if SMD2 BPCG payments are Tariff-compliant. LBMP and proxy bus data postings have changed; all price data will continue to be posted but might reside in a new file or under a new name. Changes to the Tariff resulting from the Gross Receipts Tax were discussed and accepted by the majority of SPWG participants. DC Energy presented proposed changes to the NYISO Credit Policy. During the February 15<sup>th</sup> meeting two SMD2-related LBMP and generator basepoint patterns were discussed. The NYISO will respond within six months on how to correct such deviations.

### 8. NYS Gross Receipts Tax Proposal

Mr. Haake commenced by stating that while IPPNY and its members have consistently stated their position that suppliers into the NYISO markets are engaged solely in wholesale transactions and therefore are not subject to gross receipts taxes ("GRTs"), the existence of so called "direct customers" of the NYISO has raised a concern that taxing authorities could attempt to impose GRT liability on suppliers into the NYISO. He noted that this concern is not academic, as one of IPPNY's members currently is undergoing an audit with respect to potential GRT liability.

Mr. Haake next described changes to proposed Tariff language, presented previously at included with the meeting materials for the February 2<sup>nd</sup> meeting of the MC, addressing the NYS Gross Receipts Tax GRT issue. He indicated that the language was identical to that presented included with the previous at the MC materials, and the only changes relative to that draft with two minor additions that were included in redlined fashion. The previous MC proposal addressed sales tax and documentation issues, which were subsequently removed. The revised GRT language addresses the potential of liability to the NYISO and provides a safeguard against liability by requiring documentation is intended to safeguard against potential GRT liability for suppliers into the NYISO markets while maintaining the ability of so-called "direct customers" to make purchases directly from the NYISO wholesale markets.

In response to a question from Mr. Mager asked a question as to whether suppliers would consider abandoning their concerns regarding GRT if the audit with respect to potential GRT liability ultimately found no such GRT liability; Mr. Haake replied that given the variety of municipality-level GRTs, liability could potentially occur in multiple localities, apart from the state level, and that a decision by one locality not to impose a GRT on a supplier would not obviate the need for this Tariff language, as it would not address the ability of other localities to impose such a tax. In response to a question from Mr. Ray Kinney of NYSEG regarding the applicability of the tariff changes to local or state taxing authorities, Mr. Haake replied that the proposal was not binding upon local or state tax authorities, but did provide some protection to Market Participants.

Mr. Tom Rudebusch, representing the New York Association of Public Power, remarked that Attachment H to the OATT indicates that GRT is included in the current TSCs, and that those rates are based on pre-NYISO bundled costs. In his view, the question then becomes how do the Transmission Owner retail access plans handle the wholesale TSC. Mr. Rudebusch cited Con Edison P.S.C. No. 207, Leaf No 71-N, which he contended showed that the delivery charges for direct end-use customers included the wholesale TSC with GRT. He concluded that more work needed to be done, remarked that Attachment H of the Tariff indicates that the GRT appears to be recovered through current TSC rates. Mr. Mager noted that whether Direct Customers pay some of the GRT through the TSC is a legitimate question.

Mr. Mager indicated that although this represented an outstanding issue that Market Participants are waiting for the NYISO to comment upon, the NYISO was proceeding with proposed Tariff language.

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Mr. Rudebusch also asked whether under part H, the NYISO would terminate a Customer under only the Services Tariff or under the OATT as well. Mr. Andrew Antinori stated that the NYISO's current thoughts were that it would clarify that the termination would only be under the Services Tariff, and that the language would be corrected prior to the March 2nd MC.

~~In response to a question from Mr. Rudebusch regarding whether Part H of the proposal referred to termination of service under the Services tariff, Mr. Andrew Antinori stated that the NYISO would clarify and correct the language prior to the March 2<sup>nd</sup> MC.~~

**Motion 2:**

The Business Issues Committee (BIC) approves the concepts outlined in the tariff language presented at the February 16, 2005 meeting, and requests the Management Committee ("MC") approve the revised tariff language, to address concerns regarding "gross receipts" tax issues, and further requests MC to request that the Board authorize a filing to the FERC pursuant to Section 205 of the Federal Power Act to amend the Services Tariff accordingly.

*(Motion passed with 75.17% affirmative votes.)*

**9. New Business**

None

**10. Administrative Matters**

None

**11. Adjournment**

Meeting adjourned at 1:06 PM.

Respectfully Submitted,  
Caleb Derven  
Recording BIC Secretary

**NYISO Business Issues Committee**

February 16, 2005

*The New York State Nurses Association*

**MOTIONS FROM THE MEETING**

**Motion #1:**

Motion to approve the Minutes from the January 19, 2005 BIC meeting.

