



**ORGANIZATION OF MISO STATES, INC.  
Board of Directors Meeting  
Conference Call Minutes  
November 30, 2009**

Approved January 21, 2010

Valerie Lemmie, Vice President of the Organization of MISO States, Inc. (OMS), called the November 30, 2009 meeting of the OMS Board of Directors to order via conference call at approximately 1:00 p.m. (CST). The following board members or their proxies participated in the meeting:

Sherman Elliott, Illinois  
Jim Atterholt, Indiana  
Rob Berntsen, Iowa  
Bill Bowker, proxy for David Armstrong, Kentucky  
Monica Martinez, Michigan  
Burl Haar, proxy for Tom Pugh, Minnesota  
Robert Kenney, Missouri  
Greg Jergeson, Montana  
Jerry Lein, proxy for Tony Clark, North Dakota  
Valerie Lemmie, Ohio  
Tyrone Christy, Pennsylvania  
Greg Rislov, proxy for Gary Hanson, South Dakota

Absent

Manitoba

Wisconsin

Agency members participating

Nick Bowden, Randy Rismiller – Illinois

Dave Johnston, Bob Pauley – Indiana

Parveen Baig – Iowa

Jim Melia - Pennsylvania

Don Neumeyer, Randel Pilo – Wisconsin

Others on the call

Bill Smith, Julie Mitchell – OMS Staff

The directors and proxies listed above established the necessary quorum for the meeting of at least eight directors being present.

**Approval of Minutes from November 23, 2009 Special Board of Directors meeting**

Greg Jergeson moved for approval of the minutes of the November 23 special board meeting. Monica Martinez seconded. The motion was approved by unanimous voice vote.

### **Treasurer's Report – Tom Pugh**

The Treasurer's Report for the month of November, 2009 was not available at the date of this meeting. It will be presented at the January 2010 meeting with the December 2009 report.

### **Review of the Executive Committee Meeting – Bill Smith**

The Executive Committee meeting for October was cancelled.

### **Administrative Report from Executive Director – Bill Smith**

A written report was not available for the meeting. The Executive Director gave a brief oral report on the status of the Green Power settlement conference. He also reported on MISO-PJM Settlement ND10-1.

### **Work Group Status Reports**

#### Demand Response WG

- No report provided

#### Transmission Cost Allocation WG – Randy Rismiller

- Brief oral status report.

#### Markets and Tariffs WG

- Written report follows minutes;

#### Resources WG – Don Neumeyer

- Written report follows minutes

#### Regional Planning WG

- Jerry Lein provided a brief oral report

#### Governance and Budget WG

- Burl Haar provided brief oral report.

#### Modeling WG – Nick Bowden

- Nick Bowden advised members that he was contacting MISO's Matt Tackett to set up a conference call to discuss the Engineering Study.

## **BUSINESS**

### **1. MISO Advisory Committee Issues – Valerie Lemmie**

- Valerie Lemmie reported that the leadership action item on the MISO Advisory Committee agenda would require an OMS vote. Greg Jergeson moved that OMS support Gary Mathis for AC Chair. Jim Atterholt offered a second. The motion was approved by unanimous voice vote of the members present.
- Members also expressed support of Paul Jett for Vice-Chair.
- The minutes of the Advisory Committee meeting were distributed with other board materials.

### **2. Feedback to MISO Supply Adequacy WG on under-forecasted assessments**

- Don Neumeyer explained the two documents prepared by the Resources WG to offer feedback to SAWG on under-forecasted assessments. After some discussion, Vice President Lemmie called for a voice vote of endorsement of the documents. The members unanimously voiced support. (Approved comments are attached.)

**3. Approval of Changes to the OMS Process Document for Approving Position Statements for FERC and MISO – Burl Haar**

- Burl Haar again explained the work group's recommendations; with little discussion among the members,

**Illinois moved to adopt the submitted version of the Process document for Approving Position Statements for FERC and MISO. Iowa seconded the motion. A voice vote was taken. The motion passed with unanimous voice vote approval.**

**4. OMS Goals for 2010 – Valerie Lemmie**

- Vice President Lemmie suggested that discussion of the goals be moved to a later meeting. She asked that in the meantime, members review and prioritize them. The goals will be discussed at the December OMS Executive Committee meeting.

**5. Report – Eastern Interconnection Planning Process Update – Bill Smith**

- Bill Smith reported no announcement had yet been made by DOE. A meeting would be held December 3 to discuss by-laws.

**6. Update on the RECBTF – Randy Pilo**

- The next RECB TF meeting will be held December 16. Randy Pilo mentioned that future RECB meetings would be two-day events.

**ADJOURNMENT**

The OMS Board of Directors meeting adjourned to closed session at 1:30 pm CST.

**1. Revenue Sufficiency Guarantee (RSG)**

The MISO RSG Task Force meets each month (11/30, 12/4 next mtgs) and reports to the MSC.

No changes since the last status report. MISO still expects to file tariff revisions on December 7 to address exemptions from RSG charges. Dr. Patton has completed his RSG Cost Attribution Study. Any comments on MISO's filing would be due later in December, a short timeframe when holidays are factored in.

**Status:** Review expected filing to determine any issues that merit OMS comment.

**2. Scarcity pricing events**

Regarding MISO reported pricing events and stakeholder general concerns (see previous status report), are working on setting up a work group meeting in January to discuss their concerns.

**Status:** Scheduling a meeting to share stakeholder general concerns with work group.

**3. Financial Transmission Rights (FTRs)**

The MISO FTR Working Group meets each month (12/8 next mtg) with the objective of finding ways to improve funding available to pay FTR revenues. It reports to the MSC.

