Attachment IV

2.3 Definitions - C

Capability Period: Six-month periods which are established as follows: (i) from May 1 through October 31 of each year ("Summer Capability Period"); and (ii) from November 1 of each year through April 30 of the following year ("Winter Capability Period").

Capability Period Auction: An auction conducted no later than thirty (30) days prior to the start of each Capability Period in which Unforced Capacity may be purchased and sold in a six-month strip.

Capability Period SCR Load Zone Peak Hours: The top forty (40) coincident peak hours that, prior to the Summer 2014 Capability Period include hour beginning thirteen through hour beginning eighteen and beginning with the Summer 2014 Capability Period include hour beginning eleven through hour beginning nineteen. The Capability Period SCR Load Zone Peak Hours shall be determined by the NYISO from the Prior Equivalent Capability Period and shall be used by RIPs to report ACL values for the purpose of SCR enrollment. For a SCR enrolled with a Provisional ACL that requires verification data to be reported at the end of the Capability Period in which the SCR was enrolled, the Capability Period SCR Load Zone Peak Hours shall be determined from the Capability Period in which the SCR was enrolled. Such hours shall not include (i) hours in which Special Case Resources located in the specific Load Zone were called by the ISO to respond to a reliability event or test and (ii) hours for which the Emergency Demand Response Program resources were deployed by the ISO in each specific Load Zone. In addition, beginning with the Summer 2014 Capability Period, the NYISO shall not include, in descending rank order of NYCA Load up to a maximum of eight hours per Capability Period, a) the hour before the start time of a reliability event or performance test, in which SCRs located in the specific Load Zone were called by the ISO to respond to a reliability event or performance test, or b) the hour immediately following the end time of such reliability event or performance test.

Capability Year: A Summer Capability Period, followed by a Winter Capability Period (*i.e.*, May 1 through April 30).

Capacity: The capability to generate or transmit electrical power, or the ability to control demand at the direction of the ISO, measured in megawatts ("MW").

Capacity Limited Resource: A Resource that is constrained in its ability to supply Energy above its Normal Upper Operating Limit by operational or plant configuration characteristics. Capacity Limited Resources must register their Capacity limiting characteristics with, and justify them to, the ISO consistent with ISO Procedures. Capacity Limited Resources may submit a schedule indicating that their Normal Upper Operating Limit is a function depending on one or more variables, such as temperature or pondage levels, in which case the Normal Upper Operating Limit applicable at any time shall be determined by reference to that schedule.

Capacity Reservation Cap: The maximum percentage of transmission Capacity from a Transmission Owner's sets of ETCNL that may be converted into ETCNL TCCs or the maximum percentage of a ~~Transmission Owner~~Member System's RCRRs that may be converted

into RCRR TCCs, as the case may be, as established by the ISO pursuant to Section 19.4.3 of Attachment M of the OATT.

CARL Data: Control Area Resource and Load ("CARL") data submitted by Control Area System Resources to the ISO.

Centralized Transmission Congestion Contracts ("TCC") Auction ("Auction"): The **process** by which TCCs are released for sale for the Centralized TCC Auction period, through a bidding process administered by the ISO or an auctioneer.

Code of Conduct: The rules, procedures and restrictions concerning the conduct of the ISO directors and employees, contained in Attachment F to the ISO Open Access Transmission Tariff.

Commission ("FERC"): The Federal Energy Regulatory Commission, or any successor agency.

Compensable Overgeneration: A quantity of Energy injected over a given RTD interval in which a Supplier has offered Energy that exceeds the Real-Time Scheduled Energy Injection established by the ISO for that Supplier and for which the Supplier may be paid pursuant to this Section and ISO Procedures.

> For Suppliers not covered by other provisions of this Section and Intermittent Power Resources depending on wind as their fuel for which the ISO has imposed a Wind Output Limit in the given RTD interval, Compensable Overgeneration shall initially equal three percent (3%) of the Supplier's Normal Upper Operating Limit which may be modified by the ISO if necessary to maintain good Control Performance.
>
> For a Generator which is operating in Start-Up or Shutdown Periods, or Testing Periods, or which is an Intermittent Power Resource that depends on solar energy or landfill gas for its fuel and which has offered its Energy to the ISO in a given interval not using the ISO-committed Flexible or Self-Committed Flexible bid mode, Compensable Overgeneration shall mean all Energy actually injected by the Generator that exceeds the Real-Time Scheduled Energy Injection established by the ISO for that Generator. For a Generator operating in intervals when it has been designated as operating Out of Merit at the request of a Transmission Owner or the ISO, Compensable Overgeneration shall mean all Energy actually injected by the Generator that exceeds the Real-Time Scheduled Energy Injection up to the Energy level directed by the Transmission Owner or the ISO.
>
> For Intermittent Power Resources that depend on wind as their fuel and Limited Control Run of River Hydro Resources not using the ISO-Committed Flexible or Self-Committed Flexible bid mode, that were in operation on or before November 18, 1999 within the NYCA, plus an additional 3,300 MW of such Resources, Compensable Overgeneration shall mean that quantity of Energy injected by a Generator, over a given RTD interval that exceeds the Real-Time Scheduled Energy Injection established by the ISO for that Generator and for which the Generator may be paid pursuant to ISO Procedures; provided however, this definition of Compensable Overgeneration shall not apply to an Intermittent Power Resource depending on wind as its fuel for any interval for which the ISO has imposed a Wind Output Limit.

For a Generator comprised of a group of generating units at a single location, which grouped generating units are separately committed and dispatched by the ISO, and for which Energy injections are measured at a single location, Compensable Overgeneration shall mean that quantity of Energy injected by the Generator, during the period when one of its grouped generating units is operating in a Start-Up or Shutdown Period, that exceeds the Real-Time Scheduled Energy Injection established by the ISO for that period, for that Generator, and for which the Generator may be paid pursuant to ISO Procedures.

Completed Application: An Application that satisfies all of the information and other requirements for service under the ISO Services Tariff.

Confidential Information: Information and/or data that has been designated by a Customer to be proprietary and confidential, provided that such designation is consistent with the ISO Procedures, the ISO Services Tariff, and the ISO Code of Conduct.

Congestion: A characteristic of the transmission system produced by a constraint on the optimum economic operation of the power system, such that the marginal price of Energy to serve the next increment of Load, exclusive of losses, at different locations on the transmission system is unequal.

Congestion Component: The component of the LBMP measured at a location or the Transmission Usage Charge between two locations that is attributable to the cost of transmission Congestion as is more completely defined in Attachment B of the Services Tariff.

Congestion Rent: he opportunity costs of transmission Constraints on the NYS Transmission System. Congestion Rents are collected by the ISO from Loads through its facilitation of LBMP Market Transactions and the collection of Transmission Usage Charges from Bilateral Transactions.

Congestion Rent Shortfall: A condition in which the Congestion Rent revenue collected by the ISO in the Day-Ahead Market for Energy is less than the amount of Congestion Rent revenue in the Day-Ahead Market for Energy that the ISO is obligated under the ISO OATT to pay out to the Primary Holders of TCCs.

Constraint: An upper or lower limit placed on a variable or set of variables that are used by the ISO in its SCUC, RTC, or RTD programs to control and/or facilitate the operation of the NYS Transmission System.

Contingency: An actual or potential unexpected failure or outage of a system component, such as a Generator, transmission line, circuit breaker, switch or other electrical element. A Contingency also may include multiple components, which are related by situations leading to simultaneous component outages.

Control Area: An electric system or combination of electric power systems to which a common Automatic Generation Control scheme is applied in order to: (1) match, at all times, the power output of the Generators within the electric power system(s) and Capacity and Energy purchased from entities outside the electric power system(s), with the Load within the electric power

system(s); (2) maintain scheduled interchange with other Control Areas, within the limits of Good Utility Practice; (3) maintain the frequency of the electric power system(s) within reasonable limits in accordance with Good Utility Practice; and (4) provide sufficient Capacity to maintain Operating Reserves in accordance with Good Utility Practice.

Control Area System Resource: A set of Resources owned or controlled by an entity within a Control Area that also is the operator of such Control Area. Entities supplying Unforced Capacity using Control Area System Resources will not designate particular Resources as the suppliers of Unforced Capacity.

Control Performance: A standard for measuring the degree to which a Control Area is providing Regulation Service in conformance with NERC requirements.

Controllable Transmission: Any Transmission facility over which power-flow can be directly controlled by power-flow control devices without having to re-dispatch generation.

Commenced Repair: A determination by the ISO that a Market Participant with a Generator i) has decided to pursue the repair of its Generator, and based on the ISO's technical/engineering evaluation ii) has a Repair Plan for the Generator that is consistent with a Credible Repair Plan, and iii) has made appropriate progress in pursuing the repair of its Generator when measured against the milestones of a Credible Repair Plan.

Credible Repair Plan: A Repair Plan that meets the requirements described in Section 5.18.1.4 of this Services Tariff and in ISO Procedures**.**

Credit Assessment: An assessment of a Customer's creditworthiness, conducted by the ISO in accordance with Section 26.5.3 of Attachment K to this Services Tariff.

Cross-Sound Scheduled Line: A transmission facility that interconnects the NYCA to the New England Control Area at Shoreham, New York and terminates near New Haven, Connecticut.

CTS Enabled Interface: An External Interface at which the ISO has authorized the use of Coordinated Transaction Scheduling ("CTS") market rules and which includes a CTS Enabled Proxy Generator Bus for New York and a CTS Enabled Proxy Generator Bus for the neighboring Control Area.

CTS Enabled Proxy Generator Bus: A Proxy Generator Bus at which the ISO either requires or permits the use of CTS Interface Bids for Import and Export Transactions in the Real-Time Market and requires the use of Decremental Bids for Wheels Through in the Real-Time Market. A CTS Enabled Proxy Generator Bus at which the ISO permits CTS Interface Bids will also permit Decremental and Sink Price Cap Bids.

CTS Interface Bid: A Real-Time Bid provided by an entity engaged in an External Transaction at a CTS Enabled Interface. CTS Interface Bids shall include a MW amount, a direction indicating whether the proposed Transaction is to Import Energy to, or Export Energy from, the New York Control Area, and a Bid Price.

CTS Sink: Representation of the location(s) within a Control Area where energy associated with a CTS Interface Bid is withdrawn. The NYCA CTS Sinks are Proxy Generator Buses.

CTS Sink Price: The price at a CTS Sink.

CTS Source: Representation of the location(s) within a Control Area where energy associated with a CTS Interface Bid is injected. The NYCA CTS Sources are Proxy Generator Buses.

CTS Source Price: The price at a CTS Source.

Curtailment or Curtail: A reduction in Transmission Service in response to a transmission Capacity shortage as a result of system reliability conditions.

Curtailment Customer Aggregator: A Curtailment Services Provider that produces real-time verified reductions in NYCA load of at least 100 kW through contracts with retail end-users. The procedure for qualifying as a Curtailment Customer Aggregator is set forth in ISO procedures.

Curtailment Initiation Cost: The fixed payment, separate from a variable Demand Reduction Bid, required by a qualified Demand Reduction Provider in order to cover the cost of reducing demand.

Curtailment Services Provider: A qualified entity that can produce real-time, verified reductions in NYCA Load of at least 100 kW in a single Load Zone, pursuant to the Emergency Demand Response Program and related ISO procedures. The procedure for qualifying as a Curtailment Services Provider is set forth in Section 3 below and in ISO Procedures.

Curtailment Services Provider Capacity: Capacity from a Demand Side Resource nominated by a Curtailment Services Provider for participation in the Emergency Demand Response Program.

Customer: An entity which has complied with the requirements contained in the ISO Services Tariff, including having signed a Service Agreement, and is qualified to utilize the Market Services and the Control Area Services provided by the ISO under the ISO Services Tariff; provided, however, that a party taking services under the Tariff pursuant to an unsigned Service Agreement filed with the Commission by the ISO shall be deemed a Customer.

2.9 Definitions - I

ICAP Demand Curve: A series of prices which decline until reaching zero as the amount of Installed Capacity increases.

ICAP Demand Curve Reset Filing Year: A calendar year in which the ISO files ICAP Demand Curves, in accordance with Section 5.14.1.2.11.

ICAP Ineligible Forced Outage: The outage state of a Market Participant's Generator after: i) the expiration or termination of its Forced Outage pursuant to the provisions in Section 5.18.1.6 of this Services Tariff, which Forced Outage started on or after May 1, 2015; ii) the Market Participant voluntarily reclassified its Forced Outage pursuant to the provisions in Section 5.18.2.1 of this Services Tariff, which Forced Outage started on or after May 1, 2015; or iii) substantial actions have been taken, such as dismantling or disabling essential equipment, which actions are inconsistent with an intention to return the Generator to operation and the Energy market. A Generator in an ICAP Ineligible Forced Outage is subject to the return-to-service provisions in Section 5.18.4 of this Services Tariff and is ineligible to participate in the Installed Capacity market.

ICAP Spot Market Auction: An auction conducted pursuant to Section 5.14.1.1 of this Tariff to procure and set LSE Unforced Capacity Obligations for the subsequent Obligation Procurement Period, pursuant to the Demand Curves applicable to each respective LSE and the supply that is offered.

Import Credit Requirement: A component of the External Transaction Component of the Operating Requirement, calculated in accordance with Section 26.4.2 of Attachment K to this Services Tariff.

Import Curtailment Guarantee Payment: A payment made in accordance with Section 4.5.3.2 and Attachment J of this ISO Services Tariff to compensate a Supplier whose Import is Curtailed by the ISO.

Imports: A Bilateral Transaction or sale to the LBMP Market where Energy is delivered to a NYCA Interconnection from another Control Area.

Imputed LBMP Revenue: Revenue developed for calculating a Generator or Import Bid Production Cost guarantee, for any interval, which equals the product of (i) the Bilateral Transaction scheduled MW in the Day-Ahead Market or real-time market, as appropriate, from the Generator bus or Proxy Generator Bus, as appropriate, for the interval, (ii) the LBMP, in units of $/MWh, either Day-Ahead or real-time as appropriate, at the Generator or Proxy Generator Bus for that interval and (iii) the length of the interval, in units of hours.

Inactive Reserves: The outage state in which a Market Participant's Generator is unavailable to produce Energy for a limited period of time not to exceed six months, for reasons that are not equipment related, which state does not meet the criteria to be classified as any other outage pursuant to the provisions of this Services Tariff or of ISO Procedures. A Generator in Inactive Reserves is ineligible to participate in the Installed Capacity market.

Inadvertent Energy Accounting: The accounting performed to track and reconcile the difference between net actual Energy interchange and scheduled Energy interchange of a Control Area with adjacent Control Areas.

In-City: Located electrically within the New York City Locality (LBMP Load Zone J).

Incremental Average Coincident Load ("Incremental ACL"): Beginning with the Summer 2014 Capability Period, the amount of qualifying Load that may be added to the Average Coincident Load of a Special Case Resource. In order to qualify to use Incremental ACL the SCR must enroll with an ACL and report an increase in the Load of the facility that is supplied by the NYS Transmission System and/or distribution system that meets or exceeds the SCR Load Change Reporting Threshold in accordance with this Services Tariff. The Incremental ACL reported in a Capability Period cannot exceed one-hundred percent (100%) of the ACL that has been calculated for the SCR when it first enrolls in the Capability Period. For resources reporting an Incremental ACL, the Net Average Coincident Load shall equal the enrolled ACL plus the reported Incremental ACL less any applicable SCR Change of Status. Each resource for which a RIP reports an Incremental ACL is subject to verification subsequent to the Capability Period pursuant to reporting requirements and calculations using the SCR's metered Load values provided in Section 5.12.11.1.5 of this Services Tariff and ISO Procedures.

Incremental Energy Bid: A series of monotonically increasing constant cost incremental Energy steps that indicate the quantities of Energy for a given price that an entity is willing to supply to the ISO Administered Markets.

Incremental TCC: A set of point-to-point Transmission Congestion Contract(s) that is awarded pursuant to Section 19.2.2 of Attachment M to the ISO OATT.

Independent System Operator ("ISO"): The New York Independent System Operator, Inc., a not-for-profit corporation established pursuant to the ISO Agreement.

Independent System Operator Agreement ("ISO Agreement"): The agreement that establishes the New York ISO.

Independent System Operator/New York State Reliability Council ("ISO/NYSRC Agreement"): The agreement between the ISO and the New York State Reliability Council governing the relationship between the two organizations.

Independent System Operator-Transmission Owner Agreement ("ISO/TO Agreement"): The agreement that establishes the terms and conditions under which the ~~Transmission Owners~~Member Systems transferred to the ISO Operational Control over designated transmission facilities.

Indicative NCZ Locational Minimum Installed Capacity Requirement: The amount of capacity that must be electrically located within a New Capacity Zone, or possess an approved Unforced Capacity Deliverability Right, in order to ensure that sufficient Energy and Capacity are available in that NCZ and that appropriate reliability criteria are met.

Installed Capacity ("ICAP"): External or Internal Capacity, in increments of 100 kW, that is made-available pursuant to Tariff requirements and ISO Procedures.

Installed Capacity Equivalent: The Resource capability that corresponds to its Unforced Capacity, calculated in accordance with ISO Procedures.

Installed Capacity Marketer: An entity which has signed this Tariff and which purchases Unforced Capacity from qualified Installed Capacity Suppliers, or from LSEs with excess Unforced Capacity, either bilaterally or through an ISO-administered auction. Installed Capacity Marketers that purchase Unforced Capacity through an ISO-administered auction may only resell Unforced Capacity purchased in such auctions in the NYCA.

Installed Capacity Supplier: An Energy Limited Resource, Generator, Installed Capacity Marketer, Responsible Interface Party, Intermittent Power Resource, Limited Control Run of River Hydro Resource, municipally-owned generation, System Resource or Control Area System Resource that satisfies the ISO's qualification requirements for supplying Unforced Capacity to the NYCA.

Interconnection or Interconnection Points ("IP"): The point(s) at which the NYCA connects with a distribution system or adjacent Control Area. The IP may be a single tie line or several tie lines that are operated in parallel.

Interface: A defined set of transmission facilities that separate Load Zones and that separate the NYCA from adjacent Control Areas.

Interface MW - Mile Methodology: The procedure used to allocate Original Residual TCCs determined prior to the first Centralized TCC Auction to Transmission Owners.

Intermittent Power Resource: A device for the production of electricity that is characterized by an energy source that: (1) is renewable; (2) cannot be stored by the facility owner or operator; and (3) has variability that is beyond the control of the facility owner or operator. In New York, resources that depend upon wind, solar energy or landfill gas for their fuel have been classified as Intermittent Power Resources. Each Intermittent Power Resource that depends on wind as its fuel shall include all turbines metered at a single scheduling point identifier (PTID).

Internal: An entity (e.g., Supplier, Transmission Customer) or facility (e.g., Generator, Interface) located within the Control Area being referenced. Where a specific Control Area is not referenced, internal means the NYCA.

Internal Transactions: Purchases, sales or exchanges of Energy, Capacity or Ancillary Services where the Generator and Load are located within the NYCA.

Investment Grade Customer: A Customer that meets the criteria set forth in Section 26.3 of Attachment K to this Services Tariff.

Investor-Owned Transmission Owners: At the present time these include: Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State

Electric & Gas Corporation, Niagara Mohawk Power Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation.

ISO Administered Markets : The Day-Ahead Market and the Real-Time Market (collectively the "LBMP Markets") and any other market or auction administered by the ISO.

ISO-Committed Fixed: In the Day-Ahead Market, a bidding mode in which a Generator requests that the ISO commit and schedule it. In the Real-Time Market, a bidding mode in which a Generator, with ISO approval, requests that the ISO schedule it no more frequently than every 15 minutes. A Generator scheduled in the Day-Ahead Market as ISO-Committed Fixed will participate as a Self-Committed Fixed Generator in the Real-Time Market unless it changes bidding mode, with ISO approval, to participate as an ISO-Committed Fixed Generator.

ISO-Committed Flexible: A bidding mode in which a Dispatchable Generator or Demand Side Resource follows Base Point Signals and is committed by the ISO.

ISO Market Power Monitoring Program: The monitoring program approved by the Commission and administered by the ISO and the Market Monitoring Unit that is designed to monitor the possible exercise of market power in ISO Administered Markets.

ISO OATT: The ISO Open Access Transmission Tariff.

ISO Procedures: The procedures adopted by the ISO in order to fulfill its responsibilities under the ISO OATT, the ISO Services Tariff and the ISO Related Agreements.

ISO Related Agreements: Collectively, the ISO Agreement, the ISO/TO Agreement, the NYSRC Agreement, ~~and~~ the ISO/NYSRC Agreement, and the Operating Agreements.

ISO Services Tariff (the "Tariff"): The ISO Market Administration and Control Area Services Tariff.

ISO Tariffs: The ISO OATT and the ISO Services Tariff, collectively.

2.13 Definitions - M

Major Emergency State: An Emergency accompanied by abnormal frequency, abnormal voltage and/or equipment overloads that create a serious risk that the reliability of the NYS Power System could be adversely affected.

Marginal Losses: The NYS Transmission System Real Power Losses associated with each additional MWh of consumption by Load, or each additional MWh transmitted under a Bilateral Transaction as measured at the Points of Withdrawal.

Marginal Losses Component: The component of LBMP at a bus that accounts for the Marginal Losses, as measured between that bus and the Reference Bus.

Market-Clearing Price: The price determined in an Installed Capacity auction for each ISO-defined Locality, the remainder of the NYCA and each adjacent External Control Area for which all offers to sell and bids to purchase Unforced Capacity are in equilibrium.

Market Mitigation and Analysis Department: A department, internal to the ISO, that is responsible for participating in the ISO's administration of its Tariffs. The Market Mitigation and Analysis Department's duties are described in Section 30.3 of the Market Monitoring Plan that is set forth in Attachment O to this Services Tariff.

Market Monitoring Unit: "Market Monitoring Unit" shall have the same meaning in this ISO Services Tariff as it has in the Market Monitoring Plan that is set forth in Attachment O to this Services Tariff.

Market Participant: An entity, excluding the ISO, that produces, transmits, sells, and/or purchase for resale Unforced Capacity, Energy or Ancillary Services in the Wholesale Market. Market Participants include: Transmission Customers under the ISO OATT, Customers under the ISO Services Tariff, Power Exchanges, Transmission Owners, Primary Holders, LSEs, Suppliers and their designated agents. Market Participants also include entities buying or selling TCCs.

Market Problem: An issue which requires notification to Market Participants, the Commission and the Market Monitoring Unit pursuant to Section 3.5.1 of this Services Tariff. It includes market design flaws, software implementation and modeling anomalies or errors, market data anomalies or errors, and economic inefficiencies that have a material effect on the ISO-administered markets or transmission service. The term does not include erroneous Energy or Ancillary Services prices (which are managed through procedures outlined in Attachment E to the Services Tariff) or erroneous customer settlements.

Market Services: Services provided by the ISO under the ISO Services Tariff related to the ISO Administered Markets for Energy, Capacity and Ancillary Services.

Member Systems: The eight Transmission Owners that comprised the membership of the New York Power Pool, which are: (1) Central Hudson Gas & Electric Corporation, (2) Consolidated Edison Company of New York, Inc., (3) New York State Electric & Gas Corporation, (4)

Niagara Mohawk Power Corporation d/b/a National Grid, (5) Orange and Rockland Utilities, Inc., (6) Rochester Gas and Electric Corporation, (7) the Power Authority of the State of New York, and (8) Long Island Lighting Company d/b/a Long Island Power Authority.

Minimum Generation Bid: A two-parameter Bid that identifies the minimum operating level a Supplier requires to operate a Generator, and the payment a Supplier requires to operate its Generator at that level, or the minimum quantity of Demand Reduction a Demand Side Resource requires to provide Demand Reduction and the payment the Supplier requires to provide that level of Demand Reduction.

Minimum Generation Level: For purposes of describing the eligibility of ten minute Resources to be committed by the Real Time Dispatch for pricing purposes pursuant to the Services Tariff, Section 4.4.3.3, an upper bound, established by the ISO, on the physical minimum generation limits specified by ten minute Resources. Ten minute Resources with physical minimum generation limits that exceed this upper bound will not be committed by the Real Time Dispatch for pricing purposes. The ISO shall establish a Minimum Generation Level based on its evaluation of the extent to which it is meeting its reliability criteria including Control Performance. The Minimum Generation Level, in megawatts, and the ISO's rationale for that level, shall be made available through the ISO's website or comparable means.

Minimum Payment Nomination: An offer, submitted by a Responsible Interface Party, in dollars per Megawatt-hour and not to exceed $500 per Megawatt-hour, to reduce Load equal to the Installed Capacity Equivalent of the amount of Unforced Capacity a Special Case Resource is supplying to the NYCA.

Mitigated Capacity Zone: New York City and any Locality added to the definition of "Locality" accepted by the Commission on or after March 31, 2013.

Modified Wheeling Agreement ("MWA"): A Transmission Wheeling Agreement between Transmission Owners that was in existence at the time of ISO start-up, as amended and modified as described in Attachment K. Modified Wheeling Agreements are associated with Generators or power supply contracts existing at ISO start-up. All Modified Wheeling Agreements are listed in Attachment L, Table 1A, and are designated in the "Treatment" column of Table 1A, as "MWA".

Monthly Auction: An auction administered by the ISO pursuant to Section 5.13.3 of the ISO Services Tariff.

Monthly Average Coincident Load ("Monthly ACL"): Beginning with the Summer 2014 Capability Period, the Load value calculated for each month during a Capability Period applicable to a Special Case Resource with a reported Incremental Average Coincident Load. The Monthly ACL is an average of the SCR's metered hourly Load that is supplied by the NYS Transmission System and/or the distribution system and reported for the Monthly SCR Load Zone Peak Hours applicable to such SCR. The calculation and verification data reporting requirements are provided in Section 5.12.11.1.5 of this Services Tariff and ISO Procedures. Any Load supported by generation produced from a Local Generator, other behind-the-meter generator, or other supply source located behind the meter operating during the Monthly SCR

Zone Load Peak Hours may not be included in the metered Load values reported for the Monthly ACL.

Monthly SCR Load Zone Peak Hours: Beginning with the Summer 2014 Capability Period, the top forty (40) coincident peak hours for each month within a Capability Period that include hour beginning eleven through hour beginning nineteen as identified by the ISO for each Load Zone; provided, however, that such hours shall not include (i) hours in which Special Case Resources located in the specific Load Zone were called by the ISO to respond to a reliability event or test, (ii) hours for which the Emergency Demand Response Program resources were deployed by the ISO in each specific Load Zone and (iii) in descending rank order of NYCA Load up to a maximum of eight hours per month, a) the hour before the start time of a reliability event or performance test, in which SCRs located in the specific Load Zone were called by the ISO to respond to a reliability event or performance test, or b) the hour immediately following the end time of such reliability event or performance test.

Mothball Outage: The outage state in which a Market Participant's Generator is voluntarily removed from service on or after May 1, 2015, with applicable prior notice, for reasons not related to equipment failure. A Generator in Mothball Outage is subject to the return-to-service provisions in Section 5.18.4 of this Services Tariff and is ineligible to participate in the Installed Capacity market.

2.15 Definitions - O

Obligation Procurement Period: The period of time for which LSEs shall be required to satisfy their Unforced Capacity requirements. Starting with the 2001-2002 Winter Capability Period, Obligation Procurement Periods shall be one calendar month in duration and shall begin on the first day of each calendar month.

Off-Peak: The hours between 11 p.m. and 7 a.m., prevailing Eastern Time, Monday through Friday, and all day Saturday and Sunday, and NERC-defined holidays, or as otherwise decided by the ISO.

Offeror: An entity that offers to sell Unforced Capacity in an auction.

On-Peak: The hours between 7 a.m. and 11 p.m. inclusive, prevailing Eastern Time, Monday through Friday, except for NERC-defined holidays, or as otherwise decided by the ISO.

Open Access Same-Time Information System ("OASIS"): The information system and standards of conduct contained in Part 37 of the Commission's regulations and all additional requirements implemented by subsequent Commission orders dealing with OASIS.

Operating Agreement: An agreement between the ISO and a non-incumbent owner of transmission facilities in the New York Control Area concerning the operation of the transmission facilities in the form of the agreement set forth in Appendix H (Section 31.11) of Attachment Y of the OATT.

Operating Capacity: Capacity that is readily converted to Energy and is measured in MW.

Operating Committee: A standing committee of the ISO created pursuant to the ISO Agreement, which coordinates operations, develops procedures, evaluates proposed system expansions and acts as a liaison to the NYSRC.

Operating Data: Pursuant to Section 5.12.5 of this Tariff, Operating Data shall mean GADS Data, data equivalent to GADS Data, CARL Data, metered Load data, or actual system failure occurrences data, all as described in the ISO Procedures.

Operating Requirement: The amount calculated in accordance with Section 26.4.2 of Attachment K to this Services Tariff.

Operating Reserves : Capacity that is available to supply Energy or reduce demand and that meets the requirements of the ISO. The ISO will administer Operating Reserves markets, in the manner described in this Article 4 and Rate Schedule 4 of this ISO Services Tariff, to satisfy the various Operating Reserves requirements, including locational requirements, established by the Reliability Rules and other applicable reliability standards. The basic Operating Reserves products that will be procured by the ISO on behalf of the market are classified as follows:

(1) Spinning Reserve: Operating Reserves provided by Generators and Demand Side Resources that meet the eligibility criteria set forth in Rate Schedule 4 of this ISO

Services Tariff that are already synchronized to the NYS Power System and can respond to instructions to change their output level, or reduce their Energy usage, within ten (10) minutes. Spinning Reserves may not be provided by Demand Side Resources that are Local Generators;

(2) 10-Minute Non-Synchronized Reserve: Operating Reserves provided by Generators, or Demand Side Resources, including Demand Side Resources using Local Generators, that meet the eligibility criteria set forth in Rate Schedule 4 of this ISO Services Tariff and that can be started, synchronized and can change their output level within ten (10) minutes; and

(3) 30-Minute Reserve: Synchronized Operating Reserves provided by Generators and Demand Side Resources that are not Local Generators; or non-synchronized Operating Reserves provided by Generators or Demand Side Resources that meet the eligibility criteria set forth in Rate Schedule 4 of this ISO Services Tariff and that can respond to instructions to change their output level within thirty (30) minutes, including starting and synchronizing to the NYS Power System.

Operating Reserve Demand Curve: A series of quantity/price points that defines the maximum Shadow Price for Operating Reserves meeting a particular Operating Reserve requirement corresponding to each possible quantity of Resources that the ISO's software may schedule to meet that requirement. A single Operating Reserve Demand Curve will apply to both the Day-Ahead Market and the Real-Time Market for each of the ISO's twelve Operating Reserve requirements.

Operating Study Power Flow: A Power Flow analysis that is performed at least once before each Capability Period that is used to determine each Interface Transfer Capability for the Capability Period (See Attachment M to the ISO OATT).

Operational Control: Directing the operation of the Transmission Facilities Under ISO Operational Control to maintain these facilities in a reliable state, as defined by the Reliability Rules. The ISO shall approve operational decisions concerning these facilities, made by each Transmission Owner before the Transmission Owner implements those decisions. In accordance with ISO Procedures, the ISO shall direct each Transmission Owner to take certain actions to restore the system to the Normal State. Operational Control includes security monitoring, adjustment of generation and transmission resources, coordination and approval of changes in transmission status for maintenance, determination of changes in transmission status for reliability, coordination with other Control Areas, voltage reductions and Load Shedding, except that each Transmission Owner continues to physically operate and maintain its facilities, including those facilities that it has agreed to operate and maintain in accordance with an operation and maintenance agreement.

Optimal Power Flow ("OPF"): The Power Flow analysis that is performed during the administration of the Centralized TCC Auction to determine the most efficient simultaneously feasible allocation of TCCs to Bidders (See Attachment M to the ISO OATT).

Order Nos. 888 et seq.: The Final Rule entitled Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities; Recovery of

Stranded Costs by Public Utilities and Transmitting Utilities, issued by the Commission on April 24, 1996, in Docket Nos. RM95-8-000 and RM94-7-001, as modified on rehearing, or upon appeal. (See FERC Stats. & Regs. [Regs. Preambles January 1991 - June 1996] ¶ 31,036 (1996) ("Order No. 888"), on reh'g, III FERC Stats. & Regs. ¶ 31,048 (1997) ("Order No. 888-A"), on reh'g, 81 FERC ¶ 61,248 (1997) ("Order No. 888-B"), order on reh'g, 82 FERC ¶ 61,046 (1998) ("Order No. 888-C")).

Order Nos. 889 et seq.: The Final Rule entitled Open Access Same-Time Information System (formerly Real- Time Information Networks) and Standards of Conduct, issued by the Commission on April 24, 1996, in Docket No. RM95-9-000, as modified on rehearing, or upon appeal. (See FERC Stats. & Regs. [Regs. Preambles 1991-1996] ¶ 31,035 (1996) ("Order No. 889"), on reh'g, III FERC Stats. & Regs. ¶ 31,049 (1997) ("Order No. 889-A"), on reh'g, 81 FERC ¶ 61,253 (1997) ("Order No. 889-B")).

Original Residual TCC: A TCC converted from Residual Transmission Capacity estimated prior to the first Centralized TCC Auction and allocated among the Transmission Owners utilizing the Interface MW-Mile Methodology prior to the first Centralized TCC Auction.

Out-of-Merit: The designation of Resources committed and/or dispatched by the ISO at specified output limits for specified time periods to meet Load and/or reliability requirements that differ from or supplement the ISO's security constrained economic commitment and/or dispatch.

2.16 Definitions - P

Performance Index: An index, described in ISO Procedures, that tracks a Generator's response to AGC signals from the ISO.

Performance Tracking System: A system designed to report metrics for Generators and Loads which include but are not limited to actual output and schedules. This system is used by the ISO to measure compliance with criteria associated with the provision of Energy and Ancillary Services.

Point-to-Point Transmission Service: The reservation and transmission of Capacity and Energy on a firm basis from the Point(s) of Receipt to the Point(s) of Delivery under the ISO Tariffs.

Point(s) of Delivery: Point(s) on the NYS Transmission System or Proxy Generator Buses where Energy transmitted by the ISO will be made available to the Transmission Customer under the OATT. The Point(s) of Delivery shall be specified pursuant to ISO Procedures.

Point(s) of Injection ("POI" or "Point of Receipt"): The point(s) on the NYS Transmission System or Proxy Generator Buses where Energy, Capacity and Ancillary Services will be made available to the ISO by the delivering party under the ISO OATT or the ISO Services Tariff. (May be referred to as "Point of Receipt" or similar in some Existing Transmission Agreements.)

Point(s) of Receipt: Point(s) of interconnection on the NYS Transmission System or Proxy Generator Buses where Energy will be made available to the ISO by the Transmission Customer under the OATT. The Point(s) of Receipt shall be specified pursuant to ISO Procedures.

Point(s) of Withdrawal ("POW" or "Point of Delivery"): The point(s) on the NYS Transmission System or Proxy Generator Buses where Energy, Capacity and Ancillary Services will be made available to the receiving party under the ISO OATT or the ISO Services Tariff. (May be referred to as "Point of Delivery" or similar in some Existing Transmission Agreements.)

Pool Control Error ("PCE"): The difference between the actual and scheduled interchange with other Control Areas, adjusted for frequency bias.

Post Contingency: Conditions existing on a system immediately following a Contingency.

Power Exchange ("PE"): A commercial entity meeting the requirements for service under the ISO OATT or the ISO Services Tariff that facilitates the purchase and/or sale of Energy, Unforced Capacity and/or Ancillary Services in a New York Wholesale Market. A PE may transact with the ISO on its own behalf or as an agent for others.

Power Factor: The ratio of real power to apparent power (the product of volts and amperes, expressed in megavolt-amperes, MVA).

Power Factor Criteria: Criteria to be established by the ISO to monitor a Load's use of Reactive Power.

Power Flow: A simulation which determines the Energy flows on the NYS Transmission System and adjacent transmission systems.

Price Adjustment: For each month in the Prior Equivalent Capability Period, the Price Adjustment equals the quotient of dividing (a) the Henry Hub futures gas price for the like month in the succeeding same-season Capability Period by (b) the average Henry Hub spot gas price for that month in the Prior Equivalent Capability Period.

Primary Holder: A Primary Holder of each TCC is the Primary Owner of that TCC or the party that purchased that TCC at the close of the Centralized TCC Auction. With respect to each TCC, a Primary Holder must be: (1) a Transmission Customer that has purchased the TCC in the Centralized TCC Auction, and that has not resold it in that same Auction; (2) a Transmission Customer that has purchased the TCC in a Direct Sale with another Transmission Customer; (3) the Primary Owner who has retained the TCC; or (4) Primary Owners of the TCC that allocated the TCC to certain customers or sold it in the Secondary Market or sold through a Direct Sale to an entity other than a Transmission Customer. The ISO settles Day-Ahead Congestion Rents pursuant to Attachments M and N to the ISO OATT with the Primary Holder of each TCC.

Primary Owner: The Primary Owner of each TCC is the Transmission Owner or other Transmission Customer that has acquired the TCC through conversion of rights under an Existing Transmission Agreement to Grandfathered TCCs (in accordance with Attachment K of the ISO OATT), or through the conversion of Existing Transmission Agreements upon their expiration (in accordance with Attachment B), or the Transmission Owner or Member System that acquired the TCC through the ISO's allocation of Original Residual TCCs or through the conversion of ETCNL or an RCRR.

Prior Equivalent Capability Period: The previous same-season Capability Period.

Provisional Average Coincident Load ("Provisional ACL"): Prior to the Summer 2014 Capability Period, the value that may be used in lieu of Average Coincident Load for an eligible Special Case Resource for a maximum duration no greater than three consecutive Capability Periods and only where the SCR (i) has not previously been enrolled with the ISO and (ii) never had interval metering Load data available from the Prior Equivalent Capability Period. Beginning with the Summer 2014 Capability Period, the value that may be used in lieu of ACL for an eligible SCR as provided in Section 5.12.11.1.2 of this Services Tariff. A SCR's Provisional ACL is verified subsequent to each eligible Capability Period pursuant to calculations using the SCR's metered Load values in accordance with Sections 5.12.11.1.1 and 5.12.11.1.2 of this Services Tariff and ISO Procedures. Any Load supported by generation produced from a Local Generator, other behind-the-meter generator, or other supply source located behind the SCR's meter operating during the applicable Capability Period SCR Load Zone Peak Hours may not be included in the SCR's metered Load values reported for the verification of its Provisional ACL.

Proxy Generator Bus: A proxy bus located outside the NYCA that is selected by the ISO to represent a typical bus in an adjacent Control Area and at which LBMP prices are calculated. The ISO may establish more than one Proxy Generator Bus at a particular Interface with a

neighboring Control Area to enable the NYISO to distinguish the bidding, treatment and pricing of products and services at the Interface.

PSC: The Public Service Commission of the State of New York or any successor agency thereto.

PSL: The New York Public Service Law, Public Service Law § 1 et seq. (McKinney 1989 & Supp. 1997-98).

Public Power Entity: An entity which is either (i) a public authority or corporate municipal instrumentality, including a subsidiary thereof, created by the State of New York that owns or operates generation or transmission and that is authorized to produce, transmit or distribute electricity for the benefit of the public, or (ii) a municipally owned electric system that owns or controls distribution facilities and provides electric service, or (iii) a cooperatively owned electric system that owns or controls distribution facilities and provides electric service.

2.18 Definitions - R

Ramp Capacity: The amount of change in the Desired Net Interchange that generation located in the NYCA can support at any given time. Ramp capacity may be calculated for all Interfaces between the NYCA and neighboring Control Areas as a whole or for any individual Interface between the NYCA and an adjoining Control Area.

RCRR TCC: A zone-to-zone TCC created when a ~~Transmission Owner~~Member System with a RCRR exercises its right to convert the RCRR into a TCC pursuant to Section 19.5.4 of Attachment M of the ISO OATT.

Reactive Power (MVAr): The product of voltage and the out-of-phase component of alternating current. Reactive Power, usually measured in MVAr, is produced by capacitors (synchronous condensers), Qualified Non-Generator Voltage Support Resources, and over-excited Generators and absorbed by reactors or under-excited Generators and other inductive devices including the inductive portion of Loads.

Real Power Losses: The loss of Energy, resulting from transporting power over the NYS Transmission System, between the Point of Injection and Point of Withdrawal of that Energy.

Real-Time Bid: A Bid submitted into the Real-Time Commitment before the close of the Real-Time Scheduling Window. A Real-Time Bid shall also include a CTS Interface Bid.

Real-Time Commitment ("RTC"): A multi-period security constrained unit commitment and dispatch model that co-optimizes to solve simultaneously for Load, Operating Reserves and Regulation Service on a least as-bid production cost basis over a two hour and fifteen minute optimization period. The optimization evaluates the next ten points in time separated by fifteen minute intervals. Each RTC run within an hour shall have a designation indicating the time at which its results are posted; "$RTC_{00,}$" "$RTC_{15,}$" "$RTC_{30,}$" and "RTC_{45}" post on the hour, and at fifteen, thirty, and forty-five minutes after the hour, respectively. Each RTC run will produce binding commitment instructions for the periods beginning fifteen and thirty minutes after its scheduled posting time and will produce advisory commitment guidance for the remainder of the optimization period. RTC_{15} will also establish hourly External Transaction schedules, while all RTC runs may establish 15 minute External Transaction schedules at Variably Scheduled Proxy Generator Buses. Additional information about RTC's functions is provided in Section 4.4.2 of this ISO Services Tariff.

Real-Time Dispatch ("RTD"): A multi-period security constrained dispatch model that co-optimizes to solve simultaneously for Load, Operating Reserves, and Regulation Service on a least-as-bid production cost basis over a fifty, fifty-five or sixty-minute period (depending on when each RTD run occurs within an hour). The Real-Time Dispatch dispatches, but does not commit, Resources, except that RTD may commit, for pricing purposes, Resources meeting Minimum Generation Levels and capable of starting in ten minutes. RTD may also establish 5 minute External Transaction schedules at Dynamically Scheduled Proxy Generator Buses. Real-Time Dispatch runs will normally occur every five minutes. Additional information about RTD's functions is provided in Section 4.4.3 of this ISO Services Tariff. Throughout this ISO

Services Tariff the term "RTD" will normally be used to refer to both the Real-Time Dispatch and to the specialized Real-Time Dispatch Corrective Action Mode software.

Real-Time Dispatch–Corrective Action Mode ("RTD-CAM"): A specialized version of the Real-Time Dispatch software that will be activated when it is needed to address unanticipated system conditions. RTD-CAM is described in Section 4.4.4 of this ISO Services Tariff.

Real-Time LBMP: The LBMPs established through the ISO Administered Real-Time Market.

Real-Time Market: The ISO Administered Markets for Energy and Ancillary Services resulting from the operation of the RTC and RTD.

Real-Time Minimum Run Qualified Gas Turbine: One or more gas turbines, offered in the Real-Time Market, which, because of their physical operating characteristics, may qualify for a minimum run time of two hours in the Real-Time Market. Characteristics that qualify gas turbines for this treatment are established by ISO Procedures and include using waste heat from the gas turbine-generated electricity to make steam for the generation of additional electricity via a steam turbine.

Real-Time Scheduled Energy: The quantity of Energy that a Supplier is directed to inject or withdraw in real-time by the ISO. Injections are indicated by positive Base Point Signals and withdrawals are indicated by negative Base Point Signals. Unless otherwise directed by the ISO, Dispatchable Supplier's Real-Time Scheduled Energy is equal to its RTD Base Point Signal, or, if it is providing Regulation Service, to its AGC Base Point Signal, and an ISO Committed Fixed or Self-Committed Fixed Supplier's Real-Time Scheduled Energy is equal to its bid output level in real-time.

Real-Time Scheduling Window: The period of time within which the ISO accepts offers and bids to sell and purchase Energy and Ancillary Services in the Real-Time Market for a given hour which period closes seventy-five (75) minutes before the start of that hour, or eighty-five (85) minutes before the start of that hour for Bids to schedule External Transactions at the Proxy Generator Buses associated with the Cross-Sound Scheduled Line, the Neptune Scheduled Line, the Linden VFT Scheduled Line, or the HTP Scheduled Line.

