

Organization of MISO States Process for Approving Position Statements for FERC and MISO

Goals:

Approved 10/14/04

- 1) Help states form positions on issues
 - a. Perform thorough analysis of issues
 - b. Test differences and sharpen analysis through discussion of differences in order to gain better understanding of the issues
- 2) Express collective position of states to decision maker
 - a. Build consensus when possible
 - b. Allow parallel presentation of contrasting viewpoints

Stage 1 – Working Group Preparation of an Issues Document

Approved 10/14/04

Section 1- Assignment of topics to a Working group, or Working groups:

The OMS Executive Committee assigns all new topics to either an existing working group or to a new working group when needed. When a topic in an active docket has already been assigned to a working group, the Executive Director (ED) is authorized to make follow-up assignments. As time is of the essence in such cases, the ED shall timely make such assignments and shall immediately inform the Executive Committee. The ED may delegate this responsibility as necessary.

Section 2 - Review of OMS Work Plan by Executive Committee:

The ED shall include in his/her monthly report, or as necessary, a list of FERC and MISO (or other) actions expected in the coming 60 days that may require Working Group assignment. The Executive Committee shall review the list of action items provided by the ED each month and shall direct the ED to give early warning of possible assignments to OMS working groups. The ED shall inform the Executive Committee, via electronic mail, of the completion of such notifications.

Section 3 - Approving the Timetable for Issues Documents:

Providing the greatest possible lead time, the ED, in consultation with the president, will prepare a schedule which outlines a time line of when document issues must come to the OMS Board's attention. The schedule shall include the date that the Board decides issues that will be included in the document, the date that first (and second drafts when possible) will be shared with the membership, and the date that the board will be taking final action on the document.

The Board of Directors will approve the time line of when document issues must come to the OMS Board's attention. Board members are encouraged to note key dates and work to facilitate appropriate action by their Commission so that Board members can vote on the document.

The Board schedule will include a board meeting when Commissioners determine what issues will be included in the document, and give general policy direction to the working groups. Working groups are encouraged to develop "principles" or a short outline that the Board can consider as it advises on policy direction. *Exceptions: Sometimes proceedings that OMS wishes to comment on may have a very short timeline. In these situations, the board may not have time to take all the above steps. In those situations, the board will determine how it wishes to proceed.*

Section 4 - Preparation of the Issues Document:

Working groups, which are involved in the document, will encourage members to volunteer to write sections of the issues document. Assignments should be reported to the ED of OMS.

Working groups shall promptly set up their own internal schedule to review all sections of an issues document. The working group's internal schedule must coordinate with the Board's approved time line of when document issues must come to the OMS Board's attention. (see above) The ED shall track Working Group progress and, in the event he/she becomes concerned that progress is inadequate, shall first consult with the working group chair. If such consultation fails to resolve the problem, the Executive Committee shall be informed immediately.

Working groups shall strive for consensus. When working groups know there are strong differences that should be expressed on a specific issue in the document, comments reflecting two or more positions may be developed by the working groups.

All members of a working group shall have the opportunity to read a "draft" section of an issues document, and offer suggestions and changes at least once prior to submittal to the Executive Director for inclusion in an OMS document. If more than one work group is assigned to work on an issue, each working group must have an opportunity to read a "draft" section and offer suggestions and changes at least once prior to submittal to the Executive Director for inclusion in the OMS document.

When two or more working groups have provided sections of the draft documents, the ED shall assure the internal consistency of the completed document, whether draft or final.

The chair or chairs of the working groups involved shall submit the document to the ED in a timely manner.

The ED will only include information in issues documents that follows the procedure outlined in this section "Preparation of the Issues Document." *Exceptions: There may be situations when short timelines, or other factors, do not allow all steps of this process to take place. The ED should then note, in an attachment to the draft document, which steps have not taken place in preparation of the document.*

Stage 2– Board Discussion of the Document, Including Proposed Changes

Approved 12/9/04

Section 1

The Executive Director will submit to the Board, in a timely manner, the final version of a working group issues document. If all of the steps of the process outlined in Stage 1 have not been able to be followed, the ED should then note, in an attachment to the issues document, which steps have not taken place in preparation of the document.

Section 2

Board members or associate members may suggest language changes to the document at the Board meeting, and are encouraged to circulate them to membership, before the meeting, to facilitate good understanding of the language changes proposed. Since the Executive Director has the most up to date e-mail list, Board members are encouraged to send proposed changes to the ED for circulation, and are also encouraged to "track" all changes to a final working group issues document.

Section 3

The Board will decide how it wishes to discuss proposed changes to the document. For example, does it wish to proceed page by page or section by section through the document and have the presiding officer ask if there are any questions or suggested changes and discuss and vote upon suggested changes individually? Or does the Board wish to start with a “new” revised version of the document, which includes several changes?

Stage 3 - Voting Process

Approved 8/12/04

Section 1

All members are encouraged to vote on the final document rather than to abstain. If procedural reasons preclude a member from voting, members are encouraged to state this at the beginning of the discussion of the document.

Section 2

Members who have to abstain in the vote on the final document are encouraged to share their thoughts in the discussion of the issues, so that OMS members have as complete an understanding of the issues as possible prior to voting.

Section 3 - Voting on different points of view within a document

If discussion and study of issues documents brings forward more than one point of view on a specific issue *within the document*, board members may be asked to indicate which position they favor. The first priority will be to work to develop consensus language on these specific issues *within the document*. If consensus language cannot be adopted, varying positions would be fully explained including the basis for any differences. The document will indicate which states favor specific positions. The goal of the document is to reflect differences in a positive manner in order to provide as much information as possible to the recipient of the final document.

Section 4

Only members present at the meeting, by proxy or in person, may vote on an issue document. States not present at the meeting may choose to sign on to the final document within a reasonable period of time, but may not propose any changes to the document.

Section 5

Some members may need time after the board meeting for procedural reasons to confirm their votes. The Board of Directors may grant members present an extended period not to exceed ten days, depending on the filing schedule, to confirm their votes with the Secretary and the Executive Director. Members who are granted an extended voting period may confirm or change their votes within that timeframe but may not propose any changes to the document. The final vote will not be determined until the members who have been granted an extension have confirmed their votes.

Stage 4 - Filing of Comments

If the final vote reflects that a majority of members wish to file the comments, the comments will be filed.