On the LTTR issue that we reported on last month, we have contacted MISO and WPPI to obtain a status report on progress addressing WPPI *et al* concerns regarding difficulties obtaining long term congestion protection for new baseload resources.

Regarding MISO-PJM market-to-market coordination and correction and resettlement of market flow errors discovered earlier this year, the next settlement conference will be on 12/10-11/09. OMS plans to attend.

Jim Wottreng tracks issues here for our group.

**Status:** Continuing monitoring.

**4. Pricing During Supply Shortage Emergencies**

The MISO Minimum Generation Task Force has been working on proposed changes to its Supply Surplus emergency procedure (EOP-003) to establish administratively-set prices during supply surplus emergencies. This is similar to MISO establishing prices during scarcity events when supply is short. The apparent goal is to provide proper market signals through each step of the emergency procedure. OMS will likely have an opportunity to comment through the MISO stakeholder process.

Jeff Kaman tracks issues here for our group.

**Status:** Continuing monitoring.

**5. Market Monitoring, Market Power Mitigation, and OMS calls with MISO IMM**

Dr. David Patton has confirmed that he will continue reporting quarterly conduct results associated with a \$10, \$20, \$30, \$40, and \$50 adders for regulation and spinning reserve products, as we requested in our letter to him dated October 27, 2009..

Our target date is now January 2010 for MISO to provide us with a day-in-the-life discussion of the mitigation process.

We expect to schedule our next meeting with David Patton sometime early next year after gathering questions and topics.

Bob Pauley and Nick Bowden coordinate communications and meetings with the IMM for the M&TWG.

**Status:** Set up MISO presentation, gather questions for next meeting with IMM.

**6. Headroom Concerns**

The issue is how MISO determines headroom (the amount of extra generation) that it needs day ahead and real time. Stakeholders have approached our work group with concerns that headroom is the largest contributor to RSG, and that while MISO said that its Jan 2009 launch of ASM would significantly cut the need for headroom, instead MISO now seems to be establishing more headroom, having gone from 300-400 MW up to 1200 MW.

**Status:** Expect to follow up with stakeholders and MISO towards a possible a work group meeting.

**Notice of other related items:**

**7. MISO Market Subcommittee** - monthly, meetings 12/1

Jeff Kaman helps provide highlights for our group

**8. FERC Market Oversight Calls** - monthly, last call 11/24 3:00 PM EST

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The **OMS Markets and Tariffs Work Group** covers: ASM, Day2, FTR, ARR, RSG, LTTR, Market Monitoring and Mitigation. See <http://www.misostates.org/2008Oct14OMSWGstructureapprovedbyOMSBOD.pdf>

Christine Ericson and Bill Bokram, Markets and Tariffs Work Group co-chairs

## **OMS Resources Work Group**

### **Status Report to OMS Board of Directors – November 30, 2009**

#### **1. LSE Under-Forecast Assessment Report**

The SAWG requested detailed feedback from the OMS on the Midwest ISO's under-forecast report:

- Granularity of reporting (LSE vs. Commercial Pricing Node)
- Reasonability band that could be applied to minimize reporting of under forecasts below a certain magnitude (identify gaming or situations that potentially harm reliability only)
- Feedback on Draft LSE Under Forecast Reporting template (attached)
- Should PRC designations be considered or should the two processes remain separate? (LSE over designates PRC to “hedge” under forecast)
- Under Forecast reporting of non-jurisdictional entities

The Resources WG prepared a draft response as an action item for the Nov. 30<sup>th</sup> Board meeting.

#### **2. Price Response Demand**

The transition work has slowed due to Dr. Patton's availability. A conference call with the leads is now scheduled for Dec 2<sup>nd</sup>.

#### **3. December Hot Topic Resource Adequacy**

The Resources WG prepared responses to the 8 questions supplied by the Advisory Com. The draft was completed by Nov 13<sup>th</sup>. On Nov 16<sup>th</sup>, the Brattle Group released their 41 slide summary of its review of the Midwest ISO's Resource Adequacy construct. A 1 hour SAWG call was schedule Nov. 19<sup>th</sup> and all individual comments to be written and supplied to Brattle by Nov 20<sup>th</sup>. The WG enhanced its draft responses considering Brattle's observations and suggestions to MISO. Brattle agreed it would review the December Hot Topic responses. The final written report is now scheduled for January. The Board approved a set of responses at a special Board meeting Nov. 23<sup>rd</sup>. Commissioner Lemmie will be the lead, with assistance by Don Neumeyer at the December 2<sup>nd</sup> Advisory Committee meeting.

**Midwest ISO Advisory Committee Meeting  
December 2, 2009  
10:00am – 3:00pm EPT  
Dial-in available at [www.midwestmarket.org](http://www.midwestmarket.org)**