Reconfiguration Auction: The monthly auction administered by the ISO in which Market Participants may purchase and sell one-month TCCs.

Reference Bus: The location on the NYS Transmission System relative to which all mathematical quantities, including Shift Factors and penalty factors relating to physical operation, will be calculated. The NYPA Marcy 345 kV transmission substation is designated as the Reference Bus.

Regulation Capacity: The Energy or Demand Reduction capability, measured in MW, that a Regulation Service provider offers and/or which it is scheduled to provide for Regulation Service.

Regulation Capacity Market Price: The price for Regulation Capacity determined by the ISO pursuant to section 15.3 of this Services Tariff.

Regulation Capacity Response Rate: The Regulation Capacity a Resource is capable of providing over five minutes, measured in MW/minute which shall not exceed the lowest normal energy response rate provided for the Resource and which must be sufficient to permit that Resource to provide the Regulation Capacity (in MW) offered within a five-minute RTD interval. Reference to a Regulation response rate shall be a reference to the Regulation Capacity Response Rate.

Regulation Movement: The absolute value of the change in Energy or Demand Reduction over a six second interval, measured in MW, that a Regulation Service provider is instructed to deliver for the purpose of providing Regulation Service.

Regulation Movement Market Price: The price for Regulation Movement as determined by the ISO pursuant to section 15.3 of this Services Tariff.

Regulation Movement Multiplier: A factor with the value of thirteen (13), used with the Regulation Movement Bids, to schedule Regulation Service providers in both the Day-Ahead and Real-Time Energy markets. The ISO calculates the Regulation Movement Multiplier based on the historical relationship between the number of MW of Regulation Capacity that the ISO seeks to maintain in each hour and the number of Regulation Movement MW instructed by AGC in each hour.

Regulation Movement Response Rate: The amount of Regulation Movement a Regulation Service provider is capable of delivering in six seconds which shall not be less than, but can be equal to or greater than, the Regulation Capacity Response Rate equivalent.

Regulation Service: The Ancillary Service defined by the Commission as "frequency regulation" and that is instructed as Regulation Capacity in the Day-Ahead Market and as Regulation Capacity and Regulation Movement in the Real-Time Market as is further described in Section 15.3 of the Services Tariff. Day-Ahead and Real-Time Bids to provide Regulation Service shall include a Bid for Regulation Capacity and a Bid for Regulation Movement. The Regulation Service requirement or target level shall be for MW of Regulation Capacity.

Regulation Service Demand Curve: A series of quantity/price points that defines the maximum Shadow Price for Regulation Service corresponding to each possible quantity of Resources that the ISO's software may schedule to satisfy the ISO's Regulation Service constraint. A single Regulation Service Demand Curve will apply to both the Day-Ahead Market and the Real-Time Market for Regulation Service. The Shadow Price for Regulation Service shall be used to calculate Regulation Service payments under Rate Schedule 3 of this ISO Services Tariff.

Regulation Revenue Adjustment Charge ("RRAC"): A charge that will be assessed against certain Generators that are providing Regulation Service under Section 15.3.6 of Rate Schedule 3 to this ISO Services Tariff.

Regulation Revenue Adjustment Payment ("RRAP"): A payment that will be made to certain Generators that are providing Regulation Service under Section 15.3.6 of Rate Schedule 3 to this ISO Services Tariff.

Reliability Rules: Those rules, standards, procedures and protocols developed and promulgated by the NYSRC, including Local Reliability Rules, in accordance with NERC, NPCC, FERC, PSC and NRC standards, rules and regulations and other criteria and pursuant to the NYSRC Agreement.

Repair Plan: A work plan, set of actions, and time frame for such actions, that is necessary to repair a Generator and return it to service as described in Section 5.18.1 of this Services Tariff**.**

Required System Capability: Generation capability required to meet an LSE's peak Load plus Installed Capacity Reserve obligation as defined in the Reliability Rules.

Reserve Performance Index: An index created by the ISO for the purpose of calculating the Day Ahead Margin Assurance Payment pursuant to Attachment J of this Services Tariff made to Demand Side Resources scheduled to provide Operating Reserves in the Day-Ahead Market.

Residual Adjustment: The adjustment made to ISO costs that are recovered through Schedule 1 of the OATT. The Residual Adjustment is calculated pursuant to Schedule 1 of the OATT.

Residual Capacity Reservation Right ("RCRR"): A megawatt of transmission Capacity from one Load Zone to an electrically contiguous Load Zone, each of which is internal to the NYCA, that may be converted into an RCRR TCC by a ~~Transmission Owner~~Member System allocated the RCRR pursuant to Section 19.5 of Attachment M of the ISO OATT.

Residual Transmission Capacity: The transmission capacity determined by the ISO before, during and after the Centralized TCC Auction which is conceptually equal to the following:

Residual Transmission Capacity = TTC - TRM - CBM - GTR - GTCC - ETCNL

The TCCs associated with Residual Transmission Capacity cannot be accurately determined until the Centralized TCC Auction is conducted.

TTC is the Total Transfer Capability that can only be determined after the Residual Transmission Capacity is known.

GTR is the transmission capacity associated with Grandfathered Rights.

GTCC is the transmission capacity associated with Grandfathered TCCs.

ETCNL is the transmission capacity associated with Existing Transmission Capacity for Native Load.

TRM is the Transmission Reliability Margin.

CBM is the Capacity Benefit Margin.

Resource: An Energy Limited Resource, Generator, Installed Capacity Marketer, Special Case Resource, Intermittent Power Resource, Limited Control Run of River Hydro Resource, municipally-owned generation, System Resource, Demand Side Resource or Control Area System Resource.

Responsible Interface Party ("RIP"): A Customer that is authorized by the ISO to be the Installed Capacity Supplier for one or more Special Case Resources and that agrees to certain notification and other requirements as set forth in this Services Tariff and in the ISO Procedures.

Rest of State: The set of all non-Locality NYCA LBMP Load Zones. As of the 2014/2015 Capability Year, Rest of State includes all NYCA LBMP Load Zones other than LBMP Load Zones G, H, I, J and K.

Retired: A Generator that has permanently ceased operating on or after May 1, 2015 either: i) pursuant to applicable notice; or ii) as a result of the expiration of its Mothball Outage or of its ICAP Ineligible Forced Outage.

RMR Agreement: shall have the meaning specified in Section 1.18 of the ISO's Open Access Transmission Tariff.

RMR Avoidable Costs: shall have the meaning specified in Section 1.18 of the ISO's Open Access Transmission Tariff.

RMR Generator: shall have the meaning specified in Section 1.18 of the ISO's Open Access Transmission Tariff.

Rolling RTC: The RTC run that is used to schedule a given 15-minute External Transaction. The Rolling RTC may be an RTC00, RTC15, RTC30 or RTC45 run.

2.20 Definitions - T

Tangible Net Worth: The value, determined by the ISO, of all of a Customer's assets less both: (i) the amount of the Customer's liabilities and (ii) all of the Customer's intangible assets, including, but not limited to, patents, trademarks, franchises, intellectual property, and goodwill.

Testing Period: An ISO approved period of time during which a Generator is testing equipment and during which unstable operation prevents the unit from accurately following its base points.

Third Party Transmission Wheeling Agreements ("Third Party TWAs"): A Transmission Wheeling Agreement, as amended, between Transmission Owners or between a Transmission Owner and an entity that is not a Transmission Owner. Third Party TWAs are associated with the purchase (or sale) of Energy, Capacity, and/or Ancillary Services for the benefit of an entity that is not a Transmission Owner. All Third Party TWAs are listed in Table 1 A of Attachment L to the ISO OATT, and are designated in the "Treatment "column of Table 1A, as "Third Party TWA."

Total Transfer Capability ("TTC"): The amount of electric power that can be transferred over the interconnected transmission network in a reliable manner**.**

Trading Hub: A virtual location in a given Load Zone, modeled as a Generator bus and/or Load bus, for scheduling Bilateral Transactions in which both the POI and POW are located within the NYCA.

Trading Hub Energy Owner: A Customer who buys energy in a Bilateral Transaction in which the POW is a Trading Hub, or who sells energy in a Bilateral Transaction in which the POI is a Trading Hub.

Transaction: The purchase and/or sale of Energy or Capacity, or the sale of Ancillary Services. A Transaction bid into the Energy market to sell or purchase Energy or to schedule a Bilateral Transaction includes a Point of Injection and a Point of Withdrawal.

Transfer Capability: The measure of the ability of interconnected electrical systems to reliably move or transfer power from one area to another over all transmission facilities (or paths) between those areas under specified system conditions.

Transmission Congestion Contract Component ("TCC Component"): A component of the Operating Requirement, calculated in accordance with Section 26.4.2 of Attachment K to this Services Tariff.

Transmission Congestion Contracts ("TCCs"): The right to collect or obligation to pay Congestion Rents in the Day-Ahead Market for Energy associated with a single MW of transmission between a specified POI and POW. TCCs are financial instruments that enable Energy buyers and sellers to hedge fluctuations in the price of transmission.

Transmission Customer: Any entity (or its designated agent) that requests or receives Transmission Service pursuant to a Service Agreement and the terms of the ISO OATT.

Transmission District: The geographic area ~~served by the Investor-Owned~~ in which a Transmission Owner~~s and~~, including LIPA, is obligated to serve Load, as well as the customers directly interconnected with the transmission facilities of the Power Authority of the State of New York.

Transmission Facilities Under ISO Operational Control: The transmission facilities of the Transmission Owners listed in Appendix A-1 of the ISO/TO Agreement~~,~~ (“~~"~~Listing of Transmission Facilities Under ISO Operational Control~~,"~~”) and listed in Appendix A-1 of an Operating Agreement (“NTO Transmission Faciilities Under ISO Operational Control”) that are subject to the Operational Control of the ISO. This listing may be amended from time-to-time as specified in the ISO/TO Agreement and Operating Agreements.

Transmission Facilities Requiring ISO Notification: The transmission facilities of the Transmission Owners listed in Appendix A-2 of the ISO/TO Agreement~~,~~ (“~~"~~Listing of Transmission Facilities Requiring ISO Notification”~~"~~) and listed in Appendix A-2 of an Operating Agreement (“NTO Transmission Facilities Requiring ISO Notification”) whose status of operation must be provided to the ISO by the Transmission Owners (for the purposes stated in the ISO Tariffs and in accordance with the ISO Tariffs, ~~and~~ ISO/TO Agreement, and/or Operating Agreements) prior to the Transmission Owners making operational changes to the state of these facilities. This listing may be amended from time-to-time as specified in the ISO/TO Agreement and Operating Agreements.

Transmission Facility Agreement (“TFA”): Agreements governing the use of specific or designated transmission facilities charges to cover all, or a portion, of the costs to install, own, operate, or maintain transmission facilities, to the customer under the agreement and that have provisions to provide Transmission Service utilizing said transmission facilities. All Transmission Facility Agreements are listed in Attachment L. Table 1A, and are designated in the “Treatment” column as “Facility Agmt. – MWA.”

Transmission Fund ("T-Fund"): The mechanism used under the current NYPP Agreement to compensate the Member Systems for providing Transmission Service for economy Energy Transactions over their transmission systems. Each Member System is allocated a share of the economy Energy savings in dollars assigned to the fund that is based on the ratio of their investment in transmission facilities to the sum of investments in transmission and generation facilities.

Transmission Owner: The public utility or authority (or its designated agent) that owns facilities used for the transmission of Energy in interstate commerce and provides Transmission Service under the Tariff.

Transmission Owner’s Monthly Transmission System Peak: The maximum hourly firm usage as measured in megawatts (“MW”) of the Transmission Owner’s transmission system in a calendar month.

Transmission Reliability Margin (“TRM”): The amount of TTC reserved by the ISO to ensure the interconnected transmission network is secure under a reasonable range of uncertainties in system conditions.

Transmission Service: Point-To-Point Network Integration or Retail Access Transmission Service provided under the ISO OATT.

Transmission Service Charge ("TSC"): A charge designed to ensure recovery of the embedded cost of a ~~Transmission Owner's~~ transmission system owned by a Member System.

Transmission Shortage Cost: A series of quantity/price points that defines the maximum Shadow Price of a particular Constraint that will be used in calculating LBMP. The Transmission Shortage Costs are set at $350/MWh for shortages above zero and less than or equal to 5MW, $2350/MWh for shortages above 5MW and less than or equal to 20MW, and $4000/MWh for shortages above 20MW.

Transmission System: The facilities operated by the ISO that are used to provide Transmission Services under the ISO OATT.

Transmission Usage Charge ("TUC"): Payments made by the Transmission Customer to cover the cost of Marginal Losses and, during periods of time when the transmission system is constrained, the marginal cost of Congestion. The TUC is equal to the product of: (1) the LBMP at the POW minus the LBMP at the POI (in $/MWh); and (2) the scheduled or delivered Energy (in MWh).

Transmission Wheeling Agreement ("TWA"): The Agreements listed in Table 1A of Attachment L to the ISO OATT governing the use of specific or designated transmission facilities that are owned, controlled or operated by an entity for the transmission of Energy in interstate commerce. TWAs between Transmission Owners have been modified such that all TWAs between Transmission Owners are now MWAs.

3.1 Effectiveness

The ISO Services Tariff shall become effective on the latest of: (i) Commission approval of: (a) the ISO OATT, (b) the ISO Services Tariff, (c) the ISO Agreement, (d) the NYSRC Agreement, (e) the ISO/NYSRC Agreement, and (f) the ISO/TO Agreement ~~(collectively, the "ISO Tariffs" and "ISO Related Agreements")~~; (ii) the date on which both the Commission and the PSC grant all necessary approvals to the ~~Transmission Owners~~Member Systems to transfer Operational Control of any facilities to the ISO or otherwise dispose of any of their property, including, without limitation, those approvals required under Section 70 of the New York Public Service Law ("PSL") and Section 203 of the Federal Power Act ("FPA"); (iii) the last date that any other approval or authorization is received, to the extent such additional approval or authorization is necessary; (iv) execution of the ISO Related Agreements with the exception of any Operating Agreement; or (v) such later date specified by the Commission.

5.3 Control Center Operation

The ISO will maintain and operate a control center in order to monitor the power flows on and across the NYCA, coordinate the flow of electricity within the NYCA, respond to Emergency situations, monitor power flows between the NYCA and neighboring Control Areas and maintain reliability.

5.3.1 Back-Up Operation

The ISO shall develop Back-Up Operation procedures that will carry out the intent and purposes of this ISO Services Tariff, to the extent practical, in circumstances under which the normal communications or computer systems of the ISO are not fully functional. Such procedures shall include testing requirements and training for the ISO staff, Transmission Owner staff, and Market Participants. If a communication or computer system malfunction results in the ISO's inability to operate the NYCA in accordance with ISO Procedures or under approved testing procedures, the ISO will direct the Transmission Owners to assume the responsibility to operate their respective systems, including facilities that a Transmission Owner has agreed to operate and maintain in accordance with an operation and maintenance agreement, in accordance with Good Utility Practice to facilitate the operation of the NYCA in a safe and reliable manner. The Transmission Owners will continue to operate their respective systems, including facilities that a Transmission Owner has agreed to operate and maintain in accordance with an operation and maintenance agreement, until such time that the ISO is ready to resume control. During Back-Up Operation, the Transmission Owner control centers will operate to maintain the Desired Net Interchange ("DNI") within each Transmission District. Generator Bid curves will be provided by the ISO to the individual Transmission Owners in order to permit dispatch by the Transmission Owners subject to the Transmission Owner code of conduct to the extent

applicable. Normal Day-Ahead Market and Real-Time Market operations may be halted, if required.

5.3.2 Market Participant and Customer Obligations

During Back-Up Operation, Customers and other Market Participants shall comply with any and all instructions and orders issued by the ISO or the Transmission Owners.

5.3.3 Billing and Settlement

In the event that Back-Up Operation is implemented, the billing and settlement procedures contained in Article 7 of this ISO Services Tariff shall apply only to the extent they can be implemented under the Back-Up Operation procedures. The ISO will follow specific billing and settlement procedures for use under these specific circumstances that required Back-Up Operation. The ISO shall gather necessary information, manually reconstruct the billing information as soon as practical, and submit invoices to Customers. The ISO shall be under no obligation to comply with the billing procedure time limits specified in Article 7. Neither the ISO nor the Transmission Owners shall be liable, under any circumstances, for any economic losses suffered by any Customer, Market Participant, or third party, resulting from the implementation by the ISO of Back-Up Operation, or from compliance with orders issued by the ISO or Transmission Owners that were necessary to operate the NYCA in a safe and reliable manner. Such orders may include, without limitation, instructions to generation facilities to increase or decrease output, and instructions to Load to reduce or interrupt service.

12 Liability and Indemnification

12.1 Force Majeure

The ISO, the NYSRC, the Transmission Owners and any Customer or Market Participant shall not be considered to be in default or breach under the ISO Services Tariff or a Service Agreement, and shall be excused from performance, or liability for damages to any other party, if and to the extent it shall be delayed in or prevented from performing or carrying out any of the provisions of the ISO Services Tariff or a Service Agreement, except the obligation to pay any amount when due, arising out of or from any act, omission or circumstance occasioned by or in consequence of any act of God, labor disturbance, failure of contractors or suppliers of materials, act of the public enemy, war, invasion, insurrection, riot, fire, storm, flood, ice, explosion, breakage or accident to machinery or equipment, or by any other cause or causes beyond such party's reasonable control, including any Curtailment, order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or by the making of repairs necessitated by an Emergency circumstance not limited to those listed above upon the property or equipment of the ISO or any party to the ISO Agreement. Nothing contained in this section shall relieve any entity of the obligation to make payments when due hereunder or pursuant to a Service Agreement. Any party claiming a force majeure event shall use reasonable diligence to remove the condition that prevents performance, except the settlement of all labor disturbances shall be in the sole judgment of the affected party.

Nothing contained in this section shall relieve a party to a Service Agreement of its obligations to pay all charges due under the Tariff, even if such charges would not have been due had the party claiming force majeure not experienced the force majeure.

12.2 Claims by Employees and Insurance

Each Transmission Owner, Customer, Market Participant and the ISO shall be solely responsible for and shall bear all of the costs of claims by its own employees, contractors, or agents arising under, and covered by, any workers' compensation law. Each of the parties shall furnish, at its sole expense, such insurance coverage and such evidence thereof, or evidence of self-insurance, as is reasonably necessary to meet its obligations under this section.

12.3 Limitation on Liability

The ISO, Transmission Owners and NYSRC shall not be liable (whether based on contract, indemnification, warranty, tort, strict liability or otherwise, to any Customer, Market Participant, or any third party or other party for any damages whatsoever including, without limitation, direct, incidental, consequential, punitive, special, exemplary or indirect damages resulting from any act or omission in any way associated with a Service Agreement or the ISO Services Tariff, except to the extent that the ISO, Transmission Owner or NYSRC is found liable for gross negligence or intentional misconduct, in which case the ISO, Transmission Owner or NYSRC will not be liable for any incidental, consequential, punitive, special, exemplary or indirect damages. This section, however, does not limit in any way the ISO's obligation to indemnify the Transmission Owners pursuant to the ISO/TO Agreement or any other agreement.

Nothing in the ISO Services Tariff, or any Service Agreement pursuant to the ISO Services Tariff, express or implied, is intended to confer on any person, other than the parties to a Service Agreement, any rights or remedies under or by reason of the ISO Services Tariff.

The protections provided to the ISO, Transmission Owners and NYSRC in this Section 12.3 regarding limitation of liability and damages shall be applicable to Generators acting in good faith to implement or comply with the directives of the ISO, Transmission Owner or

NYSRC.

12.4 Indemnification

For the purpose of this section, the terms Market Participant(s) and Customer(s) shall not include a Transmission Owner with respect to acts or omissions related in any way to the Transmission Owner's ownership or operation of its transmission facilities when such acts or omissions are either (1) pursuant to or consistent with ISO Procedures or direction or (2) in any way related to the Transmission Owner's or the ISO's performance under this Tariff.

Subject to the ISO's obligations to the Transmission Owners under the ISO/TO Agreement, the Operating Agreements, and/or the ISO Agreement, each Customer and Market Participant shall indemnify, save harmless and defend the ISO, the Transmission Owners and the NYSRC including their directors, members, managers, officers, employees, trustees, committee members and agents, or each of them (individually the "Indemnitee" or collectively the "Indemnitees") from and against all claims, demands, losses, liabilities, judgments, damages, and related costs and expenses (including, without limitation, reasonable attorney and expert fees, and disbursements incurred by the Indemnitees in any actions or proceedings between the Indemnitees and a third party, the Customer or Market Participant or any other party) arising out of or related to the Indemnitee's or the Customer's acts or omissions related in any way to performance under the ISO Services Tariff, a Service Agreement, an ISO Related Agreement, or ISO Procedures except to the extent that the Indemnitees are found liable for gross negligence or intentional misconduct.

The ISO will procure insurance or other alternative risk financing arrangements sufficient to cover the risks associated with the carrying out of its responsibilities under this Tariff. The proceeds from such insurance shall be used prior to the invocation by the ISO of its right to

indemnification under this section through the Rate Schedule 1 charge. Except to the extent that indemnification of the ISO is required from a particular Market Participant or Customer because of the acts or omissions of that Market Participant or Customer, indemnification of or by the ISO shall be effected through the Rate Schedule 1 charge of the ISO OATT.

Nothing in this section shall preclude the ISO from seeking indemnification of penalty costs against Customers and Market Participants, including Transmission Owners, as provided in Schedule 11 of the ISO OATT, except that the ISO shall not be indemnified in instances of its gross negligence or intentional misconduct.

12.5 Other Remedies

Nothing in the ISO Services Tariff shall be construed as in any way to limit the Transmission Owner's rights and remedies, at law or in equity, with respect to a party in the event of an act or omission related to the ISO Services Tariff by such party.

12.6 Survival

The provisions of this Article 12, "Liability and Indemnification," shall survive termination or expiration of the ISO Services Tariff or any associated Service Agreement.

14 Miscellaneous

14.1 Notices

Except as specified in the ISO Procedures, all written notices under the ISO Services Tariff shall be deemed as having been given: (i) when delivered in person; (ii) when sent by United States registered or certified mall (return receipt requested), postage prepaid, or (iii) when sent by a reputable overnight courier to the other party at the address stated in the Service Agreement between the ISO and each Customer or at the last changed address given by the other party as hereinafter specified. Either party may, at any time, change its address for notification purposes by sending the other party written notice stating the change and setting forth the new address. The ISO shall adopt procedures for the provision of all notices and protocols required to implement the ISO Services Tariff.

14.2 Tax Exempt Financing Pursuant to Section 142 (f) of the Internal Revenue Code

This provision is applicable only to Transmission Owners that have financed facilities for the local furnishing of Energy with Local Furnishing Bonds as described in Section 142(f) of the Internal Revenue Code ("Local Furnishing Bonds"). Notwithstanding any other provision of the ISO Services Tariff, neither the ISO nor the Transmission Owner shall be required to take any action or provide any service if the taking of such action or provision of such service would result in loss of the tax-exempt status of any Local Furnishing Bonds. In the event a Transmission Owner is ordered to take an action on behalf of a Customer that results in the loss of tax-exempt status of any Local Furnishing Bonds, such Customer shall be obligated to pay to the Transmission Owner all costs associated with the loss of tax-exempt status of the Local Furnishing Bonds.

14.3 LIPA and NYPA Tax Exempt Obligations

This provision is applicable to LIPA and NYPA, which have financed transmission facilities with the proceeds of tax-exempt bonds issued pursuant to the Internal Revenue Code. Notwithstanding any other provision of the ISO OATT or the ISO Services Tariff, neither the ISO nor the Transmission Owner shall be required to provide Transmission Service to any Customer pursuant to an ISO Tariff if the provision of such Transmission Service would result in loss of tax-exempt status of the NYPA Tax Exempt Bonds or LIPA Tax Exempt Bonds or impair LIPA's or NYPA's ability to issue future tax-exempt obligations. If, by virtue of an order issued by the Commission pursuant to Section 211 of the FPA, the ISO or a Transmission Owner is required to provide Transmission Service that would adversely affect the tax-exempt status of the LIPA Tax Exempt Bonds or NYPA's Tax Exempt Bonds or any other tax-exempt debt obligations, then the Customer receiving such Transmission Service will compensate LIPA or NYPA for all costs, if any, associated with the loss of tax-exempt status plus the normal costs of Transmission Service.

14.4 Amendments

Nothing contained in the ISO Services Tariff or any Service Agreement shall be construed as affecting in any way the right of the ISO or a Transmission Owner under the ISO/TO Agreement or an Operating Agreement to make application to the Commission for a change in: rates, terms, conditions, charges, or classifications of service; the provision of Ancillary Services; a Service Agreement; or a rule or regulation, under the FPA and pursuant to the Commission's rules and regulations promulgated thereunder.

Nothing contained in the ISO Services Tariff of any Service Agreement shall be construed as affecting in any way the ability of any Transmission Customer or Transmission

Owner to exercise its rights under the FPA including, but not limited to, the right to file a complaint under Section 206 of the FPA or any successor statute and pursuant to the Commission's rules and regulations promulgated thereunder.

Notwithstanding any other provision of the ISO Services Tariff, the ISO Services Tariff may be amended only in accordance with the ISO Agreement, the ISO/TO Agreement, and consistent with the requirements of the FPA and the Commission's rules and regulations promulgated thereunder.

14.5 Applicable Law and Forum

The ISO Services Tariff and any Service Agreement shall be governed by and construed in accordance with the law of the State of New York, except its conflict of law provisions. Customers irrevocably consent that any legal action or proceeding arising under or relating to the ISO Services Tariff or any Service Agreement shall be brought in any court of the State of New York or any federal court of the United States of America located in the State of New York.

Customers irrevocably waive any objection that they may now or in the future have to the designated courts in the State of New York as the proper and exclusive forum for any legal action or proceeding arising under or relating to the ISO Services Tariff or any Service Agreement.

14.6 Counterparts

Any Service Agreement entered into pursuant to the ISO Services Tariff may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

14.7 Waiver

No delay or omission in the exercise of any right under a Service Agreement or the ISO Services Tariff shall impair any such right or shall be taken, construed or considered as a waiver or relinquishment thereof, but any such right may be exercised from time-to-time and as often as may be deemed expedient. If any obligation or covenant under a Service Agreement or the ISO Services Tariff shall be breached and thereafter waived, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder or under a Service Agreement.

14.8 Assignment

Obligations under the ISO Services Tariff and any Service Agreement shall be binding on the successors and assigns of the Service Agreement. No assignment shall relieve the original Customer from its obligations under the ISO Services Tariff or any Service Agreement.

14.9 Representations, Warranties & Covenants

A Service Agreement entered into under the ISO Services Tariff shall contain representations, warranties and covenants, as the parties deem appropriate and in accordance with the pro forma Service Agreement, regarding the Customer's ability to perform, and the enforceability of, the Service Agreement.

15.5 Rate Schedule 5 - Payments and Charges for Black Start and System Restoration Services

Black start and system restoration services ("Restoration Services") are provided under the ISO's black start and system restoration plan ("ISO Plan") or an individual Transmission Owner's black start and system restoration plan for its Transmission District by generating units that are capable of starting without an outside electrical supply or are otherwise integral to the restoration of the NYS Transmission System after an outage. This Rate Schedule establishes the terms under which a Generator shall provide, and be paid by the ISO for providing, Restoration Services under the ISO Plan or an individual Transmission Owner's plan for its Transmission District. This Rate Schedule also establishes the terms under which the ISO shall recover the costs of Restoration Services payments from Customers. Provisions specific to the Consolidated Edison Company of New York, Inc. ("Consolidated Edison") black start and system restoration plan ("Consolidated Edison Plan") are set forth in Section 15.5.4.

15.5.1 Requirements

The ISO shall develop and periodically review the ISO Plan. The ISO may amend the ISO Plan and may solicit offers for additional resources if it determines that additional Restoration Services are needed. The ISO shall establish procedures for acquiring Restoration Services and requiring that the selected Generators test their units providing Restoration Services ("Black Start Capability Test"). The ISO shall make Restoration Services payments only to those selected Generators that have appropriate equipment installed and available for service at the request of the ISO.

A Transmission Owner with a Transmission District shall develop and periodically review its black start and system restoration plan. ~~A~~ Such Transmission Owner shall designate generating units with the capability to provide Restoration Services to be included in its plan if it

determines that the Restoration Services are needed. The ISO will make payments for such local Restoration Services to the Generators that provide them under the terms of this Rate Schedule. Generators that are obligated to provide Restoration Services as a result of divestiture contract agreements will not receive Restoration Services payments from the ISO for those services if they are already compensated as part of those divestiture contracts. Customers in the local Transmission Owner service territories will be charged for those services by the ISO under the terms of this Rate Schedule. Customers may not Self-Supply Restoration Services.

15.5.2 Payments to Generators for Provision of Restoration Services Under the ISO Plan and Transmission Owners' Plans, Excluding the Consolidated Edison Plan

By May 1st of each year, Generators selected to provide Restoration Services under the ISO Plan and under the plans developed by individual Transmission Owners with a Transmission District, except for under the Consolidated Edison Plan, must provide the following cost information to the ISO based upon FERC Form No. 1 or equivalent data:

- Capital and fixed operation and maintenance costs associated with only that equipment which provides Restoration Services capability;
- Annual costs associated with training operators in Restoration Services; and
- Annual costs associated with Black Start Capability Tests in accordance with the ISO Plan or the plan of an individual Transmission Owner.

Each Billing Period, the ISO shall pay each Generator on the basis of its costs filed with the ISO. The daily rate for Restoration Services payments will be determined by dividing the Generator's annual cost by the number of days in the year from May 1st through April 30th of the following year.

Generators that provide Restoration Services shall conduct Black Start Capability Tests that are deemed necessary and appropriate for providers of these services under the ISO Procedures or local Transmission Owner procedures, as applicable. Any Generator that is awarded Restoration Services payments and fails a Black Start Capability Test shall forfeit all

payments for such services since its last successful test. Payments to that Generator shall resume upon its successful completion of the test.

15.5.3 Charges to Support Payments to Generators Under the ISO Plan and Individual Transmission Owners' Plans, Excluding the Consolidated Edison Plan.

Each Billing Period, the ISO shall charge, and each Customer shall pay based on its supply of Load that is *not* used to supply Station Power as a third-party provider under Part 5 of the ISO OATT, a charge for the recovery of the costs of the ISO's payments to Generators providing Restoration Services under the ISO Plan. The charge shall be equal to: (A) the product of: (i) the Customer's share of Load in the NYCA that is *not* used to supply Station Power as a third-party provider for each hour in the Billing Period, and (ii) the ISO's total payments to Generators providing Restoration Services under the ISO Plan under Section 15.5.2 to this Rate Schedule for the Billing Period, divided by the total number of hours in the Billing Period, (B) summed for all hours in the Billing Period.

Each Billing Period, the ISO shall charge, and each Customer shall pay based on its supply of Load that is used to supply Station Power as a third-party provider under Part 5 of the ISO OATT, a charge for the recovery of the costs of the ISO's payments to Generators providing Restoration Services under the ISO Plan. The charge shall be equal to: (A) the product of: (i) the Customer's share of Load in the NYCA that is used to supply Station Power as a third-party provider for each day in the Billing Period, and (ii) the ISO's total payments to Generators providing Restoration Services under the ISO Plan under Section 15.5.2 to this Rate Schedule for the Billing Period, divided by the total number of days in the Billing Period, (B) summed for all days in the Billing Period. The ISO shall credit these daily charge amounts to Customers based on their share of the Load in the NYCA that is not used to supply Station Power as a third-party provider for that day. The ISO shall sum these daily credits for all days in the Billing Period.

A Customer will be responsible for the following additional charge if the Transmission Owner in whose Transmission District the Customer is located maintains a Restoration Services plan, except with respect to the Consolidated Edison Plan, the cost recovery requirements of which are set forth in Section 15.5.4.2 to this Rate Schedule. Each Billing Period, the ISO shall charge, and each Customer in the local Transmission Owner's Transmission District shall pay, a charge for the recovery of the costs of the ISO's payments to Generators providing Restoration Services under the Transmission Owner's local Restoration Services plan. This charge shall be equal to: (A) the product of: (i) the Customer's share of Load in the Transmission Owner's Transmission District for each hour in the Billing Period, and (ii) the ISO's total payments to Generators providing Restoration Services under the Transmission Owner's Restoration Services plan under Section 15.5.2 to this Rate Schedule for the Billing Period, divided by the total number of hours in the Billing Period, (B) summed for all hours in the Billing Period.

15.5.4 Payments to Generators Providing Restoration Services Under the Consolidated Edison Plan and Recovery of Associated Costs

A Generator that provides Restoration Services under the Consolidated Edison Plan shall provide, and be paid for providing, Restoration Services under the terms set forth in Section 15.5.4.1 and Appendices I and II to this Rate Schedule. If Consolidated Edison determines that additional Restoration Services are needed, it may from time to time designate for inclusion in the Consolidated Edison Plan: (i) an existing generating unit that is capable of providing Restoration Services but that is not currently doing so, or (ii) a generating unit for which the Generator has provided notice to withdraw from the Consolidated Edison Plan pursuant to Section 15.5.4.1.1. A generating unit designated by Consolidated Edison may elect to participate in the Consolidated Edison Plan; otherwise it shall be required to participate in the Consolidated Edison Plan unless the ISO determines that: (i) the generating unit would not provide a material

benefit to system restoration in Zone J, or (ii) the Generator shows good cause that it would be unduly burdensome or unreasonable to require it to provide Restoration Services from the designated generating unit.

The provision of Restoration Services will be deemed to provide a material benefit to system restoration in Zone J if, among other things, it would materially improve the speed, adequacy, or flexibility of the Consolidated Edison Plan for restoring electric service in Zone J in a safe, orderly, and prompt manner following a major system disturbance.

To facilitate the ISO's determination regarding material benefit, Consolidated Edison shall provide a study and/or other documentation, performed at its own expense, supporting the conclusion that the designated generating unit would provide a material benefit for system restoration in Zone J. Consolidated Edison's documentation must: (i) include its assessment of the adequacy of resources already committed to provide Restoration Services under the Consolidated Edison Plan and the need for additional resources, (ii) describe the manner in which the designated generating unit would provide a material benefit for system restoration in Zone J, and (iii) summarize alternative solutions evaluated, if applicable, and indicate whether other generating units would provide the particular material benefit identified. Consolidated Edison shall provide its documentation to the ISO and the relevant Generator, subject to appropriate confidentiality protections. Upon request, Consolidated Edison shall provide the documentation to other parties that have a direct interest in this matter, subject to appropriate confidentiality protections.

If the Generator asserts that good cause exists for not requiring its generating unit to participate in the Consolidated Edison Plan, it must seek an exemption from the ISO. The Generator shall provide a study or other documentation demonstrating the engineering, technical,

financial, environmental, and/or other reasons that provision or continued provision of Restoration Services by the designated generating unit would be unduly burdensome or unreasonable. The Generator shall provide its documentation to the ISO and Consolidated Edison, subject to appropriate confidentiality protections. The Generator may provide the documentation to other parties that have a direct interest in this matter as well, subject to appropriate confidentiality protections. In making its determination, the ISO may rely on the supporting documentation provided by the Generator and Consolidated Edison, along with any information developed by the ISO.

If the ISO determines that good cause exists to grant a requested exemption, the designated generating unit will not be required to participate in the Consolidated Edison Plan. Otherwise, the designated generating unit will be required to participate in the Consolidated Edison Plan and will be assigned by the ISO to a Commitment Group under Section 15.5.4.1.1. The ISO shall inform NYSRC of a designated generating unit's request for an exemption and the ISO's determination under this Section 15.5.4.

A Generator's unit that is designated by Consolidated Edison to participate in the Consolidated Edison Plan, and is not granted an exemption under this Section 15.5.4 shall provide, and be paid for providing, Restoration Services under the terms set forth in Section 15.5.4.1 and Appendices I and II to this Rate Schedule.

The ISO shall recover the costs of the payments established in Section 15.5.4.1 from Customers in the Consolidated Edison Transmission District under the terms set forth in Section 15.5.4.2.

Within thirty (30) days of receipt of an updated Consolidated Edison Plan, including changes to unit designations as described in this section, the ISO will file a copy with FERC on an informational basis with a non-public Critical Energy Infrastructure Information designation.

15.5.4.1 Payments to Generators that Provide Restoration Services Under the Consolidated Edison Plan

15.5.4.1.1 Commitment Requirements for Restoration Services

Each generating unit committed to provide Restoration Services under the Consolidated Edison Plan before November 1, 2012, was included in one of three groups ("Commitment Groups") with the following initial commitment periods:

Commitment Group 1: November 1, 2012, through April 30, 2015.

Commitment Group 2: November 1, 2012, through April 30, 2016.

Commitment Group 3: November 1, 2012, through April 30, 2017.

The ISO shall assign a generating unit subsequently designated to provide Restoration Services under the Consolidated Edison Plan to one of these Commitment Groups.

At the conclusion of each commitment period, a generating unit shall begin a new three (3) year commitment period to provide Restoration Services under the Consolidated Edison Plan; provided, however, that the unit shall not begin a new commitment period if the Generator or Consolidated Edison provides the ISO with notice at least two years prior to the conclusion of the previous commitment period that the unit will no longer be part of the Consolidated Edison Plan following the conclusion of that commitment period.

Notwithstanding the foregoing, a unit previously designated under Section 15.5.4 shall be required to begin a new commitment period if: (i) Consolidated Edison provides the ISO and the Generator with notice at least one year prior to the conclusion of the previous commitment period that the unit continues to be required to provide a material benefit to system restoration in

Zone J, (ii) and the ISO determines that the unit should continue to provide service in accordance with the designation requirements in Section 15.5.4, including the opportunity for the Generator to request an exemption.

Consolidated Edison shall not remove from the Consolidated Edison Plan a new or repowered unit that was required to provide Restoration Services in the Consolidated Edison Plan pursuant to Section 30.2.5 of Attachment X to the ISO OATT before the Generator recovers the incremental capital costs it incurred in installing the Restoration Services capability for its unit. The Generator shall be deemed to have recovered these costs: (a) twenty-five years from the start of the unit's provision of Restoration Services if the Generator is taking payment pursuant to Section 15.5.4.1.3.1 to this Rate Schedule, or (b) over the period set forth in the Generator's unit-specific rate approved by FERC pursuant to Section 15.5.4.1.3.2 to this Rate Schedule. If a Generator withdraws its unit from the Consolidated Edison Plan before the completion of this time period, it will forfeit its entitlement to recover its incremental capital costs.

If a Generator withdraws a unit from the ISO's energy and capacity markets, the unit may cease its provision of Restoration Services at the same time without completing its commitment period. If the Generator returns the unit to the ISO's energy and capacity markets within three years of its withdrawal, the unit shall be required to provide Restoration Services for that portion of its commitment period that it had not completed.

15.5.4.1.2 Generator Testing and Training Requirements

A Generator shall conduct an annual Black Start Capability Test of each unit committed to provide Restoration Services under the Consolidated Edison Plan in accordance with the test protocols set forth in Appendix I to this Rate Schedule. A Generator shall also identify its unit's critical Restoration Services equipment, maintain this equipment and perform tests to verify the

condition of this critical equipment in accordance with good utility practice. Upon the performance of a Black Start Capability Test for its unit, the Generator shall submit a certification to the ISO each year – in the form provided in Appendix II to this Rate Schedule – indicating whether its unit has successfully completed its annual Black Start Capability Test and certifying that it maintains and tests the unit's critical Restoration Services equipment in accordance with good utility practice. The Generator shall also ensure that all appropriate personnel are trained in Restoration Services operations.

15.5.4.1.3 Payments to Generators for Providing Restoration Services Under the Consolidated Edison Plan

15.5.4.1.3.1 Standard Compensation

Except as set forth in Section 15.5.4.1.3.2 to this Rate Schedule, the ISO shall pay a Generator each Billing Period the pro rata share of the sum of the annual payment amounts for the provision of Restoration Services under the Consolidated Edison Plan at each of the Generator's facilities, as determined for each facility as follows.

By May 1st of each year, the ISO shall calculate the annual Restoration Services payment amount for each Generator's facility for the compensation period of May 1 of that year through the following April 30; *provided, however*, the ISO shall recalculate the annual Restoration Services payment amount if, during the May 1 through April 30 compensation period, one of the Generator's units withdraws from the Consolidated Edison Plan pursuant to Section 15.5.4.1.1 to this Rate Schedule or fails a Black Start Capability Test pursuant to Section 15.5.4.1.3.4 to this Rate Schedule.

The annual Restoration Services payment amount for each Generator's facility shall be equal to the sum of the annual payment amounts, calculated according to the following formula, for: (i) each unit at a Generator's facility providing Restoration Services under the Consolidated

Edison Plan that is the sole user of equipment necessary to black start the unit and is not designated with other units as a group by the ISO ("Sole Black Start Unit"), and (ii) each group of units at the Generator's facility providing Restoration Services under the Consolidated Edison Plan that share the equipment necessary to black start the units or are otherwise designated as a group by the ISO ("Black Start Unit Group"). The ISO shall designate a Generator's unit as a Sole Black Start Unit or as part of a Black Start Unit Group at the start of the unit's commitment period, and this designation shall not be subject to change for the duration of the unit's commitment period.

$$RSPayment_{AnnBSU} = ActRSUnits_{BSU} \times \left(\frac{RSSlCap_{Ann} + RSSlO\&M_{Ann} + RSAddCap_{Ann} + RSAddO\&M_{Ann}}{DesRSUnits_{BSU}} \right)$$

Where:

BSU = The Sole Black Start Unit or the Black Start Unit Group.

$RSPayment_{AnnBSU}$ = The annual amount, in $, that the ISO shall pay a Generator for the Sole Black Start Unit or the Black Start Unit Group providing Restoration Services under the Consolidated Edison Plan.

$DesRSUnits_{BSU}$ = The number of units in the Sole Black Start Unit or the Black Start Unit Group designated by Consolidated Edison as participants in the Consolidated Edison Plan.

$ActRSUnits_{BSU}$ = The number of units in the Sole Black Start Units or the Black Start Unit Group actually participating in the Consolidated Edison Plan, which shall not include any unit designated by Consolidated Edison as a participant in the Consolidated Edison Plan that has withdrawn from the plan pursuant to Section 15.5.4.1.1 to this Rate Schedule or has failed a Black Start Capability Test pursuant to Section 15.5.4.1.3.4 to this Rate Schedule.

$RSSlCap_{Ann}$ = The station-level capital payment amount, in $, for the Sole Black Start Unit or for one unit of the Black Start Unit Group, as specified in the "Station-level" column of Table A, below, on the basis of that unit's size.

$RSSlO\&M_{Ann}$ = The station-level operating and maintenance amount, in $, for the Sole Black Start Unit or for one unit of the Black Start Unit Group, as specified in the "Station-level" column of Table B, below, on the basis of the unit's size.

$RSAddCap_{Ann}$ = The sum of the incremental capital payment amounts, in $, for the remaining units in the Black Start Unit Group, as specified in the "Additional Resource" column of Table A, below, on the basis of the remaining units' sizes.

$RSAddO\&M_{Ann}$ = The sum of the incremental operating and maintenance payment amounts, in $, for the remaining units in the Black Start Unit Group, as specified in the "Additional Resource" column in Table B, below, on the basis of the remaining units' sizes.