***(Motion passed unanimously by show of hands.)***

**Motion #2:**

The Business Issues Committee (BIC) approves the concepts outlined in the tariff language presented at the February 16, 2005 meeting, and requests the Management Committee ("MC") approve the revised tariff language, to address concerns regarding "gross receipts" tax issues, and further requests MC to request that the Board authorize a filing to the FERC pursuant to Section 205 of the Federal Power Act to amend the Services Tariff accordingly.

***(Motion passed with 75.17% affirmative votes.)***

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

**Business Issues Committee - Attendance February 16, 2005 - 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.	David Coup	Paul DeCotis	Chris Hall	Erin Hogan	John Spath			
The City of New York	End Use - Gov. Agency/Aggr.	Michael Delaney	Gil Quiniones	Thomas Simpson	Jonathan Wallach	Tim Daniels		✓ Steve Wemple	
Alcoa/Reynolds Metals Company	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
Helmstey-Spear Inc.	End Use - Large Consumer	David Bomke	George Diamantopoulos	Edward Strauss	Herb Rose				
IBM Corporation	End Use - Large Consumer	Robert Loughney	✓ Michael Mager	Morgan Parke					
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					
Xerox Corporation	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						
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						
AES NY	Generation Owners	Doug Roll	Charles Sjoberg	✓ Christopher Wentlent					
American National Power, Inc.	Generation Owners	Dorothy Capra	Bill Henson						
Astoria Energy LLC	Generation Owners	Joseph Swift	Leonard Singer						
Calpine	Generation Owners	None Assigned	Thomas Kaslow	Richard Felak					
East Coast Power Linden Holding LLC	Generation Owners	✓ Roy Shanker	Thomas Hoatson	Robert Licato	Kathy Benini				
Edison Mission Marketing & Trading	Generation Owners	✓ William Roberts	Jeffrey Ellis	Peter Brown	✓ Rich Mooney				
Entergy Nuclear Northeast	Generation Owners	Marc Potkin	Angelo Vai	Ron Mackowiak					
Indeck Energy Services	Generation Owners	Mike Ferguson	John Schrage	Mark Younger					
KeySpan Ravenswood, LLC	Generation Owners	Rich Hohlman	Jim Brennan	Jim Brennan	✓ Jim D'Andrea	Madison Milhous	Edwin Kichline		✓ Glenn Haake
Mirant New York, Inc.	Generation Owners	Vicki Lynch	James Mayhew	✓ Doreen Saia					
Orion Power New York	Generation Owners	✓ Liam Baker	Bill Berg						
Selkirk Cogen Partners, L.P.	Generation Owners	Tim Biittig	Steve Kamppila						
Sithe Energies, Inc.	Generation Owners	Scott Silverstein	Joe Klimaszewski	Jim Verna					
TransCanada Power Marketing	Generation Owners	William Taylor	Elaine Beaudry						
Advantage Energy, Inc.	Other Suppliers	Kyle Storie							
Amerada Hess Corporation	Other Suppliers	Kevin LaGuardia	Blas Hernandez	George Braulke					
Brascan Energy Marketing Inc.	Other Suppliers	Robert Ricketts	Daniel Whyte						
Cinergy Capital and Trading	Other Suppliers	Jason Barker	Walt Yeager						
Con Edison Energy	Other Suppliers	✓ Stephen Wemple	Ivan Kimball						
Con Edison Solutions	Other Suppliers	✓ Stephen Wemple	Rich Staines						
Conectiv	Other Suppliers	Bill Fehr	John Foreman						
Constellation New Energy Inc.	Other Suppliers	Peter Duprey	Carrie CullenHitt	Sara O'Neill	Susan Chamberlin				
Constellation Power Source	Other Suppliers	✓ Glen McCartney	Mary Lynch	Daniel Allegretti					
Coral Power, LLC	Other Suppliers	✓ Matt Picardi	Dave French						
DC Energy	Other Suppliers	✓ Bruce Bleiweis	Andrew Stevens	Matthew Tate					
Dominion Energy Marketing, Inc.	Other Suppliers	Wes Walker	Lou Oberski	Michael Bekker					
Duke Energy North America, LLC	Other Suppliers	Stacy Dimou	Del Disher						
Dynegy	Other Suppliers	✓ Alan Foster	Jason Cox	Kevin White					
ECONergy	Other Suppliers	Saul Horowitz	Tom Halleran						
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					
HQ Energy Services	Other Suppliers	Michel Prevost	✓ Paul Norris	Benoit Goyette					
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				
NRG Power Marketing	Other Suppliers	✓ Tim Foxen	Katie Sullivan	Peter Chamberlain					
NU / Select Energy	Other Suppliers	✓ Jim Scheiderich	Gunnar Jorgensen						
Ontario Power Generation Inc.	Other Suppliers	Tasos Karatsoreos	Jim Mastorakos	Ken Lacivita	Erica Cheung	✓ Scott McArthur	✓ Glenn Haake		
PP&L Energy Plus	Other Suppliers	Joseph Langan	Tom Hyzinski	Roland Moor	David Yannarell	Sharon Weber			
PSEG Energy Resources & Trade	Other Suppliers	Howard Fromer	Michael LaFalce	Bob Logan	Dennis Sobieski				
Reliant Energy Services, Inc.	Other Suppliers	✓ Liam Baker	Bill Berg						