**Agenda**

1. Welcome*	Gary Mathis	10:00
2. Review of agenda	Gary Mathis	10:05
3. Approval of the November 2009 Meeting Minutes√	Gary Mathis	10:10
4. Action Items from previous AC Meetings	Alison Johnson	10:15
5. Sector Hot Topic – Resource Adequacy 10 Minutes per Sector, including Minority Opinions Midwest ISO Introduction	Todd Hillman	10:20
a. IPP		
b. Public Consumer Advocates		
c. Eligible End Users		
d. OMS		
e. Power Marketers		
f. Munis/Coop/TDU		
g. Transmission Owners		
h. Coordinating Members		
i. Environmental Sector (no comments provided)		
6. Midwest ISO Incentive Goals and Metrics Update*	Mark Wyatt	11:50
7. Value Proposition Review	Wayne Schug	12:00
<b>LUNCH</b>		<b>12:10</b>
8. Market to Market Flow Error Settlement Update	Todd Ramey	1:10
9. State of the Market Recommendations Update	Todd Ramey	1:20
10 RSG Task Force Update	Jason Minalga	1:30
11. Advisory Committee Items	Gary Mathis	1:40
a. Advisory Committee Leadership Election		
b. Solicit volunteers for February 2010 Hot Topics		
c. 2010 Meeting Schedule		
d. Solicit candidate for 2010 Finance Subcommittee*		
e. 2010 Rotating Agenda Team Schedule		
f. Review AC Management Plan		
12. Standing Committee/Other Stakeholder Committee Reports		
a. Finance Subcommittee 2010 Budget Update*	Joe Buckley	2:20
b. SGWG Training schedule for 2010	Bill SeDoris	2:25
c. Steering Committee	David Hastings	2:35

√ Denotes Potential Voting Item

\* Denotes Report is Oral

d. Transmission Owners*	JoAnn Thompson	2:40
e. Organization of Midwest ISO States	Bill Smith	2:45
13. New Business*	Gary Mathis	2:50
14. Recap – Issues/Assignments*	Alison Johnson	2:55

Rotating Agenda Team January: Kevin Murray  
Monica Martinez  
JoAnn Thompson

Upcoming Hot Topics: tbd

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**Midwest ISO Advisory Committee Conference Call  
November 18, 2009  
10:00am – 12:00pm EPT  
Dial-in information available at [www.midwestmarket.org](http://www.midwestmarket.org)**

**Minutes**

**1. Welcome\* (Gary Mathis)**

Meeting called to order at 10:00 am EPT.

*Advisory Committee Members Present*

Chair: Gary Mathis

Vice Chair: David Hastings

Stakeholder Relations: Alison Johnson, Amanda Brower

TO Sector: JoAnn Thompson, Kevin Largura, Mal Bertsch

TDU Sector: Jim Keller, Steve Gaarde

IPP Sector: Mark Volpe, Marka Shaw, Brett Kruse

PM Sector: Joanne Borrell

End User Sector: Kevin Murray

Public Consumer Sector: Rob Mork

State Regulatory Sector: Valerie Lemmie

Coordinating Sector: Allan Silk

**2. Review of agenda (Gary Mathis)**

Item 6b was dropped from the agenda because no feedback has been received.

**3. Approval of the October 2009 Meeting Minutes<sup>√</sup> (Gary Mathis)**

Minutes were approved by voice vote without opposition.

**4. Action Items from previous AC Meetings (Alison Johnson)**

One item is currently open but will be closed following the update on Item 5.

**5. RSG Task Force Update (Jason Minalga)**

The RSGTF update was provided with meeting materials, including a timeline and voting results on the FERC RSG ballot. Results of the ballot were provided to the Market Subcommittee on November 17. Midwest ISO will post draft filing language by Friday, November 20. The next meeting is November 30 via conference call to facilitate a voting process for stakeholders to endorse the filing and findings of the RSGTF under this order.

December 1: report to the Market Subcommittee

December 2: report to the Advisory Committee

December 7: Midwest ISO to make compliance filing

The Advisory Committee discussed and opted not to take additional action on the RSG motions. Steve Kozey discussed the filing requirement, which at a minimum includes recommendations and votes from the RSGTF; it also will include what Midwest ISO says about the recommendation, which legal is still working on. Midwest ISO was asked to share that once it has been determined.

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**6. Advisory Committee Items (Gary Mathis)**

**a. Self Assessment Discussion**

Included in materials was a background piece put together by Gary Mathis and David Hastings. Discussion in previous meetings and comments has focused on whether or not the Advisory Committee should devote a larger share of its time discussing policy issues.

TOs, OMS and Dynegy felt that the Advisory Committee should become more of a policy forum giving advice and direction to the Board of Directors. Gary requested any comments to be sent to him and noted that it will be an item for further discussion early in 2010.

**~~b. Hot Topics for 2010\*~~**

**c. Nominating Committee for 2010 AC Leadership\***

Committee members: Mal Bertsch, Rob Mork, Marka Shaw, Jim Keller assisted by Alison Johnson. The committee nominated for chair: Gary Mathis and David Hastings. The committee nominated for vice-chair: Paul Jett. Ballots will be provided at the December meeting.

**d. Alternate Dispute Resolution Committee (2 members)<sup>√</sup>**

Both individuals with expiring terms stepped up to participate again and were unanimously re-elected: Wayne Harris and Sheri Hylton May

**e. Review AC Management Plan**

No items on the management plan for January 2010. Gary proposed that this meeting be a conference call; this will be a further discussion item for December.

**f. 2010 AC Meeting Schedule**

The proposed schedule was provided with materials. The August meeting would again be held in St. Paul. This will be discussed further in December.

**7. Standing Committee/Other Stakeholder Committee Reports**

**a. RECB Task Force Update (Paul Jett for Lauren Azar)**

At the last meeting, Midwest ISO presented theoretical rate impacts based on injection / withdrawal and heard proposals from three subgroups: voltage only; voltage + eng analysis; voltage + geography. The Brattle Group hosted a call on November 9 and will have a duplicate call on November 20 discussing data inputs and analysis. The next regular meeting is December 16, 17 looking further at injection / withdrawal and embedded costs.

**b. Market Subcommittee Update (Barry Trayers)**

This update was provided with meeting materials. Barry noted items assigned by the Steering Committee on wind integration; discussion on these items will likely start in January with the MSC coordinating with other involved groups.