Table A - Restoration Services Capital Payments

Resource Type	Station-level Capital Payment	Additional Resource Capital Payment
MVA ≤ 10	$21,770	$10,880
10 < MVA ≤ 60	$214,570	$10,880
60 < MVA ≤ 90	$248,460	$10,880
90 < MVA ≤ 300, Small Starting Requirement	$414,980	$10,880
90 < MVA ≤ 300, Medium Starting Requirement	$957,920	$10,880
90 < MVA ≤ 300, Large Starting Requirement	$1,785,080	$10,880
300 < MVA, Large Starting Requirement	$1,833,750	$32,650

Table B - Restoration Services O&M Payments

Resource Type	Station-level O&M Payment	Additional Resource O&M Payment
MVA ≤ 10	$22,335	$6,040
10 < MVA ≤ 60	$42,295	$8,200
60 < MVA ≤ 90	$49,850	$10,140
90 < MVA ≤ 300, Small Starting Requirement	$118,255	$33,665
90 < MVA ≤ 300, Medium Starting Requirement	$252,265	$65,600
90 < MVA ≤ 300, Large Starting Requirement	$388,865	$65,820
300 < MVA, Large Starting Requirement	$414,540	$77,685

The figures in Tables A and B are determined as of 2011. The ISO shall adjust these figures annually using the "Gas Turbogenerators" subcategory of the "Other Production Plant" category of the Handy Whitman Index for the North Atlantic Region.

15.5.4.1.3.2 Unit-Specific Compensation

A Generator shall be entitled to recover through this ISO Services Tariff the actual, incremental cost of its unit's or units' provision of Restoration Services under the Consolidated Edison Plan. If the Generator determines that its actual, incremental cost of providing Restoration Services to the ISO from its unit(s) exceeds the payment amount determined under Section 15.5.4.1.3.1 to this Rate Schedule, the Generator shall submit to the ISO actual incremental cost documentation showing: (1) that the actual, incremental costs are reasonably and prudently incurred, (2) that the actual incremental costs are incurred solely for the purpose of providing Restoration Services, and (3) that the actual incremental costs exceed the payment amount determined under Section 15.5.4.1.3.1 to this Rate Schedule. Within thirty (30) days of receipt of all necessary documentation, or longer if the parties agree, the ISO will file at FERC, jointly with the Generator, the information provided by the Generator along with the proposed tariff appendix. The Generator will retain the burden to show that its unit(s)-specific rate request meets the cost showing requirements outlined in this section. NYISO may subsequently comment on the substance of the proposed filing during the FERC noticed comment period. Upon approval by FERC, the Generator's unit(s)-specific rate shall be included as an appendix to this Rate Schedule. In such case, the ISO shall pay a Generator each Billing Period the pro rata share of the FERC-approved annual rate for its unit(s), except as set forth in Section 15.5.4.1.3.4 to this Rate Schedule. The ISO shall recover the costs of these payments from Customers in the Consolidated Edison Transmission District under Section 15.5.4.2 to this Rate Schedule.

15.5.4.1.3.3 Eligibility for Additional Cost Recovery

The ISO shall reimburse Generators for equipment damage if the ISO reasonably finds: (1) the damage resulted from operating such equipment in response to operational orders from the ISO, or Consolidated Edison, pursuant to the ISO Tariffs, (2) that reasonably available and customary insurance was not available for the damages incurred, and (3) the damage would not have occurred but for the Generator's provision of Restoration Services. The burden of making such showings shall be upon the Generator.

The payments for each Billing Period shall also include compensation for legitimate, verifiable, and adequately documented costs incurred solely as a result of a Generator's compliance with NERC critical infrastructure protection ("CIP") reliability standards applicable to the provision of Restoration Services, *i.e.*, a CIP cost that would not have been incurred if it were not providing Restoration Services. The Generator shall provide such invoices to the ISO, which will review and determine if compensation is appropriate.

15.5.4.1.3.4 Forfeiture of Payments As a Result of Failed Black Start Capability Tests

If a Generator's unit fails a Black Start Capability Test, the Generator shall forfeit all Restoration Service payments for that unit under Sections 15.5.4.1.3.1 and 15.5.4.1.3.2 from the date of the failed test; provided, however, that if the Generator's unit successfully completes the Black Start Capability Test within thirty days of the failed test, the Generator shall not forfeit its payments. This thirty-day period may be extended if agreed upon by the ISO, the Generator, and Consolidated Edison. If the Generator does not successfully complete its Black Start Capability Test within this thirty day, or extended, period and successfully completes the test at a later date, it shall receive its Restoration Services payments only from the date of the later, successful test going forward.

15.5.4.2 Charges to Support Payments to Generators Under the Consolidated Edison Plan

Each Billing Period, the ISO shall charge, and each Customer in the Consolidated Edison Transmission District shall pay based on its supply of Load in that Transmission District that is *not* used to supply Station Power as a third-party provider under Part 5 of the ISO OATT, a charge for the recovery of the ISO's payments to Generators providing Restoration Services under the Consolidated Edison Plan under Section 15.5.4.1 to this Rate Schedule. This charge shall be equal to: (A) the product of : (i) the Customer's share of Load in the Consolidated Edison Transmission District that is not used to supply Station Power as a third-party provided for each hour in the Billing Period, and (ii) the ISO's total payments to Generators for Restoration Services under the Consolidated Edison Restoration Plan under Sections 15.5.4.1 for the Billing Period, divided by the total number of hours in the Billing Period, (B) summed for all hours in the Billing Period.

Each Billing Period, the ISO shall charge, and each Customer in the Consolidated Edison Transmission District shall pay based on its supply of Load in that Transmission District that is used to supply Station Power as a third-party provider under Part 5 of the ISO OATT, a charge for the recovery of the ISO's payments to Generators providing Restoration Services under the Consolidated Edison Plan under Section 15.5.4.1 to this Rate Schedule. This charge shall be equal to: (A) the product of: (i) the Customer's share of Load in the Consolidated Edison Transmission District that is used to supply Station Power as a third-party provided for each day in the Billing Period, and (ii) the ISO's total payments to Generators for Restoration Services under the Consolidated Edison Restoration Plan under Section 15.5.4.1 for the Billing Period, divided by the total number of days in the Billing Period, (B) summed for all days in the Billing Period. The ISO shall credit these daily charge amounts to Customers based on their share of

Load in the NYCA that is not used to supply Station Power as a third-party provider for that day.

The ISO shall sum these daily credits for all days in the Billing Period.

17.5 Congestion Settlements Related To the Day-Ahead Market and TCC Auction Settlements

17.5.1 Overview and Definitions

17.5.1.1 Overview

This Part 17.5 of this Attachment B describes the Congestion settlements related to the Day-Ahead Market and the settlements related to Centralized TCC Auctions and Reconfiguration Auctions. Congestion Rent settlements for Real-Time Market Energy Transactions or Bilateral Transactions scheduled in the Real-Time Market are not addressed in this Part 17.5 of this Attachment B.

Section 17.5.2 addresses the Congestion settlements related to each hour of the Day-Ahead Market. These settlements include, as applicable pursuant to this Part 17.5 of this Attachment B, charges or payments for Congestion Rents for Energy Transactions in the Day-Ahead Market and for Bilateral Transactions scheduled in the Day-Ahead Market, and settlements with Primary Holders of TCCs. In addition, these settlements include, as applicable pursuant to this Part 17.5 of this Attachment B, O/R-t-S Congestion Rent Shortfall Charges, U/D Congestion Rent Shortfall Charges, O/R-t-S Congestion Rent Surplus Payments, and U/D Congestion Rent Surplus Payments. The ISO shall allocate to Transmission Owners the net of all of these settlements as Net Congestion Rents as described in this Part 17.5 of this Attachment B.

Section 17.5.3 addresses the settlements in each round of each Centralized TCC Auction and in each Reconfiguration Auction. These settlements include, as applicable pursuant to this Part 17.5 of this Attachment B, charges or payments to purchasers of TCCs, charges or payments to Primary Holders selling TCCs, payments to Transmission Owners in a Centralized TCC Auction for ETCNL released into the Centralized TCC Auction, and payments to Transmission

Owners for Original Residual TCCs that are released into the Centralized TCC Auction. In addition, these settlements include, as applicable pursuant to this Part 17.5 of this Attachment B, O/R-t-S Auction Revenue Shortfall Charges, U/D Auction Revenue Shortfall Charges, O/R-t-S Auction Revenue Surplus Payments, and U/D Auction Revenue Surplus Payments. The ISO shall allocate to Transmission Owners the net of all of these settlements as Net Auction Revenue as described in this Part 17.5 of this Attachment B.

Provisions of this Part 17.5 of this Attachment B applicable to a transmission facility outage or return-to-service shall not apply to a transmission facility derating or uprating. Charges and payments under this Part 17.5 of this Attachment B shall be made to a Transmission Owner for a transmission facility derating or uprating only as specified in Sections 17.5.2.4.3 and 17.5.3.6.3.

Unless expressly provided for otherwise in the ISO Tariffs, such as in a rate schedule, this Part 17.5 of this Attachment B shall apply to the Member Systems. This Part 17.5 of this Attachment B shall only apply to Transmission Owners other than the Member Systems to the extent that the ISO Tariffs, such as in a rate schedule, do not provide otherwise.

17.5.1.2 Defined Terms Used in Part 17.5 of this Attachment B

Capitalized terms used in this Part 17.5 of this Attachment B shall have the meaning specified below in this Section 17.5.1.2, and capitalized terms used in this Part 17.5 of this Attachment B but not defined below shall have the meaning given to them in Section 2 of the Services Tariff:

Actual Qualifying Auction Derating: As defined in Section 17.5.3.6.3.1.

Actual Qualifying Auction Outage: As defined in Section 17.5.3.6.2.1.

Actual Qualifying Auction Return-to-Service: As defined in Section 17.5.3.6.2.1.

Actual Qualifying Auction Uprating: As defined in Section 17.5.3.6.3.1.

Actual Qualifying DAM Derating: As defined in Section 17.5.2.4.3.1.

Actual Qualifying DAM Outage: As defined in Section 17.5.2.4.2.1.

Actual Qualifying DAM Return-to-Service: As defined in Section 17.5.2.4.2.1.

Actual Qualifying DAM Uprating: As defined in Section 17.5.2.4.3.1.

Auction Status Change: Any of the following: Qualifying Auction Outage, Qualifying Auction Derating, Qualifying Auction Return-to-Service, or Qualifying Auction Uprating.

Centralized TCC Auction Interface Uprate/Derate Table: The interface derate table posted on the ISO website prior to a given Centralized TCC Auction specifying the impact on transfer limits of Qualifying DAM Outages and Qualifying DAM Returns-to-Service for a sub-auction of a Centralized TCC Auction.

DAM Constraint Residual: The dollar value associated with a Constraint that is binding for an hour of the Day-Ahead Market, which is calculated pursuant to Section 17.5.2.4.1.

DAM Status Change: Any of the following: Qualifying DAM Outage, Qualifying DAM Derating, Qualifying DAM Return-to-Service, or Qualifying DAM Uprating.

DCR Allocation Threshold: Five thousand dollars ($5,000), except that this amount shall be reduced for any given month to the extent necessary so that the sum of all DAM Constraint Residuals for the month (for all binding constraints and for all hours of the month) that are less than the DCR Allocation Threshold is not greater than either two hundred and fifty thousand dollars ($250,000) or five percent (5%) of the sum of all DAM Constraint Residuals for the month (for all binding constraints and for all hours of the month) that would have been calculated if the DCR Allocation Threshold were set equal to zero.

Deemed Qualifying Auction Derating: As defined in Section 17.5.3.6.3.1.

Deemed Qualifying Auction Outage: As defined in Section 17.5.3.6.2.1.

Deemed Qualifying Auction Return-to-Service: As defined in Section 17.5.3.6.2.1.

Deemed Qualifying Auction Uprating: As defined in Section 17.5.3.6.3.1.

Deemed ISO-Directed Auction Status Change: Any of the following: (1) an Actual Qualifying Auction Return-to-Service for a Reconfiguration Auction that occurs for a transmission facility that, in the last 6-month sub-auction held for TCCs valid during the month corresponding to the relevant Reconfiguration Auction, was a Qualifying Auction Outage that qualified as an ISO-Directed Auction Status Change; (2) an Actual Qualifying Auction Uprating for a Reconfiguration Auction that occurs as a result of an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service of a transmission facility that, in the last 6-month sub-auction held for TCCs valid during the month corresponding to the relevant Reconfiguration

Auction, qualified as a Qualifying Auction Outage or Qualifying Auction Return-to-Service that was an ISO-Directed Auction Status Change; or (3) an Actual Qualifying Auction Derating for a Reconfiguration Auction that occurs as a result of an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service of a transmission facility that, in the last 6-month sub-auction held for TCCs valid during the month corresponding to the relevant Reconfiguration Auction, qualified as an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service that was an ISO-Directed Auction Status Change.

Deemed ISO-Directed DAM Status Change: Any of the following: (1) an Actual Qualifying DAM Return-to-Service for an hour of the Day-Ahead Market that occurs for a transmission facility that, in the last Reconfiguration Auction held for TCCs valid for the relevant hour or the last 6-month sub-auction of a Centralized TCC Auction held for TCCs valid for the relevant hour, was an Actual Qualifying Auction Outage that qualified as an ISO-Directed Auction Status Change; (2) an Actual Qualifying DAM Uprating for an hour of the Day-Ahead Market that occurs for a transmission facility that, in the last Reconfiguration Auction held for TCCs valid for the relevant hour or the last 6-month sub-auction of a Centralized TCC Auction held for TCCs valid for the relevant hour, qualified as an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service that was an ISO-Directed Auction Status Change; or (3) an Actual Qualifying DAM Derating for an hour of the Day-Ahead Market that occurs for a transmission facility that, in the last Reconfiguration Auction held for TCCs valid for the relevant hour or the last 6-month sub-auction of a Centralized TCC Auction held for TCCs valid for the relevant hour, qualified as an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service that was an ISO-Directed Auction Status Change. (The terms "Actual Qualifying Auction Outage" and "ISO-Directed Auction Status Change" shall, if not defined in this Section 17.5.1.2, have the meaning given in the ISO's March 17, 2006, filing.)

Deemed Qualifying DAM Derating: As defined in Section 17.5.2.4.3.1.

Deemed Qualifying DAM Outage: As defined in Section 17.5.2.4.2.1.

Deemed Qualifying DAM Return-to-Service: As defined in Section 17.5.2.4.2.1.

Deemed Qualifying DAM Uprating: As defined in Section 17.5.2.4.3.1.

ISO-Directed Auction Status Change: Either of the following: (1) an Actual Qualifying Auction Outage for a Reconfiguration Auction or a round of a Centralized TCC Auction that is directed by the ISO or results from an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service directed by the ISO; or (2) an Actual Qualifying Auction Derating or an Actual Qualifying Auction Uprating for a Reconfiguration Auction or a round of a Centralized TCC Auction that results from an Actual Qualifying Auction Outage directed by the ISO.

ISO-Directed DAM Status Change: Either of the following: (1) an Actual Qualifying DAM Outage for an hour of the Day-Ahead Market that is directed by the ISO or results from an Actual Qualifying DAM Outage or an Actual Qualifying DAM Return-to-Service directed by the ISO; or (2) an Actual Qualifying DAM Derating or an Actual Qualifying DAM Uprating for an

hour of the Day-Ahead Market that results from an Actual Qualifying DAM Outage directed by the ISO.

Normally Out-of-Service Equipment: Transmission facilities that are normally operated as out-of-service by mutual agreement of the transmission facility owner and the ISO and that appear on the list of such equipment posted on the ISO website.

Outage/Return-to-Service Auction Constraint Residual ("O/R-t-S Auction Constraint Residual"): The portion of an Auction Constraint Residual that is deemed to be attributable to Qualifying Auction Outages or Qualifying Auction Returns-to-Service, which O/R-t-S Auction Constraint Residual shall be calculated pursuant to Section 17.5.3.6.1.

Outage/Return-to-Service Auction Revenue Shortfall Charge ("O/R-t-S Auction Revenue Shortfall Charge"): A charge to a Transmission Owner that is created as a result of the allocation of an O/R-t-S Auction Constraint Residual pursuant to Section 17.5.3.6.2.

Outage/Return-to-Service Auction Revenue Surplus Payment ("O/R-t-S Auction Revenue Surplus Payment"): A payment to a Transmission Owner that is created as a result of the allocation of an O/R-t-S Auction Constraint Residual pursuant to Section 17.5.3.6.2.

Outage/Return-to-Service Congestion Rent Shortfall Charge ("O/R-t-S Congestion Rent Shortfall Charge"): A charge to a Transmission Owner that is created as a result of the allocation of an O/R-t-S DAM Constraint Residual pursuant to Section 17.5.2.4.2.

Outage/Return-to-Service Congestion Rent Surplus Payment ("O/R-t-S Congestion Rent Surplus Payment"): A payment to a Transmission Owner that is created as a result of the allocation of an O/R-t-S DAM Constraint Residual pursuant to Section 17.5.2.4.2.

Outage/Return-to-Service DAM Constraint Residual ("O/R-t-S DAM Constraint Residual"): The portion of a DAM Constraint Residual that is deemed to be attributable to Qualifying DAM Outages or Qualifying DAM Returns-to-Service, which O/R-t-S DAM Constraint Residual shall be calculated pursuant to Section 17.5.2.4.1.

Qualifying Auction Derating: As defined in Section 17.5.3.6.3.1.

Qualifying Auction Outage: As defined in Section 17.5.3.6.2.1.

Qualifying Auction Return-to-Service: As defined in Section 17.5.3.6.2.1.

Qualifying Auction Uprating: As defined in Section 17.53.6.3.1.

Qualifying DAM Derating: As defined in Section 17.5.2.4.3.1.

Qualifying DAM Outage: As defined in Section 17.5.2.4.2.1.

Qualifying DAM Return-to-Service: As defined in Section 17.5.2.4.2.1.

Qualifying DAM Uprating: As defined in Section 17.5.2.4.3.1.

Reconfiguration Auction Interface Uprate/Derate Table: The interface derate table posted on the ISO website prior to a Reconfiguration Auction specifying the impact on transfer limits of Qualifying DAM Outages and Qualifying DAM Returns-to-Service for the Reconfiguration Auction.

Uprate/Derate Auction Constraint Residual ("U/D Auction Constraint Residual"): The portion of an Auction Constraint Residual that is deemed to be attributable to Qualifying Auction Deratings or Qualifying Auction Upratings, which U/D Auction Constraint Residual shall be calculated pursuant to Section 17.5.3.6.1.

Uprate/Derate Auction Revenue Shortfall Charge ("U/D Auction Revenue Shortfall Charge"): A charge to a Transmission Owner that is created as a result of the allocation of a U/D Auction Constraint Residual pursuant to Section 17.5.3.6.3.

Uprate/Derate Auction Revenue Surplus Payment ("U/D Auction Revenue Surplus Payment"): A payment to a Transmission Owner that is created as a result of the allocation of a U/D Auction Constraint Residual pursuant to Section 17.5.3.6.3.

Uprate/Derate Congestion Rent Shortfall Charge ("U/D Congestion Rent Shortfall Charge"): A charge to a Transmission Owner that is created as a result of the allocation of a U/D DAM Constraint Residual pursuant to Section 17.5.2.4.3.

Uprate/Derate Congestion Rent Surplus Payment ("U/D Congestion Rent Surplus Payment"): A payment to a Transmission Owner that is created as a result of the allocation of a U/D DAM Constraint Residual pursuant to Section 17.5.2.4.3.

Uprate/Derate DAM Constraint Residual ("U/D DAM Constraint Residual"): The portion of a DAM Constraint Residual that is deemed to be attributable to a Qualifying DAM Derating or a Qualifying DAM Uprating, which U/D DAM Constraint Residual shall be calculated pursuant to Section 17.5.2.4.1.

For purposes of this Part 17.5 of this Attachment B, the term "transmission facility" shall mean any transmission line, phase angle regulator, transformer, series reactor, circuit breaker, or other type of transmission equipment.

All references in this Part 17.5 of this Attachment B to sections shall be construed to be references to a section of this Part 17.5 of this Attachment B.

17.5.2 Congestion Settlements Related to the Day-Ahead Market

17.5.2.1 Overview of Congestion Settlements Related to the Day-Ahead Market; Calculation of Net Congestion Rents

Overview of DAM Related Congestion Settlements. For each hour *h* of the Day-Ahead Market, the ISO shall settle all Congestion settlements related to the Day-Ahead Market. These Congestion settlements include, as applicable pursuant to the provisions of this Part 17.5 of this Attachment B: (i) Congestion Rent charges or payments for Energy Transactions in the Day-Ahead Market and Bilateral Transactions scheduled in the Day-Ahead Market; (ii) Congestion payments or charges to Primary Holders of TCCs; (iii) O/R-t-S Congestion Rent Shortfall Charges and U/D Congestion Rent Shortfall Charges; and (iv) O/R-t-S Congestion Rent Surplus Payments and U/D Congestion Rent Surplus Payments. Each of these settlements is represented by a variable in Formula B-1.

Calculation *of Net Congestion Rents for an Hour*. In each hour *h* of the Day-Ahead Market, the ISO shall calculate Net Congestion Rents pursuant to Formula B-1.

Formula B-1

$$NetCongestionRents_h = (Congestion\ Rents_h - TCC\ Payments_h - O/R\text{-}t\text{-}S\&U/D\ CRSC\&CRSP_h)$$

Where,

$Net\ Congestion\ Rents_h$	=	The total Net Congestion Rents for hour *h* of the Day-Ahead Market
h	=	An hour of the Day-Ahead Market
$Congestion\ Rents_h$	=	The sum of Congestion Rents for (i) Energy Transactions scheduled in hour *h* of the Day-Ahead Market, and (ii) Bilateral Transactions scheduled in hour *h* of the Day-Ahead Market, each as calculated pursuant to Section 17.5.2.2
$TCC\ Payments_h$	=	The sum for all TCCs of all payments and charges made pursuant to Section 17.5.2.3 to Primary Holders of TCCs in hour *h*

$O/R\text{-}t\text{-}S\&U/D\ CRSC\&CRSP_h$ = The sum of all O/R-t-S Congestion Rent Shortfall Charges (O/R-t-S $CRSC_{a,t,h}$), U/D Congestion Rent Shortfall Charges (U/D $CRSC_{a,t,h}$), O/R-t-S Congestion Rent Surplus Payments (O/R-t-S $CRSP_{a,t,h}$), and U/D Congestion Rent Surplus Payments (U/D $CRSP_{a,t,h}$) for all Transmission Owners *t* (which sum is calculated for each Transmission Owner as $NetDAMAllocations_{t,h}$ pursuant to Formula B-14), reduced by any zeroing out of such charges or payments pursuant to Section 17.5.2.4.5

The ISO shall allocate the Net Congestion Rents calculated in each hour to Transmission Owners pursuant to Section 17.5.2.5.

17.5.2.2 Congestion Rents Charged in the Day-Ahead Market

In each hour of the Day-Ahead Market, the ISO shall collect or pay Congestion Rents through Energy Transactions in the Day-Ahead Market and through Bilateral Transactions scheduled in the Day-Ahead Market.

Day-Ahead Market Energy Transactions. The ISO shall charge or pay Congestion Rents as part of the Congestion Component of the LBMP applicable to Energy injections and withdrawals scheduled in the Day-Ahead Market, as described in Part 17.1 of this Attachment B. The total Congestion Rents for all Energy Transactions scheduled in the Day-Ahead Market in hour *h* are calculated pursuant to Formula B-2.

Formula B-2

$$\sum_{W} \boldsymbol{MWh_{W,h} * CCPOW_{W,h}} - \sum_{I} \boldsymbol{MWh_{I,h} * CCPOI_{I,h}}$$

Where,

$MWh_{W,h}$ = Energy, in MWh, scheduled to be withdrawn in hour *h* pursuant to Day-Ahead Market schedule *W*

$CCPOW_{W,h}$ = Congestion Component, in $/MWh, at the Point of Withdrawal for Energy withdrawn in hour *h* pursuant to schedule *W*

$MWh_{I,h}$ = Energy, in MWh, scheduled to be injected in hour *h* pursuant to Day-Ahead Market schedule *I*

$CCPOI_{I,h}$ = Congestion Component, in $/MWh, at the Point of Injection for Energy injected in hour *h* pursuant to schedule *I*

Bilateral Transactions. The ISO shall charge or pay Congestion Rents as part of the Transmission Usage Charge applied to Bilateral Transaction *B* scheduled in the Day-Ahead Market, as described in Section 2.7.2.2 of the OATT. Total Congestion Rents for all Bilateral Transactions scheduled in the Day-Ahead Market in hour *h* are calculated pursuant to Formula B-3.

Formula B-3

$$\sum_{B} \boldsymbol{MWh_{B,h} * CCTUC_{B,h}}$$

Where,

$MWh_{B,h}$ = Energy, in MWh, of Bilateral Transaction *B* scheduled in the Day-Ahead Market in hour *h*

$CCTUC_{B,h}$ = Congestion Component of the TUC, in $/MWh, for scheduled Bilateral Transaction *B*, in hour *h*, which is equal to $CCPOW_{B,h} - CCPOI_{B,h}$

$CCPOW_{B,h}$ = Congestion Component, in $/MWh, at the Point of Withdrawal for Energy withdrawn in hour *h* pursuant to Bilateral Transaction *B*

$CCPOI_{B,h}$ = Congestion Component, in $/MWh, at the Point of Injection for Energy injected in hour *h* pursuant to Bilateral Transaction *B*

17.5.2.3 Congestion Payments Made To Primary Holders

For each hour *h* of the Day-Ahead Market, the ISO shall charge or pay Congestion payments to the Primary Holders, as follows:

Formula B-4

$$Congestion\ Payment\ (\$/\text{hr}) = (CCPOW - CCPOI) * TCCMW$$

Where,

$CCPOW$ = Congestion Component ($/MWh) at the Point of Withdrawal (*POW*)

$CCPOI$ = Congestion Component ($/MWh) at the Point of Injection (*POI*)

$TCCMW$ = The number of TCCs in MW from *POI* to *POW*

(See Part 17.1 of this Attachment B for the calculation of the Congestion Component of the LBMP price at either the POI or the POW.)

The ISO shall pay Primary Holders for the Congestion payments from revenues collected from: (i) Congestion Rents, (ii) O/R-t-S Congestion Rent Shortfall Charges and U/D Congestion Rent Shortfall Charges, and (iii) Net Congestion Rents in accordance with Section 17.5.2.5.

The ISO shall assess a "Shortfall Reimbursement Surcharge" each month on monthly net positive Congestion payments to Primary Holders of TCCs sold in or after the Autumn 2004 Centralized TCC Auction. The Shortfall Reimbursement Surcharge shall be 0.5% of Congestion payments associated with TCCs that have a Point of Withdrawal outside of Load Zone J and 2.5% of Congestion payments associated with TCCs that have a Point of Withdrawal at, or inside of, Load Zone J.

The Shortfall Reimbursement Surcharge shall not be assessed on Congestion payments to Primary Holders of TCCs that produce net negative Congestion payments, *i.e.,* that oblige the Primary Holder to make payments, in a given month, on Congestion payments to Primary Holders of Grandfathered TCCs, or on Congestion payments to Primary Holders of ETCNL TCCs or RCRR TCCs. The Shortfall Reimbursement Surcharge also shall not be assessed on Congestion payments to Primary Holders of TCCs sold before the Autumn 2004 Centralized TCC Auction, except to the extent that such TCCs are unbundled or reconfigured at the request

of a Primary Holder, and sold, in or after that auction, in which case the Congestion payments associated with them shall be subject to the Shortfall Reimbursement Surcharge.

The ISO shall cease to impose the Shortfall Reimbursement Surcharge when it has collected sufficient funds to: (i) pay refunds for all of the "Historic Shortfall" plus interest pursuant to Article III of the July 13, 2004 Settlement Agreement that was approved by the Commission in Docket Nos. EL04-110, EL04-113, EL04-115, and ER04-983; and (ii) replenished the ISO Working Capital Fund pursuant to Article IV of that Settlement Agreement.

17.5.2.4 Charges and Payments to Transmission Owners for DAM Outages and Returns-to-Service

The ISO shall charge O/R-t-S Congestion Rent Shortfall Charges and U/D Congestion Rent Shortfall Charges and pay O/R-t-S Congestion Rent Surplus Payments and U/D Congestion Rent Surplus Payments pursuant to this Section 17.5.2.4. To do so, the ISO shall calculate the DAM Constraint Residual for each binding constraint for each hour of the Day-Ahead Market and then determine the amount of each DAM Constraint Residual that is O/R-t-S DAM Constraint Residual and the amount that is U/D DAM Constraint Residual, as specified in Section 17.5.2.4.1. The ISO shall use the O/R-t-S DAM Constraint Residual to allocate O/R-t-S Congestion Rent Shortfall Charges and O/R-t-S Congestion Rent Surplus Payments to Transmission Owners pursuant to Sections 17.5.2.4.2 and 17.5.2.4.4, each of which shall be subject to being reduced to zero pursuant to Section 17.5.2.4.5. The ISO shall use the U/D DAM Constraint Residual to allocate U/D Congestion Rent Shortfall Charges and U/D Congestion Rent Surplus Payments to Transmission Owners pursuant to Sections 17.5.2.4.3 and 17.5.2.4.4, each of which shall be subject to being reduced to zero pursuant to Section 17.5.2.4.5.

17.5.2.4.1 Measuring the Impact of DAM Outages and Returns-to-Service: Calculation of DAM Constraint Residuals and Division of DAM Constraint Residuals into O/R-t-S DAM Constraint Residuals and U/D DAM Constraint Residuals

For each hour *h* of the Day-Ahead Market, the ISO shall identify all constraints that are binding in the Power Flow solution for the final schedules for hour *h* of the Day-Ahead Market. For each binding constraint *a* identified for each hour *h*, the ISO shall calculate the DAM Constraint Residual, $DCR_{a,h}$, using Formula B-5; *provided, however*, where $DCR_{a,h}$ calculated using Formula B-5 is not greater than the DCR Allocation Threshold or less than the negative of the DCR Allocation Threshold, then $DCR_{a,h}$ shall be set equal to zero.

Formula B-5

$$DCR_{a,h} = ShadowPrice_{a,h} * \begin{bmatrix} (FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}) \\ + (UprateDerate_{a,h} * SCUCSignChange_{a,h}) \\ + (UnsoldCapacity_{a,h,RA} * SCUCSignChange_{a,h}) \end{bmatrix}$$

Where,

$DCR_{a,h}$ = The DAM Constraint Residual, in dollars, for binding constraint *a* in hour *h* of the Day-Ahead Market

$ShadowPrice_{a,h}$ = The Shadow Price, in dollars/MWh, of binding constraint *a* in hour *h* of the Day-Ahead Market, which Shadow Price is calculated in a manner so that if relaxation of constraint *a* would permit a reduction in the associated Bid Production Cost, $ShadowPrice_{a,h}$ is negative

$FLOW_{a,h,DAM}$ = The Energy flow, in MWh, on binding constraint *a* for hour *h* for a set of injections and withdrawals that corresponds[1] to the set of TCCs and Grandfathered Rights represented in the solution to the most recent auction in which TCCs valid in hour *h* were sold (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction), which Energy flow will be determined using Shift Factors produced in scheduling hour *h* of the Day-Ahead Market applied to these injections and withdrawals and the phase angle regulator schedules fixed in the last auction held for TCCs valid for hour

[1] A set of injections and withdrawals corresponds to a set of TCCs and Grandfathered Rights if the quantity of Energy injected at each location matches the number of TCCs and Grandfathered Rights specifying that location as a POI, and the quantity of Energy withdrawn at each location matches the number of TCCs and Grandfathered Rights specifying that location as a POW.

h

$FLOW_{a,h,TCCAuction}$ = The Energy flow, in MWh, on binding constraint *a* for hour *h* determined as described in the definition of $FLOW_{a,h,DAM}$ above, except that the Shift Factors applied will be those produced in a simulated run of SCUC (run using the Transmission System model used in the most recent auction in which TCCs valid in hour *h* were sold);

provided, however, special rules (1) through (3) below shall instead be used to calculate $FLOW_{a,h,TCC\ Auction}$ if they apply, and rule (4) below shall be used to calculate $FLOW_{a,h,TCC\ Auction}$ if $FLOW_{a,h,TCC\ Auction}$ cannot be calculated using any other rule set forth in this definition of $FLOW_{a,h,TCC\ Auction}$ because a simulated run of SCUC does not produce Shift Factors to calculate $FLOW_{a,h,TCC\ Auction}$:

(1) in the event that a maintenance contingency is binding in the Day-Ahead Market but was not applied in the most recent auction in which TCCs valid in hour *h* were sold, $FLOW_{a,h,TCC\ Auction}$ shall be equal to the Energy flow in MWh on the monitored transmission facility of binding constraint *a* for the contingency resulting in the highest flows on constraint *a* in the most recent auction in which TCCs valid in hour *h* were sold, which Energy flow shall be calculated using the set of injections and withdrawals that corresponds to the set of TCCs and Grandfathered Rights represented in the solution to that auction (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction) and using Shift Factors from a simulated run of SCUC as first set forth in this definition of $FLOW_{a,h,TCC\ Auction}$

(2) in the event that the monitored transmission facility for constraint *a* was modeled as out-of-service in the most recent auction in which TCCs valid in hour *h* were sold and that transmission facility returns to service for hour *h* of the Day-Ahead Market, $FLOW_{a,h,TCC\ Auction}$ shall be equal to:

(i) the rating limit, in MWh, for the monitored transmission facility of binding constraint *a* applicable in hour *h* of the Day-Ahead Market, multiplied by

(ii) negative $SCUCSignChange_{a,h}$

(3) in the event that the transmission facility that is the contingency element for constraint *a* was modeled as out-of-service in the most recent auction in which TCCs valid in hour *h* were sold and that transmission facility returns to service for hour *h* of the Day-Ahead Market, $FLOW_{a,h,TCC\ Auction}$ shall be equal to the Energy flow, in MWh, on the monitored transmission facility of binding constraint *a* for the contingency resulting in the highest flows on the monitored transmission facility of constraint *a* in the most recent auction in which TCCs valid in hour *h* were sold, which Energy flow shall be calculated using the set of injections and withdrawals that corresponds to the set of TCCs and Grandfathered Rights represented in the solution to that auction (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction) and using Shift Factors from a simulated run of SCUC as first set forth in this definition of $FLOW_{a,h,TCC\ Auction}$

(4) in the event that a simulated run of SCUC does not produce Shift Factors to calculate $FLOW_{a,h,TCC\ Auction}$, $FLOW_{a,h,TCC\ Auction}$ shall be equal to:

(i) the Energy flow on constraint *a* as determined in the most recent auction in which TCCs valid in hour *h* were sold, multiplied by

(ii) $OPF/SCUCAdjust_a$

$UprateDerate_{a,h}$ = Zero, except that in the event of a Qualifying DAM Uprating or Qualifying DAM Derating for constraint *a* in hour *h* that is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the Reconfiguration Auction

in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction), $UprateDerate_{a,h}$ shall equal the interface uprating or derating impact reflected in such table.

Notwithstanding the definition above, $UprateDerate_{a,h}$ shall always equal zero in the event that the monitored transmission facility for binding constraint *a* in the Day-Ahead Market was modeled as out-of-service in the most recent auction in which TCCs valid in hour *h* were sold and that transmission facility returns to service for hour *h*.

$UnsoldCapacity_{a,h,RA}$ = Zero, except that if $ShadowPrice_{a,h} * (FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}) + (UprateDerate_{a,h} * SCUCSignChange_{a,h})$ is less than zero, then $UnsoldCapacity_{a,h,RA}$ shall be equal to the lesser of (1) the amount of transmission Capacity for constraint *a* that was available for sale in the most recent auction in which TCCs valid in hour *h* were sold but which transmission Capacity was not sold; or (2) the absolute value of $(FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}) + (UprateDerate_{a,h} * SCUCSignChange_{a,h})$

$SCUCSignChange_{a,h}$ = 1 if $ShadowPrice_{a,h}$ is greater than zero; otherwise, -1

$OPF/SCUCAdjust_a$ = 1 if the directional orientation of constraint *a* used by the ISO in SCUC is the same as that used by the ISO in the Optimal Power Flow program used to select winning Bids in TCC auctions; otherwise, -1

Following calculation of the DAM Constraint Residual for each constraint *a* for each hour *h*, the ISO shall calculate the amount of each O/R-t-S DAM Constraint Residual and the amount of each U/D DAM Constraint Residual for each constraint *a* for each hour *h*. The amount of each O/R-t-S DAM Constraint Residual for hour *h* and for constraint *a* shall be determined by applying Formula B-6. The amount of each U/D DAM Constraint Residual for hour *h* and for constraint *a* shall be determined by applying Formula B-7.

Formula B-6

$$O/R\text{-}t\text{-}S\ DCR_{a,h} = DCR_{a,h} * \left[\frac{\left(FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}\right)}{\left(FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}\right) + \left(UprateDerate_{a,h} * SCUCSignChange_{a,h}\right)}\right]$$

Where,

O/R-t-S $DCR_{a,h}$ = The amount of the O/R-t-S DAM Constraint Residual, in dollars, for hour *h* and for constraint *a*

and each of the other variables are as defined in Formula B-5.

Formula B-7

$$U/D\ DCR_{a,h} = DCR_{a,h} * \left[\frac{UprateDerate_{a,h} * SCUCSignChange_{a,h}}{\left(FLOW_{a,h,DAM} - FLOW_{a,h,TCCAuction}\right) + \left(UprateDerate_{a,h} * SCUCSignChange_{a,h}\right)}\right]$$

Where,

U/D $DCR_{a,h}$ = The amount of the U/D DAM Constraint Residual for hour *h* for constraint *a*

and each of the other variables are as defined in Formula B-5.

17.5.2.4.2 Charges and Payments for the Direct Impact of DAM Outages and Returns-to-Service

The ISO shall use O/R-t-S DAM Constraint Residuals to allocate O/R-t-S Congestion Rent Shortfall Charges and O/R-t-S Congestion Rent Surplus Payments, as the case may be, among Transmission Owners pursuant to this Section 17.5.2.4.2. Each O/R-t-S Congestion Rent Shortfall Charge and each O/R-t-S Congestion Rent Surplus Payment allocated to a Transmission Owner pursuant to this Section 17.5.2.4.2 is subject to being set equal to zero pursuant to Section 17.5.2.4.5.

17.5.2.4.2.1 Identification of Outages and Returns-to-Service Qualifying for Charges and Payments

For each hour of the Day-Ahead Market, the ISO shall identify each Qualifying DAM Outage and each Qualifying DAM Return-to-Service, as described below. The Transmission Owner responsible, as determined pursuant to Section 17.5.2.4.4, for a Qualifying DAM Outage or Qualifying DAM Return-to-Service shall be allocated an O/R-t-S Congestion Rent Shortfall Charge or an O/R-t-S Congestion Rent Surplus Payment pursuant to Sections 17.5.2.4.2.2 or 17.5.2.4.2.3.

17.5.2.4.2.1.1 Definition of Qualifying DAM Outage

A "**Qualifying DAM Outage**" shall be defined to mean either an Actual Qualifying DAM Outage or a Deemed Qualifying DAM Outage. For purposes of this Part 17.5 of this Attachment B, "*o*" shall refer to a single Qualifying DAM Outage.

An "**Actual Qualifying DAM Outage**" shall be defined as a transmission facility that, for a given hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the facility exists but is not modeled as in-service for the Day-Ahead Market for hour *h*;

(ii) the facility existed and was modeled as in-service in the last auction held for TCCs valid for hour *h*; and

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last auction held for TCCs valid for hour *h*.

A "**Deemed Qualifying DAM Outage**" shall be defined as a transmission facility that, for a given hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the facility existed but was not modeled as in-service for the last auction held for TCCs valid for hour *h*;

(ii) the facility existed but was not modeled as in-service in hour *h* as a result of a DAM Status Change or external event described in Section 17.5.2.4.4.3 for which responsibility was assigned pursuant to Section 17.5.2.4.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.2.4.4) other than the Transmission Owner assigned responsibility for the facility not being modeled as in-service for the last auction held for TCCs valid for hour *h*;

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last auction held for TCCs valid for hour *h*.

A transmission facility shall not qualify as an Actual Qualifying DAM Outage if the facility is modeled as in-service for hour *h* of the Day-Ahead Market as a result of a Transmission Owner's use of spare or alternative transmission equipment to bring the facility back in-service so long as the Transmission Owner has notified the ISO in advance of or contemporaneously with the use of such spare or alternative equipment and the estimated duration of its use.

17.5.2.4.2.1.2 Definition of Qualifying DAM Return-to-Service

A "**Qualifying DAM Return-to-Service**" shall be defined to mean either an Actual Qualifying DAM Return-to-Service or a Deemed Qualifying DAM Return-to-Service. For purposes of this Part 17.5 of this Attachment B, "*o*" shall refer to a single Qualifying DAM Return-to-Service.

An "**Actual Qualifying DAM Return-to-Service**" shall be defined as a transmission facility that, for a given hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the facility exists and is modeled as in-service in the Day-Ahead Market for hour *h*;

(ii) the facility existed but was not modeled as in-service for the last auction held for TCCs valid for hour *h*; and

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last auction held for TCCs valid for hour *h*.

A "**Deemed Qualifying DAM Return-to-Service**" shall be defined as a transmission facility that, for a given hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the facility existed but was not modeled as in-service for the last auction held for TCCs valid for hour *h*;

(ii) the facility existed but was not modeled as in-service in the Day-Ahead Market for hour *h* as a result of a DAM Status Change or external event described in Section 17.5.2.4.4.3 for which responsibility is assigned pursuant to Section 17.5.2.4.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.2.4.4) other than the Transmission Owner assigned responsibility for the facility not being modeled as in-service for the last auction held for TCCs valid for hour *h*; and

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last auction held for TCCs valid for hour *h*.

17.5.2.4.2.2 Allocation of an O/R-t-S DAM Constraint Residual When Only One Transmission Owner is Responsible for All of the Relevant Outages and Returns-to-Service

This Section 17.5.2.4.2.2 describes the allocation of an O/R-t-S DAM Constraint Residual for a given hour and a given constraint when only one Transmission Owner is responsible, as determined pursuant to Section 17.5.2.4.4, for all of the Qualifying DAM Outages and all of the Qualifying DAM Returns-to-Service for that hour that contribute to that constraint.

If the same Transmission Owner is responsible, as determined pursuant to Section 17.5.2.4.4, for all of the Qualifying DAM Outages *o* and Qualifying DAM Returns-to-Service *o* for hour *h* that contribute to constraint *a*, then the ISO shall allocate the O/R-t-S DAM Constraint Residual for that hour and that constraint, $O/R\text{-}t\text{-}S\ DCR_{a,h}$, to that Transmission Owner in the form of either: (i) an O/R-t-S Congestion Rent Shortfall Charge in the amount of $O/R\text{-}t\text{-}S\ DCR_{a,h}$ if $O/R\text{-}t\text{-}S\ DCR_{a,h}$ is negative, or (ii) an O/R-t-S Congestion Rent Surplus Payment in the amount of $O/R\text{-}t\text{-}S\ DCR_{a,h}$ if $O/R\text{-}t\text{-}S\ DCR_{a,h}$ is positive.

17.5.2.4.2.3 Allocation of an O/R-t-S DAM Constraint Residual When More Than One Transmission Owner is Responsible for the Relevant Outages and Returns-to-Service

This Section 17.5.2.4.2.3 describes the allocation of an O/R-t-S DAM Constraint Residual for a given hour and a given constraint when more than one Transmission Owner is responsible, as determined pursuant to Section 17.5.2.4.4, for the Qualifying DAM Outages and the Qualifying DAM Returns-to-Service for that hour that contribute to that constraint.

If more than one Transmission Owner is responsible, as determined pursuant to Section 17.5.2.4.4, for the Qualifying DAM Outages and the Qualifying DAM Returns-to-Service for hour *h* that contribute to constraint *a*, the ISO shall allocate the O/R-t-S DAM Constraint

Residual for constraint *a* for hour *h*, O/R-t-S $DCR_{a,h}$, in the form of an O/R-t-S Congestion Rent Shortfall Charge or O/R-t-S Congestion Rent Surplus Payment to the Transmission Owners responsible for the Qualifying DAM Outages *o* and Qualifying DAM Returns-to-Service *o* for hour *h* by first determining the net total impact on the constraint for hour *h* of all Qualifying DAM Outages and Qualifying DAM Returns-to-Service for hour *h* with an impact on the Energy flow across that constraint of 1 MWh or more by applying Formula B-8, and then applying either Formula B-9 or Formula B-10, as specified herein, to assess O/R-t-S Congestion Rent Shortfall Charges and O/R-t-S Congestion Rent Surplus Payments.