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

**Business Issues Committee - Attendance February 16, 2005 - Albany, NY - Parties Checked in Attendance**

Organization	Sector	Representative	Alternate1	Alternate2	Alternate3	Alternate4	Alternate5	Proxy	Guest
Sempra Energy Trading	Other Suppliers	Dan Staines	Maria Agovino	Scott Englander	Robert Fagan				
SESCO Enterprises, LLC	Other Suppliers	Mike Schubiger	Jim Thoresen						
Strategic Energy LLC	Other Suppliers	Francis Pullaro	Michael Swider	Jeffrey Knox	Brian Vayda				
Strategic Power Management, Inc.	Other Suppliers	Mario DiValentino	Tom Folchi	Dan Duthie					
TransÉnergie U.S. Ltd.	Other Suppliers	Michael Jacobs	José Rotger						
Williams Power Company	Other Suppliers	David Singer	Mark Lassman	Robert O'Connell					
Long Island Power Authority	Public Power - Authorities	James Parmelee	✓ Kevin Jones	Dave Clarke	Jim Wittine				
New York Power Authority	Public Power - Authorities	Bob Deasy	✓ Bob Gow	Paul Rougeaux	✓ Kevin Kipers				✓ Bill Palazzo
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	Ken Moore	✓ Tim Bush	Matthew Benesh	Ken Moore	Jack Brown			
City of Jamestown Board of Pub. Util.	Public Power - Munis & Co-ops	Michael Darroch	✓ David Gustafson	Wally Haase	✓ 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	Ken Moore					
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	Anthony Fiore	Ted Kimlingen					✓ Tom Rudebusch	
Village of Rockville Centre	Public Power - Munis & Co-ops	Tom Cardile	Ken Moore	Matthew Benesh	Jim Hamilton	Paul Pallas	Jack Brown	✓ Tom Rudebusch	
Village of Solway	Public Power - Munis & Co-ops	Anthony Modafferi	✓ Tim Bush						
Village of Westfield	Public Power - Munis & Co-ops	Jim Hamilton	✓ Tim Bush	Ken Moore	Matthew Benesh	Jack Brown	Paul Pallas		
Central Hudson Gas & Electric	Transmission Owners	James Valleau	✓ Thomas Canino	Jeff May	Rick Greener				
Consolidated Edison	Transmission Owners	Rebecca Craft	Gerry Dunbar	Neil Butterklee				✓ Deidre Facendola	
National Grid	Transmission Owners	✓ Bart Franey	Wesley Yeomans	Jerry Ancona	Janet Gail Besser	Terron Hill			
NY State Electric Gas (NYSEG)	Transmission Owners	✓ Ray Kinney	✓ Patti Caletka	Steve Jeremko	Hank Masti				
Orange & Rockland, Inc.	Transmission Owners	None Assigned							
Rochester Gas & Electric	Transmission Owners	✓ Ray Kinney	✓ Patti Caletka	Steve Jeremko	Hank Masti				
Boundless Energy, L.L.C	Non-voting	Brian Chernack	Chuck Gilbert	Mark Mainetti					
Caithness Energy, L.L.C	Non-voting	Ross Ain	Jack Feinstein						
Cianbro	Non-voting	Ed Krapels	Brian Chernak	Paul Flemming					
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	Gerald Strassner						
Fluent Energy	Non-voting	Michael Mastroianni	David Koplas	Margie Miller					
Hudson River Energy Group	Non-voting	Frank Radigan	Richard Canfield						
Hydro-Quebec TransÉnergie	Non-voting	Glenn Sylvain	Mario Boucher						
NYS Department of Public Service	Non-voting	✓ Bill Heinrich	David Drexler						
Stealth Energy	Non-voting	Gad Cohen							
The Structure Group	Non-voting	Bob Furry							
Tom Halleran	Non-voting	Tom Halleran							
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								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting								
zNew Member	Non-voting	None Assigned							