**c. Reliability Subcommittee Update (Mike Zahoric)**

A representative was not present to provide an update on the RSC.

**d. Planning Advisory Committee Update (Bob McKee)**

Bob McKee was voted in as chair of the PAC, and Julie Voeck as vice chair. The PAC has completed review of the MTEP09 report, including approving a motion indicating the plan should go forward to the Board of Directors for approval. A number of items have been

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earmarked for future meetings, starting in December. A set of 3 issues were assigned to the PAC by the Steering Committee, which will be discussed more fully in December and assigned to IPTF and PSC.

**e. Finance Subcommittee Update\* (Joe Buckley)**

Joe discussed key items from the last FSC meeting; they will recommend more of a 3 year view with quarterly updates, specifically monitoring projects as they roll out. A presentation will be given to the Advisory Committee in December; the Board of Directors will vote on the budget on December 3.

**f. Stakeholder Governance Working Group<sup>√</sup> (Bill SeDoris)**

A motion and background were posted with meeting materials as discussed in the last SGWG meeting. The motion passed in the SGWG 21 for and 17 against.

The following motion was moved by Mark Volpe and seconded by Joanne Borrell:

*“The Advisory Committee supports the following change to the Midwest ISO Stakeholder Governance Guide:*

*F. Voting Process and Voting Lists*

*Voting by voice or ballot takes place after debate closes, or if no motion for debate is made. All non-consent actions, non-chair or non-vice chair elections, or policy matters taken in all Midwest ISO stakeholder entities will be recorded in the minutes using the “Midwest ISO voting eligible company and vote cast” format.”*

The general consensus of most stakeholders choosing to speak was that there was already a provision in the Stakeholder Governance Guide allowing a request for roll call voting at any time; it was deemed unnecessary to require it. Some noted, however, that there was a possibility that a “majority consensus” could sometimes simply mean a voting done by sector lines, and that the motion was originally drafted out of concern for transparency of the voting process.”

Sectors voted in the following manner:

<b>Sector/representative</b>	<b>In favor</b>	<b>Against</b>
TO Sector: Joann Thompson TO		1
TO Sector: Kevin Largura		1
TO Sector: Mal Bertsch TO		1
Coordinating Sector: Allan Silk		1
TDU Sector: Steve Gaarde (all votes)		3
IPP Sector: Marka Shaw	2.5	.5
PM Sector: David Hastings (2 votes)	2	
PM Sector: Joanne Borrell	1	
End User Sector: Kevin Murray		1
State Regulatory Sector: Valerie Lemmie (all votes)		3
Public Consumer Sector: Rob Mork		2

The motion failed with 13.5 against and 5.5 in favor.

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**g. Steering Committee\* (David Hastings)**

David Hastings provided a verbal update. Wind integration issues were assigned to three committees; discussion will continue in the next meeting on November 19. Other items for discussion will be committee updates, potential agenda topics for Informational Forum, enforcement of the Stakeholder Governance Guide and the 2010 meeting schedule.

**h. Transmission Owners\*\* (JoAnn Thompson)**

The TOs are focusing primarily on cost allocation with heavy participation in the RECB Task Force and OMS CARP meetings. At this point the TOs have not taken any formal position on injection / withdrawal or other proposals but are reviewing vigorously.

**i. Organization of Midwest ISO States (Bill Smith)**

The OMS report was provided with materials, including dates for upcoming meetings.

**8. New Business\* (Gary Mathis)**

No new items.

**9. Recap – Issues/Assignments\* (Alison Johnson)**

No action items.

Meeting adjourned at 11:35 am EPT.

**Next meeting: December 2, 2009**

Rotating Agenda Team December: JoAnn Thompson  
Brett Kruse  
Jennifer Easler

Upcoming Hot Topics: December: Resource Adequacy  
\*\*\*White Papers due Friday November 20\*\*\*

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**2009 ELECTION BALLOT  
FOR ADVISORY COMMITTEE OFFICERS**

The undersigned Representative/Alternate of a respective Stakeholder Group of the Midwest Independent Transmission System Operator, Inc.'s ("Midwest ISO") Advisory Committee to the Board of Directors hereby has the authority to vote and act with respect to the Representative Stakeholder Group interest at the meeting of the Advisory Committee to be held on Wednesday, December 2, 2009, upon matters noted below and upon such other matters as may properly come before the meeting. This ballot shall be voted as follows:

1. ELECTION OF CHAIR FOR 1-YEAR TERM ENDING DECEMBER 31, 2010

Nominees: (Vote for One)

Gary Mathis FOR

David Hastings

\_\_\_\_\_

Write in candidate  
(Must be made from the floor and seconded by an Advisory Committee Member)

ABSTAIN

2. ELECTION OF VICE-CHAIR FOR 1-YEAR TERM ENDING DECEMBER 31, 2009

Nominees: (Vote for One)

Paul Jett For

\_\_\_\_\_

Write in candidate  
(Must be made from the floor and seconded by an Advisory Committee Member)

ABSTAIN

**THIS BALLOT, WHEN PROPERLY EXECUTED, WILL BE VOTED IN THE MANNER DIRECTED HEREIN BY THE RESPECTIVE STAKEHOLDER GROUP. IF NO DIRECTION IS MADE, THIS BALLOT WILL BE VOTED IN ACCORDANCE WITH THE BEST JUDGMENT OF THE UNDERSIGNED.**

Signature of Stakeholder Group Representative      By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

December 2, 2009      Representing Stakeholder Group: \_\_\_\_\_

Company: \_\_\_\_\_

You may submit your ballot early to Alison Johnson via fax: 317-249-5359 or e-mail: [ajohnson@midwestiso.org](mailto:ajohnson@midwestiso.org) by 5:00 EST Monday, November 30, 2009 or bring this ballot in person on Wednesday, December 2, 2009.