Formula B-8

$$O/R\text{-}t\text{-}S\ NetDAMImpact_{a,h} = \left(\sum_{for\ all\ o \in O_h} FlowImpact_{a,h,o} * ShadowPrice_{a,h} \right) * OPF/SCUCAdjust_a$$

Where,

$O/R\text{-}t\text{-}S\ NetDAMImpact_{a,h}$ = The net impact, in dollars, on constraint *a* in hour *h* of all Qualifying DAM Outages and Qualifying DAM Returns-to-Service for hour *h* having an impact of more than 1 MWh on Energy flow across constraint *a*; *provided, however*, $O/R\text{-}t\text{-}S\ NetDAMImpact_{a,h}$ shall be subject to recalculation as specified in the paragraph immediately following this Formula B-8

$FlowImpact_{a,h,o}$ = The Energy flow impact of a Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o*, in MWh, on binding constraint *a* determined for hour *h*, which shall either:

(a) if Qualifying DAM Outage *o* is a Deemed Qualifying DAM Outage, be equal to the negative of $FlowImpact_{a,h,o}$ calculated for the corresponding Deemed Qualifying DAM Return-to-Service as described in part (b) of this definition of *FlowImpacta,h,o*; or

(b) if Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o* is an Actual Qualifying DAM Outage, an Actual Qualifying DAM Return-to-Service,

or a Deemed Qualifying DAM Return-to-Service, be calculated pursuant to the following formula:

$$FlowImpact_{a,h,o} = One\text{-}OffFlow_{a,h,o} - BaseCaseFlow_{a,h}$$

Where,

$BaseCaseFlow_{a,h}$ = The Energy flow on binding constraint *a* resulting from a Power Flow or similar analysis using (1) the set of injections and withdrawals corresponding to the TCCs and Grandfathered Rights represented in the solution to the most recent auction in which TCCs valid in hour *h* were sold (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction); (2) the phase angle regulator schedule determined in the Optimal Power Flow solution for the final round of the last auction held for TCCs valid in hour *h*; and (3) the Transmission System model for the last auction held for TCCs valid in hour *h*;

$One\text{-}OffFlow_{a,h,o}$ = Either

(1) if Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o* is an Actual Qualifying DAM Outage or an Actual Qualifying DAM Return-to-Service, the Energy flow on binding constraint *a* resulting from a Power Flow or similar analysis using each element of the base case data set used in the calculation of $BaseCaseFlow_{a,h}$ above (*provided, however*, if a transmission facility was modeled as free-flowing in hour *h* of the Day-Ahead Market because of the outage of any transmission facility, the ISO shall appropriately adjust the phase angle regulator schedule and related variables to model the transmission facility as free flowing), but in each case with the Transmission System model modified so as to, as the case may be, either (i) model as out-of-service Actual Qualifying DAM Outage *o*, or (ii) model as in-service Actual Qualifying DAM Return-to-Service *o*; or

(2) if Qualifying DAM Return-to-Service *o* is a Deemed Qualifying DAM Return-to-Service, the Energy flow on binding constraint *a* resulting from a Power Flow or similar analysis using each element of the base case data set used in the calculation of $BaseCaseFlow_{a,h}$ above (*provided, however,* if a transmission facility was modeled as free-flowing in hour *h* of the Day-Ahead Market because of the outage of any transmission facility, the ISO shall appropriately adjust the phase angle regulator schedule and related variables to model the transmission facility as free flowing), but with the Transmission System model modified so as to model as in-service the transmission facility that is Deemed Qualifying DAM Return-to-Service *o provided, however,* where the absolute value of $FlowImpact_{a,h,o}$ calculated using the procedures set forth above is less than 1 MWh, then $FlowImpact_{a,h,o}$ shall be set equal to zero; *provided further*, $FlowImpact_{a,h,o}$ shall be subject to being set equal to zero as specified in the paragraph immediately following this Formula B-8

O_h = The set of all Qualifying DAM Outages *o* and Qualifying DAM Returns-to-Service *o* in hour *h*

and the variables $ShadowPrice_{a,h}$ and $OPF/SCUCAdjust_a$ are defined as set forth in Formula B-5.

After calculating O/R-t-S $NetDAMImpact_{a,h}$ pursuant to Formula B-8, the ISO shall determine whether O/R-t-S $NetDAMImpact_{a,h}$ for constraint *a* in hour *h* has a different sign than O/R-t-S $DCR_{a,h}$ for constraint *a* in hour *h*. If the sign is different, the ISO shall (i) recalculate O/R-t-S $NetDAMImpact_{a,h}$ pursuant to Formula B-8 after setting equal to zero each $FlowImpact_{a,h,o}$ for which $FlowImpact_{a,h,o} * ShadowPrice_{a,h} * OPF/SCUCAdjust_a$ has a different sign than O/R-t-S $DCR_{a,h}$, and then (ii) use this recalculated O/R-t-S $NetDAMImpact_{a,h}$ and reset value of $FlowImpact_{a,h,o}$ to allocate O/R-t-S Congestion Rent Shortfall Charges and O/R-t-S

Congestion Rent Surplus Payments pursuant to Formula B-9 or Formula B-10, as specified below.

If the absolute value of the net impact (O/R-t-S $NetDAMImpact_{a,h}$) on constraint *a* of all Qualifying DAM Outages and Qualifying DAM Returns-to-Service for hour *h* as calculated using Formula B-8 (or recalculated pursuant to Formula B-8 using a reset value of $FlowImpact_{a,h,o}$ as described in the prior paragraph) is greater than the absolute value of the O/R-t-S DAM Constraint Residual (O/R-t-S $DCR_{a,h}$), in dollars, for constraint *a* in hour *h*, then the ISO shall allocate the O/R-t-S DAM Constraint Residual in the form of an O/R-t-S Congestion Rent Shortfall Charge, O/R-t-S $CRSC_{a,t,h}$, or O/R-t-S Congestion Rent Surplus Payment, O/R-t-S $CRSP_{a,t,h}$, by using Formula B-9. If the absolute value of the net impact (O/R-t-S $NetDAMImpact_{a,h}$) on constraint *a* of all Qualifying DAM Outages and Qualifying DAM Returns-to-Service for hour *h* as calculated using Formula B-8 (or recalculated pursuant to Formula B-8 using a reset value of $FlowImpact_{a,h,o}$ as described in the prior paragraph) is less than or equal to the absolute value of the O/R-t-S DAM Constraint Residual (O/R-t-S $DCR_{a,h}$), in dollars, for constraint *a* in hour *h*, then the ISO shall allocate the O/R-t-S DAM Constraint Residual in the form of an O/R-t-S Congestion Rent Shortfall Charge or O/R-t-S Congestion Rent Surplus Payment by using Formula B-10.

Formula B-9

$$O/R\text{-}t\text{-}S\ Allocation_{a,t,h} = \left(\frac{\sum_{\substack{o \in O_h \\ and\ q=t}} \left(FlowImpact_{a,h,o} * Responsibility_{h,q,o} \right)}{\sum_{for\ all\ o \in O_h} FlowImpact_{a,h,o}} \right) * O/R\text{-}t\text{-}S\ DCR_{a,h}$$

Where,

$O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ = Either an O/R-t-S Congestion Rent Shortfall Charge or an O/R-t-S Congestion Rent Surplus Payment, as specified in (a) and (b) below:

(a) If $O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ is negative, then $O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ shall be an O/R-t-S Congestion Rent Shortfall Charge, $O/R\text{-}t\text{-}S\ CRSC_{a,t,h}$, charged to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market; or

(b) If $O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ is positive, then $O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ shall be an O/R-t-S Congestion Rent Surplus Payment, $O/R\text{-}t\text{-}S\ CRSP_{a,t,h}$, paid to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market

$Responsibility_{h,q,o}$ = The amount, as a percentage, of responsibility borne by Transmission Owner *q* (which shall include the ISO when it is deemed a Transmission Owner for the purpose of applying Sections 17.5.2.4.4.2, 17.5.2.4.4.3, or 17.5.2.4.4.4) for Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o* in hour *h*, as determined pursuant to Section 17.5.2.4.4

and the variable $O/R\text{-}t\text{-}S\ DCR_{a,h}$ is defined as set forth in Formula B-6 and the variables $FlowImpact_{a,h,o}$ and O_h are defined as set forth in Formula B-8.

Formula B-10

$$O/R\text{-}t\text{-}S\ Allocation_{a,t,h} = \left(\sum_{\substack{o \in O_h \\ and\ q=t}} FlowImpact_{a,h,o} * ShadowPrice_{a,h} * Responsibility_{h,q,o} \right) * OPF/SCUCAdjust_a$$

Where, the variables $ShadowPrice_{a,h}$ and $OPF/SCUCAdjust_a$ are defined as set forth in Formula B-5, the variables $O/R\text{-}t\text{-}S\ Allocation_{a,t,h}$ and $Responsibility_{h,q,o}$ are defined as set forth in Formula B-9, and the variables $FlowImpact_{a,h,o}$ and O_h are defined as set forth in Formula B-8.

17.5.2.4.3 Charges and Payments for the Secondary Impact of DAM Outages and Returns-to-Service

The ISO shall use U/D DAM Constraint Residuals to allocate U/D Congestion Rent Shortfall Charges and U/D Congestion Rent Surplus Payments, as the case may be, among Transmission Owners pursuant to this Section 17.5.2.4.3. Each U/D Congestion Rent Shortfall Charge and each U/D Congestion Rent Surplus Payment allocated to a Transmission Owner

pursuant to this Section 17.5.2.4.3 is subject to being set equal to zero pursuant to Section 17.5.2.4.5.

17.5.2.4.3.1 Identification of Upratings and Deratings Qualifying for Charges and Payments

For each hour of the Day-Ahead Market and for each constraint, the ISO shall identify each Qualifying DAM Derating and each Qualifying DAM Uprating, as described below. The Transmission Owner responsible, as determined pursuant to Section 17.5.2.4.4, for the Qualifying DAM Derating shall be allocated a U/D Congestion Rent Shortfall Charge and the Transmission Owner responsible, as determined pursuant to Section 17.5.2.4.4, for the Qualifying DAM Uprating shall be allocated a U/D Congestion Rent Surplus Payment pursuant to Section 17.5.2.4.3.2.

17.5.2.4.3.1.1 Definition of Qualifying DAM Derating

A "**Qualifying DAM Derating**" shall be defined to mean either an Actual Qualifying DAM Derating or a Deemed Qualifying DAM Derating. For purposes of this Part 17.5 of this Attachment B, "*r*" shall refer to a single Qualifying DAM Derating.

An "**Actual Qualifying DAM Derating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* and hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the constraint has a lower rating in hour *h* than it would have if all transmission facilities were modeled as in-service in hour *h*;

(ii) this lower rating is in whole or in part the result of an Actual Qualifying DAM Outage *o* or an Actual Qualifying DAM Return-to-Service *o* for hour *h*;

(iii) this lower rating resulting from Actual Qualifying DAM Outage *o* or Actual Qualifying DAM Return-to-Service *o* for hour *h* was not modeled in the last auction held for TCCs valid for hour *h*;

(iv) this lower rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the last Reconfiguration Auction in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*); and

(v) the constraint is binding in the Day-Ahead Market for hour *h*.

A "**Deemed Qualifying DAM Derating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* and hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the constraint has a lower rating in hour *h* than it would have if all transmission facilities were modeled as in-service in hour *h*;

(ii) this lower rating is in whole or in part the result of a Deemed Qualifying DAM Outage *o* or Deemed Qualifying DAM Return-to-Service *o* for hour *h*;

(iii) the lower rating resulting from Deemed Qualifying DAM Outage *o* or Deemed Qualifying DAM Return-to-Service *o* for hour *h* was modeled in the last auction held for TCCs valid for hour *h*, but responsibility for Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o* resulting in the lower rating for hour *h* is assigned pursuant to Section 17.5.2.4.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.2.4.4)

other than the Transmission Owner responsible for the lower rating in the last auction held for TCCs valid for hour *h*;

(iv) this lower rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the last Reconfiguration Auction in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*); and

(v) the constraint is binding in the Day-Ahead Market for hour *h*.

17.5.2.4.3.1.2 Definition of Qualifying DAM Uprating

A "**Qualifying DAM Uprating**" shall be defined to mean either an Actual Qualifying DAM Uprating or a Deemed Qualifying DAM Uprating. For purposes of this Part 17.5 of this Attachment B, "*r*" shall refer to a single Qualifying DAM Uprating.

An "**Actual Qualifying DAM Uprating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* in hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the constraint has a higher rating for hour *h* than it would have absent an Actual Qualifying DAM Outage *o* or Actual Qualifying DAM Return-to-Service *o* for hour *h*;

(ii) this higher rating resulting from Actual Qualifying DAM Outage *o* or Actual Qualifying Return-to-Service *o* for hour *h* was not modeled in the last auction held for TCCs valid for hour *h*;

(iii) this higher rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the last Reconfiguration Auction in which TCCs

valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*); and

(iv) the constraint is binding in the Day-Ahead Market for hour *h*.

A "**Deemed Qualifying DAM Uprating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* and hour *h* of the Day-Ahead Market, meets each of the following requirements:

(i) the constraint has a lower rating in hour *h* than it would have if all transmission facilities were modeled as in-service in hour *h*;

(ii) this lower rating is in whole or in part the result of a Deemed Qualifying DAM Outage *o* or Deemed Qualifying DAM Return-to-Service *o* for hour *h*;

(iii) this lower rating resulting from Deemed Qualifying DAM Outage *o* or Deemed Qualifying DAM Return-to-Service *o* for hour *h* was modeled in the last auction held for TCCs valid for hour *h*, but responsibility for Qualifying DAM Outage *o* or Qualifying DAM Return-to-Service *o* resulting in the lower rating for hour *h* is assigned pursuant to Section 17.5.2.4.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner for the purpose of applying Section 17.5.2.4.4) other than the Transmission Owner responsible for the lower rating in the last auction held for TCCs valid for hour *h*;

(iv) this lower rating for hour *h* is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the last Reconfiguration Auction in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs

valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*); and

(v) the constraint is binding in the Day-Ahead Market for hour *h*.

17.5.2.4.3.2 Allocation of U/D DAM Constraint Residuals

This Section 17.5.2.4.3.2 describes the allocation of U/D DAM Constraint Residuals to Qualifying DAM Deratings and Qualifying DAM Upratings.

When there are Qualifying DAM Deratings or Qualifying DAM Upratings for constraint *a* in hour *h*, the ISO shall allocate a U/D DAM Constraint Residual in the form of a U/D Congestion Rent Shortfall Charge, U/D $CRSC_{a,t,h}$, or U/D Congestion Rent Surplus Payment, U/D $CRSP_{a,t,h}$, by first determining the net total impact on the constraint for hour *h* of all Qualifying DAM Upratings *r* and Qualifying DAM Deratings *r* for constraint *a* in hour *h* pursuant to Formula B-11 and then applying either Formula B-12 or Formula B-13, as specified herein, to assess U/D Congestion Rent Shortfall Charges and U/D Congestion Rent Surplus Payments.

Formula B-11

$$U/D\ NetDAMImpact_{a,h} = \left(\sum_{for\ all\ r \in R_{a,h}} RatingChange_{a,h,r} * ShadowPrice_{a,h} \right) * SCUCSignChange_{a,h}$$

Where,

$U/D\ NetDAMImpact_{a,h}$ = The net impact, in dollars, on constraint *a* of all Qualifying DAM Upratings and Qualifying DAM Deratings for constraint *a* in hour *h*; *provided, however,* $U/D\ NetDAMImpact_{a,h}$ shall be subject to recalculation as specified in the paragraph immediately following this Formula B-11

$RatingChange_{a,h,r}$ = Either

(a) If Qualifying DAM Derating *r* or Qualifying DAM Uprating *r* is a Deemed Qualifying DAM Derating or a Deemed Qualifying DAM Uprating,

$RatingChange_{a,h,r}$ shall be equal to the amount, in MWh, of the decrease or increase in the rating of binding constraint *a* in hour *h* resulting from a Deemed Qualifying DAM Return-to-Service or Deemed Qualifying DAM Outage for constraint *a* in hour *h*, as shown in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the Reconfiguration Auction in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*); or

(b) If Qualifying DAM Derating *r* or Qualifying DAM Uprating *r* is an Actual Qualifying DAM Derating or an Actual Qualifying DAM Uprating, $RatingChange_{a,h,r}$ shall be equal to the amount, in MWh, of the decrease or increase in the rating of binding constraint *a* in hour *h* resulting from an Actual Qualifying DAM Return-to-Service or an Actual Qualifying DAM Outage for constraint *a* in hour *h*, as shown in the Reconfiguration Auction Interface Uprate/Derate Table in effect for the Reconfiguration Auction in which TCCs valid in hour *h* were sold (or if no Reconfiguration Auction was held for TCCs valid in hour *h*, then the Centralized TCC Auction Interface Uprate/Derate Table in effect for the last Centralized TCC Auction held for TCCs valid in hour *h*);

provided, however, $RatingChange_{a,h,r}$ shall be subject to being set equal to zero as specified in the paragraph immediately following this Formula B-11

$R_{a,h}$ = The set of all Qualifying DAM Deratings *r* or Qualifying DAM Upratings *r* for binding constraint *a* in hour *h*

and the variables $SCUCSignChange_{a,h}$ and $ShadowPrice_{a,h}$ are defined as set forth in Formula B-5.

After calculating *U/D NetDAMImpact*$_{a,h}$ pursuant to Formula B-11, the ISO shall determine whether *U/D NetDAMImpact*$_{a,h}$ for constraint *a* in hour *h* has a different sign than U/D DCR$_{a,h}$ for constraint *a* in hour *h*. If the sign is different, the ISO shall (i) recalculate U/D NetDAMImpact$_{a,h}$ pursuant to Formula B-11 after setting equal to zero each *RatingChange*$_{a,h,r}$ for which *RatingChange*$_{a,h,r}$ * *ShadowPrice*$_{a,h}$ * *SCUCSignChange*$_{a,h}$ has a different sign than *U/D DCR*$_{a,h}$, and then (ii) use this recalculated *U/D NetDAMImpact*$_{a,h}$ and reset value of *RatingChange*$_{a,h,r}$ to allocate U/D Congestion Rent Shortfall Charges and U/D Congestion Rent Surplus Payments pursuant to Formula B-12 or Formula B-13, as specified below.

If the absolute value of the net impact (*U/D NetDAMImpact*$_{a,h}$) on constraint *a* of all Qualifying DAM Deratings and Qualifying DAM Upratings for constraint *a* in hour *h* as calculated using Formula B-11 (or recalculated pursuant to Formula B-11 using a reset value of *RatingChange*$_{a,h,r}$ as described in the prior paragraph) is greater than the absolute value of the U/D DAM Constraint Residual (*U/D DCR*$_{a,h}$) for constraint *a* in hour *h*, then the ISO shall allocate the U/D DAM Constraint Residual in the form of a U/D Congestion Rent Shortfall Charge, *U/D CRSC*$_{a,t,h}$, or U/D Congestion Rent Surplus Payment, *U/D CRSP*$_{a,t,h}$, by using Formula B-12. If the absolute value of the net impact (*U/D NetDAMImpact*$_{a,h}$) on constraint *a* of all Qualifying DAM Deratings and Qualifying DAM Upratings for constraint *a* in hour *h* as calculated using Formula B-11 (or recalculated pursuant to Formula B-11 using a reset value of *RatingChange*$_{a,h,r}$ as described in the prior paragraph) is less than or equal to the absolute value of the U/D DAM Constraint Residual (*U/D DCR*$_{a,h}$) for constraint *a* in hour *h*, then the ISO shall allocate the U/D DAM Constraint Residual in the form of a U/D Congestion Rent Shortfall Charge, *U/D CRSC*$_{a,t,h}$, or U/D Congestion Rent Surplus Payment, *U/D CRSP*$_{a,t,h}$, by using Formula B-13.

Formula B-12

$$U/D\ Allocation_{a,t,h} = \left(\frac{\sum_{\substack{r \in R_{a,h} \\ and\ q=t}} \left(RatingChange_{a,h,r} * Responsibility_{h,q,r} \right)}{\sum_{for\ all\ r \in R_{a,h}} RatingChange_{a,h,r}} \right) * U/D\ DCR_{a,h}$$

Where,

$U/D\ Allocation_{a,t,h}$ = Either a U/D Congestion Rent Shortfall Charge or a U/D Congestion Rent Surplus Payment, as specified in (a) and (b) below:

(a) If $U/D\ Allocation_{a,t,h}$ is negative, then $U/D\ Allocation_{a,t,h}$ shall be a U/D Congestion Rent Shortfall Charge, $U/D\ CRSC_{a,t,h}$, charged to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market; or

(b) If $U/D\ Allocation_{a,t,h}$ is positive, then $U/D\ Allocation_{a,t,h}$ shall be a U/D Congestion Rent Surplus Payment, $U/D\ CRSP_{a,t,h}$, paid to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market

$Responsibility_{h,q,r}$ = The amount, as a percentage, of responsibility borne by Transmission Owner *q* (which shall include the ISO when it is deemed a Transmission Owner for the purpose of applying Sections 17.5.2.4.4.2, 17.5.2.4.4.3, or 17.5.2.4.4.4) for Qualifying DAM Derating *r* or Qualifying DAM Uprating *r* in hour *h*, as determined pursuant to Section 17.5.2.4.4

and the variable $U/D\ DCR_{a,h}$ is defined as set forth in Formula B-7 and the variables $RatingChange_{a,h,r}$ and $R_{a,h}$ are defined as set forth in Formula B-11.

Formula B-13

$$U/D\ Allocation_{a,t,h} = \left(\sum_{\substack{r \in R_{a,h} \\ and\ q=t}} RatingChange_{a,h,r} * ShadowPrice_{a,h} * Responsibility_{h,q,r} \right) * SCUCSignChange_{a,h}$$

Where,

the variables $ShadowPrice_{a,h}$ and $SCUCSignChange_{a,h}$ are defined as set forth in Formula B-5, the variables $U/D\ Allocation_{a,t,h}$ and $Responsibility_{h,q,r}$ are defined as set forth in Formula B-12, and the variables $RatingChange_{a,h,r}$ and $R_{a,h}$ are defined as set forth in Formula B-11.

17.5.2.4.4 Assigning Responsibility for Outages, Returns-to-Service, Deratings, and Upratings

17.5.2.4.4.1 General Rule for Assigning Responsibility; Presumption of Causation

Unless the special rules set forth in Sections 17.5.2.4.4.2 through 17.5.2.4.4.4 apply, a Transmission Owner shall for purposes of this Section 17.5.2.4 be deemed responsible for a DAM Status Change to the extent that the Transmission Owner has caused the DAM Status Change by changing the in-service or out-of-service status of its transmission facility; *provided, however*, that where a DAM Status Change results from a change to the in-service or out-of-service status of a transmission facility owned by more than one Transmission Owner, responsibility for such DAM Status Change shall be assigned to each owning Transmission Owner based on the percentage of the transmission facility that is owned by the Transmission Owner (as determined in accordance with Section 17.5.2.4.6.1) during the hour for which the DAM Status Change occurred. For the sake of clarity, a Transmission Owner may, by changing the in-service or out-of-service status of its transmission facility, cause a DAM Status Change of another transmission facility if the Transmission Owner's change in the in-service or out-of-service status of its transmission facility causes (directly or as a result of Good Utility Practice) a change in the in-service or out-of-service status of the other transmission facility.

The Transmission Owner that owns a transmission facility that qualifies as a DAM Status Change shall be deemed to have caused the DAM Status Change of that transmission facility unless (i) the Transmission Owner that owns the facility informs the ISO that another Transmission Owner caused the DAM Status Change or that responsibility is to be shared among Transmission Owners in accordance with Sections 17.5.2.4.4.2, 17.5.2.4.4.3, or 17.5.2.4.4.4, and no party disputes such claim; (ii) in case of a dispute over the assignment of responsibility, the ISO determines a Transmission Owner other than the owner of the transmission facility caused

the DAM Status Change or that responsibility is to be shared among Transmission Owners in accordance with Sections 17.5.2.4.4.2, 17.5.2.4.4.3, or 17.5.2.4.4.4; or (iii) FERC orders otherwise.

17.5.2.4.4.2 Shared Responsibility For Outages, Returns-to-Service, and Ratings Changes Directed by the ISO or Caused by Facility Status Changes Directed by the ISO

A Transmission Owner shall not be responsible for any DAM Status Change that qualifies as an ISO-Directed DAM Status Change or Deemed ISO-Directed DAM Status Change. Instead, the ISO shall allocate any revenue impacts resulting from a DAM Status Change that qualifies as an ISO-Directed DAM Status Change or Deemed ISO-Directed DAM Status Change as part of Net Congestion Rents for hour *h*. To do so, the ISO shall be treated as a Transmission Owner when allocating DAM Constraint Residuals pursuant to Section 17.5.2.4.2 and Section 17.5.2.4.3, and any DAM Status Change that qualifies as an ISO-Directed DAM Status Change or Deemed ISO-Directed DAM Status Change shall be attributed to the ISO when performing the calculations described in Section 17.5.2.4.2 and Section 17.5.2.4.3; *provided, however*, any O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment allocable to the ISO pursuant to this Section 17.5.2.4.4.2 shall ultimately be allocated to the Transmission Owners as Net Congestion Rents pursuant to Section 17.5.2.5.

Responsibility for a Qualifying DAM Return-to-Service or Qualifying DAM Uprating that is directed by the ISO but does not qualify as a Deemed ISO-Directed DAM Status Change shall be assigned to the Transmission Owner that was responsible for the Qualifying Auction Outage or Qualifying Auction Derating in the last Reconfiguration Auction held for TCCs valid

for the relevant hour or the last 6-month sub-auction of a Centralized TCC Auction held for TCCs valid for the relevant hour.

17.5.2.4.4.3 Shared Responsibility for External Events

A Transmission Owner shall not be responsible for a DAM Status Change occurring inside the NYCA that is caused by a change in the in-service or out-of-service status or rating of a transmission facility located outside the NYCA. Instead, the ISO shall allocate any revenue impacts resulting from a DAM Status Change caused by such an event outside the NYCA as part of Net Congestion Rents for hour *h*. To do so, the ISO shall be treated as a Transmission Owner when allocating DAM Constraint Residuals pursuant to Section 17.5.2.4.2 and Section 17.5.2.4.3 and any DAM Status Change caused by such an event outside the NYCA shall be attributed to the ISO when performing the calculations described in Section 17.5.2.4.2 and Section 17.5.2.4.3; *provided, however,* any O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment allocable to the ISO pursuant to this Section 17.5.2.4.4.3 shall ultimately be allocated to the Transmission Owners as Net Congestion Rents pursuant to Section 17.5.2.5.

17.5.2.4.4.4 Shared Responsibility For Returns-to-Service and Upratings During a Transitional Period

Notwithstanding any other provision of this Part 17.5 of this Attachment B, a Transmission Owner shall be deemed to be not responsible for a Qualifying DAM Return-to-Service, Qualifying DAM Derating, or Qualifying DAM Uprating for an hour of the Day-Ahead Market if this Part 17.5 of this Attachment B was not in effect at the time of the last Reconfiguration Auction held for TCCs valid for the hour. Instead, the ISO shall allocate any revenue impacts resulting from such a Qualifying DAM Return-to-Service, Qualifying DAM

Derating, or Qualifying DAM Uprating as part of Net Congestion Rents for hour *h*. To do so, the ISO shall be treated as a Transmission Owner when allocating DAM Constraint Residuals pursuant to Section 17.5.2.4.2 and Section 17.5.2.4.3, and any such Qualifying DAM Return-to-Service, Qualifying DAM Derating, or Qualifying DAM Uprating during this transitional period shall be attributed to the ISO when performing the calculations described in Section 17.5.2.4.2 and Section 17.5.2.4.3; *provided, however,* any O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment allocable to the ISO pursuant to this Section 17.5.2.4.4.4 shall ultimately be allocated to the Transmission Owners as Net Congestion Rents pursuant to Section 17.5.2.5.

17.5.2.4.5 Exceptions: Setting Charges and Payments to Zero

17.5.2.4.5.1 Zeroing Out of Charges and Payments When Outages and Deratings Lead to Net Payments or Returns-to-Service and Upratings Lead to Net Charges

The ISO shall use Formula B-14 to calculate the total O/R-t-S Congestion Rent Shortfall Charges, U/D Congestion Rent Shortfall Charges, O/R-t-S Congestion Rent Surplus Payments, and U/D Congestion Rent Surplus Payments, $\text{NetDAMAllocations}_{t,h}$, for Transmission Owner *t* in hour *h*. Based on this calculation, the ISO shall set equal to zero all O/R-t-S $\text{CRSC}_{a,t,h}$, U/D $\text{CRSC}_{a,t,h}$, O/R-t-S $\text{CRSP}_{a,t,h}$, and U/D $\text{CRSP}_{a,t,h}$ (each as defined in Formula B-14) for Transmission Owner *t* for all constraints for hour *h* if (i) $\text{NetDAMAllocations}_{t,h}$ is positive and Transmission Owner *t* is not responsible (as determined pursuant to Section 17.5.2.4.4) for any Qualifying DAM Returns-to-Service or Qualifying DAM Upratings during hour *h*, or (ii) $\text{NetDAMAllocations}_{t,h}$ is negative and Transmission Owner *t* is not responsible (as determined pursuant to Section 17.5.2.4.4) for any Qualifying DAM Outages or Qualifying DAM Deratings

during hour *h*; *provided, however*, the ISO shall not set equal to zero pursuant to this Section 17.5.2.4.5.1 any O/R-t-S $CRSC_{a,t,h}$, U/D $CRSC_{a,t,h}$, O/R-t-S $CRSP_{a,t,h}$, or U/D $CRSP_{a,t,h}$ arising from an ISO-Directed DAM Status Change or Deemed ISO-Directed DAM Status Change described in Section 17.5.2.4.4.2, an external event described in Section 17.5.2.4.4.3, or an event occurring during a transitional period as described in Section 17.5.2.4.4.4.

Formula B-14

$$NetDAMAllocations_{t,h} = \sum_{for\ all\ a} \left(O/R\text{-}t\text{-}SCRSC_{a,t,h} + U/DCRSC_{a,t,h} + O/R\text{-}t\text{-}SCRSP_{a,t,h} + U/DCRSP_{a,t,h} \right)$$

Where,

$NetDAMAllocations_{t,h}$ = The total of the O/R-t-S Congestion Rent Shortfall Charges, U/D Congestion Rent Shortfall Charges, O/R-t-S Congestion Rent Surplus Payments, and U/D Congestion Rent Surplus Payments allocated to Transmission Owner *t* in hour *h*

$O/R\text{-}t\text{-}S\ CRSC_{a,t,h}$ = An O/R-t-S Congestion Rent Shortfall Charge allocated to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market, calculated pursuant to Section 17.5.2.4.2

$U/D\ CRSC_{a,t,h}$ = A U/D Congestion Rent Shortfall Charge allocated to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market, calculated pursuant to Section 17.5.2.4.3

$O/R\text{-}t\text{-}S\ CRSP_{a,t,h}$ = An O/R-t-S Congestion Rent Surplus Payment allocated to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market, calculated pursuant to Section 17.5.2.4.2

$U/D\ CRSP_{a,t,h}$ = A U/D Congestion Rent Surplus Payment allocated to Transmission Owner *t* for binding constraint *a* in hour *h* of the Day-Ahead Market, calculated pursuant to Section 17.5.2.4.3.

17.5.2.4.5.2 Zeroing Out of Charges and Payments Resulting from Formula Failure

Notwithstanding any other provision of this Part 17.5 of this Attachment B, the ISO shall set equal to zero any O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment allocated to a Transmission Owner for an hour of the Day-Ahead Market if either:

(i) data necessary to compute such a charge or payment, as specified in the formulas set forth in Section 17.5.2.4, is not known by the ISO and cannot be computed by the ISO (in interpreting this clause, equipment failure shall not preclude computation by the ISO unless necessary data is irretrievably lost); or

(ii) both (a) the charge or payment is clearly and materially inconsistent with cost causation principles; and (b) this inconsistency is the result of factors not taken into account in the formulas used to calculate the charge or payment;

provided, however, if the amount of charges or payments set equal to zero as a result of the unknown data or inaccurate formula is greater than twenty five thousand dollars ($25,000) in any given month or greater than one hundred thousand dollars ($100,000) over multiple months, the ISO will inform the Transmission Owners of the identified problem and will work with the Transmission Owners to determine if an alternative allocation method is needed and whether it will apply to all months for which the intended formula does not work. Alternate methods would be subject to market participant review and subsequent filing with FERC, as appropriate.

For the sake of clarity, the ISO shall not pursuant to this Section 17.5.2.4.5.2 set equal to zero any O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment that fails to meet these conditions, even if another O/R-t-S Congestion Rent Shortfall Charge, U/D Congestion Rent Shortfall Charge, O/R-t-S Congestion Rent Surplus Payment, or U/D Congestion Rent Surplus Payment is set equal to zero pursuant to this Section 17.5.2.4.5.2 in the same hour of the Day-Ahead Market.

17.5.2.4.6 Information Requirements

17.5.2.4.6.1 Information Regarding Facility Ownership

A Transmission Owner shall be responsible for informing the ISO of any change in the ownership of a transmission facility. The ISO shall allocate responsibility for DAM Status Changes based on the transmission facility ownership information available to it at the time of initial settlement.

17.5.2.4.6.2 Calculation of Settlements Without DCR Allocation Threshold

One month each year, the ISO shall, for informational purposes only, calculate the DAM Constraint Residuals for each constraint for each hour without applying the DCR Allocation Threshold and shall calculate all O/R-t-S Congestion Rent Shortfall Charges, O/R-t-S Congestion Rent Surplus Payments, U/D Congestion Rent Shortfall Charges, and U/D Congestion Rent Surplus Payments. Before choosing the month for which it will perform these calculations, the ISO will consult with the Transmission Owners.

17.5.2.5 Allocation of Net Congestion Rents to Transmission Owners

The Net Congestion Rents for each hour of month *m* shall be summed over the month, so that positive and negative values net to a monthly total, NCR_m. The ISO shall allocate NCR_m each month to the Transmission Owners by allocating to each Transmission Owner *t* an amount equal to the product of (i) NCR_m, and (ii) the allocation factor for Transmission Owner *t* for month *m*, as calculated pursuant to Formula B-15.

Formula B-15

$$Allocation\ Factor_{t,m} = \frac{\left(Original\ Residual_{t,m} + ETCNL_{t,m} + NARs_{t,m} + GFR\&GFTCC_{t,m}\right)}{\sum_{q \in T}\left(Original\ Residual_{q,m} + ETCNL_{q,m} + NARs_{q,m} + GFR\&GFTCC_{q,m}\right)}$$

Where,

$Allocation\ Factor_{t,m}$ = The allocation factor used by the ISO to allocate a share of the Net Congestion Rents to Transmission Owner *t* for month *m*

$Original\ Residual_{q,m}$ = The one-month portion of the revenue imputed to the Direct Sale or the sale in any Centralized TCC Auction sub-auction of Original Residual TCCs that are valid in month *m.* The one-month portion of the revenue imputed to the Direct Sale of these Original Residual TCCs shall be the market clearing price of the TCCs in the Reconfiguration Auction held for month *m* (or one-sixth of the average market clearing price in the stage 1 rounds of the 6-month sub-auction of the last Centralized TCC Auction if no Reconfiguration Auction was held for month *m*). The one-month portion of the revenue imputed to the sale in any Centralized TCC Auction sub-auction of these Original Residual TCCs shall be calculated by dividing the revenue received from the sale of these Original Residual TCCs in the Centralized TCC Auction sub-auction by the duration in months of the TCCs sold in that Centralized TCC Auction sub-auction

$ETCNL_{q,m}$ = The sum of the one-month portion of the revenues the Transmission Owner has received as payment for the Direct Sale of ETCNL or for its ETCNL released in the Centralized TCC Auction sub-auctions held for TCCs valid for month *m*. Each one-month portion of the revenue for ETCNL released in such Centralized TCC Auction shall be calculated by dividing the revenue received in a Centralized TCC Auction sub-auction from the sale of the ETCNL by the duration in months of the TCCs corresponding to the ETCNL sold in the Centralized TCC Auction sub-auction.[2] The one-month portion of the revenue imputed to the Direct Sale of ETCNL shall be the value of the TCCs corresponding to that ETCNL in the Reconfiguration Auction held for month *m* (or one-sixth of the average market clearing price of such TCCs in stage 1 rounds of the 6-month sub-auction of the last Centralized TCC Auction if no Reconfiguration Auction was held for month *m*)

$NARs_{q,m}$ = The one-month portion of the Net Auction Revenues the Transmission Owner has received in Centralized TCC Auction sub-auctions and Reconfiguration Auctions held for TCCs valid for month *m* (which shall not include any revenue from the sale of Original Residual TCCs). The one-month portion of the revenues shall be calculated by summing (i) the revenue Transmission Owner *q* received in each Centralized TCC Auction sub-auction or Reconfiguration Auction from the allocation of Net Auction Revenue pursuant to Section 17.5.3.7, divided by the duration in months of the TCCs sold in the Centralized TCC Auction sub-auction or Reconfiguration Auction (or, to the extent TCC auction revenues were allocated pursuant to a different methodology, the amount of such

[2] A TCC corresponds to ETCNL if it has the same POI and POW as the ETCNL.

		revenues allocated to Transmission Owner *q*), minus (ii) the sum of $NetAuctionAllocations_{t,n}$ as calculated pursuant to Formula B-27 (as adjusted for any charges or payments that are zeroed out) for Transmission Owner *q* for all 6-month sub-auction stage 1 rounds *n* of all Centralized TCC Auctions held for TCCs valid in month *m*, divided in each case by the duration in months of the TCCs sold in each Centralized TCC Auction sub-auction (or, to the extent that the revenue impact of transmission facility outages, returns-to-service, upratings, and deratings were settled pursuant to a different methodology, the net of such revenue impacts for Transmission Owner *q*), minus (iii) $NetAuctionAllocations_{t,n}$ as calculated pursuant to Formula B-27 and as adjusted for any charges or payments that are zeroed out for Transmission Owner *q* for the Reconfiguration Auction *n* held for month *m* (or, to the extent that the revenue impact of transmission facility outages, returns-to-service, upratings, and deratings were settled pursuant to a different methodology, the net of such revenue impacts for Transmission Owner *q*)
$GFR\&GFTCC_{q,m}$	=	The one-month portion of the imputed value of Grandfathered TCCs and Grandfathered Rights, valued at their market clearing prices in the Reconfiguration Auction for month *m* (or one-sixth of the average market clearing price in stage 1 rounds in the 6-month sub-auction of the last Centralized TCC Auction if no Reconfiguration Auction was held for month *m*), provided that the Transmission Owner is the selling party and the Existing Transmission Agreement related to each Grandfathered TCC and Grandfathered Right remains valid in month *m*
t	=	Transmission Owner *t*
T	=	The set of all Transmission Owners *q*.

Each Transmission Owner's share of Net Congestion Rents allocated pursuant to this Section 17.5.2.5 shall be incorporated into, or otherwise accounted for as part of, its TSC, ~~or~~ NTAC, or other applicable rate mechanism under the ISO Tariffs used to assess charges for Transmission Service provided by the Transmission Owner pursuant to this Tariff, as the case may be.

17.5.3 Settlement of TCC Auctions

17.5.3.1 Overview of TCC Auction Settlements; Calculation of Net Auction Revenue

Overview of TCC Auction Settlements. For each round *n* of a Centralized TCC Auction and for each Reconfiguration Auction *n*, the ISO shall settle all settlements for round *n* or for Reconfiguration Auction *n*. These settlements include, as applicable pursuant to the provisions of this Part 17.5 of this Attachment B: (i) the market clearing price charged or paid to purchasers of TCCs; (ii) payments to Transmission Owners that released ETCNL; (iii) payments or charges to Primary Holders selling TCCs; (iv) payments to Transmission Owners that released Original Residual TCCs; (v) O/R-t-S Auction Revenue Shortfall Charges and U/D Auction Revenue Shortfall Charges; and (vi) O/R-t-S Auction Revenue Surplus Payments and U/D Auction Revenue Surplus Payments. Each of these settlements is represented by a variable in Formula B-16.

Calculation of Net Auction Revenues for a Round or a Reconfiguration Auction. In each Centralized TCC Auction round *n* and in each Reconfiguration Auction *n*, the ISO shall calculate Net Auction Revenue pursuant to Formula B-16.

Formula B-16

$$Net\ Auction\ Revenue_n = \begin{bmatrix} TCC\ Auction\ Revenue_n \\ -ETCNL_n \\ -Primary\ Holder\ TCCs\ Sold_n \\ -Original\ Residual\ TCCs_n \\ -O/R\text{-}t\text{-}S\&U/D\ ARSC\&ARSP_n \end{bmatrix}$$

Where,

n	=	A round of a Centralized TCC Auction (which may be either a stage 1 round of a 6-month sub-auction, a stage 1 round of a sub-auction in which TCCs with a duration greater than 6 months are sold, or a stage 2 round) or a Reconfiguration Auction, as the case may be
Net Auction Revenue$_n$	=	Net Auction Revenue for the round *n* of a Centralized TCC Auction or for Reconfiguration Auction *n*, as the case may be
TCC Auction Revenue$_n$	=	The gross amount of revenue that the ISO collects from the award of TCCs to purchasers in round *n* or in Reconfiguration Auction *n*, which results from the charges and payments allocated pursuant to Section 17.5.3.2
ETCNL$_n$	=	Either (i) if round *n* is a stage 1 round of a Centralized TCC Auction, the total of all payments that the ISO makes to Transmission Owners releasing ETCNL into the round pursuant to Section 17.5.3.3; (ii) if round *n* is a stage 2 round of a Centralized TCC Auction, 0; or (iii) for Reconfiguration Auction *n*, 0
Primary Holder TCCs Sold$_n$	=	The net of the total payments and charges the ISO allocates to Primary Holders selling TCCs in round *n* or in Reconfiguration Auction *n* pursuant to Section 17.5.3.4
Original Residual TCCs$_n$	=	Either (i) if round *n* is a stage 1 round of a Centralized TCC Auction, the total payments the ISO makes in round *n* pursuant to Section 17.5.3.5 to Transmission Owners that release into round *n* Original Residual TCCs; (ii) if round *n* is a stage 2 round of a Centralized TCC Auction, 0; or (iii) for Reconfiguration Auction *n*, 0

O/R-t-S&U/D ARSC&ARSP$_n$	=	Either (i) if round *n* is a stage 1 round of a Centralized TCC Auction in which 6-month TCCs are sold, the sum of the total O/R-t-S Auction Revenue Shortfall Charges, U/D Auction Revenue Shortfall Charges, O/R-t-S Auction Revenue Surplus Payments, and U/D Auction Revenue Surplus Payments (calculated as NetAuctionAllocations$_{t,n}$ pursuant to Formula B-27) for all Transmission Owners *t*, reduced by any zeroing out of such charges or payments pursuant to Section 17.5.3.6.5; (ii) if round *n* is a stage 2 round of a Centralized TCC Auction or a stage 1 round of a Centralized TCC Auction sub-auction in which TCCs with durations longer than 6 months are sold, 0; or (iii) for Reconfiguration Auction *n*, the sum of the total O/R-t-S Auction Revenue Shortfall Charges (O/R-t-S ARSC$_{a,t,n}$), U/D Auction Revenue Shortfall Charges (U/D ARSC$_{a,t,n}$), O/R-t-S Auction Revenue Surplus Payments (O/R-t-S ARSP$_{a,t,n}$), and U/D Auction Revenue Surplus Payments (U/D ARSP$_{a,t,n}$) for all Transmission Owners *t* (which sum is calculated for each Transmission Owner as NetAuctionAllocations$_{t,n}$ pursuant to Formula B-27), reduced by any zeroing out of such charges or payments pursuant to Section 17.5.3.6.5

The ISO shall allocate the Net Auction Revenue calculated in each round of a Centralized TCC Auction sub-auction and in each Reconfiguration Auction to Transmission Owners pursuant to Section 17.5.3.7.

