

8 Eligibility For ISO Services

In order to participate in any ISO-Administered Market or to be a Primary Holder of a TCC, a Customer must satisfy the applicable requirements of this Article 8 and Attachment K to this Services Tariff, including the minimum participation criteria set forth in Section 26.1 of Attachment K.

8.1 Requirements Common to all Customers

8.1.1 Creditworthiness

All Customers and applicants seeking to become a Customer shall be subject to the creditworthiness requirements contained in Attachment K to this Services Tariff, including the minimum participation criteria set forth in Section 26.1 of Attachment K.

8.1.2 Completed Application and Minimum Technical Requirements

A Customer shall submit a Completed Application in accordance with Article 9 and shall receive ISO approval prior to obtaining any services under the ISO Services Tariff. A Customer also shall demonstrate to the ISO's reasonable satisfaction that it is capable of performing all functions required by the ISO Services Tariff including operational communications, financial and Settlement requirements.

8.1.3 Additional Eligibility Requirements for all Customers

All Customers and applicants seeking to become a Customer shall at all times be:

- (a) an "appropriate person," as defined in sections 4(c)(3)(A) through (J) of the Commodity Exchange Act; or
- (b) an "eligible contract participant," as defined in section 1a(18)(A) of the Commodity Exchange Act and in 17 CFR 1.3(m); or

- (c) a “person who actively participates in the generation, transmission, or distribution of electric energy,” as defined in paragraph 5(g) of the Final Order of the Commodity Futures Trading Commission at 78 FR 19879.

Each Customer must demonstrate compliance with the requirements of this Section 8.1.3 by submitting to the ISO on or before September 15, 2013 an officer’s certificate, in a form acceptable to the ISO, that (i) certifies under penalty of perjury that the Customer is now and will remain in compliance with this requirement, (ii) further certifies that if it no longer satisfies this requirement it shall immediately notify the ISO and immediately cease all participation in the ISO-Administered Markets; (iii) is signed by an authorized officer of Customer, and (iv) is notarized.

Each applicant seeking to become a Customer must demonstrate compliance with the requirements of this Section 8.1.3 by submitting to the ISO with its Completed Application an officer’s certificate, in a form acceptable to the ISO, that (i) certifies under penalty of perjury that the applicant is now and will remain in compliance with this requirement, (ii) further certifies that if it no longer satisfies this requirement it shall immediately notify the ISO and cease all participation in the ISO-Administered Markets (iii) is signed by an authorized officer of applicant, and (iv) is notarized.

In the event a Customer or applicant seeking to become a Customer experiences a change that results in the Customer or applicant no longer satisfying the requirements of this Section 8.1.3, the Customer or applicant shall immediately notify the ISO of this change, and the Customer shall immediately cease all participation in the ISO-Administered Markets.

8.2 Additional Requirements Applicable to Suppliers

In addition to the requirements set forth in Section 8.1 above, Suppliers shall satisfy the communication requirements of Article 4 and the metering requirements of Article 13 prior to entering into a Transaction with the ISO.

Generators that participate in the ISO Administered Markets together as Co-located Storage Resources must share the same bidding entity and the same billing organization. Market Participants and owners of Co-located Storage Resources must provide the ISO at least 60 days advance written notice in order to change the bidding entity or the billing organization for a set of Co-located Storage Resources, and a change of billing organization will only be effectuated on the first day of a month.