

NYISO Governance

Summary of Sector Definitions and Related Terms

There are five voting sectors that participate in the NYISO's shared governance. They are:

- **Generation Owners**
- **Other Suppliers**
- **Transmission Owners**
- **Public Power and Environmental**
- **End Use Consumers**

There is also a category for participants that do not wish to have voting rights. They are referred to as:

- **Non-Voting Entities**

This document serves as a quick reference of the requirements (and related terms) that an applicant must satisfy in order to participate in its chosen sector in the NYISO Governance

1.38 Generator.

A facility that:

- a) is located in the NYCA, or
 - b) is supplying capacity to the NYCA, or
 - c) for the purposes of ISO governance, has filed an application for siting approval pursuant to Article X of the New York State Public Service Law, or other applicable law, which is deemed complete by the Article X Board or other such agency. An entity that qualifies under subsection (c) will retain its status until the entity's application is denied or withdrawn.
- An entity constructing a generating facility will be eligible to participate in ISO governance as a member of the Generator Sector pursuant to the criterion listed in ISO Agreement Section 1.38 (c) (i.e. having filed an application for siting approval under applicable law which application has been deemed complete by the appropriate agency) if it meets one of the regulatory determinations or actions listed in OATT Attachment S Section 25.6.2.3.1.1(1 - 6), provided however, in no event will an entity be eligible for participation in ISO governance as a member of the Generator Sector simply because the Operating Committee has approved its SRIS. A generator located outside the NYCA which meets one of the regulatory determinations or actions listed in OATT Attachment S Section 25.6.2.3.1.2 and which has (i) Operating Committee approval of its SRIS; or (ii) for generators not required to complete an SRIS, a completed interconnection study under Attachment Z of the OATT is eligible to participate in ISO governance as a member of the Generator Sector.

1.39 Generator Owner.

A Party that owns, or leases with rights equivalent to ownership, a Generator. Purchasing all or a portion of the output of a Generator shall not be sufficient to qualify a Party for participation in the Generation Owner sector for purposes of ISO governance.

1.96 Other Supplier.

A Party that is a seller, buyer, broker, aggregator, Power Exchange, ESCO or transmitter of capacity or energy in, from or through the New York Control Area, provided, however, that for the purposes of ISO governance a Municipal Electric System, a Cooperatively Owned Electric System and a governmental agency that acts as a retail Load aggregator shall not qualify as an Other Supplier.

1.120 Supplier.

A Party that is supplying the Capacity, Energy and/or associated Ancillary Services to be made available under the ISO OATT or the ISO Services Tariff, including Generators and Demand Side Resources that satisfy all applicable ISO requirements.

1.130 Transmission Owner.

An entity that owns, controls and operates facilities in New York State used for the transmission of Energy in interstate commerce. A Transmission Owner must own, individually or jointly, at least 100 circuit miles of 115 kV or above in New York State and has become a signatory to the ISO/TO Agreement.

1.107 Public Power Party

A State Public Power Authority, a Municipal Electric System or Cooperatively-Owned Electric System.

1.75 Municipal Electric System

A municipally owned electric system that owns or controls distribution facilities and provides electric service in accordance with the New York State General Municipal Law or Village Law, and is located within the New York Control Area.

1.21 Cooperative Owned Electric System

A cooperatively owned electric system that owns or controls distribution facilities and provides electric service in accordance with the Rural Electric Corporation Law, and is located within the New York Control Area.

2.02 Environmental Organizations and End-Use Small Gov

** Entities requesting membership in the Environmental Subsector must complete Attachment A of the membership application and must be certified by the Board (1.34 Environmental Party. An environmental organization that is certified by the ISO Board as a Non-Market Participant and is a Party to the ISO Agreement.)*

The ISO Board shall permit the following types of organizations or groups to participate in the governance of the ISO as Non-Market Participants:

- a) Organizations that represent Small Consumers, including governmental agencies, with experience in electric utility regulatory or electricity-related matters in New York State, that in whole or in part advocate on behalf of Small Consumers in New York State, and governmental agencies that act as retail Load aggregators primarily for Small Consumers; provided that no such organization or agency may be an Affiliate of a Transmission Owner, a Generator, Other Supplier, Public Power Party or Environmental Party, regardless of where located.
- b) Environmental organizations that are non-profit corporations, partnerships, associations or other non-profit entities having the primary purpose of protecting the environment, with experience in electric utility regulatory or electricity-related matters in New York State; provided that no such entity may be an Affiliate of a Transmission Owner, Generator Owner, Other Supplier or Public Power Party, regardless of where located. An organization meeting the foregoing requirements shall not be excluded from the definition of an Environmental Party if it also has a purpose of promoting energy conservation or the generation of electricity from renewable resources.

