



Organization of MISO States

**ORGANIZATION OF MISO STATES, INC.  
Executive Committee Meeting Minutes  
June 23, 2011**

Approved July 28, 2011

Monica Martinez, President of the Organization of MISO States, Inc. (OMS), called the June 23, 2011 meeting of the OMS Executive Committee to order via conference call at approximately 1:00 p.m. (CDT). The following directors participated in the meeting:

President – Monica Martinez, Michigan  
Vice-President – Bill Bowker, proxy for David Armstrong, Kentucky  
Treasurer – Kari Bennett  
Secretary – Stan Wolf, proxy for Rob Berntsen, Iowa  
Commissioner at Large – Robert Kenney, Missouri

Others present on the conference call:

Illinois – Randy Rismiller  
Michigan – Orjiakor Isiogu  
Wisconsin – Eric Callisto, Randel Pilo  
OMS Staff – Bill Smith, Julie Mitchell

The directors listed above established the necessary quorum of three (3) Executive Committee members.

The minutes from the May 26, 2011 meeting were approved by consensus.

**BUSINESS**

**1. Nominating Committee and Officer Transition**

Gary Hanson has expressed willingness to fill out the Nominating Committee with Monica Martinez and Sherman Elliott. Kari Bennett moved to appoint Gary Hanson to the nominating committee. Robert Kenney seconded. The motion was approved by unanimous voice vote.

Monica Martinez's term with the Michigan Commission will expire on July 2<sup>nd</sup> or whenever a replacement is appointed. According to the OMS By-laws if the presidency is vacated, the vice president shall fill the opening. The Executive Committee will then appoint a new vice president.

David Boyd and Eric Callisto have both expressed an interest in serving in an OMS leadership position.

**2. Status of the 2011 Goals Development/Fall Retreat**

General approval was expressed for a fall retreat for the officers and work group chairs. Bill Smith was asked to begin to develop plans for this meeting and requested preferences from everyone on whether it should be a stand-alone retreat or combined with another meeting.

**3. Status of the OMS "User Guide" Training**

Manitoba is scheduled for July 11 and Missouri for July 12. Iowa is working on developing two different training sessions: one for new folks and one for established staff. The only states that have not hosted training are: Michigan, Wisconsin, North Dakota and Kentucky.

**4. Update on E-RSC Discussions**

Bill Smith covered the status of the ERSC integration into MISO and OMS.

**5. Approval of FERC Interventions**

Bill Smith gave the background on this issue, related to a waiver of the MISO tariff for Entergy during their integration period. Missouri, Wisconsin and Illinois are preparing separate interventions. It was suggested that OMS file a plain, vanilla intervention to serve as a placeholder if the Board decides to pursue this issue further.

**Kari Bennett moved to approve support of a vanilla intervention. Robert Kenney seconded. The motion passed by unanimous voice vote.**

**6. Agenda for the July 14 OMS Board Meeting**

The following topics were suggested for the July 14 Board Meeting:

- Pennsylvania's membership status;
- Outcome of the upcoming SAWG meeting;
- RECB task force issues;
- MISO presentation on transmission queue summary.

**7. Pennsylvania Membership Status**

Pennsylvania has requested associate member status as a result of First Energy's move to PJM.

**The meeting adjourned at approximately 1:25 p.m. CDT**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Midwest Independent Transmission )  
System Operator, Inc.**

**Docket No. ER11-3728-000**

**COMMENT AND NOTICE OF INTERVENTION OF  
THE ORGANIZATION OF MISO STATES, INC.**

Pursuant to Rule 214(a)(2) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2), the Organization of MISO States<sup>1</sup> ("OMS") files its Notice of Intervention in the above-captioned proceedings. Service of all pleadings, documents, and communications in this matter should be made on the following:

William H. Smith, Jr.  
Executive Director  
Organization of MISO States  
100 Court Avenue, Suite 315  
Des Moines, Iowa 50309  
(515) 243-0742

The Midwest Independent Transmission System Operations ("MISO") on June 3, 2011, filed a request for waiver of provisions of its Open Access Transmission, Energy, and Operating Reserve Markets Tariff in order to provide a phased integration of the MISO's and the Entergy Companies' planning processes. The MISO also asks the Commission's prompt action on the request to provide information helpful to the retail regulators of the Entergy Companies during later 2011.

The OMS supports the request, notwithstanding certain concerns described below.

**Comment**

The OMS fully supports the MISO's desire to provide as much certainty as possible information to the retail regulatory agencies of the areas served by the Entergy

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<sup>1</sup> The OMS members are the regulatory commissions of Ohio, Indiana, Illinois, Michigan, Kentucky, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Montana, and Manitoba.

Companies<sup>2</sup> as they deliberate on the Entergy Companies' applications to join the MISO. Early knowledge of this Commission's views with respect to integration of the Entergy and MISO planning systems and the resultant cost allocations will assist the Entergy regulators to make decisions based on the best available information.

The OMS recognizes the task the MISO confronts in devising a way to blend two comprehensive and ongoing planning systems, and the desire to avoid cost allocations that might result from a disparity between the two transmission systems. The MISO filing proposes a reasonable course toward parity of the systems over a stated length of time, while delaying cost integration until system comparability is demonstrated. The two systems have planned and will continue to plan under current, separate, criteria at least until the completion of Entergy's membership integration in late 2013. At that time, both systems will have an inventory of projects approved on the basis of their own separate criteria. Until a planning cycle for the post-integration MISO footprint is completed under system-wide criteria, separate cost responsibility for those projects remains appropriate. The requested waiver is intended to achieve that result, and the OMS supports that result.

Until a system planning cycle is conducted under system-wide criteria, regulators cannot know whether the two systems can be found to be comparable.

The OMS's concerns go to procedural points. First, the language of the requested waiver is less exact than the language of the tariff. Regulatory certainty would be substantially improved by tariff language identifying with precision the tariff sections to be affected and the time periods for which the limitation is to be in effect. These provisions could take the form of additional tariff sheets or footnotes to the affected tariff pages referencing the Commission's order. In particular, criteria for determining "comparability" should be defined with particularity to avoid the possibility of future disputes.

Second, the OMS believes that the MISO stakeholder process was short-changed in the development of this proposal. No stakeholder entity was involved in its preparation or consideration. It was not included in the listing of upcoming filings.

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<sup>2</sup> These retail regulators are the Arkansas Public Service Commission, the Mississippi Public Service Commission, the Louisiana Public Service Commission, the Texas Public Utilities Commission, and the New Orleans City Council.

Stakeholders had no advance indications that the filing was under preparation. The MISO has established an enviable record of stakeholder involvement in developing important filings; it is regrettable that a filing as important as this one should be a mark against that record. The OMS recognizes that speedy action in this matter is for the benefit of regulatory colleagues in the Entergy region, but believes that the timing of the filing would not have suffered by appropriate stakeholder consultation. The OMS invites the Commission to reaffirm the importance of substantive stakeholder involvement in advance of important filings.

**Conclusion**

The Commission should remind the MISO of the need to engage stakeholder in the preparation of future filings. It should grant the relief requested, conditioned on including the specific provisions of the relief in the MISO tariff.

Respectfully Submitted,  
William H. Smith, Jr.  
William H. Smith, Jr.  
Executive Director  
Organization of MISO States  
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Tel: 515-243-0742

Dated: June 24, 2011

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Des Moines, Iowa, this 24th day of June, 2011.

William H. Smith, Jr