17.5.3.2 Charges for TCCs Purchased

All bidders awarded TCCs in round *n* of a Centralized TCC Auction or in Reconfiguration Auction *n* shall pay or be paid the market clearing price in round *n* or in Reconfiguration Auction *n*, as determined pursuant to Part 17.4 of this Attachment B, for the TCCs purchased.

17.5.3.3 Payments for ETCNL

The ISO shall, in each round of a Centralized TCC Auction in which ETCNL is released, pay the market clearing price determined in that round for TCCs that correspond to that ETCNL to the Transmission Owner that releases the ETCNL.

If a Transmission Owner releases ETCNL for sale in a round of the Centralized TCC Auction, and the market-clearing price for those TCCs corresponding to that ETCNL in that round is negative, the value of those TCCs will not be included in the determination of payments to the Transmission Owners for ETCNL released into the Centralized TCC Auction. If the market-clearing price is negative for TCCs corresponding to any ETCNL, the value will be set to zero for purposes of allocating auction revenues from the sale of ETCNL. If the total value of the auction revenues available for payment to the Transmission Owners for ETCNL released into the Centralized TCC Auction is insufficient to fund payments at market-clearing prices, the total payments to each Transmission Owner for ETCNL will be reduced proportionately. Notwithstanding any other provision in this Tariff, ETCNL that is offered in any Centralized TCC Auction and that is assigned a negative market clearing price or value shall not give rise to a payment obligation by the Transmission Owner that released it.

17.5.3.4 Payments to Primary Holders Selling TCCs; Distribution of Revenues from Sale of Certain Grandfathered TCCs (excluding ETCNL) in a Centralized TCC Auction

The ISO shall distribute to or collect from each Primary Holder of a TCC selling that TCC in the Centralized TCC Auction or Reconfiguration Auction the market clearing price of that TCC in the round of the Centralized TCC Auction or in the Reconfiguration Auction in which that TCC was sold.

In the event a Grandfathered TCC3 is terminated by mutual agreement of the parties to the grandfathered ETA prior to the conditions specified within Attachments K and L of the ISO OATT, then the ISO shall distribute the revenues from the sale of the TCCs that correspond to the terminated Grandfathered TCCs in a round of a Centralized TCC Auction directly back to the

[3] These TCCs include TCCs, if any, associated with those rate schedules to which footnote 9 of Attachment L of the ISO OATT pertains, whether by mutual agreement or otherwise.

Transmission Owner identified in Attachment L of the ISO OATT, until such time as the conditions specified within Attachments K and L of the ISO OATT are met. Upon such time that the conditions within Attachments K and L of the ISO OATT are met, the ISO shall allocate the revenues from the sale of the TCCs that correspond to terminated Grandfathered TCCs in the Centralized TCC Auction as Net Auction Revenues in accordance with Section 17.5.3.7 of this Part 17.5 of this Attachment B.

17.5.3.5 Allocation of Revenues from the Sale of Original Residual TCCs

Revenues associated with Original Residual TCCs shall be distributed directly to each Primary Owner for the duration of the LBMP Transition Period. The Primary Owner of such an Original Residual TCC shall be paid the market clearing price of the Original Residual TCC in the round of the sub-auction in which that Original Residual TCC was sold.

If a Transmission Owner releases an Original Residual TCC for sale in a round of the Centralized TCC Auction, and the market-clearing price for those TCCs in that round is negative, the value of those TCCs will not be included in the determination of payments to the Transmission Owners for Original Residual TCCs released into the Centralized TCC Auction. If the market-clearing price is negative for any Original Residual TCC, the value will be set to zero for purposes of allocating auction revenues from the sale of Residual TCCs. If the total value of the auction revenues available for payment to the Transmission Owners for Original Residual TCCs released into the Centralized TCC Auction is insufficient to fund payments at market-clearing prices, the total payments to each Transmission Owner for Original Residual TCCs will be reduced proportionately. This proportionate reduction would include a reduction in payments reflecting a proportionate reduction in the auction value of Original Residual TCCs sold in a Direct Sale. Notwithstanding any other provision in this Tariff, Original Residual TCCs that are

offered in any Centralized TCC Auction and that are assigned a negative market clearing price or value shall not give rise to a payment obligation by the Transmission Owner that released them.

17.5.3.6 Charges and Payments to Transmission Owners for Auction Outages and Returns-to-Service

The ISO shall charge O/R-t-S Auction Revenue Shortfall Charges and U/D Auction Revenue Shortfall Charges and pay O/R-t-S Auction Revenue Surplus Payments and U/D Auction Revenue Surplus Payments pursuant to this Section 17.5.3.6. To do so, the ISO shall calculate the Auction Constraint Residual for each constraint for each stage 1 round *n* of a Centralized TCC Auction 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, pursuant to Section 17.5.3.6.1 and then determine the amount of each Auction Constraint Residual that is O/R-t-S Auction Constraint Residual and the amount that is U/D Auction Constraint Residual, as specified in Section 17.5.3.6.1. The ISO shall use the O/R-t-S Auction Constraint Residual to allocate O/R-t-S Auction Revenue Shortfall Charges and O/R-t-S Auction Revenue Surplus Payments to Transmission Owners pursuant to Sections 17.5.3.6.2 and 17.5.3.6.4, each of which shall be subject to being reduced to zero pursuant to Section 17.5.3.6.5. The ISO shall use the U/D Auction Constraint Residual to allocate U/D Auction Revenue Shortfall Charges and U/D Auction Revenue Surplus Payments to Transmission Owners pursuant to Sections 17.5.3.6.3 and 17.5.3.6.4, each of which shall be subject to being reduced to zero pursuant to Section 17.5.3.6.5. The ISO shall not calculate an Auction Constraint Residual, O/R-t-S Auction Constraint Residual, or U/D Auction Constraint Residual for any rounds of a Centralized TCC Auction except for stage 1 rounds of the 6-month sub-auction.

17.5.3.6.1 Measuring the Impact of Auction Outages and Returns-to-Service: Calculation of Auction Constraint Residuals and Division of Auction Constraint Residuals into O/R-t-S Auction Constraint Residuals and U/D Auction Constraint Residuals

The ISO shall identify all constraints that are binding in the final Optimal Power Flow solution for stage 1 round *n* of a 6-month sub-auction of a Centralized TCC Auction or for Reconfiguration Auction *n*, as the case may be. For each binding constraint *a* and for each stage 1 round *n* of a 6-month sub-auction of a Centralized TCC Auction or Reconfiguration Auction *n*, the ISO shall calculate the Auction Constraint Residual, $ACR_{a,n}$, using Formula B-17; *provided, however*, the ISO shall recalculate $ACR_{a,n}$ using Formula B-18 if (i) $ACR_{a,n}$ is positive based on the calculation using Formula B-17, and (ii) constraint *a* was not binding in the Power Flow used to determine the Energy flow on constraint *a* in calculating the variable $FLOW_{a,n,basecase}$ in Formula B-17.

Formula B-17

$$ACR_{a,n} = ShadowPrice_{a,n} * \begin{bmatrix} (FLOW_{a,n,actual} - FLOW_{a,n,basecase}) \\ +(ISORatingChange_{a,n} * OPFSignChange_{a,n}) \end{bmatrix} * \%Sold_n$$

Where,

$ACR_{a,n}$ = The Auction Constraint Residual, in dollars, for binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*

$ShadowPrice_{a,n}$ = The Shadow Price, in dollars/MW-*p*, of binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, where *p* is a one-month period for Reconfiguration Auction *n* and *p* is a six-month period for stage 1 round *n* of a 6-month sub-auction, which Shadow Price is calculated in a manner so that if relaxation of constraint *a* would permit an increase in the objective function used for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* as described in Part 17.4 of this Attachment B, then $ShadowPrice_{a,n}$ is positive

$FLOW_{a,n,actual}$ = The Energy flow, in MW-*p*, on binding constraint *a* resulting from a Power Flow using, as the case may be:

(a) For Reconfiguration Auction *n*, (i) the Transmission System model for Reconfiguration Auction *n*, (ii) the set of TCCs and Grandfathered Rights represented in the solution to Reconfiguration Auction *n* (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction), and (iii) the phase angle regulator schedules determined in the Optimal Power Flow solution for Reconfiguration Auction *n*; or

(b) For stage 1 round *n* of a 6-month sub-auction, (i) the Transmission System model for stage 1 round *n*, (ii) the set of TCCs (scaled appropriately) and Grandfathered Rights represented in the solution to stage 1 round *n* (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction), and (iii) the phase angle regulator schedule produced in the Optimal Power Flow solution for stage 1 round *n*

$FLOW_{a,n,basecase}$ = The Energy flow, in MW-*p*, on binding constraint *a* produced in, as the case may be:

(a) For Reconfiguration Auction *n*, a Power Flow using the following base case data set: (i) the Transmission System model for Reconfiguration Auction *n*, (ii) the set of TCCs and Grandfathered Rights represented in the solution to the final round of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n* (including those pre-existing TCCs (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction), and (iii) the phase angle regulator schedules determined in the Optimal Power Flow solution for the final round of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; or

(b) For stage 1 round *n* of a 6-month sub-auction, a Power Flow run using the following base case data set: (i) the Transmission System model for the actual 6-month sub-auction, and (ii) the base case set of TCCs (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in the simulated auction) and the phase angle regulator schedule produced in a single simulated TCC auction administered for all stage 1 rounds of the 6-month sub-auction using the Transmission System model for the actual 6-month sub-auction modified so as to model as in-service all transmission facilities that were out-of-service in the Transmission System model used for the sub-auction and model as fully rated all transmission facilities that were derated in the Transmission System model used for the sub-auction, the pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in the sub-auction, and all bids to purchase and offers to sell made into all stage 1 rounds of the sub-auction that includes round *n*

$ISORatingChange_{a,n}$ = The total change in the rating of constraint *a* for stage 1 round *n* or Reconfiguration Auction *n* resulting from ISO-Directed Auction Status Changes or Deemed ISO-Directed Auction Status Changes described in Section 17.5.3.6.4.2, external events described in Section 17.5.3.6.4.3, or reasons determined by the ISO to be unrelated to Qualifying Auction Outages or Qualifying Auction Returns-to-Service for stage 1 round *n* or Reconfiguration Auction *n*, which shall be calculated as follows:

(a) For Reconfiguration Auction *n*, zero, except that in the event of a change in the rating of constraint *a* resulting from ISO-Directed Auction Status Changes or Deemed ISO-Directed Auction Status Changes described in Section 17.5.3.6.4.2, external events described in Section 17.5.3.6.4.3, or reasons determined by the ISO to be unrelated to Qualifying Auction Outages or Qualifying Auction

Returns-to-Service for stage 1 round *n* or Reconfiguration Auction *n*, $ISORatingChange_{a,n}$ shall be equal to the amount, in MW-*p*, of the change in the rating limit of constraint *a* as shown in the Reconfiguration Auction Interface Uprate/Derate Table applicable for Reconfiguration Auction *n*

(b) stage 1 round *n* of a 6-month sub-auction, zero, except that in the event of a change in the rating of a transmission facility resulting from ISO-Directed Auction Status Changes or Deemed ISO-Directed Auction Status Changes described in Section 17.5.3.6.4.2, external events described in Section 17.5.3.6.4.3, or reasons determined by the ISO to be unrelated to Qualifying Auction Outages or Qualifying Auction Returns-to-Service for stage 1 round *n* or Reconfiguration Auction *n*, $ISORatingChange_{a,n}$ shall be equal to the amount, in MW-*p*, of the change in the rating limit of constraint *a* as shown in the Centralized TCC Auction Interface Uprate/Derate Table applicable for stage 1 round *n*

$OPFSignChange_{a,n}$= 1 if $ShadowPrice_{a,n}$ is greater than zero; otherwise, -1

$\%Sold_n$= Either (i) for stage 1 round *n* of a 6-month sub-auction, the percentage of transmission Capacity sold in stage 1 round *n*, divided by the percentage of transmission Capacity sold in all stage 1 rounds of the sub-auction of which stage 1 round *n* is a part; or (ii) for Reconfiguration Auction *n*, 1.

Formula B-18

$$ACR_{a,n} = ShadowPrice_{a,n} * \begin{bmatrix} (FLOW_{a,n,actual} - FLOW_{a,n,basecase}) \\ +(ISORatingChange_{a,n} * OPFSignChange_{a,n}) \\ -(UnsoldCapacity_{a,n,PriorAuction} * OPFSignChange_{a,n}) \end{bmatrix} * \%Sold_n$$

Where,

$UnsoldCapacity_{a,n,PriorAuction}$ = Either:

(a) For Reconfiguration Auction *n*, the rating limit for binding constraint *a* applied in the model used in the last Centralized TCC Auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*, minus the Energy flow, in MW-*p*, on binding constraint *a* produced in the Optimal Power Flow in the last round of that Centralized TCC Auction; or

(b) For stage 1 round *n* of a 6-month sub-auction, the rating limit for binding constraint *a* applied in the model used in the simulated auction run to determine $FLOW_{a,n,basecase}$ in Formula B-17, minus the Energy flow, in MW-*p*, on binding constraint *a* produced in the Optimal Power Flow in the simulated auction run to determine $FLOW_{a,n,basecase}$ in Formula B-17

and each of the other variables is as set forth in Formula B-17; *provided, however*, if $ACR_{a,n}$ is less than zero when calculated using this Formula B-18, $ACR_{a,n}$ shall be set equal to zero.

Following calculation of the Auction Constraint Residual for each constraint *a* for each stage 1 round *n* of a 6-month sub-auction or each Reconfiguration Auction *n*, the ISO shall calculate the amount of each O/R-t-S Auction Constraint Residual and the amount of each U/D Auction Constraint Residual for each constraint *a* for each stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be. The amount of each O/R-t-S Auction Constraint Residual for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, for constraint *a* shall be determined by applying Formula B-19. The amount of each U/D Auction Constraint Residual for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, for constraint *a* shall be determined by applying Formula B-20.

Formula B-19

$$O/R\text{-}t\text{-}S\ ACR_{a,n} = ACR_{a,n} * \left[\frac{\left(FLOW_{a,n,actual} - FLOW_{a,n,basecase}\right) + \left(TotalRatingChange_{a,n} * OPFSignChange_{a,n}\right)}{\left(FLOW_{a,n,actual} - FLOW_{a,n,basecase}\right) + \left(ISORatingChange_{a,n} * OPFSignChange_{a,n}\right)}\right]$$

Where:

$O/R\text{-}t\text{-}S\ ACR_{a,n}$ = The amount of the O/R-t-S Auction Constraint Residual for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, for constraint *a*

$TotalRatingChange_{a,n}$ = The total change in the rating of constraint *a*, which shall be calculated as follows:

(a) For Reconfiguration Auction *n*, $TotalRatingChange_{a,n}$ shall be equal to (1) the rating limit, in MW-*p*, of constraint *a* in the last Centralized TCC Auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*, minus (2) the rating limit, in MW-*p*, of constraint *a* applicable in Reconfiguration Auction *n*

(b) For stage 1 round *n* of a 6-month sub-auction, $TotalRatingChange_{a,n}$ shall be equal to (1) the rating limit, in MW-*p*, of constraint *a* in a case where all transmission facilities are in-service and fully rated, minus (2) the rating limit, in MW-*p*, of constraint *a* in stage 1 round *n*

and the variable $ACR_{a,n}$ is as calculated pursuant to Formula B-17 or, if required, pursuant to Formula B-18, and each of the other variables are as defined in Formula B-17.

Formula B-20

$$U/D\ ACR_{a,n} = ACR_{a,n} * \left[\frac{-\left(TotalRatingChange_{a,n} - ISORatingChange_{a,n}\right) * OPFSignChange_{a,n}}{\left(FLOW_{a,n,actual} - FLOW_{a,n,basecase}\right) + \left(ISORatingChange_{a,n} * OPFSignChange_{a,n}\right)}\right]$$

Where,

$U/D\ ACR_{a,n}$ = The amount of the U/D Auction Constraint Residual for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, for constraint *a*

and the variable $ACR_{a,n}$ is as calculated pursuant to Formula B-17 or, if required, pursuant to Formula B-18, the variable $TotalRatingChange_{a,n}$ is defined as set forth in Formula B-19 and each of the other variables are defined as set forth in Formula B-17.

17.5.3.6.2 Charges and Payments for the Direct Impact of Auction Outages and Returns-to-Service

The ISO shall use O/R-t-S Auction Constraint Residuals to allocate O/R-t-S Auction Revenue Shortfall Charges and O/R-t-S Auction Revenue Surplus Payments, as the case may be, among Transmission Owners pursuant to this Section 17.5.3.6.2. Each O/R-t-S Auction Revenue Shortfall Charge and each O/R-t-S Auction Revenue Surplus Payment allocated to a Transmission Owner pursuant to this Section 17.5.3.6.2 is subject to being set equal to zero pursuant to Section 17.5.3.6.5.

17.5.3.6.2.1 Identification of Outages and Returns-to-Service Qualifying for Charges and Payments

For each stage 1 round of a 6-month sub-auction or Reconfiguration Auction, as the case may be, the ISO shall identify each Qualifying Auction Outage and each Qualifying Auction Return-to-Service, as described below. The Transmission Owner responsible, as determined pursuant to Section 17.5.3.6.4, for the Qualifying Auction Outage or Qualifying Auction Return-to-Service shall be allocated an O/R-t-S Auction Revenue Shortfall Charge or an O/R-t-S Auction Revenue Surplus Payment pursuant to Sections 17.5.3.6.2.2 or 17.5.3.6.2.3.

17.5.3.6.2.1.1 Definition of Qualifying Auction Outage

A "**Qualifying Auction Outage**" (which term shall apply to stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be) shall be defined to mean either an

Actual Qualifying Auction Outage or a Deemed Qualifying Auction Outage. For purposes of this Part 17.5 of this Attachment B, "*o*" shall refer to a single Qualifying Auction Outage.

An "**Actual Qualifying Auction Outage**" (which term shall apply to stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be) shall be defined as a transmission facility that, for a given stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be:

(a) For Reconfiguration Auction *n*, meets each of the following requirements:

(i) the facility existed and was modeled as in-service in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; and

(ii) the facility exists but is not modeled as in-service for Reconfiguration Auction *n*;

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; or

(b) For stage 1 round *n* of a 6-month sub-auction, meets each of the following requirements:

(i) the facility exists but is not modeled as in-service for stage 1 round *n* of a 6-month sub-auction; and

(ii) the facility was not Normally Out-of-Service Equipment at the time of stage 1 round *n* of that 6-month sub-auction.

A "**Deemed Qualifying Auction Outage**" (which term shall apply only to a Reconfiguration Auction *n*) shall be defined as a transmission facility that, for Reconfiguration Auction *n*, meets each of the following requirements:

(i) the facility existed but was not modeled as in-service in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(ii) the facility existed but was not modeled as in-service in Reconfiguration Auction *n* as a result of an Auction Status Change or external event described in Section 17.5.3.6.4.3 in Reconfiguration Auction *n* for which responsibility was assigned pursuant to Section 17.5.3.6.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to 17.5.3.6.4) other than the Transmission Owner assigned responsibility for the facility not being modeled as in-service in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*.

17.5.3.6.2.1.2 Definition of Qualifying Auction Return-to-Service

A "**Qualifying Auction Return-to-Service**" shall be defined to mean either an Actual Qualifying Auction Return-to-Service or a Deemed Qualifying Auction Return-to-Service. For purposes of this Part 17.5 of this Attachment B, "*o*" shall refer to a single Qualifying Auction Return-to-Service.

An "**Actual Qualifying Auction Return-to-Service**" shall be defined as a transmission facility that, for a given Reconfiguration Auction *n*, meets each of the following requirements:

(i) the facility existed but was not modeled as in-service for the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; and

(ii) the facility exists and is modeled as in-service in Reconfiguration Auction *n*;

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*.

Notwithstanding any other provision of this Part 17.5 of this Attachment B, a transmission facility returning to service for stage 1 round *n* of a 6-month sub-auction shall not be an Actual Qualifying Auction Return-to-Service for that stage 1 round *n* and shall not qualify a Transmission Owner for an O/R-t-S Auction Revenue Shortfall Charge or O/R-t-S Auction Revenue Surplus Payment for that stage 1 round *n*.

A "**Deemed Qualifying Auction Return-to-Service**" shall be defined as a transmission facility that, for a given Reconfiguration Auction *n*, meets each of the following requirements:

(i) the facility existed but was not modeled as in-service in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(ii) the facility existed but was not modeled as in-service in Reconfiguration Auction *n* as a result of an Auction Status Change or external event described in Section 17.5.3.6.4.3 in Reconfiguration Auction *n* for which responsibility was assigned pursuant to Section 17.5.3.6.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.3.6.4) other than the Transmission Owner assigned responsibility for the facility not being modeled as

in-service for the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; and

(iii) the facility was not Normally Out-of-Service Equipment at the time of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*.

17.5.3.6.2.2 Allocation of an O/R-t-S Auction Constraint Residual When Only One Transmission Owner is Responsible for All of the Relevant Outages and Returns-to-Service

This Section 17.5.3.6.2.2 describes the allocation of an O/R-t-S Auction Constraint Residual for a given stage 1 round of a 6-month sub-auction or Reconfiguration Auction, as the case may be, and a given constraint when only one Transmission Owner is responsible, as determined pursuant to Section 17.5.3.6.4, for all of the Qualifying Auction Outages and all of the Qualifying Auction Returns-to-Service for that stage 1 round of a 6-month sub-auction or Reconfiguration Auction that contribute to that constraint.

If the same Transmission Owner is responsible, as determined pursuant to Section 17.5.3.6.4, for all of the Qualifying Auction Outages *o* and Qualifying Auction Returns-to-Service *o* for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* that contribute to constraint *a*, then the ISO shall allocate the O/R-t-S Auction Constraint Residual for that stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* and that constraint, O/R-t-S $ACR_{a,n}$, to that Transmission Owner in the form of either (i) an O/R-t-S Auction Revenue Shortfall Charge in the amount of O/R-t-S $ACR_{a,n}$ if O/R-t-S $ACR_{a,n}$ is negative, or (ii) an O/R-t-S Auction Revenue Surplus Payment in the amount of O/R-t-S $ACR_{a,n}$ if O/R-t-S $ACR_{a,n}$ is positive.

17.5.3.6.2.3 Allocation of an O/R-t-S Auction Constraint Residual When More Than One Transmission Owner is Responsible for the Relevant Outages and Returns-to-Service

This Section 17.5.3.6.2.3 describes the allocation of an O/R-t-S Auction Constraint Residual for a given stage 1 round of a 6-month sub-auction or Reconfiguration Auction, as the case may be, and a given constraint when more than one Transmission Owner is responsible, as determined pursuant to Section 17.5.3.6.4, for the Qualifying Auction Outages and the Qualifying Auction Returns-to-Service for that stage 1 round of a 6-month sub-auction or Reconfiguration Auction that contribute to that constraint.

If more than one Transmission Owner is responsible, as determined pursuant to Section 17.5.3.6.4, for the Qualifying Auction Outages and the Qualifying Auction Returns-to-Service for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* that contribute to constraint *a*, the ISO shall allocate the O/R-t-S Auction Constraint Residual for constraint *a* for stage 1 round *n* of a 6-month sub-auction or for Reconfiguration Auction *n*, O/R-t-S $ACR_{a,n}$, in the form of an O/R-t-S Auction Revenue Shortfall Charge or O/R-t-S Auction Revenue Surplus Payment to the Transmission Owners responsible for the Qualifying Auction Outages *o* and Qualifying Auction Returns-to-Service *o* for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* by first determining the net total impact on the constraint of all Qualifying Auction Outages and Qualifying Auction Returns-to Service for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* with an impact on the Energy flow across that constraint of 1 MW-*p* or more by applying Formula B-21, and then applying either Formula B-22 or Formula B-23, as specified herein, to assess O/R-t-S Auction Revenue Shortfall Charges and O/R-t-S Auction Revenue Surplus Payments.

Formula B-21

$$O/R\text{-}t\text{-}SNetAuctionImpact_{a,n} = \sum_{for\ all\ o \in O_n} FlowImpact_{a,n,o} * ShadowPrice_{a,n}$$

Where,

O/R-t-SNetAuctionImpact$_{a,n}$ = The net impact, in dollars, for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, on constraint *a* of all Qualifying Auction Outages and Qualifying Auction Returns-to-Service for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* having an impact of more than 1 MW-*p* on Energy flow across constraint *a; provided, however, O/R-t-SNetAuctionImpact*$_{a,n}$ shall be subject to recalculation as specified in the paragraph immediately following this Formula B-21

FlowImpact$_{a,n,o}$ = The Energy flow impact, in MW-*p*, of a Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* on binding constraint *a* determined for Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, which shall either:

(a) if Qualifying Auction Outage *o* is a Deemed Qualifying Auction Outage, be equal to the negative of *FlowImpact*$_{a,n,o}$ calculated for the corresponding Deemed Qualifying Auction Return-to-Service as described in part (b) of this definition of *FlowImpact*$_{a,n,o}$, or

(b) if Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* is an Actual Qualifying Auction Outage, an Actual Qualifying Auction Return-to-Service, or a Deemed Qualifying Auction Return-to-Service, be calculated pursuant to the following formula:

$$FlowImpact_{a,n,o} = BaseCaseFlow_{a,n} - One\text{-}OffFlow_{a,n,o}$$

Where,

BaseCaseFlow$_{a,n}$ = Either, as the case may be:

(i) for a Reconfiguration Auction, the Energy flow on constraint *a* resulting from a Power Flow using (1) the set of injections and withdrawals corresponding to the actual TCCs and Grandfathered Rights represented in the solution to the last 6-

month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n* (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction); (2) the phase angle regulator schedule determined in the Optimal Power Flow solution for the final round of the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; and (3) the Transmission System model for the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*; or

(ii) for any round of a 6-month sub-auction, the Energy flow on constraint *a* resulting from a Power Flow run using the following base case data set: (1) the Transmission System model for the actual 6-month sub-auction, modified so as to model as in-service all transmission facilities that were out-of-service for the actual 6-month sub-auction, and (2) the set of injections and withdrawals corresponding to the base case set of TCCs (including those pre-existing TCCs and Grandfathered Rights that are represented as fixed injections and withdrawals in the 6-month sub-auction) and the phase angle regulator schedule produced in the Optimal Power Flow used to calculate the Energy flow on constraint *a* for stage 1 round *n* of a 6-month sub-auction, as described in the definition of $FLOW_{a,n,basecase}$ in Formula B-17

$One\text{-}OffFlow_{a,n,o}$ = Either

(i) if Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* is an Actual Qualifying Auction Outage or an Actual Qualifying Auction Return-to-Service, the Energy flow on constraint *a* resulting from a Power Flow using each element of the base case data set used in the calculation of $BaseCaseFlow_{a,n}$

above (*provided, however*, if a transmission facility was modeled as free-flowing in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, as the case may be, because of the outage of any transmission facility, the ISO shall appropriately adjust the phase angle regulator schedule and related variables to model the transmission facility as free flowing), but in each case with the Transmission System model modified so as to, as the case may be, either (i) model as out-of-service Actual Qualifying Auction Outage *o*, or (ii) model as in-service Actual Qualifying Auction Return-to-Service *o*; or

(ii) if Qualifying Auction Return-to-Service *o* is a Deemed Qualifying Auction Return-to-Service, the Energy flow on constraint *a* resulting from a Power Flow using each element of the base case data set used in the calculation of $BaseCaseFlow_{a,n}$ above (*provided, however*, if a transmission facility was modeled as free-flowing in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, as the case may be, because of the outage of any transmission facility, the ISO shall appropriately adjust the phase angle regulator schedule and related variables to model the transmission facility as free flowing), but with the Transmission System model modified so as to model as in-service the facility that is Deemed Qualifying Auction Return-to-Service *o*;

provided, however, where the absolute value of $FlowImpact_{a,n,o}$ calculated using the procedures set forth above is less than 1 MW-*p*, then $FlowImpact_{a,n,o}$ shall be set equal to zero

provided further, $FlowImpact_{a,n,o}$ shall be subject to being set equal to zero as specified in the paragraph immediately following this Formula B-21

O_n = The set of all Qualifying Auction Outages *o* and Qualifying Auction Returns-to-Service *o* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*

p = A one-month period for Reconfiguration Auction *n*, or a six-month period for stage 1 round *n* of a 6-month sub-auction

and the variable $ShadowPrice_{a,n}$ is defined as set forth in Formula B-17.

After calculating $O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$ pursuant to Formula B-21, the ISO shall determine whether $O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$ for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* has a different sign than O/R-t-S $ACR_{a,n}$ for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*. If the sign is different, the ISO shall (i) recalculate $O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$ pursuant to Formula B-21 after setting equal to zero each $FlowImpact_{a,n,o}$ for which $FlowImpact_{a,n,o} * ShadowPrice_{a,n}$ has a different sign than $O/R\text{-}t\text{-}S\ ACR_{a,n}$, and then (ii) use this recalculated $O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$ and reset value of $FlowImpact_{a,n,o}$ to allocate O/R-t-S Auction Revenue Shortfall Charges and O/R-t-S Auction Revenue Surplus Payments pursuant to Formula B-22 or Formula B-23, as specified below.

If the absolute value of the net impact ($O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$) on constraint *a* of all Qualifying Auction Outages and Qualifying Auction Returns-to-Service for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* as calculated using Formula B-21 (or recalculated pursuant to Formula B-21 using a reset value of $FlowImpact_{a,n,o}$ as described in the prior paragraph) is greater than the absolute value of the O/R-t-S Auction Constraint Residual ($O/R\text{-}t\text{-}S\ ACR_{a,n}$) for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, then the ISO shall allocate the O/R-t-S Auction Constraint Residual in the form of an O/R-t-S Auction Revenue Shortfall Charge, $O/R\text{-}t\text{-}S\ ARSC_{a,t,n}$, or O/R-t-S Auction Revenue Surplus Payment, $O/R\text{-}t\text{-}S\ ARSP_{a,t,n}$, by using Formula B-22. If the absolute value of the net impact ($O/R\text{-}t\text{-}SNetAuctionImpact_{a,n}$) on constraint *a* of all Qualifying

Auction Outages and Qualifying Auction Returns-to-Service for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* as calculated using Formula B-21 (or recalculated pursuant to Formula B-21 using a reset value of $FlowImpact_{a,n,o}$ as described in the prior paragraph) is less than or equal to the absolute value of the O/R-t-S Auction Constraint Residual ($O/R\text{-}t\text{-}S\ ACR_{a,n}$) for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, then the ISO shall allocate the O/R-t-S Auction Constraint Residual in the form of an O/R-t-S Auction Revenue Shortfall Charge, O/R-t-S $ARSC_{a,t,n}$, or O/R-t-S Auction Revenue Surplus Payment, O/R-t-S $ARSP_{a,t,n}$, by using Formula B-23.

Formula B-22

$$O/R\text{-}t\text{-}S\ Allocation_{a,t,n} = \left(\frac{\sum_{\substack{o \in O_n \\ and\ q=t}} \left(FlowImpact_{a,n,o} * Responsibility_{n,q,o} \right)}{\sum_{for\ all\ o \in O_n} FlowImpact_{a,n,o}} \right) * O/R\text{-}t\text{-}S\ ACR_{a,n}$$

Where,

$O/R\text{-}t\text{-}S\ Allocation_{a,t,n}$ = Either an O/R-t-S Auction Revenue Shortfall Charge or an O/R-t-S Auction Revenue Surplus Payment, as specified in (a) and (b) below:

(a) If $O/R\text{-}t\text{-}S\ Allocation_{a,t,n}$ is negative, then $O/R\text{-}t\text{-}S\ Allocation_{a,t,n}$ shall be an O/R-t-S Auction Revenue Shortfall Charge, $O/R\text{-}t\text{-}S\ ARSC_{a,t,n}$, charged to Transmission Owner *t* for binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction; or

(b) If $O/R\text{-}t\text{-}S\ Allocation_{a,t,n}$ is positive, then $O/R\text{-}t\text{-}S\ Allocation_{a,t,n}$ shall be an O/R-t-S Auction Revenue Surplus Payment, $O/R\text{-}t\text{-}S\ ARSP_{a,t,n}$, paid to Transmission Owner *t* for binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction

Responsibility$_{n,q,o}$ = The amount, as a percentage, of responsibility borne by Transmission Owner *q* (which shall include the ISO when it is deemed a Transmission Owner for the purpose of applying Sections 17.5.3.6.4.2 or 17.5.3.6.4.3) for Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, as determined pursuant to Section 17.5.3.6.4

and the variable *O/R-t-S ACR*$_{a,n}$ is defined as set forth in Formula B-19 and the variables *FlowImpact*$_{a,n,o}$ and O_n are defined as set forth in Formula B-21.

Formula B-23

$$O/R\text{-}t\text{-}S\ Allocation_{a,t,n} = \sum_{\substack{o \in O_n \\ and\ q=t}} FlowImpact_{a,n,o} * ShadowPrice_{a,n} * Responsibility_{n,q,o}$$

Where,

the variable *ShadowPrice*$_{a,n}$ is defined as set forth in Formula B-17, the variables *O/R-t-S Allocation*$_{a,t,n}$ and *Responsibility*$_{n,q,o}$ are defined as set forth in Formula B-22, and the variables *FlowImpact*$_{a,n,o}$ and O_n are defined as set forth in Formula B-21.

17.5.3.6.3 Charges and Payments for the Secondary Impact of Auction Outages and Returns-to-Service

The ISO shall use U/D Auction Constraint Residuals to allocate U/D Auction Revenue Shortfall Charges and U/D Auction Revenue Surplus Payments, as the case may be, among Transmission Owners pursuant to this Section 17.5.3.6.3. Each U/D Auction Revenue Shortfall Charge and each U/D Auction Revenue Surplus Payment allocated to a Transmission Owner pursuant to this Section 17.5.3.6.3 is subject to being set equal to zero pursuant to Section 17.5.3.6.5.

17.5.3.6.3.1 Identification of Upratings and Deratings Qualifying for Charges and Payments

For each constraint for each stage 1 round of a 6-month sub-auction or Reconfiguration Auction, the ISO shall identify each Qualifying Auction Derating and each Qualifying Auction Uprating, as described below. The Transmission Owner responsible, as determined pursuant to Section 17.5.3.6.4, for a Qualifying Auction Derating or Qualifying Auction Uprating shall be allocated a U/D Auction Revenue Shortfall Charge or a U/D Auction Revenue Surplus Payment, as the case may be, pursuant to Section 17.5.3.6.3.2.

17.5.3.6.3.1.1 Definition of Qualifying Auction Derating

A "**Qualifying Auction Derating**" (which term shall apply to stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n,* as the case may be) shall be defined to mean an Actual Qualifying Auction Derating or a Deemed Qualifying Auction Derating. For purposes of this Part 17.5 of this Attachment B, "*r*" shall refer to a single Qualifying Auction Derating.

An "**Actual Qualifying Auction Derating**" (which term shall apply to stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be) shall be defined as a change in the rating of a constraint that, for a given constraint *a* and a given stage 1 round *n* or Reconfiguration Auction *n* meets each of the following requirements:

For Reconfiguration Auction *n*:

(i) the constraint has a lower rating in Reconfiguration Auction *n* than it would have if all transmission facilities were modeled as in-service in Reconfiguration Auction *n*;

(ii) this lower rating is in whole or in part the result of an Actual Qualifying Auction Outage *o* or an Actual Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n*;

(iii) the lower rating resulting from Actual Qualifying Auction Outage *o* or Actual Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n* was not modeled in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(iv) this lower rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction *n*; and

(v) the constraint was binding in Reconfiguration Auction *n*.

For stage 1 round *n* of a 6-month sub-auction:

(i) the constraint has a lower rating in stage 1 round *n* of the 6-month sub-auction than that constraint would have in a case where all transmission facilities are in-service and fully rated;

(ii) this lower rating is the result of an Actual Qualifying Auction Outage *o* or Actual Qualifying Auction Return-to-Service *o* for stage 1 round *n* of the 6-month sub-auction;

(iii) this lower rating is included in the Centralized TCC Auction Interface Uprate/Derate Table in effect for stage 1 round *n* of the 6-month sub-auction; and

(iv) the constraint is binding in stage 1 round *n* of the 6-month sub-auction.

A "**Deemed Qualifying Auction Derating**" (which term shall apply to Reconfiguration Auction *n*) shall be defined as a change in the rating of a constraint that, for a given constraint *a* and a given Reconfiguration Auction *n* meets each of the following requirements:

(i) the constraint has a lower rating in Reconfiguration Auction *n* than it would have if all transmission facilities were modeled as in-service in Reconfiguration Auction *n*;

(ii) this lower rating is in whole or in part the result of a Deemed Qualifying Auction Outage *o* or Deemed Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n*;

(iii) this lower rating resulting from Deemed Qualifying Auction Outage *o* or Deemed Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n* was modeled in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*, but responsibility for Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* resulting in the lower rating for Reconfiguration Auction *n* is assigned pursuant to Section 17.5.3.6.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.3.6.4) other than the Transmission Owner responsible for the lower rating in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(iv) this lower rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction *n*; and

(v) the constraint is binding in Reconfiguration Auction *n*.

17.5.3.6.3.1.2 Definition of Qualifying Auction Uprating

A "**Qualifying Auction Uprating**" shall be defined to mean either an Actual Qualifying Auction Uprating or a Deemed Qualifying Auction Uprating. For purposes of this Part 17.5 of this Attachment B, "*r*" shall refer to a single Qualifying Auction Uprating.

An "**Actual Qualifying Auction Uprating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* and Reconfiguration Auction *n*, as the case may be, meets each of the following requirements:

(i) the constraint has a higher rating for Reconfiguration Auction *n* than it would have absent an Actual Qualifying Auction Outage *o* or Actual Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n*;

(ii) this higher rating resulting from Actual Qualifying Auction Outage *o* or Actual Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n* was not modeled in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*;

(iii) this higher rating is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction *n*; and

(iv) the constraint is binding in Reconfiguration Auction *n*.

Notwithstanding any other provision of this Part 17.5 of this Attachment B, a transmission facility uprating for a stage 1 round of a 6-month sub-auction shall not be a Qualifying Auction Uprating and shall not qualify a Transmission Owner for a U/D Auction Revenue Shortfall Charge or U/D Auction Revenue Surplus Payment.

A "**Deemed Qualifying Auction Uprating**" shall be defined as a change in the rating of a constraint that, for a given constraint *a* and Reconfiguration Auction *n*, as the case may be, meets each of the following requirements:

(i) the constraint has a lower rating in Reconfiguration Auction *n* than it would have if all transmission facilities were modeled as in-service in Reconfiguration Auction *n*;

(ii) this lower rating is in whole or in part the result of a Deemed Qualifying Auction Outage *o* or Deemed Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n*;

(iii) this lower rating resulting from Deemed Qualifying Auction Outage *o* or Deemed Qualifying Auction Return-to-Service *o* for Reconfiguration Auction *n* was modeled in the last 6-month sub-auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*, but responsibility for Qualifying Auction Outage *o* or Qualifying Auction Return-to-Service *o* resulting in the lower rating for Reconfiguration Auction *n* is assigned pursuant to Section 17.5.3.6.4 to a Transmission Owner (including the ISO when it is deemed a Transmission Owner pursuant to Section 17.5.3.6.4) other than the Transmission Owner responsible for the lower rating in the last auction held for TCCs valid for hour *h*;

(iv) this lower rating in Reconfiguration Auction *n* is included in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction *n*; and

(v) the constraint is binding in Reconfiguration Auction *n*.

17.5.3.6.3.2 Allocation of U/D Auction Constraint Residuals

This Section 17.5.3.6.3.2 describes the allocation of U/D Auction Constraint Residuals to Qualifying Auction Deratings and Qualifying Auction Upratings.

When there are Qualifying Auction Deratings or Qualifying Auction Upratings in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction for constraint *a,* the ISO shall allocate a U/D Auction Constraint Residual in the form of a U/D Auction Revenue Shortfall Charge, U/D $ARSC_{a,t,n}$, or U/D Auction Revenue Surplus Payment, U/D $ARSP_{a,t,n}$, by first determining the net total impact on the constraint for the stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* of all Qualifying Auction Deratings *r* and Qualifying

Auction Upratings *r* for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction pursuant to Formula B-24 and then applying either Formula B-25 or Formula B-26, as specified herein, to assess U/D Auction Revenue Shortfall Charges and U/D Auction Revenue Surplus Payments.

Formula B-24

$$U/D\ NetAuctionImpact_{a,n} = \left(\sum_{r \in R_{a,n}} RatingChange_{a,n,r} * ShadowPrice_{a,n} \right) * OPFSignChange_{a,n}$$

Where,

$U/D\ NetAuctionImpact_{a,n}$ = The net impact, in dollars, on constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction of all Qualifying Auction Deratings or Qualifying Auction Upratings for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction; *provided, however*, $U/D\ NetAuctionImpact_{a,n}$ shall be subject to recalculation as specified in the paragraph immediately following this Formula B-24

$RatingChange_{a,n,r}$ = Either:

(a) If Qualifying Auction Derating *r* or Qualifying Auction Uprating *r* is a Deemed Qualifying Auction Derating or a Deemed Qualifying Auction Uprating, $RatingChange_{a,n,r}$ shall be equal to the amount, in MW-*p*, of the decrease or increase in the rating of binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction resulting from a Deemed Qualifying Auction Outage or Deemed Qualifying Auction Return-to-Service for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, which in the case of Reconfiguration Auction *n* shall be as shown in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction *n*, and which in the case of stage 1 round *n* of a 6-month sub-auction shall be as

shown in the Centralized TCC Auction Interface Uprate/Derate Table in effect for stage 1 round *n* of a 6-month sub-auction; or

(b) If Qualifying Auction Derating *r* or Qualifying Auction Uprating *r* is an Actual Qualifying Auction Derating or an Actual Qualifying Auction Uprating, $\text{RatingChange}_{a,n,r}$ shall be equal to the amount, in MW-*p*, of the decrease or increase in the rating of binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction resulting from an Actual Qualifying Auction Outage or Actual Qualifying Auction Return-to-Service for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, which in the case of Reconfiguration Auction *n* shall be as shown in the Reconfiguration Auction Interface Uprate/Derate Table in effect for Reconfiguration Auction n, and which in the case of stage 1 round n of a 6-month sub-auction shall be as shown in the Centralized TCC Auction Interface Uprate/Derate Table in effect for stage 1 round n of a 6-month sub-auction;

provided, however, $RatingChange_{a,n,r}$ shall be subject to being set equal to zero as specified in the paragraph immediately following this Formula B-24

$R_{a,n}$ = The set of all Qualifying Auction Deratings *r* or Qualifying Auction Upratings *r* for binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction

and the variables $ShadowPrice_{a,n}$ and $OPFSignChange_{a,n}$ are defined as set forth in Formula B-17.

After calculating U/D $\text{NetAuctionImpact}_{a,n}$ pursuant to Formula B-24, the ISO shall determine whether U/D $\text{NetAuctionImpact}_{a,n}$ for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n* has a different sign than U/D $\text{ACR}_{a,n}$ for constraint *a* in stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*. If the sign is

different, the ISO shall (i) recalculate U/D $\text{NetAuctionImpact}_{a,n}$ pursuant to Formula B-24 after setting equal to zero each $\text{RatingChange}_{a,n,r}$ for which $\text{RatingChange}_{a,n,r}$ * $\text{ShadowPrice}_{a,n}$ * $\text{OPFSignChange}_{a,n}$ has a different sign than U/D $\text{ACR}_{a,n}$, and then (ii) use this recalculated U/D $\text{NetAuctionImpact}_{a,n}$ and reset value of $\text{RatingChange}_{a,n,r}$ to allocate U/D Auction Revenue Shortfall Charges and U/D Auction Revenue Surplus Payments pursuant to Formula B-25 or Formula B-26, as specified below.

