

Proposed Change to NYISO Officer Certification

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Background

- To participate in the ISO-Administered Markets, Customers must satisfy the minimum participation requirements set forth in Section 26.1.1 of the Market Administration and Control Area Services Tariff (“Services Tariff”).
- Section 26.1.2 of the Services Tariff requires all Customers demonstrate ongoing compliance with minimum participation requirements by submitting on or before April 30 of each year a “notarized” officer’s certificate.
- Section 26.1.2 also requires applicants to submit a notarized officer’s certificate with its completed application.
- FERC waived requirements to obtain notarized documents through January 29, 2021 due to the COVID-19 emergency.

NYISO Proposal

- **The NYISO recommends removing the notarization requirement for the Officer Certification Form from Section 26.1.2 of the Services Tariff.**
 - The primary purpose of notarization is to confirm the identity of the signor, but it does not address the truthfulness of the signed statements.
 - Other ISOs/RTOs (i.e. CAISO, PJM, MISO) do not require notarization of the Officer Certification Form.
- **The NYISO would add to the form an acknowledgment that the information provided in the Officer Certification Form is true and correct to the best of the officer's belief and knowledge after due investigation.**
 - The NYISO believes that such an acknowledgment would provide reasonable assurance that the Customer and/or applicant is in compliance with minimum participation criteria, as it contemplates the officer has confirmed and investigated the claims made.
 - Removing the notarization requirement would result in a lower administrative burden for Customers and applicants.
 - Market Participants have requested removing the notarization requirement in the past.

Next Steps

- BACWG October 2020
- BIC November 2020
- MC November 2020
- Board of Directors January 2021
- FERC 205 Filing January 2021

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- Maintaining and enhancing regional reliability
- Operating open, fair and competitive wholesale electricity markets
- Planning the power system for the future
- Providing factual information to policymakers, stakeholders and investors in the power system



Questions?