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

Ira Freilicher	Hunton & Williams
Kathy Robb	Hunton & Williams
James Schmidt	Hunton & Williams
Rob Fernandez	NYISO

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

**Business Issues Committee - Attendance February 16, 2005 - Albany, NY - Parties Checked in Attendance**

Organization	Sector	Representative	Alternate1	Alternate2	Alternate3	Alternate4	Alternate5	Proxy	Guest
Bill Museler	NYISO								
✓ John Buechler	NYISO								
✓ Garry Brown	NYISO								
✓ Belinda Thornton	NYISO								
✓ Caleb Dervan	NYISO								
✓ John Chartin	NYISO								
✓ Leigh Bullock	NYISO								
✓ Ray Stalter	NYISO								
✓ Debbie Eckels	NYISO								
✓ Gerald Deaver	NYISO								
✓ Andy Antinori	NYISO								
✓ Ernie Cardone	NYISO								
Tim Schmehl	NYISO								
	NYISO								
John Cutting	NYISO								
Jane Lathrop	NYISO								
Kathy Whitaker	NYISO								
Andrew Hartshorn	NYISO								
	NYISO/LECG								

**Key:**

✓ = In attendance



# New York Independent System Operator

## Business Issues Committee - February 16, 2005

Motion: Motion #

Result: Motion Passed

Sector with base percent	%	Active	Quorum	Adj. Percent	For	Against	Abstain	% For	% Against	
Generation Owners	21.5	✓	✓	21.50	2.00	1.00	3	14.33	7.17	
Other Suppliers	21.5	✓	✓	21.50	9.00	0.00	2	21.50	0.00	
Transmission Owners	20.0	✓	✓	20.00	3.00	0.00	1	20.00	0.00	
End Use Consumer			✓							
Large Consumer	9.0	✓		9.00	0.00	5.00	0	0.00	10.33	
Large Cons. Gov. Agency	2.0	✓		2.00	0.00	0.00	0	0.00	0.00	
Small Consumer	4.5	✓	✓	4.50	0.00	6.00	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	1.00	0.00	0	4.50	0.00	
Public Power			✓							
State Power Authorities	8	✓		9.07	2.00	0.00	0	9.07	0.00	
Munis and Coops	7	✓		7.93	8.00	3.00	0	5.77	2.16	
Environmental	2	✓		0.00	0.00	0.00	0	0.00	0.00	
				5	100.00	25.00	15.00	8	75.17	24.83
					100.00	Normalized to 100% :		75.17	24.83	