If the absolute value of the net impact (U/D $\text{NetAuctionImpact}_{a,n}$) on constraint *a* for Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction of all Qualifying Auction Deratings or Qualifying Auction Upratings for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction as calculated using Formula B-24 (or recalculated pursuant to Formula B-24 using a reset value of $\text{RatingChange}_{a,n,r}$ as described in the prior paragraph) is greater than the absolute value of the U/D Auction Constraint Residual (U/D $\text{ACR}_{a,n}$) for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, as the case may be, then the ISO shall allocate the U/D Auction Constraint Residual in the form of a U/D Auction Revenue Shortfall Charge, U/D $\text{ARSC}_{a,t,n}$, or U/D Auction Revenue Surplus Payment, U/D $\text{ARSP}_{a,t,n}$, by using Formula B-25. If the absolute value of the net impact (U/D $\text{NetAuctionImpact}_{a,n}$) on constraint *a* for Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction of all Qualifying Auction Deratings or Qualifying Auction Upratings for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction as calculated using Formula B-24 (or recalculated pursuant to Formula B-24 using a reset value of $\text{RatingChange}_{a,n,r}$ as described in the prior paragraph) is less than or equal to the absolute value of the U/D Auction Constraint Residual (U/D $\text{ACR}_{a,n}$) for constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, as the case may be, then the ISO shall allocate the

U/D Auction Constraint Residual in the form of a U/D Auction Revenue Shortfall Charge, U/D $ARSC_{a,t,n}$, or U/D Auction Revenue Surplus Payment, U/D $ARSP_{a,t,n}$, by using Formula B-26.

Formula B-25

$$U/D\ Allocation_{a,t,n} = \left(\frac{\sum_{\substack{r \in R_{a,n} \\ and\ q=t}} \left(RatingChange_{a,n,r} * Responsibility_{n,q,r} \right)}{\sum_{for\ all\ r \in R_{a,n}} RatingChange_{a,n,r}} \right) * U/D\ ACR_{a,n}$$

Where,

$U/D\ Allocation_{a,t,n}$ = Either a U/D Auction Revenue Shortfall Charge or a U/D Auction Revenue Surplus Payment, as specified in (a) and (b) below:

(a) If $U/D\ Allocation_{a,t,n}$ is negative, then $U/D\ Allocation_{a,t,n}$ shall be a U/D Auction Revenue Shortfall Charge, $U/D\ ARSC_{a,t,n}$, charged to Transmission Owner *t* for binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction; or

(b) If $U/D\ Allocation_{a,t,n}$ is positive, then $U/D\ Allocation_{a,t,n}$ shall be a U/D Auction Revenue Surplus Payment, $U/D\ ARSP_{a,t,n}$, paid to Transmission Owner *t* for binding constraint *a* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction

$Responsibility_{n,q,r}$ = The amount, as a percentage, of responsibility borne by Transmission Owner *q* (which shall include the ISO when it is deemed a Transmission Owner for the purpose of applying Sections 17.5.3.6.4.2 or 17.5.3.6.4.3) for Qualifying Auction Derating *r* or Qualifying Auction Uprating *r* in Reconfiguration Auction *n* or stage 1 round *n* of a 6-month sub-auction, as determined pursuant to Section 17.5.3.6.4

and the variable $U/D\ ACR_{a,n}$ is defined as set forth in Formula B-20 and the variables $RatingChange_{a,n,r}$ and $R_{a,n}$ are defined as set forth in Formula B-24.

Formula B-26

$$U/D\ Allocation_{a,t,n} = \sum_{\substack{r \in R_{a,n} \\ and\ q=t}} RatingChange_{a,n,r} * ShadowPrice_{a,n} * Responsibility_{n,q,r}$$

Where,

the variables $U/D\ Allocation_{a,t,n}$ and $Responsibility_{n,q,r}$ are defined as set forth in Formula B-25, the variable $ShadowPrice_{a,n}$ is defined as set forth in Formula B-17, and the variables $RatingChange_{a,n,r}$ and $R_{a,n}$ are defined as set forth in Formula B-24.

17.5.3.6.4 Assigning Responsibility for Outages, Returns-to-Service, Deratings, and Upratings

17.5.3.6.4.1 General Rule for Assigning Responsibility; Presumption of Causation

Unless the special rules set forth in Sections 17.5.3.6.4.2 or 17.5.3.6.4.3 apply, a Transmission Owner shall for purposes of this Section 17.5.3.6 be deemed responsible for an Auction Status Change to the extent that the Transmission Owner has caused the Auction Status Change by changing the in-service or out-of-service status of its transmission facility; *provided, however*, that where an Auction Status Change results from a change to the in-service or out-of-service status of a transmission facility owned by more than one Transmission Owner, responsibility for such Auction Status Change shall be assigned to each owning Transmission Owner based on the percentage of the transmission facility that is owned by the Transmission Owner (as determined in accordance with Section 17.5.3.6.6.3) during the hour for which the DAM Status Change occurred. For the sake of clarity, a Transmission Owner may, by changing the in-service or out-of-service status of its transmission facility, cause an Auction Status Change of another transmission facility if the Transmission Owner's change in the in-service or out-of-service status of its transmission facility causes (directly or as a result of Good Utility Practice) a change in the in-service or out-of-service status of the other transmission facility.

The Transmission Owner that owns a transmission facility that qualifies as an Auction Status Change shall be deemed to have caused the Auction Status Change of that transmission facility unless (i) the Transmission Owner that owns the facility informs the ISO that another Transmission Owner caused the Auction Status Change or that responsibility is to be shared among Transmission Owners in accordance with Sections 17.5.3.6.4.2 or 17.5.3.6.4.3, and no party disputes such claim; (ii) in case of a dispute over the assignment of responsibility, the ISO determines a Transmission Owner other than the owner of the transmission facility caused the Auction Status Change or that responsibility is to be shared among Transmission Owners in accordance with Section 17.5.3.6.4.2 or Section 17.5.3.6.4.3; or (iii) FERC orders otherwise.

17.5.3.6.4.2 Shared Responsibility for Outages, Returns-to-Service, and Ratings Changes Directed by the ISO or Caused by Facility Status Changes Directed by the ISO

A Transmission Owner shall not be responsible for any Auction Status Change that qualifies as an ISO-Directed Auction Status Change or Deemed ISO-Directed Auction Status Change. Instead, the ISO shall allocate any revenue impacts resulting from an Auction Status Change that qualifies as an ISO-Directed Auction Status Change or Deemed ISO-Directed Auction Status Change as part of Net Auction Revenues for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*. To do so, the ISO shall be treated as a Transmission Owner when allocating Auction Constraint Residuals pursuant to Section 17.5.3.6.2 and Section 17.5.3.6.3, and any Auction Status Change that qualifies as an ISO-Directed Auction Status Change or Deemed ISO-Directed Auction Status Change shall be attributed to the ISO when performing the calculations described in Section 17.5.3.6.2 and Section 17.5.3.6.3; *provided, however,* any O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus

Payment allocable to the ISO pursuant to this Section 17.5.3.6.4.2 shall ultimately be allocated to the Transmission Owners as Net Auction Revenues pursuant to Section 17.5.3.7.

Responsibility for a Qualifying Auction Return-to-Service or Qualifying Auction Uprating that is directed by the ISO but does not qualify as a Deemed ISO-Directed Auction Status Change shall be assigned to the Transmission Owner that was responsible for the Qualifying Auction Outage or Qualifying Auction Derating in the last 6-month sub-auction held for TCCs valid during the month corresponding to the relevant Reconfiguration Auction.

The ISO shall not direct that a transmission facility be modeled as in-service or out-of-service for purposes of a Reconfiguration Auction without the unanimous consent of the Transmission Owner(s), if any, that will be allocated a resulting O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus Payment in accordance with this Section 17.5.3.6.4.2.

17.5.3.6.4.3 Shared Responsibility for External Events

A Transmission Owner shall not be responsible for an Auction Status Change occurring inside the NYCA that is caused by a change in the in-service or out-of-service status or rating of a transmission facility located outside the NYCA. Instead, the ISO shall allocate any revenue impacts resulting from an Auction Status Change caused by such an event outside the NYCA as part of Net Auction Revenues for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*. To do so, the ISO shall be treated as a Transmission Owner when allocating Auction Constraint Residuals pursuant to Section 17.5.3.6.2 and Section 17.5.3.6.3 and any Auction Status Change caused by such an event outside the NYCA shall be attributed to the ISO; *provided, however,* any O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue

Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus Payment allocable to the ISO pursuant to this Section 17.5.3.6.4.3 shall ultimately be allocated to the Transmission Owners as Net Auction Revenues pursuant to Section 17.5.3.7.

17.5.3.6.5 Exceptions: Setting Charges and Payments to Zero

17.5.3.6.5.1 Zeroing Out of Charges and Payments When Outages and Deratings Lead to Net Payments or Returns-to-Service and Upratings Lead to Net Charges

The ISO shall use Formula B-27 to calculate the total O/R-t-S Auction Revenue Shortfall Charges, U/D Auction Revenue Shortfall Charges, O/R-t-S Auction Revenue Surplus Payments, and U/D Auction Revenue Surplus Payments, $\text{NetAuctionAllocations}_{t,n}$, for Transmission Owner *t* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, as the case may be. Based on this calculation, the ISO shall set equal to zero all O/R-t-S $\text{ARSC}_{a,t,n}$, U/D $\text{ARSC}_{a,t,n}$, O/R-t-S $\text{ARSP}_{a,t,n}$, and U/D $\text{ARSP}_{a,t,n}$ (each as defined in Formula B-27) for Transmission Owner *t* for all constraints for stage 1 round *n* of a 6-month sub-auction or Reconfiguration Auction *n*, as the case may be, if (i) $\text{NetAuctionAllocations}_{t,n}$ is positive and Transmission Owner *t* is not responsible (as determined pursuant to Section 17.5.3.6.4) for any Qualifying Auction Returns-to-Service or Qualifying Auction Upratings in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, as the case may be, or (ii) $\text{NetAuctionAllocations}_{t,n}$ is negative and Transmission Owner *t* is not responsible (as determined pursuant to Section 17.5.3.6.4) for any Qualifying Auction Outages or Qualifying Auction Deratings in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, as the case may be; *provided, however*, the ISO shall not set equal to zero pursuant to this Section 17.5.3.6.5.1 any O/R-t-S $\text{ARSC}_{a,t,n}$, U/D $\text{ARSC}_{a,t,n}$, O/R-t-S $\text{ARSP}_{a,t,n}$, or U/D $\text{ARSP}_{a,t,n}$

arising from an ISO-Directed Auction Status Change or Deemed ISO-Directed Auction Status Change described in Section 17.5.3.6.4.2 or external events described in Section 17.5.3.6.4.3.

Formula B-27

$$NetAuctionAllocations_{t,n} = \sum_{for\ all\ a} \left(O/R\text{-}t\text{-}S\ ARSC_{a,t,n} + U/D\ ARSC_{a,t,n} + O/R\text{-}t\text{-}S\ ARSP_{a,t,n} + U/D\ ARSP_{a,t,n} \right)$$

Where,

$NetAuctionAllocations_{t,n}$ = The total of the O/R-t-S Auction Revenue Shortfall Charges, U/D Auction Revenue Shortfall Charges, O/R-t-S Auction Revenue Surplus Payments, and U/D Auction Revenue Surplus Payments allocated to Transmission Owner *t* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*

$O/R\text{-}t\text{-}S\ ARSC_{a,t,n}$ = An O/R-t-S Auction Revenue Shortfall Charge allocated to Transmission Owner *t* for binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, calculated pursuant to Section 17.5.3.6.2

$U/D\ ARSC_{a,t,n}$ = A U/D Auction Revenue Shortfall Charge allocated to Transmission Owner *t* for binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, calculated pursuant to Section 17.5.3.6.3

$O/R\text{-}t\text{-}S\ ARSP_{a,t,n}$ = An O/R-t-S Auction Revenue Surplus Payment allocated to Transmission Owner *t* for binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, calculated pursuant to Section 17.5.3.6.2

$U/D\ ARSP_{a,t,n}$ = A U/D Auction Revenue Surplus Payment allocated to Transmission Owner *t* for binding constraint *a* in stage 1 round *n* of a 6-month sub-auction or in Reconfiguration Auction *n*, calculated pursuant to Section 17.5.3.6.3.

17.5.3.6.5.2 Zeroing Out of Charges and Payments Resulting from Formula Failure

Notwithstanding any other provision of this Part 17.5 of this Attachment B, the ISO shall set equal to zero any O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus Payment allocated to a Transmission Owner for a Reconfiguration Auction or a round of a Centralized TCC Auction if either:

(i) data necessary to compute such a charge or payment, as specified in the formulas set forth in Section 17.5.3.6, is not known by the ISO and cannot be computed by the ISO (in interpreting this clause, equipment failure shall not preclude computation by the ISO unless necessary data is irretrievably lost); or

(ii) both (a) the charge or payment is clearly and materially inconsistent with cost causation principles; and (b) this inconsistency is the result of factors not taken into account in the formulas used to calculate the charge or payment;

provided, however, if the amount of charges or payments set equal to zero as a result of the unknown data or inaccurate formula is greater than twenty five thousand dollars ($25,000) in any given month or greater than one hundred thousand dollars ($100,000) over multiple months, the ISO will inform the Transmission Owners of the identified problem and will work with the Transmission Owners to determine if an alternative allocation method is needed and whether it will apply to all months for which the intended formula does not work. Alternate methods would be subject to market participant review and subsequent filing with FERC, as appropriate.

For the sake of clarity, the ISO shall not pursuant to this Section 17.5.3.6.5.2 set equal to zero any O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus Payment that fails to meet these conditions, even if another O/R-t-S Auction Revenue Shortfall Charge, U/D Auction Revenue Shortfall Charge, O/R-t-S Auction Revenue Surplus Payment, or U/D Auction Revenue Surplus Payment is set equal to zero pursuant to this Section 17.5.3.6.5.2 in the same round of a Centralized TCC Auction or the same Reconfiguration Auction, as the case may be.

17.5.3.6.6 Information Requirements

17.5.3.6.6.1 Posting of Uprate/Derate Tables

Prior to each Reconfiguration Auction, the ISO shall post on its website the Reconfiguration Auction Interface Uprate/Derate Table, which table shall specify the expected impact (at the time of the Reconfiguration Auction based on all information available to the ISO) of all transmission facility outages and returns-to-service on interface transfer limits for the period for which TCCs are to be sold in the Reconfiguration Auction.

Prior to each Centralized TCC Auction, the ISO shall post on its website the Centralized TCC Auction Interface Uprate/Derate Table, which table shall specify the expected impact (at the time of the Centralized TCC Auction based on all information available to the ISO) of all transmission facility outages and returns-to-service on interface transfer limits for the period for which TCCs are to be sold in each sub-auction of the Centralized TCC Auction.

17.5.3.6.6.2 Posting of List of Normally Out-of-Service Equipment

The ISO shall maintain on its website a list of Normally Out-of-Service Equipment and update such list prior to each Reconfiguration Auction and each Centralized TCC Auction.

17.5.3.6.6.3 Information Regarding Facility Ownership

A Transmission Owner shall be responsible for informing the ISO of any change in the ownership of a transmission facility. The ISO shall allocate responsibility for Auction Status Changes based on the transmission facility ownership information available to it at the time of initial settlement.

17.5.3.7 Allocation of Net Auction Revenue to Transmission Owners

In Centralized TCC Auction round *n* or in Reconfiguration Auction *n*, as the case may be, the ISO shall use the Facility Flow-Based Methodology to allocate Net Auction Revenue to each

Transmission Owner *t* in an amount equal to the product of (i) the Facility Flow-Based Methodology coefficient, $FFB_{t,n}$, and (ii) the Net Auction Revenue for the round or for the Reconfiguration Auction; *provided, however*, where the Net Auction Revenue is negative for a Reconfiguration Auction, the ISO shall allocate Net Auction Revenue to each Transmission Owner *t* in an amount equal to the product of (i) the negative Net Auction Revenue coefficient, $NNAR_{t,n}$, and (ii) the negative Net Auction Revenue for the Reconfiguration Auction.

Calculation of Facility Flow-Based Methodology Coefficient. The Facility Flow-Based Methodology coefficient for Transmission Owner *t* for Centralized TCC Auction round *n* or Reconfiguration Auction *n* is calculated pursuant to Formula B-28.

Formula B-28

$$FFB_{t,n} = \frac{\sum_{l \in L_{t,n}} \left| \left(FLOW_{l,n} - FLOW_{l,IC}\right) * \left(Price_{y,l} - Price_{x,l}\right) * Share_{n,t,l} \right|}{\sum_{l \in L_n} \left| \left(FLOW_{l,n} - FLOW_{l,IC}\right) * \left(Price_{y,l} - Price_{x,l}\right) \right|}$$

Where,

$FFB_{t,n}$ = The Facility Flow-Based Methodology coefficient for Transmission Owner *t* for Centralized TCC Auction round *n* or Reconfiguration Auction *n*, as the case may be

L_n = The set of all transmission facilities modeled in the Transmission System model for round *n* or for Reconfiguration Auction *n*, as the case may be

$L_{t,n}$ = The set of all transmission facilities owned by Transmission Owner *t* that are modeled in the Transmission System model applied in round *n* or in Reconfiguration Auction *n*, as the case may be

l = A transmission facility from bus *x* to bus *y*

$FLOW_{l,n}$ = The Energy flow, in MW-*p*, on transmission facility *l* from the set of TCCs and Grandfathered Rights represented in the solution to round *n* or to Reconfiguration Auction *n*, as the case may be (including those pre-existing TCCs and Grandfathered Rights represented as fixed injections and withdrawals in that auction)

$FLOW_{l,IC}$ = The Energy flow, in MW-*p*, on transmission facility *l* from (i) the set of pre-existing TCCs and Grandfathered Rights represented as fixed

injections and withdrawals in administering the TCC auction held for round *n* or Reconfiguration Auction *n*, as the case may be, (ii) ETCNL not sold in prior Centralized TCC Auctions or through a Direct Sale, and (iii) Original Residual TCCs not sold in prior Centralized TCC Auctions or through a Direct Sale

$Price_{y,l}$ = The market clearing price at bus *y* on transmission facility *l* in the Optimal Power Flow solution to round *n* or Reconfiguration Auction *n*, as the case may be

$Price_{x,l}$ = The market clearing price at bus *x* on transmission facility *l* in the Optimal Power Flow solution to round *n* or Reconfiguration Auction *n*, as the case may be

$Share_{n,t,l}$ = The percentage of transmission facility *l* owned by Transmission Owner *t* on the effective date of the TCCs sold in round *n* or in Reconfiguration Auction *n*

p = A one-month period for Reconfiguration Auction *n*, or the effective period of TCCs sold in round *n* for round *n*.

Calculation of Negative Net Auction Revenue Coefficient. The negative Net Auction Revenue coefficient for Transmission Owner t for Reconfiguration Auction n is calculated pursuant to Formula B-29.

Formula B-29

$$NNAR_{t,n} = \frac{\left(Original\ Residual_{t,n} + ETCNL_{t,n} + NARs_{t,n} + GFR\&GFTCC_{t,n}\right)}{\sum_{q \in T}\left(Original\ Residual_{q,n} + ETCNL_{q,n} + NARs_{q,n} + GFR\&GFTCC_{q,n}\right)}$$

Where,

$NNAR_{t,n}$ = The negative Net Auction Revenue coefficient for Transmission Owner *t* for Reconfiguration Auction *n*

$Original\ Residual_{q,n}$ = The one-month portion of the revenue imputed to the Direct Sale or the sale in any Centralized TCC Auction sub-auction of Original Residual TCCs that are valid during the month corresponding to Reconfiguration Auction *n*. The one-month portion of the revenue imputed to the Direct Sale of these Original Residual TCCs shall be one-sixth of the average market clearing price in the stage 1 rounds of the 6-month sub-auction of the last Centralized TCC Auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*. The one-month portion of the revenue imputed to the sale in any Centralized TCC Auction sub-auction of these Original Residual TCCs shall be calculated by dividing the revenue received from the sale of these Original Residual TCCs in the

Centralized TCC Auction sub-auction by the duration in months of the TCCs sold in that Centralized TCC Auction sub-auction

$ETCNL_{q,n}$ = The sum of the one-month portion of the revenues the Transmission Owner has received as payment for the Direct Sale of ETCNL or for its ETCNL released in the Centralized TCC Auction sub-auctions held for TCCs valid for the month corresponding to Reconfiguration Auction *n*. Each one-month portion of the revenue for ETCNL released in such Centralized TCC Auction shall be calculated by dividing the revenue received in a Centralized TCC Auction sub-auction from the sale of the ETCNL by the duration in months of the TCCs corresponding to the ETCNL sold in the Centralized TCC Auction sub-auction.[1] The one-month portion of the revenue imputed to the Direct Sale of ETCNL shall be one-sixth of the average market clearing price of the TCCs corresponding to that ETCNL in the stage 1 rounds of the 6-month sub-auction of the last Centralized TCC Auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*

$NARs_{q,n}$ = The one-month portion of the Net Auction Revenues the Transmission Owner has received in Centralized TCC Auction sub-auctions and Reconfiguration Auctions held for TCCs valid for the month corresponding to Reconfiguration Auction *n* (which shall not include any revenue from the sale of Original Residual TCCs). The one-month portion of the revenues shall be calculated by summing (i) the revenue Transmission Owner *q* received in each Centralized TCC Auction sub-auction from the allocation of Net Auction Revenue pursuant to Section 17.5.3.7, divided by the duration in months of the TCCs sold in the Centralized TCC Auction sub-auction (or, to the extent TCC auction revenues were allocated pursuant to a different methodology, the amount of such revenues allocated to Transmission Owner *q*), minus (ii) the sum of $NetAuctionAllocations_{t,n}$ as calculated pursuant to Formula B-27 (as adjusted for any charges or payments that are zeroed out) for Transmission Owner *q* for all stage 1 rounds *n* of a 6-month sub-auction for all Centralized TCC Auctions held for TCCs valid in the month corresponding to Reconfiguration Auction *n*, divided in each case by the duration in months of the TCCs sold in each Centralized TCC Auction sub-auction (or, to the extent that the revenue impact of transmission facility outages, returns-to-service, upratings, and deratings were settled pursuant to a different methodology, the net of such revenue impacts for Transmission Owner *q*), minus (iii) $NetAuctionAllocations_{t,n}$ as calculated pursuant to Formula B-27 and as adjusted for any charges or payments that are zeroed out for Transmission Owner *q* for Reconfiguration Auction *n*

$GFR\& GFTCC_{q,n}$= The one-month portion of the imputed value of Grandfathered TCCs and Grandfathered Rights, valued at one-sixth of the market clearing price in

[1] A TCC corresponds to ETCNL if it has the same POI and POW as the ETCNL.

		the last Centralized TCC Auction held for TCCs valid during the month corresponding to Reconfiguration Auction *n*, provided that the Transmission Owner is the selling party and the Existing Transmission Agreement related to each Grandfathered TCC and Grandfathered Right remains valid in the month corresponding to Reconfiguration Auction *n*
t	=	Transmission Owner *t*
T	=	The set of all Transmission Owners *q*.

Each Transmission Owner's share of Net Auction Revenues allocated pursuant to this Section 17.5.3.7 shall be incorporated into, or otherwise accounted for as part of, its TSC, ~~or~~ NTAC, or other applicable rate mechanism under the ISO Tariffs used to assess charges for Transmission Service provided by the Transmission Owner pursuant to this Tariff, as the case may be.

23.4.5 Installed Capacity Market Mitigation Measures

23.4.5.1 If and to the extent that sufficient installed capacity is not under a contractual obligation to be available to serve load in New York and if physical or economic withholding of installed capacity would be likely to result in a material change in the price for installed capacity in all or some portion of New York, the ISO, in consideration of the comments of the Market Parties and other interested parties, shall amend this Attachment H, in accordance with the procedures and requirements for amending the Plan, to implement appropriate mitigation measures for installed capacity markets.

23.4.5.2 Offers to sell Mitigated UCAP in an ICAP Spot Market Auction shall not be higher than the higher of (a) the UCAP Offer Reference Level for the applicable ICAP Spot Market Auction, or (b) the Going-Forward Costs of the Installed Capacity Supplier supplying the Mitigated UCAP. Where an Installed Capacity Supplier is a Pivotal Supplier in some, but not all, Mitigated Capacity Zones in which it has Resources, such Installed Capacity Supplier's offer to sell Mitigated UCAP in any ICAP Spot Market Auction for any Resource for which it is a Pivotal Supplier shall not be higher than the higher of (a) the lowest of the UCAP Offer Reference Levels for each Mitigated Capacity Zone in which such Installed Capacity Supplier has Resources; or (b) if an Offer for a Resource has an applicable Going-Forward Cost, such Going-Forward Cost.

23.4.5.3 An Installed Capacity Supplier's Going-Forward Costs for an ICAP Spot Market Auction shall be determined upon the request of the Responsible Market Party for that Installed Capacity Supplier. The Going-Forward Costs shall be

determined by the ISO after consultation with the Responsible Market Party, provided such consultation is requested by the Responsible Market Party not later than 50 business days prior to the deadline for offers to sell Unforced Capacity in such auction, and provided such request is supported by a submission showing the Installed Capacity Supplier's relevant costs in accordance with specifications provided by the ISO. Such submission shall show (1) the nature, amount and determination of any claimed Going-Forward Cost, and (2) that the cost would be avoided if the Installed Capacity Supplier is taken out of service or retired, as applicable. If the foregoing requirements are met, the ISO shall determine the level of the Installed Capacity Supplier's Going-Forward Costs and shall seasonally adjust such costs not later than 7 days prior to the deadline for submitting offers to sell Unforced Capacity in such auction. A Responsible Market Party shall request an updated determination of an Installed Capacity Supplier's Going-Forward Costs not less often than annually, in the absence of which request the Installed Capacity Supplier's offer cap shall revert to the UCAP Offer Reference Level. An updated determination of Going-Forward Costs may be undertaken by the ISO at any time on its own initiative after consulting with the Responsible Market Party. Any redetermination of an Installed Capacity Supplier's Going-Forward Costs shall conform to the consultation and determination schedule specified in this paragraph. The costs that an Installed Capacity Supplier would avoid as a result of retiring should only be included in its Going-Forward Costs if the owner or operator of that Installed Capacity Supplier

actually plans to mothball or retire it if the Installed Capacity revenues it receives are not sufficient to cover those costs.

23.4.5.4 Mitigated UCAP shall be offered in each ICAP Spot Market Auction in accordance with Section 5.14.1.1 of the ISO Services Tariff and applicable ISO procedures, unless it has been exported to an External Control Area or sold to meet Installed Capacity requirements outside the Mitigated Capacity Zone in which the ICAP Supplier is a Pivotal Supplier is located in a transaction that does not constitute physical withholding under the standards specified below.

23.4.5.4.1 An export to an External Control Area or sale to meet an Installed Capacity requirement outside the Mitigated Capacity Zone in which the ICAP Supplier is a Pivotal Supplier is located of Mitigated UCAP (either of the foregoing being referred to as "External Sale UCAP") may be subject to audit and review by the ISO to assess whether such action constituted physical withholding of UCAP from a Mitigated Capacity Zone. External Sale UCAP shall be deemed to have been physically withheld on the basis of a comparison of the net revenues from UCAP sales that would have been earned by the sale in a Mitigated Capacity Zone of External Sale UCAP. The comparison shall be made for the period for which Installed Capacity is committed (the "Comparison Period") in each of the shortest term organized capacity markets (the "External Reconfiguration Markets") for the area and during the period in which the Mitigated UCAP was exported or sold. External Sale ICAP shall be deemed to have been withheld from a Mitigated Capacity Zone if: (1) the Responsible Market Party for the External Sale UCAP could have made all or a portion of the External Sale UCAP

available to be offered in the Mitigated Capacity Zone by buying out of its external capacity obligation through participation in an External Reconfiguration Market; and (2) the net revenues over the Comparison Period from sale in the Mitigated Capacity Zone of the External Sale UCAP that could have been made available for sale in that Locality would have been greater by 15% or more, provided that the net revenues were at least $2.00/kilowatt-month more than the net UCAP revenues from that portion of the External Sale UCAP over the Comparison Period.

23.4.5.4.2 If Mitigated UCAP is not offered or sold as specified above, the Responsible Market Party for such Installed Capacity Supplier shall pay the ISO an amount equal to the product of (A) 1.5 times the difference between the Market-Clearing Price for the Mitigated Capacity Zone in the ICAP Spot Market Auction with and without the inclusion of the Mitigated UCAP and (B) the total of (1) the amount of Mitigated UCAP not offered or sold as specified above, and (2) all other megawatts of Unforced Capacity in the Mitigated Capacity Zone under common Control with such Mitigated UCAP. If the failure to offer was associated with the same period as the sale of External Sale UCAP, and the failure caused or contributed to an increase in UCAP prices in the Mitigated Capacity Zone of 15 percent or more, provided such increase is at least $2.00/kilowatt-month, the Responsible Market Party for such Installed Capacity Supplier shall be required to pay to the ISO an amount equal to 1.5 times the lesser of (A) the difference between the average Market-Clearing Price for the Mitigated Capacity Zone in the ICAP Spot Market Auctions for the relevant Comparison Period with

and without the inclusion of the External Sale UCAP in those auctions, or (B) the difference between such average price and the clearing price in the External Reconfiguration Market for the relevant Comparison Period, times the total of (1) the amount of Mitigated UCAP not offered or sold as specified above, and (2) all other megawatts of Unforced Capacity in the Mitigated Capacity Zone under common Control with such Mitigated UCAP. The ISO will distribute any amounts recovered in accordance with the foregoing provisions among the LSEs serving Loads in regions affected by the withholding in accordance with ISO Procedures.

23.4.5.4.3 Reasonably in advance of the deadline for submitting offers in an External Reconfiguration Market the Responsible Market Party for External Sale UCAP may request the ISO to provide a projection of ICAP Spot Auction clearing prices for the Mitigated Capacity Zone over the Comparison Period for the External Reconfiguration Market. Such requests, and the ISO's response, shall be made in accordance with the deadlines specified in ISO Procedures. Prior to completing its projection of ICAP Spot Auction clearing prices for the Mitigated Capacity Zone over the Comparison Period for the External Reconfiguration Market, the ISO shall consult with the Market Monitoring Unit regarding such price projection. The Responsible Market Party shall be exempt from a physical withholding penalty as specified in Section 23.4.5.4.2, below, if at the time of the deadline for submitting offers in an External Reconfiguration Market its offers, if accepted, would reasonably be expected to produce net revenues from External UCAP Sales that would exceed the net revenues that would have been realized

from sale of the External UCAP Sales capacity in the Mitigated Capacity Zone at the ICAP Spot Auction prices projected by the ISO. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.8 of Attachment O to this Services Tariff.

23.4.5.5 Control of Unforced Capacity shall be rebuttably presumed from (i) ownership of an Installed Capacity Supplier, or (ii) status as the Responsible Market Party for an Installed Capacity Supplier, but may also be determined on the basis of other evidence. For purposes of determining if a Responsible Market Party is a Pivotal Supplier in a Mitigated Capacity Zone except the G-J Locality, the presumption of Control of Unforced Capacity can be rebutted by: (1) the sale of Unforced Capacity in a Capability Period Auction or a Monthly Auction, or (2) demonstrating to the reasonable satisfaction of the ISO that the ability to determine the price and quantity of offers to supply Unforced Capacity has been conveyed to a person or entity that is not an Affiliated Entity without limitation or condition. For purposes of determining if a Responsible Market Party is a Pivotal Supplier in the G-J Locality, the presumption of Control of Unforced Capacity can be rebutted by demonstrating to the reasonable satisfaction of the ISO that the ability to determine the price and quantity of offers to supply Unforced Capacity has been conveyed to a person or entity that is not an Affiliated Entity without limitation or condition, but cannot be rebutted by the sale of Unforced Capacity in a Capability Period or Monthly Auction. For any Mitigated Capacity Zone, if the presumption has not been rebutted, and if two or more Market Parties each have

rights or obligations with respect to Unforced Capacity from an Installed Capacity Supplier that could reasonably be anticipated to affect the quantity or price of Unforced Capacity transactions in an ICAP Spot Market Auction, the ISO may attribute Control of the affected MW of Unforced Capacity from the Installed Capacity Supplier to each such Market Party. Prior to reaching its decision regarding whether the presumption of control of Unforced Capacity has been rebutted, the ISO shall provide its preliminary determination to the Market Monitoring Unit for review and comment. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.9 of Attachment O to this Services Tariff.

23.4.5.6 Audit, Review, and Penalties for Physical Withholding to Increase Market-Clearing Prices

23.4.5.6.1 Audit and Review of Proposals or Decisions to Remove or Derate Installed Capacity from a Mitigated Capacity Zone

Any proposal or decision by a Market Participant to retire or otherwise remove an Installed Capacity Supplier from a Mitigated Capacity Zone Unforced Capacity market, or to de-rate the amount of Installed Capacity available from such supplier, may be subject to audit and review by the ISO if the ISO determines that such action could reasonably be expected to affect Market-Clearing Prices in one or more ICAP Spot Market Auctions for a Mitigated Capacity Zone in which the Resource(s) that is the subject of the proposal or decision is located, subsequent to such action; provided, however, no audit and review shall be necessary if the Installed Capacity Supplier is a Generator that is being retired or removed from a Mitigated Capacity Zone as the result of a Forced Outage that began on or after May 1, 2015 that was determined by the ISO to be a Catastrophic Failure. Such an audit or review shall assess whether

the proposal or decision has a legitimate economic justification or is based on an effort to withhold Installed Capacity physically in order to affect prices. The ISO shall provide the preliminary results of its audit or review to the Market Monitoring Unit for its review and comment. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.10 of Attachment O to this Services Tariff.

23.4.5.6.2 Audit and Review of the Reclassification of a Generator in a Mitigated Capacity Zone From a Forced Outage to an ICAP Ineligible Forced Outage

This Section 23.4.5.6.2 shall apply to a Market Party whose Installed Capacity Supplier is a Generator that began a Forced Outage on or after May 1, 2015.

23.4.5.6.2.1 Any reclassification of an Installed Capacity Supplier that is a Generator in a Mitigated Capacity Zone from a Forced Outage to an ICAP Ineligible Forced Outage by a Market Party or otherwise, pursuant to the terms of Section 5.18.2.1 of this Services Tariff, may be subject to audit and review by the ISO if the ISO determines that such reclassification could reasonably be expected to affect the Market-Clearing Price in one or more ICAP Spot Market Auctions for a Mitigated Capacity Zone in which the Generator(s) that is the subject of the reclassification is located, subsequent to such action; provided, however, if the Market Party's Generator experienced the Forced Outage as a result of a Catastrophic Failure, the reclassification of a Generator in a Mitigated Capacity Zone from a Forced Outage to an ICAP Ineligible Forced Outage shall not be subject to audit and review pursuant to this Section 23.4.5.6.2.

The audit and review pursuant to the above paragraph shall assess whether the reclassification of the Generator in a Mitigated Capacity Zone from a Forced Outage to an ICAP Ineligible Forced Outage had a legitimate economic justification or is based on an effort to withhold Installed Capacity physically in order to affect prices.

The ISO shall provide the preliminary results of its audit or review to the Market Monitoring Unit for its review and comment. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.10 of Attachment O.

23.4.5.6.2.2 The audit and review pursuant to Section 23.4.5.6.2.1 shall be deferred by the ISO beyond the time period established in ISO Procedures for the audit and review of a reclassification of a Generator from a Forced Outage to an ICAP Ineligible Forced Outage if the Generator was in a Forced Outage for at least 180 days before the reclassification and one or more Exceptional Circumstances delayed the acquisition of data necessary for the ISO's audit and review.

The ISO shall conduct the audit and review after its receipt of data that it determines is necessary for the audit and review; provided, however, if, at the time the ISO acquires the necessary data, the Market Party has Commenced Repair of the Generator, or the Generator is determined by the ISO to have had a Catastrophic Failure, the Market Party shall not be subject to an audit and review pursuant to Section 23.4.5.6.2.1 of this Services Tariff. A Generator that Commenced Repair while in an ICAP Ineligible Forced Outage but that ceased or

unreasonably delayed that repair shall be subject to audit and review by the ISO pursuant to Section 23.4.5.6.2.1 of this Services Tariff.

The ISO shall provide the preliminary results of its audit or review to the Market Monitoring Unit for its review and comment. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.10 of Attachment O to this Services Tariff.

23.4.5.6.2.3 The audit and review of the removal of a Generator from a Forced Outage to an ICAP Ineligible Forced Outage, and the determinations of Catastrophic Failure and Exceptional Circumstances, will be pursuant to specific timelines established in ISO Procedures.

23.4.5.6.2.4 The audit and review pursuant to Sections 23.4.5.6.2.1, and 23.4.5.6.2.2 shall be conducted to determine whether the decision not to repair a Generator had a legitimate economic justification, consistent with competitive behavior; that is, whether the cost of repair, including the risk-adjusted cost of capital, could not reasonably be expected to be recouped over the reasonably anticipated remaining life of the generator. The elements of such audit and review may include, as appropriate, the historical revenue and maintenance cost data for the purpose of the baseline, the duration of the repair, the costs including, but not limited to, capital expenditures necessary to comply with federal or state environmental, safety or reliability requirements that must be met in order to operate the Generator, the anticipated capacity, energy and ancillary services revenues following the repair, the projected costs of operating the Generator following the

repair, any benefits that would be foregone from using the site for a purpose other than as the existing Generator (e.g., repowering), and other relevant data.

The criteria for the audit and review provided in this Services Tariff Section 23.4.5.6.2.4 may be incorporated, as appropriate, in an audit and review required to be conducted pursuant to other provisions in this Services Tariff Section 23.4.

23.4.5.6.2.5 For a requesting Market Party, a determination that the Market Party has experienced Exceptional Circumstances shall be made by the ISO by the 160th day of the Generator's Forced Outage. The ISO shall use reasonable efforts to issue a determination that a Market Party has experienced Exceptional Circumstances after it has Commenced Repair and requests reclassification to an ICAP Ineligible Force Outage by the 40th day after the ISO's receipt of data necessary to conduct the analysis.

For a requesting Market Party, a determination that a Generator has experienced a Catastrophic Failure shall be made by the ISO by the 160th day of the Forced Outage. If the ISO has determined that Exceptional Circumstances will delay the submission of data necessary for the ISO to perform an audit and review pursuant to Section 23.4.5.6.2.1 or 23.4.5.6.2, the ISO shall use reasonable efforts to issue a determination that the Generator has experienced a Catastrophic Failure by the 40th day after receipt of data necessary to conduct the analysis.

23.4.5.6.3 Penalties for Withholding Installed Capacity Physically In Order To Affect Prices

If the ISO determines that either: i) pursuant to Section 23.4.5.6.1, the proposal or decision by a Market Party to retire or otherwise remove an Installed Capacity Supplier from a

Mitigated Capacity Zone, or to de-rate the amount of Installed Capacity available from such supplier, or ii) pursuant to Section 23.4.5.6.2, the ISO determines that the reclassification of an Installed Capacity Supplier that is a Generator from a Forced Outage to an ICAP Ineligible Forced Outage constitutes physical withholding, and would increase the Market-Clearing Price in one or more ICAP Spot Market Auctions for a Mitigated Capacity Zone by five percent or more, provided such increase is at least $.50/kilowatt-month, for each such violation of the above requirements the Market Party shall be assessed an amount equal to the product of (A) 1.5 times the difference between the Market Clearing Price for the Mitigated Capacity Zone in the ICAP Spot Market Auctions with and without the inclusion of the withheld UCAP in those auctions, and (B) the total of (1) the number of megawatts withheld in the month and (2) all other megawatts of Installed Capacity in the Mitigated Capacity Zone under common Control with such withheld megawatts in the month. The requirement to pay such amounts shall continue until the Market Party demonstrates that the removal from service, retirement, or de-rate, as described in Section 23.4.5.6.1, or reclassification as described in Section 23.4.5.6.2 is justified by economic considerations other than the effect of such action on Market-Clearing Prices in the ICAP Spot Market Auctions for the Mitigated Capacity Zone. The ISO will distribute any amount recovered in accordance with the foregoing provisions among the LSEs serving Loads in the Mitigated Capacity Zone(s) wherein the Market-Clearing Price was affected for the month corresponding to the penalty accordance with ISO Procedures.

23.4.5.7 Buyer-Side Market Power Mitigation Measures for Installed Capacity

Unless exempt as specified below, offers to supply Unforced Capacity from a Mitigated Capacity Zone Installed Capacity Supplier: (i) shall equal or exceed the applicable Offer Floor; and (ii) can only be offered in the ICAP Spot Market Auctions. Except for Offer Floors applied

pursuant to Section 23.4.5.7.9.5.2 (*i.e.*, after the revocation of a Competitive Entry Exemption,) Section 23.4.5.7.13.3 (*i.e.*, after the revocation of a Renewable Exemption) or Section 23.4.5.7.14.5 (*i.e.*, after the revocation of a Self Supply Exemption), the Offer Floor shall apply to offers for Unforced Capacity from the Installed Capacity Supplier, if it is not a Special Case Resource, starting with the Capability Period for which the Installed Capacity Supplier first offers to supply UCAP. Offer Floors applied pursuant to Section 23.4.5.7.9.5.2 shall apply to offers for Unforced Capacity from an Installed Capacity Supplier starting with all ICAP auction activity subsequent to the date of the revocation. Offer Floors shall cease to apply to that portion of a resource's UCAP (rounded down to the nearest tenth of a MW) that has cleared for any twelve, not-necessarily-consecutive, months (such cleared amount, "Cleared UCAP"). Offer Floors shall be adjusted annually using the inflation rate component of the escalation factor of the relevant effective ICAP Demand Curves that have been accepted by the Commission.

23.4.5.7.1 Unforced Capacity from an Installed Capacity Supplier that is subject to an Offer Floor may not be used to satisfy any LSE Unforced Capacity Obligation for Mitigated Capacity Zone Load unless such Unforced Capacity is obtained through participation in an ICAP Spot Market Auction.

23.4.5.7.2 An Installed Capacity Supplier, in a Mitigated Capacity Zone for which the Commission has accepted an ICAP Demand Curve, shall be exempt from an Offer Floor if: (a) the price that is equal to the (x) average of the ICAP Spot Market Auction price for each month in the two Capability Periods, beginning with the Summer Capability Period commencing three years from the start of the year of the Class Year (the "Starting Capability Period") is projected by the ISO to be higher, with the inclusion of the Installed Capacity Supplier, than (y) the

numerical value equal to 75 percent of the Mitigation Net CONE that would be applicable to such supplier in the same two (2) Capability Periods (utilized to compute (x)), (b) the price that is equal to the average of the ICAP Spot Market Auction prices in the six Capability Periods beginning with the Starting Capability Period is projected by the ISO to be higher, with the inclusion of the Installed Capacity Supplier, than the reasonably anticipated Unit Net CONE of the Installed Capacity Supplier, or (c) it has been determined to be exempt pursuant to Section 23.4.5.7.9 (the "Competitive Entry Exemption"), (d) it has been determined, and in the quantity of MW for which it has been determined, to be exempt pursuant to Section 23.4.5.7.13 (the "Renewable Exemption"), or (e) it has been determined, and in the quantity of MW for which it has been determined, to be exempt pursuant to Section 23.4.5.7.14 (the "Self Supply Exemption"). For purposes of the determinations pursuant to (a) and (b) of this section, the ISO shall identify Unit Net CONE and the price on the ICAP Demand Curve projected for a future Mitigation Study Period consistent with Sections 23.4.5.7.3.2 or 23.4.5.7.4, as appropriate, for each Examined Facility promptly after it (i) has accepted its SDU Project Cost Allocation and deliverable MW, if any, from the Final Decision Round and (ii) along with all other remaining members, has posted any associated security pursuant to OATT Section 25 (OATT Attachment S) (for purposes of Section 23.4, a project that "remains a member of a completed Class Year"). The first year value of an Examined Facility's Unit Net CONE will be calculated pursuant to Section 23.4.5.7, Section 23.4.5.7.2.4, or 23.4.5.7.3.2, will be established at the time such Examined Facility first offers UCAP, and will be

used by the ISO in subsequent mitigation exemption or Offer Floor determinations for Additional CRIS MW. Any determination received pursuant to Sections 23.4.5.7.2, 23.4.5.7.6. or 23.4.5.7.7 shall not become final for the relevant Examined Facility unless the Examined Facility accepts its SDU Project Cost Allocation and deliverable MW, if any, from the Final Decision Round, and posted any associated security pursuant to OATT Section 25, and remains a member of the completed Class Year. The Unit Net CONE or exemption determination pursuant to this Section shall be final on the date the ISO issues a notice to stakeholders that the Class Year decisional process has been completed.