**David W. Hastings - Manager - Regulatory Affairs, MISO, Exelon**

David Hastings has previous experience in chairing MISO committees such as the Steering Committee as well experience in supporting previous chairs such as the MISO AC chair. David has been and continues to be actively and broadly involved in the MISO stakeholder process. David is willing and able to commit the time & energy necessary to properly serve as chair of the AC. David is also committed to addressing the difficult and complex issues that MISO stakeholders face in a “head-on” manner – and to applying the highest possible level of diversity in making the stakeholder process transparent and fair for all MISO stakeholders.

David Hastings currently serves as Manager of Regulatory Affairs for Exelon’s Power Marketing efforts in the MISO region. In this role, he is responsible for managing regulatory intelligence and market development for the Exelon power team in the MISO region. In this role, Mr. Hastings also provides support for the Exelon Power Team’s power marketing efforts in other RTO’s within the Eastern Interconnection, and for the Exelon corporate strategy on wholesale energy markets.

Mr. Hastings has served various regulatory, marketing, and consulting positions related to wholesale marketing and control area operations for over 10 years. Mr. Hastings was the first Real Time Locational Market Pricing (LMP) analyst hired by MISO and was responsible for validating the Real Time LMP calculations for the MISO market for over 2 years including both pre and post market start-up. While contributing to various projects at MISO, Mr. Hastings also had opportunities to interact with the MISO Real Time and Day Ahead market clearing systems and operators.

Mr. Hastings has served various roles with Illinois Power (IP), prior to the Ameren acquisition of IP. While at IP, his responsibilities included control area short term load forecasting, pricing and structuring retail market contract offers, representing IP at various RTO prospecting and start-up efforts, assisting with wholesale transmission contracts and arrangements, and completing shifts on both the transmission open access and generation dispatch desks. Mr. Hastings has also testified before the Illinois State Commerce Commission in regards to the market value of contracts entered into prior to the introduction of retail access in Illinois.

Mr. Hastings has experience working as a consultant for the California ISO. During this time, Mr. Hastings was responsible for design support and factory acceptance testing of the market clearing software being developed for the Market Redesign and Technology Upgrade (MRTU) recently implemented in the California ISO.

Mr. Hastings has held a NERC Control Area Operator certification (currently expired), and has completed training in energy transfer dynamics from PTI in Schenectady, NY.

Mr. Hastings enrolled at Southern Illinois University (SIU) on an academic scholarship and holds a Bachelor of Science degree in Business and Economics from SIU. Further, Mr. Hastings holds a Masters of Science degree in Regulation and Economics, with a concentration in quantitative economics for the energy industry, from the Institute for Regulation and Economics at Illinois State University.

## **BIOGRAPHY OF GARY MATHIS**

Gary is the Senior Director – Electric Policy for Madison Gas and Electric Company (MGE). His duties include developing and advocating transmission policies and generation strategies for MGE. Gary coordinates MGE's interactions with the Midwest ISO and represents MGE on the Midwest ISO's TDU sector. He has been active at the Advisory Committee from its beginning, and has appeared at FERC on Midwest ISO issues. Prior to joining MGE in 1998, Gary held a management position at the Public Service Commission of Wisconsin for 18 years, with responsibilities for electric policy, planning, and rates.

## Biography of Paul K. Jett

Paul Jett is Director of RTO Activities for Duke Energy. In this role, he is primarily responsible for the execution of Regional Transmission Organization (RTO) matters and support of Duke Energy's initiatives regarding RTOs. Paul also manages Duke Energy's transmission tariff administration and reliability standards development groups. Paul is former Chair of the Midwest ISO Transmission Owners' Committee and was a member of the Midwest ISO Advisory Committee in 2007 and 2008. Paul currently serves as Vice Chair of the RECB Task Force.

Paul earned a Bachelor of Science Degree in Electrical Engineering from the University of Cincinnati and a Masters of Business Administration degree from Thomas More College.

### Contact Information:

Paul K. Jett  
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513 287-1770

[Paul.Jett@duke-energy.com](mailto:Paul.Jett@duke-energy.com)

To: OMS Board  
From: Resources WG, Don Neumeyer Chair  
Date: November 25, 2009

There is an explicit request by the MISO Supply Adequacy Work Group for feedback from the OMS on under-forecasted assessments. This first page is has the reference information. The second page is the draft response.

### Reference Material:

Recall that this is not about the monthly RA status report that MISO sends to us each month (under Module E or tariff Section 69.6.2 Notification of PRMR(Planning Reserve Margin Requirements) Status). MISO must also report to the relevant state regulatory entity any under forecasting of load. The content of the report is therefore important because the report is the only enforcement mechanism for an LSE (Load Serving Entity) that under forecasts,

Per Section 69.6.6 Forecasted Demand and PRC (Planning Reserve Credit) Assessment

On a monthly basis, the Transmission Provider shall review data submitted by an LSE for the prior Month to evaluate the accuracy of the forecasted Demand submitted by each LSE for such Month, including but not limited to standard deviation documentation supporting the LSE's calculation of its forecasted Demand, as described in the Business Practices Manual for Resource Adequacy. If the Transmission Provider determines, that an LSE Under-Forecasts its Demand, after accounting for weather and other normalization factors during a month, then the Transmission Provider will notify the LSE of the Under-Forecast and will request a written response detailing the reasons for the Under-Forecast. **If an Under-Forecast, after weather and other normalizations, is statistically significant** (which shall mean rejection of the null hypothesis that the actual Load falls within the forecasted Demand plus or minus one (1) standard deviation), with respect to an LSE's forecasted Demand, **either for three (3) consecutive Months or for one (1) Month between June 1 and September 30, then the Transmission Provider will address the LSE's Under-Forecast by informing applicable state authorities** in accordance with the data confidentiality provisions in Section 38.9 of the Tariff.