1.31 End-Use Consumer

A Party that is (i) a Large Consumer, (ii) a Small Consumer, (iii) an organization that represents Small Consumers, (iv) a governmental agency that advocates on behalf of Small Consumers, or (v) a governmental agency that acts as a retail Load aggregator primarily for Small Consumers; or (vi) a Large Energy Using Governmental Agency; provided, however that an End-Use Consumer may not be an Affiliate of a Transmission Owner, Generator, Other Supplier, Public Power Party or Environmental Party regardless of where located.

** Per Section 7.04, an ESCO, Municipal Electric System, Cooperatively Owned Electric System, Generator Owner, State Public Power Authority or Environmental Party may not participate in the End-Use Consumer sector.*

1.57 Large Consumer.

An Industrial Consumer or a Commercial Consumer, not under the Control of any federal, state or municipal government or government-owned agency, authority, corporation, or other similar entity, whose peak load in any month within the previous twelve months was two megawatts or more. Industrial and Commercial Consumers with common ownership of fifty percent or more may aggregate their usage in order to qualify to participate in ISO governance as Large Consumers.

1.57A Large Energy Using Governmental Agency.

A federal, state, or municipal government or government-owned agency, authority, corporation or other similar entity whose peak consumption for self use (*i.e.*, not as retail Load aggregators or for further sale) in any month within the previous twelve months was two megawatts or more.

1.115 Small Consumer.

A Residential Consumer, or an Industrial or Commercial Consumer whose peak Load did not equal or exceed two megawatts in any month within the previous twelve months. For purposes of this definition, the Load of a Residential Consumer whose service is not submetered shall be determined by dividing the Load of the building in which the Residential Consumer takes service by the number of residential units in the building. Small Consumers may participate in the Small Consumer subsector if they meet the requirements set out in Section 7.04 of this Agreement.

Section 7.04:

A Party may participate in the Small Consumer Subsector of the End-Use Consumer Sector if it is either:

- a) a single Small Consumer that:
 - i. had a peak Load in any month within the previous twelve months that was 500 kW or more,
 - ii. is not under the employ or the control of the federal, state or municipal government or any government-owned or operated agency, authority, corporation or other similar entity that is actively involved in ISO matters,

- iii. is not an officer, director, employee, owner, operator, partner, agent or affiliate of, or an entity with Control of, a Transmission Owner, Generator, Other Supplier, Public Power Party or Environmental Party,
 - iv. is not an officer, director, employee, owner, operator, partner, agent or affiliate of, or an entity with Control of, any person, entity or organization having an interest in becoming an Other Supplier or in developing generation or transmission facilities in New York State which would be subject to the administration of the ISO, and
 - v. does not have any significant interest in any aspect of the ISO markets or operations other than that of a Small Consumer; or
- b) an organization that represents the interests of at least ten (10) Small Consumers or, at the discretion of the ISO Board, fewer than ten (10) Small Consumers but with an aggregate Load of 500 kW or more in any month within the previous twelve months; provided that no such organization representing this interest, or any of the Small Consumers it represents, may be an owner, operator, partner, agent or affiliate of, or an entity with Control of, a Transmission Owner, a Generator, Other Supplier, Public Power Party or Environmental Party; and provided that such organization and the Small Consumers it represents do not have any significant interest in any aspect of the ISO markets or operations other than that of Small Consumers.

** Per Section 7.04, an ESCO, Municipal Electric System, Cooperatively Owned Electric System, Generator Owner, State Public Power Authority or Environmental Party may not participate in the End-Use Consumer sector.*

Non-Voting Entity (in section 2.02)

Upon the filing of an application with the ISO and payment of a \$100 fee per annum, individuals and organizations that either (i) have a significant interest in a sector but do not qualify for membership in that sector or (ii) qualify for membership in a sector but choose not to join that sector (collectively, “Non-Voting Entities”), may participate on a non-voting basis in meetings of the Management Committee, the Operating Committee, the Business Issues Committee, and subcommittees and working groups thereof. Non-Voting Entities will: (i) be Parties to the Agreement; (ii) receive notice of, and agendas and other meeting materials for, meetings of the Management Committee, the Operating Committee and the Business Issues Committee; (iii) be allowed to attend meetings of the Management Committee, the Operating Committee, the Business Issues Committee, and subcommittees and working groups thereof, including meetings in executive session; (iv) be allowed to participate in discussions during these meetings; and (v) be allowed to present positions on issues during these meetings, including the right to make motions. Non-Voting Entities will not be allowed (i) to vote on matters brought for action before the Management Committee, the Operating Committee, the Business Issues Committee or any subcommittee or (ii) to serve as the Chairperson or the Vice-Chairperson of the Management Committee, the Business Issues Committee, the Operating Committee or any subcommittee.