



LIPA By-Law Proposal Motion Amendment 10-Day Membership Process

NYISO Management Committee
July 24, 2003
Agenda # 07

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LIPA Concerns

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 - There should be adequate time for NYISO staff to investigate whether a potential member qualifies for NYISO membership in the sector and subsector to which they have applied.
 - There should be adequate time for Market Participants to raise concerns about the application of a potential member for a specific sector and subsector.
 - The process should allow NYISO staff to investigate whether Market Participant concerns have merit.
 - The time frame for membership approval should be fixed so NYISO staff have no discretion on the timeframe for approval. Discretion can give the appearance of bias if there is an application pending when there are issues of interest to the NYISO on an agenda during the discretionary period.

Comparison of Proposals

Action	Current Draft	With Amendment
Application Submitted	Day 0	Day 0
Notice Sent to Market Participants	Day 1	Day 1
Response Deadline for Market Participants	Not Defined	Day 5
Membership Decision	Day 3	Day 8
New Member Can Vote	Day 4	Day 9

Proposed Amendment

2.01 Each Party to the ISO Agreement shall be a Member of the management Committee.[1] In order to become a Party to the ISO Agreement, a person or entity must (i) submit to the ISO an application certifying, to the satisfaction of the ISO Board, that such person or entity satisfies the requirements for participation in the sector (and subsector, if applicable) in which such person or entity wishes to participate, (ii) sign the ISO Agreement, and (iii) pay the annual fee for each Party.[2] If applicable, a person or entity must also, on the same day that it submits its application for membership to the ISO, designate a representative pursuant to Section 2.02 of these By-Laws.[3] On the business day following submission of the application, written notice of the pending application shall be provided to each Member by electronic mail directed to the address designated by such Member or by any other electronic method generally available to each member, including by posting on a general or secure web site. On the fifth business day after an application is submitted, any Member that has concerns about the application shall notify the NYISO of their specific concerns about the application. The NYISO shall evaluate these concerns in their decision on the application. On the eighth (~~third~~) business day after the day an application is submitted, the ISO shall either approve or deny the application, notifying an applicant of the ISO's decision on that same day by telephone, fax, and/or electronic mail. On the business day following a decision of the ISO approving the application of a person or entity, such person or entity shall be deemed a Party to the ISO Agreement and may vote at Management Committee meetings held after the date of the ISO's decision.

[1] Article 4; Section 7.01

[2] Section 2.02.

[3] Section 7.03