**New York Independent System Operator  
Business Issues Committee - February 16, 2005**

**Motion  
Motion #**

Sector	Organization	Representative	Affiliate	Present	For	Against
End Use - Gov. Agency/Aggr.	NYS Energy Research & Develop. Auth.					
End Use - Gov. Agency/Aggr.	The City of New York	Steve Wemple		y	1.00	
End Use - Large Consumer	Alcoa/Reynolds Metals Company	Michael Mager		y		1.00
End Use - Large Consumer	Helmsley-Spear Inc.					
End Use - Large Consumer	IBM Corporation	Michael Mager		y		1.00
End Use - Large Consumer	Occidental Chemical Corp.	Michael Mager		y		1.00
End Use - Large Consumer	Praxair Inc.	Michael Mager		y		1.00
End Use - Large Consumer	Xerox Corporation	Michael Mager		y		1.00
End Use - Large Cons. Gov.	Metropolitan Transportation Authority					
End Use - Small Consumer	American Sugar Refining, Inc.	John Dowling		y		1.00
End Use - Small Consumer	Association for Energy Affordability, Inc.					
End Use - Small Consumer	Beth Israel Health Care System	John Dowling		y		1.00
End Use - Small Consumer	Building and Realty Institute	Tariq Niazi		y		
End Use - Small Consumer	Columbia University	John Dowling		y		1.00
End Use - Small Consumer	Mount Sinai Medical Center	John Dowling		y		1.00
End Use - Small Consumer	New York Presbyterian Hospital	John Dowling		y		1.00
End Use - Small Consumer	New York University	John Dowling		y		1.00
End Use - State Agency	NY State Consumer Protection Board	Tariq Niazi		y		
Generation Owners	AES NY	Christopher Wentlent		y		
Generation Owners	American National Power, Inc.					
Generation Owners	Astoria Energy LLC					
Generation Owners	Calpine					
Generation Owners	East Coast Power Linden Holding LLC	Roy Shanker		y		
Generation Owners	Edison Mission Marketing & Trading	William Roberts		y		
Generation Owners	Entergy Nuclear Northeast	Glenn Haake		y	1.00	
Generation Owners	Indeck Energy Services					
Generation Owners	KeySpan Ravenswood, LLC	Jim D'Andrea		y		1.00
Generation Owners	Mirant New York, Inc.	Doreen Saia		y	1.00	
Generation Owners	Orion Power New York	Liam Baker	y	y		
Generation Owners	Selkirk Cogen Partners, L.P.					
Generation Owners	Sithe Energies, Inc.		y			
Generation Owners	TransCanada Power Marketing					
Other Suppliers	Advantage Energy, Inc.					
Other Suppliers	Amerada Hess Corporation					
Other Suppliers	Brascan Energy Marketing Inc.					
Other Suppliers	Cinergy Capital and Trading					
Other Suppliers	Con Edison Energy	Stephen Wemple	y	y		
Other Suppliers	Con Edison Solutions	Stephen Wemple	y	y		
Other Suppliers	Conectiv					
Other Suppliers	Constellation New Energy Inc.		y			
Other Suppliers	Constellation Power Source	Glen McCartney		y	1.00	
Other Suppliers	Coral Power, LLC	Matt Picardi		y	1.00	
Other Suppliers	DC Energy	Bruce Bleiweis		y	1.00	
Other Suppliers	Dominion Energy Marketing, Inc.					
Other Suppliers	Duke Energy North America, LLC					
Other Suppliers	Dynergy	Alan Foster		y	1.00	
Other Suppliers	ECONnergy					
Other Suppliers	Exelon Generation - Power Team					
Other Suppliers	Fortistar/Lockport Energy Associates, L.P.	Glenn Haake		y	1.00	
Other Suppliers	FPL Energy	David Applebaum		y	1.00	
Other Suppliers	HQ Energy Services	Paul Norris		y		
Other Suppliers	KeySpan Energy Services	Jim D'Andrea	y	y		
Other Suppliers	Morgan Stanley Capital Group					
Other Suppliers	NRG Power Marketing	Tim Foxen		y	1.00	
Other Suppliers	NU / Select Energy	Jim Scheiderich		y		
Other Suppliers	Ontario Power Generation Inc.	Scott McArthur		y	1.00	
Other Suppliers	PP&L Energy Plus					
Other Suppliers	PSEG Energy Resources & Trade					
Other Suppliers	Reliant Energy Services, Inc.	Liam Baker		y	1.00	
Other Suppliers	Sempra Energy Trading					
Other Suppliers	SESCO Enterprises, LLC					
Other Suppliers	Strategic Energy LLC					
Other Suppliers	Strategic Power Management, Inc.					
Other Suppliers	TransEnergie U.S. Ltd.		y			
Other Suppliers	Williams Power Company					
Public Power - Authorities	Long Island Power Authority	Kevin Jones		y	1.00	
Public Power - Authorities	New York Power Authority	Bob Gow		y	1.00	
Public Power - Environmental	American Wind Energy Association					
Public Power - Environmental	Environmental Advocates					
Public Power - Environmental	Nafl Resources Defense Council					
Public Power - Environmental	Pace University					
Public Power - Environmental	Scenic Hudson					
Public Power - Munis & Co-ops	Bath Electric, Gas & Water Systems	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	City of Jamestown Board of Pub. Util.	David Gustafson		y		1.00
Public Power - Munis & Co-ops	Lake Placid Village	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Municipal Commission of Boonville	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Plattsburgh Municipal Lighting Dept.	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Arcade	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Fairport	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Freeport	Tom Rudebusch		y		1.00
Public Power - Munis & Co-ops	Village of Rockville Centre	Tom Rudebusch		y		1.00
Public Power - Munis & Co-ops	Village of Solway	Tim Bush		y	1.00	
Public Power - Munis & Co-ops	Village of Westfield	Tim Bush		y	1.00	
Transmission Owners	Central Hudson Gas & Electric	Thomas Canino		y	1.00	
Transmission Owners	Consolidated Edison	Deidre Facendola		y	1.00	
Transmission Owners	National Grid	Bart Franey		y	1.00	
Transmission Owners	NY State Electric Gas (NYSEG)	Ray Kinney		y		
Transmission Owners	Orange & Rockland, Inc.		y			
Transmission Owners	Rochester Gas & Electric	Ray Kinney	y	y		
Non-voting	Boundless Energy, L.L.C		y			
Non-voting	Caithness Energy, L.L.C		y			
Non-voting	Clanbro		y			
Non-voting	Customized Energy Solutions	Rick Mancini	y	y		
Non-voting	Ecogen, L.L.C		y			