(per ER10-86-000 filed 10/20/09, which changes the numbering of the sections)

With this paper is the associate Midwest ISO report on under-forecasting presented at SAWG during their monthly meetings.

The following page is the suggested draft response by the Resources WG.

November 24, 2009

Below is the OMS Board response to the SAWG request for specific comments on the MISO under-forecasting report.

- Granularity of report – by LSE (Load Serving Entity) or CP (Commercial Pricing) Node  
*Report by LSE is sufficient. If states want more detailed information, they can ask for it. If the cause of the under-forecast is changes due to mid month changes in retail choice participation, the affected LSEs can explain what happened to the relevant states.*
- Reasonability band that could be applied to minimize reporting of under forecasts below a threshold  
*A band is a good idea. In fact there is already one in the tariff that MISO must follow. It is one standard deviation. Any other threshold would require a FERC filing to change the tariff.*
- Draft LSE Under-Forecast Reporting template  
*The template should include*  
  
*the amount of PRCs (Planning Reserve Credit) held at the filing deadline for the relevant month. The report should show if the LSE held sufficient PRCs to meet the actual load, or if the PRCs were insufficient. If the applicable state authority wants to then determine the effect, if any of the under-forecast on other LSEs or the rest of the state, it can then seek additional information about other LSEs from MISO under the separate reports required under Section 69.6.2 Notification of PRMR(Planning Reserve Margin Requirements) Status.*
- If PRC designations should be considered  
*PRC designations should be considered. The goal is to report to authorities LSEs that under-forecast to reduce required PRCs. If an LSE holds adequate PRCs, then the under-forecasting is a relatively less significant modeling problem instead of a reliability problem.*
- Reporting of under-forecasting of non-jurisdictional LSEs  
*State commissions should be included as applicable state authorities for all LSEs within the state, particularly where the amount of under-forecast reflects a reserve shortage that is larger than any reserve excesses held by other LSEs in the same relevant geographical area.*

# Update on Data

S55 Data	June	July	August	June	July	August
	All	All	All	No RCS	No RCS	No RCS
<b>Total Demand Forecasted (in MW)</b>	91,682	108,086	106,355	N/A	N/A	N/A
<b>Total Actual Demand (in MW)</b>	95,186	84,421	93,865	N/A	N/A	N/A
<b># of CP nodes underforecasted (StDev and Losses included)</b>	83	34	45	30	7	11
<b># of Market Participants that Underforecasted</b>	45	29	32	15	5	10
<b># of CP nodes that reported StDev</b>	127	159	159	N/A	N/A	N/A
<b># of CP nodes that reported Weather Normalization</b>	4	N/A	N/A	N/A	N/A	N/A
<b>Total CP nodes</b>	264	264	264	134	134	134

Load nodes underforecasted in June, July, **and** August = 12  
 Load nodes underforecasted in two of the three months = 30

No RCS= does not include Retail Choice States IL, OH, MI  
 Weather normalized actual demand will be provided as soon as it becomes available

# Memo - Revised

Date: October 2, 2009

To: Board of Directors  
Organization of Midwest ISO States

From: Burl Haar & Gail Maly, Co-chairs  
OMS Governance and Budget Work Group

Subject: OMS Bylaws amendments

Earlier this year, the OMS Board of Directors (BOD) directed the OMS Governance and Budget Work Group (WG) to review OMS bylaws for possible updating and specifically directed the Group to review three issues:

1. e-mail voting to provide for expedited voting by the Board in time sensitive situations,
2. after the fact voting to expand the time frame in which a state may change its vote on an item, and
3. incorporation of minority state positions into OMS comments.

The WG was directed to develop amendments for these items and any other changes deemed necessary and to bring its recommendations to the full BOD at its annual meeting in October.

The WG received proposed language drafts and additional written comments from the staffs of the Illinois Commerce Commission (ICC) and the Public Service Commission of Wisconsin (PSCW). Based on those documents, the WG held two telephone conference discussions: one on June 2<sup>nd</sup>; the other July 28<sup>th</sup>. In addition to the three specific issues identified by the BOD, the WG identified several additional possible areas for revision. The proposed revisions are shown in the draft *OMS Bylaws (Bylaws)* and *OMS Process for Approving Position Statements for FERC and MISO* (Decision Document) accompanying this memo.

The Group was able to reach consensus on all but one of the issues; i.e., incorporation of minority positions in OMS comments. For that issue, three options are presented.

A brief description of each recommendation is presented below.

## **ARTICLE I - NAME**

- Line 6: No apparent reason for capital "p."

## ARTICLE II - MEMBERSHIP

### Section 1 – MEMBERSHIP;

- Line 21: the phrase “associated with” is unclear and seems unneeded. This is the recommendation approved by the Work Group. Before acting on this item, please see item #1 under Additional Items for Possible Board Consideration:

## ARTICLE IV – BOARD OF DIRECTORS

### Section 7 – VOTING PROCEDURES

- Lines 94-103 deal with Section 7:
  - Line 95 adds language to make it clear that the section on Elections pertains to elections of *officers* of the OMS BOD.
  - Line 98 changes the voting requirement for changes in bylaws from a two-thirds voting rule of directors “present or participating” to a two-thirds rule for directors, period. In other words, it makes the voting requirement for amending bylaws more rigorous. The changes here as well as those on lines 365-368 were made to address an apparent inconsistency in the bylaws on amendment of bylaws.
  - Lines 102-103 allow for electronic voting by the BOD.
  - In addition, the separate voting instances described in this section have been reformatted into separate subcategories for enhanced clarity.