23.4.5.7.2.1 Promptly after Commission acceptance of the first ICAP Demand Curve to apply to a Mitigated Capacity Zone, the ISO shall make an exemption and Offer Floor determination for any NCZ Examined Project that is in a completed Class Year and has received CRIS, unless exempt pursuant to section 23.4.5.7.6 or 23.4.5.7.8.

23.4.5.7.2.2 The ISO shall make an "Indicative Buyer-Side Mitigation Exemption Determination" for any NCZ Examined Project if (i) the Commission has accepted an ICAP Demand Curve for the Mitigated Capacity Zone that will become effective when the Mitigated Capacity Zone is first effective, or (ii) if the Commission has not accepted the first ICAP Demand Curve to apply specifically to the Mitigated Capacity Zone in which the NCZ Examined Project is located, provided the ISO has filed an ICAP Demand Curve pursuant to Services Tariff Section 5.14.1.2.11. The Indicative Buyer-Side Mitigation Exemption Determination shall be computed using such ICAP Demand Curve for the

Mitigated Capacity Zone concurrent with the determinations the ISO makes for Examined Facilities pursuant to Sections 23.4.5.7.3.2 and 23.4.5.7.3.3. The ISO shall recompute the Indicative Buyer-Side Mitigation Exemption Determination promptly after Commission acceptance of the first ICAP Demand Curve for the applicable Locality provided that such NCZ Examined Project (i) received CRIS if the Class Year completed at the time the Commission accepts the Demand Curve, or (ii) has not been removed from the Class Year Deliverability Study if the Class Year is not completed. The Indicative Buyer-Side Mitigation Exemption Determination is for informational purposes only. The exemption or Offer Floor for an NCZ Examined Project to which this Section applies shall be determined for such projects receiving CRIS using the Commission-accepted Locality Demand Curve.

23.4.5.7.2.3 Any NCZ Examined Project not exempt pursuant to 23.4.5.7.8 shall provide data and information requested by the ISO by the date specified by the ISO, in accordance with the ISO Procedures.

The ISO shall compute the reasonably anticipated ICAP Spot Market Auction forecast price based on Expected Retirements (as defined in subsection 23.4.5.7.2.3.1), plus each NCZ Examined Project.

23.4.5.7.2.3.1 Expected Retirements shall be determined based on any Generator that provided written notice to the New York State Public Service Commission that it intends to retire, plus any UDR facilities, or any Generator 2 MW or less that provided written notice to the ISO that it intends to retire.

23.4.5.7.2.3.2 The Load forecast shall be based on data used to develop the Indicative Locational Minimum Installed Capacity Requirement, and Special Case Resources based on data for the Mitigated Capacity Zone that is part of the Special Case Resource data set forth in the most-recently published Load and Capacity Data (Gold Book).

23.4.5.7.2.4 The ISO shall post on its website the inputs of the reasonably anticipated ICAP Spot Market Auction forecast prices determined in accordance with 23.4.5.7.2.3 (except for the posting of an input which would disclose Confidential Information), the Expected Retirements, and the NCZ Examined Projects, before the exemption or Offer Floor determination under this Section.

When the ISO is evaluating more than one NCZ Examined Project concurrently, the ISO shall recognize in its computation of the anticipated ICAP Spot Market Auction forecast price that Generators or UDR facilities will clear from lowest to highest, using for each NCZ Examined Project the lower of (i) the first year value of its Unit Net CONE, or (ii) the numerical value equal to 75 percent of the Mitigation Net Cone, then inflated in accordance with 23.4.5.7 for each of the year two and year three of the Mitigation Study Period.

23.4.5.7.2.5 When evaluating NCZ Examined Projects pursuant to Sections 23.4.5.7.2.1 or 23.4.5.7.2.2, the ISO shall seek comment from the Market Monitoring Unit on matters relating to the determination of price projections and cost calculations. The ISO shall inform the NCZ Examined Project of the Offer Floor or Offer Floor exemption determination or Indicative Buyer-Side Mitigation Exemption Determination promptly. The responsibilities of the Market

Monitoring Unit that are addressed in this Section 23.4.5.7.2.5 are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.2.6 If an NCZ Examined Project under the criteria in 23.4.5.7.2.1 or 23.4.5.7.2.2 does not provide all of the requested data by the date specified by the ISO, the MW of CRIS received at that time by the project shall be subject to the Mitigation Net CONE Offer Floor for the period determined by the ISO in accordance with Section 23.4.5.7.

23.4.5.7.2.7 An NCZ Examined Project or Examined Facility located in more than one Mitigated Capacity Zone shall be evaluated pursuant to the tests in Section 23.4.5.7.2 (a) and (b) or 23.4.5.7.3 (as applicable), calculating Mitigation Net CONE for the smallest Mitigated Capacity Zone that contains the Load Zone in which such NCZ Examined Project or Examined Facility is electrically located.

23.4.5.7.3 The ISO shall make such exemption and Unit Net CONE determination for each "Examined Facility" (collectively "Examined Facilities") which term 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 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"), (II) each (i) existing Generator that did not have CRIS rights, and (ii) proposed new Generator and proposed new UDR project, that 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 , (III) each proposed new Generator that (a) is either (i) in the ISO Interconnection Queue, in a Class Year prior to 2009/10, and has not commenced commercial operation or been canceled, and for which the ISO has not made an exemption or Unit Net CONE determination, or (ii) not subject to a deliverability requirement (and therefore, is not in a Class Year) and (b) provides specific written notification to the ISO no later than the date identified by the ISO, that it plans to commence commercial operation and offer UCAP in a month that coincides with a Capability Period of the Mitigation Study Period. The term "Examined Facilities" does not include any facility exempt from an Offer Floor pursuant to the provisions of Section 23.4.5.7.

23.4.5.7.3.1 The commercial operation date to be used by the ISO solely for purposes of identifying the Examined Facilities will be determined by the ISO at the time of the Class Year Study as the date most-recently (A) identified by the project to the ISO in the Interconnection Facilities Study process or (B) reflected in the Interconnection Queue, or if neither of the foregoing is applicable, then the date identified by the project to the Transmission Owner to which it has proposed interconnecting.

23.4.5.7.3.2 The ISO shall compute the reasonably anticipated ICAP Spot Market Auction forecast price for any Mitigated Capacity Zone based on Expected

Retirements (as defined in this subsection 23.4.5.7.3.2), plus each Examined Facility in 23.4.5.7.3 (I), (II), and (III).

Expected Retirements shall be determined based on any Generator that provided written notice to the New York State Public Service Commission that it intends to retire, plus any UDR facility or Generator 2 MW or less that provided written notice to the ISO that it intends to retire.

The load forecast and Special Case Resources shall be as set forth in the most-recently published Load and Capacity Data (Gold Book).

Before the commencement of the Initial Decision Period for the Class Year, the ISO shall post on its website the inputs of the reasonably anticipated ICAP Spot Market Auction forecast prices determined in accordance with 23.4.5.7.3.2, the Expected Retirements, and the Examined Facilities, before the Initial Project Cost Allocation, subject to any restrictions on the disclosure of Confidential Information or Critical Energy Infrastructure Information.

When the ISO is evaluating more than one Examined Facility concurrently, the ISO shall recognize in its computation of the anticipated ICAP Spot Market Auction forecast price that Generators or UDR facilities will clear from lowest to highest, using for each Examined Facility the lower of (i) the first year value of its Unit Net CONE, or (ii) the numerical value equal to 75 percent of the Mitigation Net Cone, then inflated in accordance with 23.4.5.7 for each of the year two and year three of the Mitigation Study Period.

23.4.5.7.3.3 All developers, Interconnection Customers, and Installed Capacity Suppliers for any Examined Facility that do not request CRIS shall provide data

and information requested by the ISO by the date specified by the ISO, in accordance with the ISO Procedures. For any such Examined Facility that is in a Class Year but that only has ERIS rights after the Project Cost Allocation process is complete, the ISO shall utilize the data first provided in its analysis of the Unit Net CONE in its review of the project in any future Class Year in which the Generator or UDR facility requests CRIS. The ISO shall determine the reasonably anticipated Unit Net CONE less the costs to be determined in the Project Cost Allocation or Revised Project Cost Allocation, as applicable, prior to the commencement of the Initial Decision Period Class Year, and shall provide to the Examined Facility the ISO's initial determination of an exemption or the Offer Floor. On or before the three (3) days prior to the ISO's issuance of the Revised Project Cost Allocation, the ISO will revise its forecast of ICAP Spot Market Auction prices for the Capability Periods in the Mitigation Study Period based on the Examined Facilities that remain in the Class Year for CRIS and the Examined Facilities that meet 23.4.5.7.3 (II) or (III). When evaluating Examined Capacity pursuant to this Section 23.4.5.7, the ISO shall seek comment from the Market Monitoring Unit on matters relating to the determination of price projections and cost calculations. The ISO shall provide to each project its revised price forecast and a revised initial determination for a Subsequent Decision Period no later than the ISO's issuance of a Revised Project Cost Allocation. If a project remains a member of a completed Class Year, the ISO shall inform the project of the final determination of the Offer Floor or whether the Offer Floor exemption specified above in this Section is applicable as soon as practicable after the date the ISO

issues a notice to stakeholders that the Class Year decisional process has been completed, in accordance with methods and procedures specified in ISO Procedures. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.3.4 If an Examined Facility under the criteria in 23.4.5.7.3 (II) or (III) has not provided written notice to the ISO on or before the date specified by the ISO, or any Examined Facility required to be reviewed does not provide all of the requested data by the date specified by the ISO, the proposed Capacity shall be subject to the Mitigation Net CONE Offer Floor for the period determined by the ISO in accordance with Section 23.4.5.7.

23.4.5.7.3.5 Except as specified in Section 23.4.5.7.6 with respect to Additional CRIS MW, an Examined Facility for which an exemption or Offer Floor determination has been rendered may only be reevaluated for an exemption or Offer Floor determination if it meets the criteria in Section 23.4.5.7.3 (I) and was not previously in a Class Year at the time of the completion of the Class Year either (a) enters a new Class Year and requests CRIS or (b) intends to receive transferred CRIS rights at the same location. An Examined Facility under the criteria in Section 23.4.5.7.3 (II) that did receive CRIS rights will be bound by the determination rendered and will not be reevaluated, and an Examined Facility under the criteria in 23.4.5.7.3 (III) will not be reevaluated.

23.4.5.7.3.6 If an Installed Capacity Supplier demonstrates to the reasonable satisfaction of the ISO that the value equal to the first of the three year values in

the Mitigation Study Period that comprise its Unit Net CONE is less than any Offer Floor that would otherwise be applicable to the Installed Capacity Supplier, then its Offer Floor shall be reduced to a numerical value equal to the first year of its Unit Net CONE.

23.4.5.7.3.7 If the Installed Capacity Supplier first offers UCAP prior to the first Capability Year of the Mitigation Study Period for which it was evaluated, its Offer Floor shall be reduced using the inflation rate component identified in Section 23.4.5.7. If the Installed Capacity Supplier first offers UCAP after the first Capability Year of the Mitigation Study Period for which it was evaluated, its Offer Floor shall be increased using the inflation rate component identified in 23.4.5.7.

23.4.5.7.4 For purposes of Sections 23.4.5.7.2(b) and 23.4.5.7.6(b), the ISO shall identify (A) the Unit Net CONE projected for a Mitigation Study Period using: (i) the inflation rate component of the escalation factor of the relevant ICAP Demand Curves for any year for which there are accepted ICAP Demand Curves, and (ii) the inflation rate component of the escalation factor of the last year of accepted relevant ICAP Demand Curves if relevant ICAP Demand Curves do not apply to the year; and (B) the price on the ICAP Demand Curve projected for a Mitigation Study Period using (i) the escalation factor of the relevant ICAP Demand Curves for any year for which there are accepted ICAP Demand Curves; and (ii) the escalation factor of the last year of accepted ICAP Demand Curves if relevant ICAP Demand Curves do not apply to the year. For purposes of Section

23.4.5.7.2(a), the ISO shall use the escalation factor of the relevant ICAP Demand Curves.

23.4.5.7.5 A Mitigated Capacity Zone Installed Capacity Supplier that is a Special Case Resource shall be subject to an Offer Floor beginning with the month of its initial offer to supply Installed Capacity, and until its offers of Installed Capacity have been accepted in the ICAP Spot Market Auction at a price at or above its Offer Floor for a total of twelve, not necessarily consecutive, months. A Special Case Resource shall be exempt from the Offer Floor if (a) it is located in a Mitigated Capacity Zone except New York City and is enrolled as a Special Case Resource with the ISO for any month within the Capability Year that includes March 31 in an ICAP Demand Curve Reset Filing Year in which the ISO proposes a New Capacity Zone that includes the location of the Special Case Resource, or (b) the ISO projects that the ICAP Spot Market Auction price will exceed the Special Case Resource's Offer Floor for the first twelve months that the Special Case Resource reasonably anticipated to offer to supply UCAP. If a Responsible Interface Party fails to provide Special Case Resource data that the ISO needs to conduct the calculations described in the two preceding sentences by the deadline established in ISO Procedures, the Special Case Resource will cease to be eligible to offer or sell Installed Capacity. The Offer Floor for a Special Case Resource shall be equal to the minimum monthly payment for providing Installed Capacity payable by its Responsible Interface Party, plus the monthly value of any payments or other benefits the Special Case Resource receives from a third party for providing Installed Capacity, or that is received by the

Responsible Interface Party for the provision of Installed Capacity by the Special Case Resource. The Offer Floor calculation for a Special Case Resource located in New York City shall include any payment or the value of other benefits that are awarded for offering or supplying Mitigated Capacity Zone Capacity unless such payment or the value of other benefits is ruled exempt by Commission order in response to a request for exemption filed under section 206 of the Federal Power Act by New York State or a government instrumentality of New York State. The Offer Floor calculation for a Special Case Resource located in a Mitigated Capacity Zone except New York City shall include any payment or the value of other benefits that are awarded for offering or supplying Mitigated Capacity Zone Capacity, except for payments or the value of other benefits provided under programs administered or approved by New York State or a government instrumentality of New York State. Offers by a Responsible Interface Party at a PTID shall be not lower than the highest Offer Floor applicable to a Special Case Resource providing Installed Capacity at that PTID. Such offers may comprise a set of points for which prices may vary with the quantity offered. If this set includes megawatts from a Special Case Resource(s) with an Offer Floor, then at least the quantity of megawatts in the offer associated with each Special Case Resource must be offered at or above the Special Case Resource's Offer Floor. Offers by a Responsible Interface Party shall be subject to audit to determine whether they conformed to the foregoing Offer Floor requirements. If a Responsible Interface Party together with its Affiliated Entities submits one or more offers below the applicable Offer Floor, and such offer or offers cause or

contribute to a decrease in UCAP prices in the Mitigated Capacity Zone of 5 percent or more, provided such decrease is at least $.50/kilowatt-month, the Responsible Interface Party shall be required to pay to the ISO an amount equal to 1.5 times the difference between the Market-Clearing Price for the Mitigated Capacity Zone in the ICAP Spot Auction for which the offers below the Offer Floor were submitted with and without such offers being set to the Offer Floor, times the total amount of UCAP sold by the Responsible Interface Party and its Affiliated Entities in such ICAP Spot Auction. If an offer is submitted below the applicable Offer Floor, the ISO will notify the Responsible Market Party and the notification will identify the offer, the Special Case Resource, the price impact, and the penalty amount. The ISO will provide the notice reasonably in advance of imposing such penalty. The ISO shall distribute any amounts recovered in accordance with the foregoing provisions among the entities, other than the entity subject to the foregoing payment requirement, supplying Installed Capacity in regions affected by one or more offers below an applicable Offer Floor in accordance with ISO Procedures.

23.4.5.7.6 Exemption and Offer Floor Determinations **for Additional CRIS MW**: All requests for Additional CRIS MW located in a Mitigated Capacity Zone, in a Class Year or through a transfer, shall be evaluated for a buyer-side mitigation exemption or Offer Floor in accordance with this Section. Additional CRIS MW obtained in a Class Year or obtained through a transfer at the same location shall be exempt from an Offer Floor (a) if the price that is equal to (x) the average of the ICAP Spot Market Auction price for each month in the two Capability

Periods, beginning with the Summer Capability Period commencing three years from the start of the Class Year (the "Starting Capability Period") is projected by the ISO, with the inclusion of the Additional CRIS MW, to be higher than (y) the highest Offer Floor based on the Mitigation Net CONE that would be applicable to such Additional CRIS MW in the same two (2) Capability Periods (utilized to compute (x)); (b) if the price that is equal to the average of the ICAP Spot Market Auction prices in the six Capability Periods beginning with the Starting Capability Period is projected by the ISO, with the inclusion of the Installed Capacity Supplier's Additional CRIS MW, to be higher than the reasonably anticipated Unit Net CONE computed in accordance with (i) and (ii) of Section 23.4.5.7.6.1 for the Installed Capacity Supplier's Additional CRIS MW, or (c) for the quantity of MW determined to be exempt pursuant to Section 23.4.5.7.13 or 23.4.5.7.14 (*i.e.*, a Self Supply Exemption can be received for some Additional CRIS MW and a Renewable Exemption for other Additional CRIS MW that comprise all or part of the same request for Additional CRIS MW in a given Class Year.

23.4.5.7.6.1 For Additional CRIS MW that have an exemption or Offer Floor determined pursuant to this Section 23.4.5.7.6, the ISO shall compute Unit Net CONE as follows:

(i) Unit Net CONE for the Additional CRIS MW shall be based on the Additional CRIS MW and the costs and revenues of and associated with the Additional CRIS MW if:

(a) the most recent prior determination concluded that the Capacity for which the Examined Facility accepted CRIS was exempt from the Offer Floor pursuant to Section 23.4.5.7.2(b), 23.4.5.7.6(b), 23.4.5.7.7, or 23.4.5.7.8; or

(b) at the time of an Examined Facility's request for Additional CRIS MW: (1) it has accepted CRIS MW equal to, or greater than, 95 percent of the Examined Facility's maximum MW of electrical capability, net of auxiliary load, at an ambient temperature of 93° F as determined in accordance with ISO Procedures and (2) the amount of Cleared UCAP is greater than or equal to the amount of UCAP calculated pursuant to Section 23.4.5.7.6.3; or

(c) the Examined Facility's Total Evaluated CRIS MW includes exempted CRIS MW for which the Examined Facility did not receive a Unit Net CONE determination and thus did not provide data to the ISO because the determination for the exempt CRIS MW received was not based on Unit Net CONE and was made prior to November 27, 2010.

(ii) or in all other cases, Unit Net CONE, shall be the greater of two values, one based on the Total Evaluated CRIS MW, and the costs and revenues of the Total Evaluated CRIS MW, and one based on the Additional CRIS MW, and the costs and revenues of the Additional CRIS MW.

23.4.5.7.6.2 When calculating the Unit Net CONE of the Total Evaluated CRIS MW for an Examined Facility, the ISO shall utilize the Examined Facility's first year Unit Net CONE determined pursuant to Section 23.4.5.7 and Sections 23.4.5.7.2.4 or 23.4.5.7.3.2, adjusted to the year's dollars at the time of an Examined Facility's request for Additional CRIS MW using: (i) the relevant value from the price

index for non-farm business output published in the Survey of Current Business by the Department of Commerce's Bureau of Economic Analysis ("BEA Non-Farm Price Index"), or its successor; or (ii) the inflation rate component of the escalation factor of the most currently accepted ICAP Demand Curves for any future year which is beyond the published BEA Non-Farm Price Index, or its successor.

23.4.5.7.6.3 For purposes of making the determination pursuant to Section 23.4.5.7.6.1(i)(b)(2), the amount of Cleared UCAP shall be compared to an amount of UCAP calculated as the product of the CRIS MW held by the Examined Facility immediately prior to its request for Additional CRIS MW and (1-EFORd). Except as specified in the next paragraph, for purposes of this calculation, if the Examined Facility is a Generator, its EFORd shall be derived using the data in the 5-year average NERC-GADS Generating Availability Report, or its successor, for the main class of the unit (hereinafter the "Class Average EFORd") that is current at the time of the request for Additional CRIS MW, when available. If the Examined Facility is an Intermittent Power Resource or Limited Control Run-of-River Hydro Resource, the ISO shall apply a 5-year average derating factor based on ISO data to establish the EFORd to be utilized in the calculation pursuant to this paragraph. In all other cases, the ISO will apply the 5-year average derating factor from the ICAP/UCAP translation, for the smallest Mitigated Capacity Zone in which the resource is located at the time of the request. The EFORd applied by the ISO at the time that the Examined Facility first offers or certifies UCAP in an Installed Capacity auction ("Initial

Entry EFORd") shall be used instead of Class Average EFORd when it is higher (*i.e.,* a greater outage rate) than the Class Average EFORd calculated at the time of the Examined Facility's request for Additional CRIS MW.

23.4.5.7.6.4 Additional CRIS MW shall be subject to the Mitigation Net CONE Offer Floor for the period specified in Section 23.4.5.7, for any Examined Facility whose Total Evaluated CRIS MW includes CRIS MW that are or have ever been subject to the Mitigation Net CONE Offer Floor, pursuant to Section 23.4.5.7.3.4.

23.4.5.7.6.5 The Offer Floor for Additional CRIS MW shall be equal to the lesser of: (a) the Unit Net CONE for the Additional CRIS MW; or (b) a numerical value equal to 75 percent of the Mitigation Net CONE translated into a seasonally adjusted monthly UCAP value for the Additional CRIS MW.

23.4.5.7.6.6 The results of this exemption determination shall apply only to the Additional CRIS MW and shall not alter or affect any prior exemption or Offer Floor determination for the Examined Facility. The Additional CRIS MW for which CRIS is received shall be bound by the determination rendered and will not be reevaluated unless the Examined Facility enters a new Class Year for the Additional CRIS MW.

23.4.5.7.6.7 When the ISO makes a mitigation exemption or Offer Floor determination for an Examined Facility's Additional CRIS MW for an Installed Capacity Supplier other than that to which the Unit Net CONE determination for the Examined Facility was rendered, the ISO shall provide such Installed Capacity Supplier with the Examined Facility's first year Unit Net CONE value if the Installed Capacity Supplier (a) requests that information, and (b) represents that it:

(i) will use that information solely for purposes of considering a request for Additional CRIS MW for the Examined Facility, and (ii) will not share that information with or make it available to any other person except those that are assisting it in considering a request for Additional CRIS MW.

23.4.5.7.6.8 The ISO shall post on its website the determination of whether the project is exempt or non-exempt from an Offer Floor as soon as the determination is final. Concurrent with the ISO's posting, the Market Monitoring Unit shall publish a report on the ISO's determination, as further specified in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.7 (a) An In-City Installed Capacity Supplier that is not a Special Case Resource shall be exempt from an Offer Floor if it was an existing facility on or before March 7, 2008. (b) A Generator or UDR project that was an existing facility on or before June 29, 2012, which: (i) is in a Mitigated Capacity Zone except New York City, and (ii) was grandfathered from the deliverability requirement at a certain quantity of MW of CRIS pursuant to Section 25.9.3.1 of OATT Attachment S ("Deliverability Grandfathering Process") shall be exempt from an Offer Floor for the MW quantity of CRIS that was provided through the Deliverability Grandfathering Process plus an additional 2 MW obtained through Section 30.3.2.6 of Attachment X to the OATT. If the Generator or UDR project subsequently received CRIS above the quantity established through the Deliverability Grandfathering Process, this exemption shall not apply to any such increase above the 2 MW allowed in Section 30.3.2.6 of Attachment X to the OATT.

23.4.5.7.8 For any Mitigated Capacity Zone except New York City:

(I) Any existing or proposed Generator or UDR project that has the characteristics specified in this Section 23.4.5.7.8(I) shall be exempt from an Offer Floor with respect to the MW of CRIS that it received at the time, or for which it satisfied the specific CRIS transfer requirements stated in this Section. To be eligible for an exemption under this Section: (a) the existing or proposed Generator or UDR project's location must be included in the ISO's March 31 Filing in the ICAP Demand Curve Reset Filing Year in which a Mitigated Capacity Zone is first applied to such location; (b) prior to that March 31 Filing the existing or proposed Generator or UDR project must have both: (i) Commenced Construction and (ii) either (1) received the MW of CRIS in a Class Year that was completed or (2) submitted to the ISO an Interconnection Request that specifically states that the Generator or UDR project will be requesting or has requested a transfer of a specific MW quantity of CRIS at the same location in accordance with Section 25.9.4 of OATT Attachment S (provided that the transfer is ultimately approved by the ISO and consummated); and (c) the existing or proposed Generator or UDR project must demonstrate to the ISO no later than the deadline established by the ISO that it satisfies the requirements of (b) (i) and (ii) above; and

(II) An existing or proposed Generator or UDR project that is not subject to a deliverability requirement (and therefore, is not in a Class Year and does not receive CRIS MW) shall be exempt from an Offer Floor if it meets the following requirements prior to the ISO's March 31 Filing in an ICAP Demand Curve Reset

Filing Year in which a Mitigated Capacity Zone is first applied to such location: (a) has Commenced Construction, (b) has an effective interconnection agreement, and (c) provides specific written notification to the ISO that it meets requirements (a) and (b) of this subsection 23.4.5.7.8(II) no later than the deadline established by the ISO.

The ISO shall consult with the Market Monitoring Unit prior to determining whether an existing or proposed Generator or UDR project has Commenced Construction. Prior to the ISO making its determination, the Market Monitoring Unit shall provide the ISO a written opinion and recommendation regarding whether an existing or proposed Generator or UDR project Commenced Construction. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.12 of Attachment O. The ISO shall only make a determination pursuant to this Section for an existing or proposed Generator or UDR project for the Mitigated Capacity Zone's first application to the location of the project. The Market Monitoring Unit shall also provide a public report on its assessment of an ISO determination that an existing or proposed Generator or UDR project is exempt from an Offer Floor pursuant to this Section 23.4.5.7.8.

23.4.5.7.9 Competitive Entry Exemption

23.4.5.7.9.1 Eligibility

23.4.5.7.9.1.1 A proposed new Generator or UDR project that becomes a member of a Class Year after Class Year 2012 may request to be evaluated for a "Competitive Entry Exemption" for its CRIS MW and shall qualify for such exemption if the

ISO determines that the proposed Generator or UDR project meets each of the following requirements: (a) does not have, and at no time before the Generator first produces or the UDR project first transmits energy (for purposes of this Section 23.4.5.7.9, the "Entry Date") shall have, (i) a direct or indirect "non-qualifying contractual relationship," as defined in Section 23.4.5.7.9.1.2, with ~~a Transmission Owner,~~ a Public Power Entity, a Transmission Owner with a Transmission District in the NYCA, ~~or~~ any other entity with a Transmission District in the NYCA, or an agency or instrumentality of New York State or a political subdivision thereof, (collectively "Non-Qualifying Entry Sponsors"); or (ii) an unexecuted agreement, written or unwritten, with a Non-Qualifying Entry Sponsor that would support the development of the project, except those agreements that would not constitute a "non-qualifying contractual relationship," as set forth in Section 23.4.5.7.9.1.3(i) – (viii), (b) is not itself, and is not an Affiliate of, a Non-Qualifying Entry Sponsor.

23.4.5.7.9.1.2 For purposes of Section 23.4.5.7.9, a direct "non-qualifying contractual relationship" shall include but not be limited to any contract, agreement, arrangement, or relationship (for the purposes of this Section 23.4.5.7.9, a "contract") that: (a) directly relates to the planning, siting, interconnection, operation, or construction of the Generator or UDR project that is the subject of the request for the Competitive Entry Exemption; (b) is for the energy or capacity produced by or delivered from or by the Generator or UDR project, including an agreement for rights to schedule or use a UDR; or (c) provides services, financial support, or tangible goods to a Generator or UDR project. For purposes of

Section 23.4.5.7.9, an indirect "non-qualifying contractual relationship" is any contract between the Generator or UDR project and an entity (for purposes of this Section 23.4.5.7.9, a "third party") if the third party has a non-qualifying contractual relationship with a Non-Qualifying Entry Sponsor, the recital, purpose, or subject of which includes, or has the effect of including, this Generator or UDR project.

23.4.5.7.9.1.3 A contract with a Non-Qualifying Entry Sponsor shall not constitute a "non-qualifying contractual relationship" if it is (i) an Interconnection Agreement; (ii) an agreement for the construction or use of interconnection facilities or transmission or distribution facilities, or directly connected joint use transmission or distribution facilities (including contracts required for compliance with Articles VII or 10 of the New York State Public Service Law or orders issued pursuant to Articles VII or 10); (iii) a grant of permission by any department, agency, instrumentality, or political subdivision of New York State to bury, lay, erect or construct wires, cables or other conductors, with the necessary poles, pipes or other fixtures in, on, over or under public property; (iv) a contract for the sale or lease of real property to or from a Non-Qualifying Entry Sponsor at or above fair market value as of the date of the agreement was executed, such value demonstrated by an independent appraisal at the time of execution prepared by an accountant or appraiser with specific experience in such valuations; (v) an easement or license to use real property; (vi) a contract, with any department, agency, instrumentality, or political subdivision of New York State providing for a payment-in-lieu of taxes (*i.e.*, a "PILOT" agreement) or industrial or

commercial siting incentives, such as tax abatements or financing incentives, provided the PILOT agreement or incentives are generally available to industrial or commercial entities; (vii) a service agreement for natural gas entered into under a tariff accepted by a regulatory body with jurisdiction over that service; or (viii) a service agreement entered into under a tariff accepted by a regulatory body with jurisdiction over that service at a regulated rate for electric Station Power, or steam service, excluding an agreement for a rate that is a negotiated rate pursuant to any such regulated electric, or steam tariff. Notwithstanding the foregoing, a contract with a Non-Qualifying Entry Sponsor that includes a provision that is a non-qualifying contractual relationship will render the entire contract described in (i) through (viii) of this Section a non-qualifying contractual relationship.

23.4.5.7.9.1.4 The ISO shall determine whether a Generator or UDR project is eligible for a Competitive Entry Exemption based on its review of the certifications required by Section 23.4.5.7.9.2, below, and any other supporting data requested by the ISO. When evaluating eligibility for a Competitive Entry Exemption, the ISO shall consult with the Market Monitoring Unit. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.9.2 Certifications and Acknowledgements

23.4.5.7.9.2.1 A Generator or UDR project requesting a Competitive Entry Exemption shall submit to the ISO in accordance with ISO Procedures, and shall be legally

bound by, the following Certification and Acknowledgement form executed by a duly authorized officer:

CERTIFICATION AND ACKNOWLEDGMENT

I [NAME & TITLE] hereby certify on behalf of myself, [NAME OF PROJECT], and [NAME OF DEVELOPER] that each of the following statements is true and correct:

1. I am an officer whose responsibilities include the development of the [EXAMINED FACILITY], New York Independent System Operator, Inc.'s ("NYISO") Interconnection queue position Number [INSERT NUMBER] (the "Project").

2. I am duly authorized to make representations concerning the Project, including each of the certifications and acknowledgements that I have made in this document.

3. I hereby [REQUEST ON BEHALF OF/ACKNOWLEDGE THE PRIOR SUBMISSION IN THIS CLASS YEAR BY] the Developer a Competitive Entry Exemption for the Project.

4. I have reviewed and I understand the requirements established under the NYISO Market Administration and Control Area Services Tariff ("Services Tariff") related to a "Competitive Entry Exemption" pursuant to Section 23.4.5.7.9.

5. I have personal knowledge of the facts and circumstances supporting the Project's request and eligibility for a Competitive Entry Exemption as of the date of this Certification and Acknowledgment, including all data and other information submitted by the Project to the NYISO.

6. To the best of my knowledge and having conducted due diligence that is current as of the date of this Certification there [ARE/ARE NOT ANY**]** direct or indirect contractual relationships for the Project with a "Non-Qualifying Entry Sponsor," as those terms are defined in Section 23.4.5.7.9 of the Services Tariff. I have listed all contracts with Non-Qualifying Entry Sponsors on Schedule 1 to this Certification.

7. If the Answer to (6) is that there are one or more direct or indirect contractual relationships for the Project with a Non-Qualifying Entry Sponsor, then I certify that to the best of my knowledge and having conducted due diligence that they are "allowable contracts" as set forth in Section 23.4.5.7.9.1.3(i) – (viii) of the Services Tariff.

8. To the best of my knowledge and having conducted due diligence that is current as of the date of this Certification, (a) no unexecuted agreements, written or unwritten, with a Non-Qualifying Entry Sponsor exist that would support the development of the Project except those agreements that would not constitute a

non-qualifying contractual relationship, as set forth in Section 23.4.5.7.9.1.3(i) – (viii) of the Services Tariff, and (b) all agreements that would not constitute a non-qualifying contractual relationship are on Schedule 1 to this certification.

9. To the best of my knowledge and having conducted due diligence, the Project is not a Non-Qualifying Entry Sponsor, and it is not an "Affiliate" (as Affiliate is defined in Section 2.1 of the Services Tariff) of, a Non-Qualifying Entry Sponsor.

10. The Project shall provide any information or cooperation requested by the NYISO in connection with the Project's request for a Competitive Entry Exemption.

11. All parents or Affiliates of the Project shall provide any information or cooperation requested by the ISO.

I hereby acknowledge on behalf of myself, [INSERT NAME OF PROJECT], and [NAME OF DEVELOPER] that:

a. The submission of false, misleading, or inaccurate information, or the failure to submit information requested by the NYISO related to the Project's request for a Competitive Entry Exemption, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, shall constitute a violation of Section 4.1.7 of the Services Tariff, and subject to the Commission's review, a violation of the Commission's regulations and Section 316A of the Federal Power Act.

b. If the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, it shall cease to be eligible for a Competitive Entry Exemption and, if the Project has already received a Competitive Entry Exemption, that exemption shall be subject to revocation by the NYISO or the Commission after which the Project shall be subject to an Offer Floor set at the Mitigation Net CONE Offer Floor (such value calculated based on the date it first Offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff,) starting with the date of the revocation pursuant to Section 23.4.5.7.9.5.3 of the Services Tariff.

c. If the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in the Certification and Acknowledgement on behalf of the Project, it may be subject to civil penalties that may be imposed by the Commission for violations of Section 4.1.7 of Services Tariff, the Commission's rules, and/or Section 316A of the Federal Power Act.

[PRINT NAME]
[DATE]

Subscribed and sworn to before me
this [ ] day of [MONTH] [YEAR].

_____
Notary Public

My commission expires: _____

PROJECT NAME] SCHEDULE 1 CERTIFICATION AND ACKNOWLEDGEMENT
[DATE]

Parties to agreement **Date Executed** **Effective Date** **Date Performance Commences**

23.4.5.7.9.2.2 A duly authorized officer of the Generator or UDR project shall also submit a certification acknowledging that parents or Affiliates shall provide any information or cooperation requested by the ISO.

23.4.5.7.9.2.3 The certifying officers must have knowledge of the facts and circumstances supporting the request and qualification for a Generator's or UDR project's Competitive Entry Exemption.

23.4.5.7.9.2.4 Such certifications shall be submitted concurrent with the request for a Competitive Entry Exemption and each time the ISO requests a resubmittal of a certification, until the Generator's or UDR project's Entry Date.

23.4.5.7.9.2.5 The Generator or UDR project must notify the ISO if information in a certification ceases to be true, promptly upon such occurrence or learning information previously provided was not true.

23.4.5.7.9.2.6 Failure to provide, without prior notification, information or cooperation consistent with any certification shall be considered a false, misleading, or inaccurate submission for purposes of Section 23.4.5.7.9.5.

23.4.5.7.9.2.7 Where a notification is provided to the ISO, within 2 business days of receipt of a request from the ISO for information or cooperation, that the information or cooperation requested will not be provided, such refusal will not be considered a false, misleading, or inaccurate submission for purposes of Section 23.4.5.7.9.5 as long as the information is provided by the earlier of a mutually agreed upon deadline or thirty (30) calendar days. A refusal to provide information or any other failure to provide information by that deadline will make the Generator or UDR project requesting a Competitive Entry Exemption ineligible for such exemption, and such Generator or UDR project shall be subject to the Mitigation Net CONE Offer Floor (such value based on the date it first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff.)

23.4.5.7.9.3 Timing for Requests, Required Submittals, and Withdrawals

23.4.5.7.9.3.1 The executed Certification and Acknowledgement form required by Section 23.4.5.7.9.2 shall be submitted concurrent with a request for a Competitive Entry Exemption. The ISO may request additional information and updated certifications at any time prior to a Generator's or UDR project's Entry Date. A Generator or UDR project that is granted an exemption pursuant to this Section 23.4.5.7.9, shall be required to submit an executed Certification and

Acknowledgement form set forth in Section 23.4.5.7.9.2 of the Services Tariff, updated as appropriate, upon its Entry Date.

23.4.5.7.9.3.2 Requests for Competitive Entry Exemptions for Generators or UDR projects in Class Years subsequent to Class Year 2012 must be received by the ISO no later than the deadline by which a facility must notify the ISO of its election to enter the Class Year, such date as set forth in Section 25.5.9 OATT Attachment S. A Generator or UDR project that requests a Competitive Entry Exemption in a Class Year may not also request a Renewable Exemption or Self Supply Exemption. A Generator or UDR project that remains a member of a completed Class Year if such Class year is Class Year 2012 or prior Class Year, shall not be eligible to request or receive a Competitive Entry Exemption. The ISO shall determine whether a Generator or UDR project is exempt, subject to any required further submissions of information, or not exempt under the Competitive Entry Exemption, prior to the Initial Decision Period within which a Developer must provide an Acceptance Notice or Non-Acceptance Notice to the ISO in response to the first Project Cost Allocation issued by the ISO to the Developer.

23.4.5.7.9.3.3 A Generator or UDR project that submits a request for a Competitive Entry Exemption, including the required Certification and Acknowledgement, responses to information requests, and resubmittal, but (a) enters into a "non-qualifying contractual relationship" or (b) enters into an unexecuted agreement, written or unwritten, with a Non-Qualifying Entry Sponsor that would support the development of the Project, except those agreements identified in 23.4.5.7. 9.1.3

that would not constitute a "non-qualifying contractual relationship, may withdraw such request, provided that it notifies the ISO that it has entered into such "non-qualifying contractual relationship" within 2 business days of doing so. A Generator or UDR project seeking to withdraw its request pursuant to this section 23.4.5.7.9.3.3 shall be subject to the Mitigation Net CONE Offer Floor (such value calculated based on its the date it first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff,) but will not be subject to the provisions of Section 23.4.5.7.9.5.

23.4.5.7.9.4 Notifications

23.4.5.7.9.4.1 The ISO shall post on its website a list of each Generator or UDR project that requests a Competitive Entry Exemption that becomes a member of the Class Year, promptly after the deadline set forth in Section 30.8.1 of the OATT (Attachment X) (by which the ISO must receive the Developer's executed Class Year Interconnection Facilities Study Agreement and deposit.) The ISO shall update the list as necessary. The ISO shall also post on its website whether a request for a Competitive Entry Exemption was denied, or granted, as soon as its determination is final.

23.4.5.7.9.4.2 Concurrent with the ISO posting of its final determination, the Market Monitoring Unit shall publish a report on the ISO's determination in accordance with Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.9.5 Revocation

23.4.5.7.9.5.1 The submission of false, misleading, or inaccurate information, or the failure to submit requested information in connection with a request for a Competitive Entry Exemption shall constitute a violation of the Services Tariff. Such violation shall be reported, by the ISO, to the Market Monitoring Unit and to the Commission's Office of Enforcement (or any successor to its responsibilities).

23.4.5.7.9.5.2 Where the ISO reasonably believes that a request for a Competitive Entry Exemption was granted based on false, misleading, or inaccurate information, the ISO shall notify the Generator or UDR project that its Competitive Entry Exemption may be revoked, and provided 30 days written notice has been given to the Generator or UDR project (such notice to the extent practicable,) the ISO may revoke the Competitive Entry Exemption and apply the Mitigation Net CONE Offer Floor (such value calculated based on the date it first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff.) Prior to the revocation of a Competitive Entry Exemption and the submission of a report to the Commission's Office of Enforcement (or any successor to its responsibilities,) the ISO shall provide the Generator or UDR project an opportunity to explain any statement, information, or action. The ISO cannot revoke the Competitive Entry Exemption until after the 30 days written notice period has expired, unless ordered to do so by the Commission.

23.4.5.7.10 The ISO shall post on its website the identity of the project in a Mitigated Capacity Zone and the determination of either exempt or non-exempt as soon as the determination is final. Concurrent with the ISO's posting, the Market

Monitoring Unit shall publish a report on the ISO's determinations, as further specified in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.11 Mitigated UCAP that is subject to an Offer Floor shall remain subject to the requirements of Section 23.4.5.4, and if the Offer Floor is higher than the applicable offer cap shall submit offers not lower than the applicable Offer Floor.

23.4.5.7.12 Reserved for future use.

23.4.5.7.13 Renewable Exemption

23.4.5.7.13.1 Eligibility

23.4.5.7.13.1.1 An Examined Facility or an NCZ Examined Project, may request to be evaluated for a Renewable Exemption in the amount of its CRIS MW requested in the Class Year or which it expects to receive through a transfer of CRIS at the same location. For purposes of this Section 23.4.5.7.13, an Examined Facility or NCZ Examined Project for which the ISO receives such a request shall be referred to as a "Renewable Exemption Applicant." A UDR project may not be a Renewable Exemption Applicant. For purposes of this Section 23.4.5.7.13, references to a Renewable Exemption Applicant's CRIS MW shall be understood to encompass Additional CRIS MW in cases where the Renewable Exemption Applicant is an existing Generator seeking a Renewable Exemption for Additional CRIS MW. An Examined Facility or an NCZ Examined Project that is a member of a Class Year may not request a Renewable Exemption in the same Class Year that it requests a Competitive Entry Exemption, and an Examined Facility or an NCZ Examined Project that is the expected transferee of CRIS being considered with a Class Year may not request a Renewable Exemption in respect of the same

Class Year that it requests a Competitive Entry Exemption. The ISO shall evaluate requests for a Renewable Exemption from (x) members of Class Year 2015 that are received on or before April 28, 2016, (y) members of a Class Year after Class Year 2015 provided that the CRIS rights are received no later than the deadline by which the facility must notify the ISO of its election to enter the Class Year, such date as set forth in Section 25.5.9 of OATT Attachment S, and (z) expected recipients of transferred CRIS rights at the same location from 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 for the Class Year, provided that they are received no later than the Class Year Start Date for such Class Year. Examined Facilities and NCZ Examined Projects will not be evaluated for a Renewable Exemption if the ISO does not receive the request to be evaluated by the deadline established in accordance with the preceding sentence, or if the Examined Facility or NCZ Examined Project also submits a request for a Competitive Entry Exemption prohibited by this paragraph.

