

23.2 Conduct Warranting Mitigation

23.2.1 Definitions

“**Examined Facility**” shall mean (I) each proposed new Generator and proposed new UDR project, and each existing Generator that has ERIS only and no CRIS, that is a member of the Class Year Study, Additional SDU Study or Expedited Deliverability Study that requested CRIS, or that requested an evaluation of the transfer of CRIS rights from another location in the Class Year Facilities Study commencing in the calendar year in which the Class Year Facility Study determination is being made (the Capability Periods of expected entry as further described below in this Section, the “Mitigation Study Period”), and (II) each (i) existing Generator that did not have CRIS rights, and (ii) proposed new Generator and proposed new UDR project, provided such Generator under Subsection (i) or (ii) is an expected recipient of transferred CRIS rights at the same location regarding which the ISO has been notified by the transferor or the transferee of a transfer pursuant to OATT Attachment S Section 25.9.4 that will be effective on a date within the Mitigation Study Period (“Expected CRIS Transferee”). The term “Examined Facilities” does not include any facility exempt from an Offer Floor pursuant to the provisions of Section 23.4.5.7.7; or any Generator or UDR project that meets the definition of Excluded Facilities below. In the case of a Project that is Co-located Storage Resources comprised of either a landfill gas Intermittent Power Resource or a Fast Start Resource, plus an Energy Storage Resource, or a Project that is a Hybrid Storage Resource that has a landfill gas Intermittent Power Resource as a component, the landfill gas or Fast Start Resource shall be treated as a separate Examined Facility unless the Developer of the Project certifies that the component facility qualifies as an Excluded Facility, as defined in this Services Tariff, and it is determined to meet the criteria provided in that definition.