### Section 8 – POSITIONS ON POLICY ISSUES

- Lines 107-164 deal with proposed modifications to Section 8, which addresses two of the primary issues of interest; after the fact voting and incorporation of minority positions in OMS comments.
  - Lines 107-117 simply provide the current bylaw language as a reference.
  - Lines 121-138 show the language provided by the ICC, addressing both after the fact voting and incorporation of minority position. Lines 124-133 deal with minority positions. This approach would establish a “no ‘No’ vote” rule for determining OMS positions on issues. The ICC indicated its desire to establish a

more deliberate process for reaching formal OMS positions and recommended the “no ‘No’ vote” rules as its preferred approach.

The language on lines 136-138 is the WG consensus allowing for after the fact voting. Section 5 of the draft Decision Document has also been revised to incorporate this change.

- Lines 142-159 is language which provides an alternative approach on minority positions which was supported by several members of the WG. This approach is also intended to encourage a more deliberate process for establishing final OMS positions by allowing for a “Unanimous OMS Position”; and, when a majority, but not unanimity, prevails, allows for an “OMS Plurality Position.”

The language on lines 162-164 is the WG consensus allowing for after the fact voting. Section 5 of the draft Decision Document has also been revised to incorporate this change.

The foregoing reflects the discussions of the Work Group. See also item #2 under Additional Items for Possible Board Consideration:

## **ARTICLE V - OFFICERS**

### **Section 2 – ELECTION, TERM, VACANCIES,**

- Line 180 removes obsolete language. This is the recommendation approved by the Work Group. Please see item #3 under Additional Items for Possible Board Consideration:

### **Section 5 – REMOVAL.**

- Lines 231-232 clarify that removal applies to the officer position, i.e., not a director position.

## **ARTICLE VI - COMMITTEES**

### **Section 1 – ESTABLISHED.**

- Line 237 clarifies that the BOD can abolish as well as create committees and work groups.

## ARTICLE XII – OPEN MEETINGS

- Lines 350-351 limits the requirement for open meetings to OMS groups where the majority of participants are commissioners, thereby relieving groups consisting primarily of staff members from open meeting requirements. This is the recommendation approved by the Work Group. Please see item #4 under Additional Items for Possible Board Consideration:

## ARTICLE XIII - AMENDMENTS

- Lines 365-368 require a two-thirds vote of all Directors to amend the bylaws. It replaces the rule allowing amendment by a two-thirds vote of a quorum. This amendment, along with the change on line 98, would remove an apparent inconsistency in the current bylaws and establish a more rigorous voting requirement for amending bylaws. In addition, the proposed change will remove the current requirement that bylaw changes be heard at two BOD meetings (one of which must be the Annual Meeting) to require a hearing at any properly noticed BOD meeting, one of which may be the Annual Meeting. As noted previously, the Work Group also recommends a more restrictive voting rule for bylaw changes; i.e., 2/3 of all BOD members.

The second attachment to this memo presents some proposed changes to the OMS's Decision Document, i.e., *Process for Approving Position Statements for FERC and MISO*. The proposed changes will make the Decision Document consistent with changes suggested for the bylaws.

### Additional Items for Possible Board Consideration:

Subsequent to the Work Group's process there were additional suggestions advanced. Those are presented here:

1. ARTICLE II – MEMBERSHIP: The suggestion was made that the reference to independent transmission companies is probably no longer needed. If the Board agrees, this could be addressed by deleting everything after "MISO" on line 21. In that case, Article II, 1 (b) would read as follows:

are the primary regulatory authority responsible for siting electric transmission facilities in states or provinces where there are transmission-owning members of the MISO ~~that own or operate transmission facilities associated with the MISO or independent transmissions companies.~~

2. ARTICLE IV – BOARD OF DIRECTORS, Section 8. A suggestion was made that reference to the Decision Document should be incorporated in the bylaws. One possible option for addressing this would be to add the following in the first sentence of Section 8, after "statements" but

before the comma (line 108), insert "in accordance with the Process for Approving Position Statements for FERC and MISO".

8. POSITIONS ON POLICY ISSUES. The Board of Directors will give direction to formation of issue statements in accordance with the Process for Approving Position Statements for FERC and MISO, which will then be referred to member state and provincial regulatory authorities. A position approved by a majority of the Board of Directors may be issued as the Organization's position with identification of the participating and non-participating Member authorities. Individual Member authorities retain all rights to object to, support, or otherwise comment on, issues statements of the Organization, including the attachment of a minority report or dissenting opinion, provided it is submitted in a timely manner.. The Board of Directors may authorize intervention in proceedings before federal regulatory agencies and in related judicial proceedings to express the Organization's positions, and may authorize the Executive Committee to retain legal counsel to represent the Organization in such proceedings.

3. ARTICLE V – OFFICERS. The suggestion was made the making the At Large Board member an officer would facilitate the organization's ability to more readily satisfy the Geographical Balance requirement (Section 3). If approved, Article V would need to be amended to include the At Large Board member in any listing of officer positions. Alternatively, the Geographical Balance requirement could be dropped.

If the BOD determines that the At Large Board member should be an officer of OMS, Article V would need to be changed as follows:

1. NUMBER AND TITLE. The officers of the Organization shall be the president, vice president, secretary, ~~and treasurer,~~ and an at-large member.

2. ELECTION, TERM, VACANCIES. The president, vice president, secretary, ~~and treasurer,~~ and an at-large member shall be elected by the Board of Directors for a term of one year, or until their successors are elected, and shall not consecutively serve for more than one term in any one office. Partial terms are not counted as one term of office. Officers shall be elected at the Annual Meeting to take office on the first day of January following the Annual Meeting at which elections are held. The Executive Committee may fill a vacancy among the officers other than the president to serve until the next scheduled election. In the case of a permanent vacancy in the office of the president, the vice-president will succeed until the next scheduled election. The terms of the Vice-President and Secretary elected in 2003 shall be deemed full terms. The terms of the President and Treasurer elected in 2003 shall be deemed partial terms.

4. DUTIES. The duties of the officers shall be as follows:

(e) The At-Large member shall serve as a member of the MISO Advisory Committee.

Other duties could be assigned to the At-Large member as well.

If the BOD determines that it prefers to drop the Geographic Balance provision, Article V would need to be changed as follows:

~~3. GEOGRAPHIC BALANCE. Two of the officers shall be Directors from states predominantly west of the Mississippi River. Two of the officers shall be Directors from states predominantly east of the Mississippi River. [Renumber #4 to #3]~~

4. ARTICLE XII – OPEN MEETINGS: The suggestion was made that the organization may want to continue to allow the Nominating Committee to have closed sessions when necessary. To address this concern, the Nominating Committee meetings could be added to the list of exceptions in the first sentence of the Article. For example, “. . . meetings, except that discussion of commercially sensitive, legal, and personnel issues, as well as the meetings of the Nominating Committee (Article VIII), may be conducted in closed session.”

The Annual Meeting and all meetings of the Board of Directors, the Executive Committee, and subordinate committees shall be open meetings, except that discussion of commercially sensitive, legal, and personnel issues, as well as the meetings of the Nominating Committee (Article VIII), may be conducted in closed session. For the purposes of these bylaws, open meeting means:

- (a) Notice of the time, place, and purpose of the meeting, as provided in Article III, shall be made available to public, through printed or electronic means.
- (b) Minutes of the Board of Directors and the Executive Committee meetings shall be made available to the public, through printed or electronic means, within two weeks of the date of the meeting.
- (c) The public may attend all open meetings of the Organization.
- (d) The Board of Directors may provide for participation by telephone or electronic means

## **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 ~~these~~ 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 can-not 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, may grant members up to 24 hours to confirm their votes with the Secretary and the Executive Director, ~~depending on the filing schedule.~~ Members who are granted an extended voting period up to 24 hours, 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 up to 24 hours have confirmed their votes.

## **Stage 34 - Filing of Comments**

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

## **OMS 2010 Goals**

### **1. Planning and infrastructure development**

- a. Continue CARP to conclusion
- b. Continue to chair and participate in RECB
- c. Coordinate planning forums
  - o Education on relationship of plans – EI-RTO-local
  - o Criteria
- d. Education
  - o Legislators
  - o Commissions – best practices
  - o Share RTO docket information
  - o RTO 101
    - Operations simulation
    - Market simulation
    - Mitigation day-in-the-life
  - o Issue sheets – post to website
- e. Develop and share estimates of plant retirements
- f. Support multi-state transmission lines
  - o Coordinate procedures, forecasts, data, dockets
- g. Support EISPC / EIPC
- h. Study MISO planning regions
- i. Participate in development of MTEP-10

### **2. Improvements of MISO processes**

- a. Support greater data transparency
- b. Participate in stakeholder efforts to review and strengthen MISO governance
  - o Provide leadership
  - o Stakeholder process
    - Primary state issues
    - Relationship with other sectors
- c. IMM reporting / metrics / mark-up (RP)
  - o Market operations review
- d. Participate in tariff revisions on unconventional resources (RP)
  - o Wind integration
- e. Continue examining resource adequacy – Module E
  - o Price responsive demand
- f. Support MISO cost control efforts

### **3. Improvements of OMS processes**

- a. FERC presence
- b. Work towards organizational consensus
  - o Format of documents
  - o Direction for A/C representatives
- c. Website
  - o Include indicative plans
- d. Liaison with MISO on legislative contacts, governor contacts
- e. DC legislative presence?
  - o Self-education
- f. Increase work group participation
- g. Assist commissions to follow new technology – improve information sharing

## 2009 Goals to retain

1. CARP; RECB
2. RECB – chair and participation
3. Data transparency
4. Education
  - Legislators
  - Commissions – best practices
  - Share RTO docket information
  - RTO 101
    - Operations simulation
    - Market simulation
    - Mitigation day-in-the-life
  - Issue sheets – post to website
5. FERC presence
6. MISO Governance
  - Leadership
  - Stakeholder process
    - Primary state issues
    - Relationship with other sectors
7. Retail distinctions – *Rename*
  - Consensus
  - Format of documents
  - Direction for A/C representatives
8. Website
  - Indicative plans
9. Coordinate4 planning forums
  - Education on relationship of plans – EI-RTO-local
  - Criteria

## NEW ISSUES

1. Plant retirements
2. IMM reporting / metrics / mark-up (RP)
  - Market operations review
3. Tariff revisions on unconventional resources (RP)
  - Wind integration
4. Liaison with MISO on legislative contacts, governor contacts
5. Multi-state lines: procedures, coordination, forecasts, data, dockets
6. EISPC / EIPC
7. MISO planning regions
8. MTEP-10
9. Resource adequacy – Module E
  - Price responsive demand
10. Work group participation
11. MISO cost control
12. New technology – info sharing
13. DC legislative presence?
  - Self-education