A Generator that remains a member of a completed Class Year, if such Class Year is Class Year 2012 or a prior Class Year, shall not be eligible for a Renewable Exemption, except for Additional CRIS MW. Up to the quantity of CRIS MW specified by the Renewable Exemption Applicant in its exemption request shall be exempt from an Offer Floor if it remains a member of the completed Class Year (or if the transferee does not notify the ISO, on or before the date the Class Year is completed, that it no longer expects to be the recipient

of the transferred CRIS) and the ISO determines that it meets the requirements of Section (a), subject to the limitation in Section (b) of this Section 23.4.5.7.13.1, and subject to Section 23.4.5.7.13.3.

(a) The Renewable Exemption Applicant:

(i) must have, for its Interconnection Queue position, a proposed design that is a Generator to be powered solely by a device that can qualify as an Intermittent Power Resource, or must be a Limited Control Run-of-River Resource, as such terms are (A) defined on the date by which the ISO must receive the request for a Renewable Exemption in accordance with Section 23.4.5.7.13.1.1,or (B) in the ISO's judgment, are reasonably expected to be defined at the time that the Renewable Exemption Applicant is first qualified as an Installed Capacity Supplier; and

(ii) (A) be proposed in the Class Year to be powered solely by a technology that is an Exempt Renewable Technology; or

(B) be determined by the ISO, in accordance with ISO Procedures, to have (1) high development costs, and (2) a low capacity factor such that there would be limited or no incentive and ability to develop the Renewable Exemption Applicant in order to artificially suppress capacity prices. The ISO shall make this determination by evaluating pertinent factors, including whether the reasonably projected costs of new entry and operation of the Renewable Exemption Applicant, net of the likely projected revenues from the sale of Capacity, Energy and Ancillary Services, and any other generally available revenues associated with the production of those products, are greater than the reasonably estimated

cost savings to Loads due to a reduction in ICAP Market-Clearing Prices projected to result from the entry of the Renewable Exemption Applicant's requested CRIS MW (or CRIS MW to be transferred at the same location.)

(b) A total amount not exceeding 1,000 MW of Installed Capacity may be determined to be exempt pursuant to the Renewable Exemption in any one Class Year. This amount includes any amount for which an NCZ Examined Project is determined to be eligible at the time the ISO issues an Indicative Buyer Side Mitigation Determination pursuant to Section 23.4.5.7.2.2, or a determination pursuant to Section 23.4.5.7.2.1. If the ISO determines that more than 1,000 MW of Installed Capacity would be eligible for a Renewable Exemption for any one Class Year (including transferred CRIS at the same location) but for the 1,000 MW limitation, then each Renewable Exemption Applicant determined by the ISO to be eligible for a Renewable Exemption other than those that were also determined to be exempt pursuant to Sections 23.4.5.7.2(a) or (b) or Section 23.4.5.7.14, shall have only a portion of its evaluated CRIS MW exempted. Such portion of the 1,000 MW shall be the MW equal to the proportion of the CRIS MW for which the Renewable Exemptions were requested to the total Installed Capacity MW of those MW determined to be eligible for the Renewable Exemption for the Class Year that are not also determined to be exempt pursuant to Sections 23.4.5.7.2(a) or (b) or Section 23.4.5.7.14.

23.4.5.7.13.2 Periodic Review and Determination of Exempt Renewable Technologies

23.4.5.7.13.2.1 In each ICAP Demand Curve Reset Filing Year after 2016, the ISO shall conduct a periodic review, in accordance with this Section and ISO

Procedures, to determine the technology types that should be Exempt Renewable Technologies for Class Years with a Class Year Start Date during the Capability Years covered by the ICAP Demand Curve periodic review conducted for the relevant ICAP Demand Curve Reset Filing Year.

23.4.5.7.13.2.1(a) The ISO's periodic review will identify, by Mitigated Capacity Zone, the technologies that, at the time of the periodic review, are technically feasible in the ISO Administered Markets (whether as a single unit, or a plant comprised of more than one unit) and that could qualify as either Intermittent Power Resources or Limited Control Run-of-River Hydro Resources ("candidate intermittent renewable technologies").

23.4.5.7.13.2.1(b): For each candidate intermittent renewable technology, the ISO's periodic review will reasonably project:

(i) the costs of new entry and operation;

(ii) the revenues from the sale of Capacity, Energy and Ancillary Services, and any other generally available revenues associated with the production of those products by it; and

(iii) the cost savings to Loads due to a reduction in ICAP Market-Clearing Prices from the new entry of the candidate intermittent renewable technology.

23.4.5.7.13.2.2 The ISO will utilize pertinent factors including results of the computation in accordance with Section 23.4.5.7.13.2.1(b) to determine, for each Mitigated Capacity Zone, which candidate intermittent renewable technologies have (a) high development costs and (b) a low capacity factor, such that considering (a) and (b) there is limited or no incentive and ability to develop the

candidate intermittent renewable technology in order to artificially suppress capacity prices.

23.4.5.7.13.2.3 The ISO's periodic review shall provide for:

(a) The ISO's preliminary identification of candidate intermittent renewable technologies for stakeholder review and comment;

(b) The ISO's issuance of a draft list of recommended Exempt Renewable Technologies and the basis for the recommendation, for stakeholder and Market Monitoring Unit review and comment; (The responsibilities of the Market Monitoring Unit that are addressed in this section of the Services Tariff are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.)

23.4.5.7.13.2.4 On or before the 60th day subsequent to the Commission issuance of an order accepting ICAP Demand Curves based on the ICAP Demand Curve periodic review, the ISO shall file with the Commission the results of its Exempt Renewable Technology periodic review and determination pursuant to Section 23.4.5.7.13.2.2. If the ISO's determination of technology types that satisfy the provisions of Section 23.4.5.7.13.2.2 for any Mitigated Capacity Zone is different than the then-current definition of Exempt Renewable Technology, the ISO shall propose in the filing, for Commission review, a revised definition that is in accordance with its periodic determination, to be effective for Class Years with a Class Year Start Date during the Capability Years covered by the ICAP Demand Curve periodic review conducted for the relevant ICAP Demand Curve Reset Filing Year. The ISO's filing shall describe the basis for the ISO's determination.

23.4.5.7.13.3. Revocation

23.4.5.7.13.3.1 A Renewable Exemption Applicant that received a Renewable Exemption for any amount of CRIS MW shall notify the ISO in writing within five (5) business days if (a) at the time it first qualifies as an Installed Capacity Supplier, or at any time thereafter, it is not solely powered by the same technology based on which it was evaluated for a Renewable Exemption, or (b) at the time it first qualifies as an Installed Capacity Supplier it is not solely powered by a technology that is defined as an Intermittent Power Resource or Limited Control Run-of-River Hydro Resource, even if the Renewable Exemption Applicant was determined to be eligible because, at the time it was evaluated, the ISO expected the technology would become defined as an Intermittent Power Resource or Limited Control Run-of-River Hydro Resource. Upon notification, the ISO shall revoke the Renewable Exemption unless the Generator provides documentation with its notice in accordance with the prior sentence that demonstrates, to the ISO's satisfaction, that after the change it will be solely powered by an Exempt Renewable Technology as such term is defined on the date that the Generator first transmits energy using the different technology. Upon revocation, the ISO shall apply the Mitigation Net CONE Offer Floor (such value calculated by the ISO based on the date that the Generator (or Additional CRIS MW) first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff) to all offers of UCAP by the Generator or Additional CRIS MW subsequent to the deadline for Unforced Capacity certification prior to an ICAP Spot Market Auction (such date in accordance with ISO Procedures) next following

revocation. Nothing in this paragraph shall relieve a Generator from or alter any obligation it may have under the ISO Tariffs or any other tariff, agreement, or regulation to obtain permissions, authorizations provide notifications, or take any other action in advance of changing the technology which powers it (in whole or in part.)

23.4.5.7.13.3.2 The failure to provide the ISO written notice in accordance with Section 23.4.5.7.13.3.1 shall constitute a violation of the Services Tariff. Such violation shall be reported by the ISO to the Market Monitoring Unit and to the Commission's Office of Enforcement (or any successor to its responsibilities.)

23.4.5.7.13.3.3 If a Generator has not provided notice in accordance with Section 23.4.5.7.13.3.1 and the ISO determines that the Generator is not solely powered by a technology as described Section 23.4.5.7.13.3.1, the ISO shall notify the Generator that its Renewable Exemption may be revoked, and provided 30 days written notice has been given to the Generator (such notice to the extent practicable,) the ISO may revoke the Renewable Exemption. In the event of a revocation, the Mitigation Net CONE Offer Floor such value calculated by the ISO based on the date that the Generator or Additional CRIS MW) first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff) shall apply to all offers of UCAP subsequent to the deadline for Unforced Capacity certification prior to an ICAP Spot Market Auction (such date in accordance with ISO Procedures) next following revocation. Prior to the revocation of a Renewable Exemption, the ISO shall provide the Generator an opportunity to respond to the ISO's determination.

The ISO cannot revoke the Renewable Exemption until after the 30 days written notice period has expired, unless ordered to do so by the Commission.

23.4.5.7.13.4 Timing of Requests for a Renewable Exemption, Required Submittals, and Determinations

23.4.5.7.13.4.1 Requests for a Renewable Exemption must be received by the ISO no later than the deadline specified in Section 23.4.5.7.13.1. If any Examined Facility or NCZ Examined Project submits both a request for a Renewable Exemption and a Competitive Entry Exemption (*i.e.*, seeking to be considered for both exemptions at the same time,) the ISO shall not consider the request for a Renewable Exemption. The ISO may request additional information and updated information at any time regarding eligibility and continued eligibility. The Renewable Exemption Applicant (if after entry, the Generator) shall timely provide the information.

23.4.5.7.13.2 The ISO shall determine whether a Renewable Exemption Applicant is or is not eligible for a Renewable Exemption, and whether it is eligible or is not eligible for an exemption pursuant to Section 23.4.5.7.2(a) and (b) or Section 23.4.5.7.14, prior to the Initial Decision Period. The ISO shall determine prior to the Initial Decision Period, at each Subsequent Decision Period, and upon completion of the Class Year, whether more than 1,000 MW of Installed Capacity would be eligible for a Renewable Exemption (including MW of NCZ Examined Projects) in a Class Year but for the 1,000 MW limitation. If at the time of the ISO's issuance of initial determinations, or the completion of the Class Year, more than 1,000 MW, then remaining in the Class Year or associated with a transfer of CRIS at the same location, are eligible for a Renewable Exemption, the

ISO shall (i) first, exclude from the 1,000 MW cap the CRIS MW of any Examined Facility or NCZ Examined Project that was determined to be exempt pursuant to Sections 23.4.5.7.2 (a), or (b) or Section 23.4.5.7.14, and (ii) second, issue an initial determination (prior to the Initial Decision Period or at the time of any Subsequent Decision Period) or a final determination (if a member of the completed Class Year, or if a transfer of CRIS rights at the same location unless the transferee has notified the ISO, on or before the date the Class Year is completed, that it no longer expects to be the recipient of the transferred CRIS) of the MW that will be exempt from an Offer Floor, equal to the proportion of the requested CRIS MW as determined in accordance with Section 23.4.5.7.13.1.1(b).

23.4.5.7.13.4.3 Determinations made pursuant to Section 23.4.5.7.13.4.2 shall be provided to the Renewable Exemption Applicants (other than NCZ Examined Projects) concurrent with the issuance of determinations in accordance with Section 23.4.5.7.3.3, and for an NCZ Examined Project at the time of the ISO's determination pursuant to Section 23.4.5.7.2.1.

23.4.5.7.13.4.4 The ISO shall post on its website its determination of whether the Renewable Exemption Applicant has been determined to be exempt for any quantity of MW, and if exempt, the quantity of MW exempt, or non-exempt, from an Offer Floor as soon as the determination is final. Concurrent with the ISO's posting, the Market Monitoring Unit shall publish a report on the ISO's determination, as further specified in Section 30.4.6.2.12 of Attachment O to this Services Tariff.23.4.5.7.14 Self Supply Exemption

23.4.5.7.14.1 Eligibility

23.4.5.7.14.1.1 In order to be evaluated for a Self Supply Exemption, each of the following requirements must be satisfied, by the deadline, in the required form, and with the required information in accordance with ISO Procedures. If one or more of the requirements is not satisfied, the ISO shall not evaluate the request for a Self Supply Exemption.

(a) An Examined Facility or NCZ Examined Project, (for purposes of this Section 23.4.5.7.14 an "SSE Applicant") may request to be evaluated for a Self Supply Exemption for a specified quantity of MW up to the amount of the CRIS MW requested in the Class Year or, of which it is the expected recipient of transferred CRIS rights at the same location, in accordance with ISO Procedures. A UDR project may be a SSE Applicant. For purposes of this Section 23.4.5.7.14, references to a SSE Applicant's CRIS MW shall be understood to encompass Additional CRIS MW in cases where the SSE Applicant is an existing Generator or UDR project seeking a Self Supply Exemption for Additional CRIS MW. The ISO will evaluate the request if the SSE Applicant is (i) a member of Class Year 2015 and its request is received on or before April 28, 2016, (ii) a member of a Class Year after Class Year 2015 and its request is received no later than the deadline by which a facility must notify the ISO of its election to enter the Class Year, such date as set forth in Section 25.5.9 OATT Attachment S, or (iii) an expected recipient of transferred CRIS rights at the same location and 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 for the Class Year, provided that the request is received no later than

the Class Year Start Date for such Class Year. An Examined Facility or an NCZ Examined Project that is a member of a Class Year may not request a Self Supply Exemption in the same Class Year that it requests a Competitive Entry Exemption, and an Examined Facility or an NCZ Examined Project that is the expected transferee of CRIS being considered with a Class Year may not request a Self Supply Exemption in respect of the same Class Year that it requests a Competitive Entry Exemption.

A proposed new Generator or UDR project that remained a member of Class Year 2012 or a prior Class Year at the time of the completion of such Class Year, shall not be eligible to request or receive a Self Supply Exemption except in relation to a request for Additional CRIS MW.

(b) If the SSE Applicant is not the wholly owned property of the Self Supply LSE(s), or the wholly owned property of an entity that is wholly owned by the Self Supply LSE(s) or that wholly owns the Self Supply LSE(s), it must have a Long Term Contract (in accordance with Subsection (1) of this Section 23.4.5.7.14.1.1(b)(1) with the Self Supply LSE(s) that shall obligate the SSE Applicant to provide the capacity forming the basis for its eligibility for a Self Supply Exemption. Such an SSE Applicant must make its Self Supply Exemption request jointly, in a single request, with the Self Supply LSE(s) with which it has a Long Term Contract. If the proposed SSE Applicant is the wholly owned property of the Self Supply LSE(s), or the wholly owned property of an entity that is wholly owned by the Self Supply LSE(s) or that wholly owns the Self Supply LSE(s), then the SSE Applicant must provide documentation at the time it requests the exemption that

demonstrates to the reasonable satisfaction of the ISO that it has a statutory, regulatory, or organizational obligation to provide Energy and Capacity to meet the Self Supply LSE's (or Self Supply LSEs') ICAP Obligation(s).

(1) Long Term Contract: For the purposes of a Self Supply Exemption, a "Long Term Contract" shall mean (i) a fully executed contract between the SSE Applicant that is a proposed new or existing Generator and a Self Supply LSE that is joining it in requesting the exemption, pursuant to which the SSE Applicant is obligated to provide to the Self Supply LSE (or LSEs if more than one Self Supply LSE,) for a minimum of 10 years, Installed Capacity in an amount greater than or equal to the CRIS MW for which the Self Supply Exemption is requested; or (ii) a fully executed contract between a Self Supply Applicant that is a proposed new or existing UDR project and a Self Supply LSE (or LSEs if more than one Self Supply LSE,) that is joining it in requesting the exemption, pursuant to which the Self Supply LSE(s) will have all rights to the UDRs and the use of the facility, for a minimum of 10 years, in the amount greater than or equal to the CRIS MW for which the Self Supply Exemption is requested.

(c) The Self Supply Applicant's request for a Self Supply Exemption must specify the total quantity of CRIS MW for which it is requesting a Self Supply Exemption, and such quantity shall not exceed the MW of CRIS requested by it in the Class Year, or the quantity of the transferred CRIS rights at the same location it expects to receive. If there is more than one Self Supply LSE associated with the request for a Self Supply Exemption received from an SSE Applicant then: (i) the request shall identify the quantity of MW associated with each Self Supply

LSE, and (ii) the total quantity of MW associated with the Self Supply LSEs shall not exceed the total MW for which the SSE Applicant requests a Self Supply Exemption. (d) All Certification and Acknowledgement(s) required by Section 23.4.5.7.14.2 must be received at the same time as the request for a Self Supply Exemption, in accordance with ISO Procedures, along with other data and information requested by the ISO.

23.4.5.7.14.1.2 The lesser of (i) the quantity of CRIS MW for which the Self Supply Exemption was requested and (ii) the quantity determined in accordance with Section 23.4.5.7.14.3 shall be exempt from an Offer Floor if the SSE Applicant is a member of the Class Year at the time of its completion and the ISO determines that the request satisfies all of the following requirements:

(a) The proposed Generator or UDR project terminus will be, or the existing Generator or UDR project terminus is, electrically located in the same Mitigated Capacity Zone in which the Self-Supply LSE has Projected ICAP Requirements (as such term is defined in Section 23.4.5.7.14.1.3),

(b) The SSE Applicant and the Developer are not and will not be owned, in whole or in part, by an LSE or an Affiliate of an LSE unless such entity is a Self Supply LSE.

(c) The SSE Applicant provides the completed Certification and Acknowledgement form set forth in Section 23.4.5.7.14.2.1 or 23.4.5.7.14.2.3, as applicable to it and its request for a Self Supply Exemption, and satisfies each requirement stated therein. If the SSE Applicant is not the wholly owned property of the Self Supply LSE(s), or the wholly owned property of an entity that is either wholly owned by

the Self Supply LSE(s), or that wholly owns the Self Supply LSE(s), then both the SSE Applicant and the Self Supply LSE(s) provide the applicable completed Certification and Acknowledgement form set forth in Section 23.4.5.7.14.2 and satisfy each requirement stated therein. The ISO must receive the required completed Certification and Acknowledgement forms, in accordance with ISO Procedures, (i) if the SSE Applicant is a member of Class Year 2015 and its request is received on or before April 28, 2016, (ii) no later than the deadline by which the SSE Applicant must notify the ISO of its election to enter the Class Year, such date as set forth in Section 25.5.9 of OATT Attachment S, or (iii) if the Self Supply LSE is an expected recipient of transferred CRIS rights at the same location that will be effective on a date within the Mitigation Study Period for the Class Year, no later than the Class Year Start Date of such Class Year. All other information requested by the ISO must also be timely received.

(d) The ISO determines that the Self Supply LSE satisfies both the Net Short Threshold set forth in Section 23.4.5.7.14.3.1 and the Net Long Threshold set forth in Section 23.4.5.7.14.3.2 for a specified quantity of CRIS MW.

(e) The SSE Applicant certifies that it does not have any contract, agreement, arrangement, or relationship (for purposes of this Section 23.4.5.7.14.1.2(e), and the Certification and Acknowledgment in Section 23.4.5.7.14.2, a “contract”) for any material (in whole or in aggregate) payments, concessions, rebates, or subsidies, connected to or contingent on the SSE Applicant’s: (i) construction or operation, except as expressly permitted in Subsection (A) or (B) of this Section,

or (ii) clearing in the ISO's Installed Capacity market except as expressly permitted in Subsection (B).

(A) An SSE Applicant will not be ineligible for a Self Supply Exemption if it has an executed contract, is associated with a contract, or there is a contract associated with it, that is listed in (I) through (VIII) of this Section that provides for a material payment, concession, rebate or subsidy, and either (i) is not irregular or anomalous, and only reflects arms-length transactions, or (ii) is consistent with the overall objectives of the Self Supply Exemption.

Listed contracts:

(I) an Interconnection Agreement;

(II) an agreement for the construction or use of interconnection facilities or transmission or distribution facilities, or directly connected joint use transmission or distribution facilities (including contracts required for compliance with Articles VII or 10 of the New York State Public Service Law or orders issued pursuant to Articles VII or 10);

(III) a grant of permission by any department, agency, instrumentality, or political subdivision of New York State to bury, lay, erect or construct wires, cables or other conductors, with the necessary poles, pipes or other fixtures in, on, over or under public property;

(IV) a contract for the sale or lease of real property at or above fair market value as of the date of the agreement was executed, such value demonstrated by an independent appraisal at the time of execution prepared by an accountant or appraiser with specific experience in such valuations;

(V) an easement or license to use real property;

(VI) a contract, with any department, agency, instrumentality, or political subdivision of New York State providing for a payment-in-lieu of taxes (*i.e.*, a "PILOT" agreement) or industrial or commercial siting incentives, such as tax abatements or financing incentives, provided the PILOT agreement or incentives are generally available to industrial or commercial entities;

(VII) a service agreement for natural gas entered into under a tariff accepted by a regulatory body with jurisdiction over that service; or

(VIII) a service agreement entered into under a tariff accepted by a regulatory body with jurisdiction over that service at a regulated rate for electric Station Power, or steam service, excluding an agreement for a rate that is a negotiated rate pursuant to any such regulated electric, or steam tariff.

(B) An SSE Applicant that requests a Self Supply Exemption with only one Self Supply LSE will not be ineligible for a Self Supply Exemption if the contract(s) that otherwise would render it ineligible under any clause of Section 23.4.5.7.14.2 is (or are) with its Self Supply LSE.

(C) Contract Review Opportunity

(i) (1) A proposed new Generator or UDR project or an existing Generator or UDR project for Additional CRIS that is reasonably expected to be eligible to enter the immediately following Class Year or be the recipient of transferred CRIS rights at the same location on a date within the Mitigation Study Period of such Class Year, and that in connection with its own Load or for the Load of one or more Self Supply LSE(s) is planning on requesting a Self Supply Exemption; (2)

an SSE Applicant that is in a Class Year that is not completed (in accordance with Section 25.5.9 of the OATT; or (3) an SSE Applicant that received a Self Supply Exemption, may request that the ISO inform it whether, in the ISO's view, any specific executed contract, unexecuted but substantially developed contract, or any pending request that if approved, granted, or otherwise conferred, would constitute a contract pursuant to Subsection 23.4.5.7.14.1.2 (e)(i) and (e)(ii) would make it ineligible to obtain or (if previously granted) retain a Self Supply Exemption. Any such request must satisfy all of the following requirements:

(a) The SSE Applicant (unless it is for its own Load) must make any such request jointly with any Self Supply LSE(s) with which it has executed or has an unexecuted but substantially developed Long Term Contract. Any such Self Supply LSE(s) must make any such request jointly with the SSE Applicant, or proposed new or existing Generator or UDR project, with which it would seek, or has sought, a Self Supply Exemption.

(b) As part of the submission of the request for a determination pursuant to Subsection (a) of this Section, the SSE Applicant, or proposed new or existing Generator or UDR project, and any relevant Self Supply LSE(s) as applicable, must provide the ISO with all information regarding the contract or pending request regarding which it is requesting the ISO's view, and if the request is made jointly with a Self Supply LSE, the executed or unexecuted and substantially developed Long Term Contract that would form the basis of a Self Supply Exemption Request, including copies of original documentation. In addition and

at the time of the submission of the request, the SSE Applicant, or proposed new or existing Generator or UDR project, and any relevant Self Supply LSE shall also provide any other information identified by the ISO in accordance with ISO Procedures. They also must timely provide any further information that is requested by the ISO.

(c) Such requests can only be submitted to the ISO on or after the date established by the ISO in accordance with ISO Procedures, such date to be at least 60 days prior to the date that the ISO anticipates will be the deadline by which facilities must notify the ISO of their election to enter a Class Year (such Class Year deadline pursuant to Section 25.5.9 of OATT Attachment S.)

(ii) Provided that the ISO has timely received all of the information it needs to make a determination, the ISO shall state its view in response to such requests within 60 days.

(iii) When evaluating any such request, the ISO shall consult with the Market Monitoring Unit. (The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.)

23.4.5.7.14.2 Certifications and Acknowledgements

23.4.5.7.14.2.1 An SSE Applicant that is not the wholly owned property of the Self Supply LSE(s), or the wholly owned property of an entity that is either wholly owned by the Self Supply LSE(s), or that wholly owns the Self Supply LSE(s), and that is requesting a Self Supply Exemption shall submit the following completed Certification and Acknowledgment form. The submission must be

received by the ISO by the deadline pursuant to Section 23.4.5.7.14.1.2(c), and thereafter upon the request of the ISO, in accordance with ISO Procedures. The Self Supply Applicant shall be legally bound by the Certification and Acknowledgement form which must be executed by a duly authorized officer:

CERTIFICATION AND ACKNOWLEDGMENT

I [NAME & TITLE] hereby certify on behalf of myself, [NAME OF PROJECT], and [NAME OF DEVELOPER] that each of the following statements is true and correct:

1. I am an officer whose responsibilities include the development of the [EXAMINED FACILITY OR NCZ EXAMINED PROJECT, New York Independent System Operator, Inc.'s ("NYISO") Interconnection queue position Number [INSERT NUMBER] (the "Project").

2. I am duly authorized to make representations concerning the Project, including each of the certifications and acknowledgements that I have made in this document.

3. I hereby [REQUEST ON BEHALF OF] the Developer, a Self Supply Exemption for [MW REQUESTED FOR THE SELF SUPPLY EXEMPTION] for the Project in connection with [LOAD SERVING ENTITY THAT IS THE SELF SUPPLY LSE].

4. I have reviewed and I understand the requirements established under the NYISO Market Administration and Control Area Services Tariff ("Services Tariff") related to a "Self Supply Exemption" pursuant to Section 23.4.5.7.14.

5. I have personal knowledge of the facts and circumstances supporting the Project's request and eligibility for a Self Supply Exemption as of the date of this Certification and Acknowledgment, including all data and other information submitted by the Project to the NYISO.

6. [NAME OF DEVELOPER] is not owned in whole or in part by, and is not an Affiliate (as Affiliate is defined in Section 2.1 of the Services Tariff) of, a Load Serving Entity [OTHER THAN THE LOAD SERVING ENTITY THAT IS THE SELF SUPPLY LSE].

7. [NAME OF PROJECT] has a Long Term Contract (as such term is defined in Services Tariff Section23.4.5.7.14.1.1 (b)(1)) with the Self Supply LSE[s], that is [are] the subject of the request for a Self Supply Exemption.

8. To the best of my knowledge and having conducted due diligence that is current as of the date of this Certification there is no contract, arrangement, arrangement, or relationship (for purposes of Section 23.4.5.7.14. 2(e) of the Services Tariff, and this Certification and Acknowledgment, a "contract") for any material (in whole or in aggregate) payments, concessions, rebates or subsidies connected to or contingent on the [PROJECT's]: (i) construction or operation, except as expressly permitted in Subsection (A) or (B) of Section 23.4.5.7.14.1. 2(e) of the Services Tariff, or (ii) clearing in the NYISO's Installed Capacity market except as expressly permitted in Subsection (B) of Section 23.4.5.7.14. 1.2(e).

9. I have listed in Schedule 1 to this Certification all contracts that involve payments, concessions, rebates, or subsidies connected to or contingent upon the [PROJECT'S] construction or operation that are not material or that are otherwise expressly permissible under Subsection (A) or (B) of Section 23.4.5.7.14.1.2(e).

10. The Project shall provide any information or cooperation requested by the NYISO in connection with the Project's request for a Self Supply Exemption.

I hereby acknowledge on behalf of myself, [INSERT NAME OF PROJECT], and [NAME OF DEVELOPER] that:

a. The submission of false, misleading, or inaccurate information, or the failure to submit information requested by the NYISO related to the Project's request for a Self Supply Exemption, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, shall constitute a violation of Section 4.1.7 of the Services Tariff, and subject to the Commission's review, a violation of the Commission's regulations and Section 316A of the Federal Power Act.

b. If the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, it shall cease to be eligible for a Self Supply Exemption and, if the Project has already received a Self Supply Exemption, that exemption shall be subject to revocation by the NYISO or the Commission after which the Project shall be subject to an Offer Floor set at the Mitigation Net CONE Offer Floor (such value calculated based on the date it first Offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff,) starting with the next following deadline for Unforced Capacity certification prior to an ICAP Spot Market Auction subsequent to the date of revocation (such date in accordance with ISO Procedures) pursuant to Section 23.4.5.7.9.5 of the Services Tariff.

c. If the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in the Certification and Acknowledgement on behalf of the Project, it may be subject to civil penalties that may be imposed by

the Commission for violations of Section 4.1.7 of Services Tariff, the Commission's rules, and/or Section 316A of the Federal Power Act.

_____

[PRINT NAME]
[DATE]

Subscribed and sworn to before me
this [ ] day of [MONTH] [YEAR].

_____

Notary Public

My commission expires: _____

23.4.5.7.14.2.2 A Self Supply LSE that has a Long Term Contract (as such term is defined in Section 23.4.5.14.1(b)(1)) with an SSE Applicant shall submit to the ISO the following completed Certification and Acknowledgement Form as part of the SSE Applicant's request for a Self Supply Exemption and thereafter upon the request of the ISO, in accordance with ISO Procedures. The Self Supply LSE shall be legally bound by the completed Certification and Acknowledgement form which must be executed by a duly authorized officer:

CERTIFICATION AND ACKNOWLEDGMENT

I [NAME & TITLE] hereby certify on behalf of myself and [NAME OF SELF SUPPLY LSE] (the "LSE") that each of the following statements is true and correct:

1. I am an officer whose responsibilities include overseeing the capacity supply portfolio and obligations, and addressing Load requirements of the [LSE], and

LSE's Long Term Contract (as such term is defined in Services Tariff Section23.4.5.7.14.1.1 (b)(1))with [EXAMINED FACILITY or NCZ EXAMINED PROJECT], New York Independent System Operator, Inc.'s ("NYISO") Interconnection queue position Number [INSERT NUMBER] (the "Project").

2. I am duly authorized to make representations concerning the capacity supply portfolio, and obligations, Load requirements of [the LSE], and LSE's Long Term Contract with the Project (the "Subject Long Term Contract"), including each of the certifications and acknowledgements that I have made in this document**.**

3. I hereby [REQUEST ON BEHALF OF] the LSE, a Self Supply Exemption for [MW REQUESTED FOR THE SELF SUPPLY EXEMPTION] for the Project associated with the Subject Long Term Contract.

4. I have reviewed and I understand the requirements established under the NYISO Market Administration and Control Area Services Tariff ("Services Tariff") related to a "Self Supply Exemption" pursuant to Section 23.4.5.7.14.

5. I have personal knowledge of the facts and circumstances supporting the Subject Long Term Contract and LSE's Load Obligations and supply obligations related to the Project's request and eligibility for a Self Supply Exemption as of the date of this Certification and Acknowledgment, including all data and other information submitted by LSE to the NYISO.

6. The LSE is a Self Supply LSE [INSERT SUBSECTION OF DEFINITION BY WHICH THE LSE MEETS THE REQUIREMENTS OF THAT TERM] of that term.

7. [NAME OF DEVELOPER] [is // is not] owned in part by, and [is // is not] an Affiliate (as Affiliate is defined in Section 2.1 of the Services Tariff) of, LSE. Appendix A to this Certification and Acknowledgement fully and completely sets forth and describes the organizational relationship between or among LSE, Developer and the Project, or any Affiliate of the foregoing entities in relation to the project; and any ownership or investment interest of LSE, Developer, and the Project, in either of the other entities, or any of the Affiliates thereof in relation to the Project.

8. [NAME OF PROJECT] and LSE are parties to the Subject Long Term Contract.

9. To the best of my knowledge and having conducted due diligence that is current as of the date of this Certification there are no arrangements for any payments or subsidies, that are directly or indirectly tied to the Unforced Capacity from the Project clearing in the NYISO's Installed Capacity market other than those between the [NAME OF DEVELOPER],[PROJECT] and [SELF SUPPLY LSE] that is provided to the ISO with this Certification and Acknowledgement [and other than agreements between [NAME OF DEVELOPER], [PROJECT] and

[NAME OF OTHER SELF SUPPLY LSE(S) ASSOCIATED WITH THE SELF SUPPLY APPLICANT'S REQUEST FOR A SELF SUPPLY EXEMPTION].

10. I have listed in Schedule 1 to this Certification all contracts that involve payments, concessions, rebates, or subsidies connected to or contingent upon the [PROJECT'S] construction or operation that are not material or that are otherwise expressly permissible under Subsection (A) or (B) of Section 23.4.5.7.14.1.2(e).

11. LSE shall provide any information or cooperation requested by the NYISO in connection with the LSE and the Project's request for a Self Supply Exemption.

I hereby acknowledge on behalf of myself and LSE that:

a. The submission of false, misleading, or inaccurate information, or the failure to submit information requested by the NYISO related to the LSE's and the Project's request for a Self Supply Exemption, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, shall constitute a violation of Section 4.1.7 of the Services Tariff, and subject to the Commission's review, a violation of the Commission's regulations and Section 316A of the Federal Power Act.

b. If the LSE or the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the LSE, the Project shall cease to be eligible for a Self Supply Exemption in respect of Subject Long Term Contract and, if the Project has already received a Self Supply Exemption, that exemption shall be subject to revocation by the NYISO or the Commission after which the Project shall be subject to an Offer Floor set at the Mitigation Net CONE Offer Floor (such value calculated based on the date it first Offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff,) starting with the next following deadline for Unforced Capacity certification prior to an ICAP Spot Market Auction subsequent to the date of revocation (such date in accordance with ISO Procedures) pursuant to Section 23.4.5.7.9.5 of the Services Tariff.

c. If the LSE submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in the Certification and Acknowledgement on behalf of the Project, it may be subject to civil penalties that may be imposed by the Commission for violations of Section 4.1.7 of Services Tariff, the Commission's rules, and/or Section 316A of the Federal Power Act.

_____

[PRINT NAME]

[DATE]

Subscribed and sworn to before me
this [ ] day of [MONTH] [YEAR].

_____
Notary Public

My commission expires: _____

23.4.5.7.14.2.3 An SSE Applicant that is the wholly owned property of the Self Supply LSE, or the wholly owned property of an entity that is either wholly owned by the Self Supply LSE, or that wholly owns the Self Supply LSE, and that is requesting a Self Supply Exemption shall submit the following completed Certification and Acknowledgment Form. The submission must be received by the ISO by the deadline pursuant to Section 23.4.5.7.14.1.2(c), and thereafter upon the request of the ISO, in accordance with ISO Procedures. The Self Supply Applicant shall be legally bound by the following Certification and Acknowledgement form which must be executed by a duly authorized officer:

CERTIFICATION AND ACKNOWLEDGMENT

I [NAME & TITLE] hereby certify on behalf of myself, [NAME OF PROJECT], and [NAME OF DEVELOPER/LSE] that each of the following statements is true and correct:

1. I am an officer whose responsibilities include; (i) the development of the [EXAMINED FACILITY or NCZ EXAMINED PROJECT], New York Independent System Operator, Inc.'s ("NYISO") Interconnection queue position Number [INSERT NUMBER] (the "Project"); and (ii) overseeing the capacity supply portfolio and obligations, and addressing Load Obligations of the Self Supply LSE and its obligations to serve retail customers.

2. I am duly authorized to make representations concerning the Project and the capacity supply portfolio, and obligations, Load requirements of [the DEVELOPER/LSE], including, if applicable the Long Term Contract between the Project and any entity performing the Self Supply LSE function (the "Subject Long Term Contract"), and also including each of the certifications and acknowledgements that I have made in this document.

3. I hereby [REQUEST ON BEHALF OF] the [DEVELOPER/LSE], a Self Supply Exemption for [MW REQUESTED FOR THE SELF SUPPLY EXEMPTION] for the Project associated with [DEVELOPER/LSE'S] self supply arrangements, including, if applicable, any Subject Long Term Contract.

4. I have reviewed and I understand the requirements established under the NYISO Market Administration and Control Area Services Tariff ("Services Tariff") related to a "Self Supply Exemption" pursuant to Section 23.4.5.7.14.

5. I have personal knowledge of the facts and circumstances supporting: (i) the Project's request and eligibility for a Self Supply Exemption; and (ii) the Load Obligations and supply obligations related to the Project's request and eligibility for a Self Supply Exemption, as of the date of this Certification and Acknowledgment, including all data and other information submitted by the Project and by [DEVELOPER/LSE] to the NYISO.

6. The LSE is a Self Supply LSE pursuant to Section [INSERT SUBSECTION OF DEFINITION BY WHICH THE LSE MEETS THE REQUIREMENTS OF THAT TERM] of that term.

7. [NAME OF DEVELOPER/LSE] is not owned in whole or in part by, and is not an Affiliate (as Affiliate is defined in Section 2.1 of the Services Tariff) of, any other Load Serving Entity. Appendix A to this Certification and Acknowledgement fully and completely sets forth and describes the organizational relationship between [DEVELOPER/LSE's] Self Supply LSE and Developer functions or affiliates and the Project.

8. To the best of my knowledge and having conducted due diligence that is current as of the date of this Certification there is not any contract, agreement,

arrangement, or relationship (for purposes of Section 23.4.5.7.14.1. 2(e), and this Certification and Acknowledgment, a "contract") for any material (in whole or in aggregate) payments, concessions, rebates, or subsidies, connected to or contingent on the [PROJECT's]: (i) construction or operation, except as expressly permitted in Subsection (A) or (B) of Section 23.4.5.7.14.1.2(e) of the Services Tariff, or (ii) clearing in the NYISO's ICAP market except as expressly permitted in Subsection (B) of Section 23.4.5.7.14.1.2(e).

9. I have listed in Schedule 1 to this Certification all contracts that involve payments, concessions, rebates, or subsidies connected to or contingent upon the [PROJECT'S] construction or operation that are not material or that are otherwise expressly permissible under Subsection (A) or (B) of Section 23.4.5.7.14.1.2(e).

10. The Project and [DEVELOPER/LSE] shall provide any information or cooperation requested by the NYISO in connection with the Project's request for a Self Supply Exemption.

I hereby acknowledge on behalf of myself, [INSERT NAME OF PROJECT], and [NAME OF DEVELOPER/LSE] that:

a. The submission of false, misleading, or inaccurate information, or the failure to submit information requested by the NYISO related to the Project's and [DEVELOPER/LSE's] request for a Self Supply Exemption, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, shall constitute a violation of Section 4.1.7 of the Services Tariff, and subject to the Commission's review, a violation of the Commission's regulations and Section 316A of the Federal Power Act.

b. If the DEVELOPER/LSE or the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in this Certification and Acknowledgement on behalf of the Project, it shall cease to be eligible for a Self Supply Exemption and, if the Project has already received a Self Supply

Exemption, that exemption shall be subject to revocation by the NYISO or the Commission after which the Project shall be subject to an Offer Floor set at the Mitigation Net CONE Offer Floor (such value calculated based on the date it first Offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of the Services Tariff,) starting with the next following deadline for Unforced Capacity certification prior to an ICAP Spot Market Auction subsequent to the date of revocation (such date in accordance with ISO Procedures) pursuant to Section 23.4.5.7.9.5 of the Services Tariff.

c. If the DEVELOPER/LSE or the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO, including but not limited to information contained or submitted in the Certification and Acknowledgement on behalf of the Project, it may be subject to civil penalties that may be imposed by the Commission for violations of Section 4.1.7 of Services Tariff, the Commission's rules, and/or Section 316A of the Federal Power Act.

_____
[PRINT NAME]
[DATE]

Subscribed and sworn to before me
this [ ] day of [MONTH] [YEAR].

_____
Notary Public

My commission expires: _____

23.4.5.7.14.3 Net Short Threshold and Net Long Threshold

For the purposes of Section 23.4.5.7.14.3, "SSE Evaluated ICAP" shall mean the quantity of MW of CRIS for which a Self Supply Exemption is requested by an individual Self Supply LSE (or by an SSE Applicant in respect of its own Load) in accordance with Section 23.4.5.7.14.1.1(c), unless reduced as follows: If (i) following a notice that an additional System Deliverability Upgrade study(ies) will be conducted in accordance with Section 25.7.7.1 of the

OATT, an SSE Applicant elects to keep its CRIS request but with no System Deliverability Upgrade identified to make the project fully deliverable (as provided for in Section 25.7.7.1(3),) and (ii) the total quantity of MW of CRIS for which the Self Supply Exemption is requested exceeds the total amount of Deliverable MW, as specified in the next Class Year Interconnection Facilities Study report, the ISO shall reduce the total quantity of MW of CRIS for which a Self Supply Exemption is requested to the total amount of Deliverable MW identified in such Interconnection Facilities Study Report. If there is more than one LSE associated with the SSE Applicant, the ISO shall reduce the quantity of MW of CRIS for each Self Supply LSE by the ratio of Deliverable MW to the total MW of CRIS for which Self Supply exemptions were initially requested.

The ISO shall compute the Net Short Threshold and Net Long Threshold, and determine whether each is satisfied, based on its computation of each of the values specified in this Section. If there is more than one Self Supply LSE associated with the SSE Applicant's request for a Self Supply Exemption, the MW associated with each Self Supply LSE shall be considered separately.

If the Self Supply LSE or its Affiliates are associated with more than one request for a Self Supply Exemption in the Class Year (including any associated with a transfer of CRIS at the same location,) and the Self Supply LSE and its Affiliates satisfy the Net Long Threshold in a non-zero amount that is greater than the "Cumulative Affiliated Quantity" (as defined in Section 23.4.5.7.14.3,) then remaining in the Class Year, the ISO shall reduce the quantity of MW for which they are eligible to receive a Self Supply Exemption by the ratio of (a) the quantity of MW by which the Self Supply LSE and its Affiliates satisfy the Net Long Threshold, to (b) the Cumulative Affiliated Quantity associated with SSE Applicant(s) then remaining in the Class

Year or associated with a transfer of CRIS at the same location (provided the transferee does not notify the ISO, on or before the date the Class Year is completed, that it no longer expects to be the recipient of the transferred CRIS.)

For the purposes of Section 23.4.5.7.14.3, "Projected ICAP Requirements" is the reasonably projected ICAP MW that the Self Supply LSE and all its Affiliates will be required to purchase in each Locality and the NYCA. Such projection shall be based on the Self Supply LSE's and all its Affiliates' share(s) of the Locational Minimum Unforced Capacity Requirements and the NYCA Minimum Unforced Capacity Requirement, as applicable and in accordance with ISO Procedures, over the three most recently completed Capability Years preceding the Class Year Start Date. Such projection shall also reflect that ICAP MW purchased in a Locality may be used to meet capacity requirements for each Locality in which they are contained, as well as for the NYCA.

When calculating the Self Supply LSE's and all its Affiliates' Projected ICAP Requirements, each of their shares of the Locational Minimum Unforced Capacity Requirements and the NYCA Minimum Unforced Capacity Requirement over these three Capability Years shall be translated to their ICAP MW equivalent(s) using the derating factor that was applied to translate the Installed Capacity Requirement into the Unforced Capacity Requirement in the same Capability Period and Locality, or the NYCA if applicable, in which the purchase was made.

For the purposes of Section 23.4.5.7.14.3, "Excess Award Percentage" is the reasonably projected amount of excess capacity that the Self Supply LSE and all its Affiliates will be required to purchase in each Locality, and the NYCA, expressed as a percentage of its "Projected ICAP Requirements", Such projection shall be based on the total excess UCAP MW awarded in

each ICAP Spot Market Auction, divided by the Locational Minimum Unforced Capacity Requirement, or the NYCA Minimum Unforced Capacity Requirement, for the same Capability Period and Locality (or the NYCA) in which the award was made, over the three most recent completed Capability Years preceding the Class Year Start Date.

For the purposes of Section 23.4.5.7.14.3, "Capacity Obligations without Entry", calculated for each Locality and the NYCA, is the product of (a) Projected ICAP Requirements and (b) one plus the Excess Award Percentage.

For the purposes of Section 23.4.5.7.14.3, "Capacity Obligations with Entry", calculated for each Locality and the NYCA, is the product of (a) Projected ICAP Requirements and (b) one plus the Excess Award Percentage, adjusted to reflect the projected increase in excess that the Self Supply LSE would be obligated to purchase as a result of the entry of the SSE Applicant.

For the purposes of Section 23.4.5.7.14.3, "Self Supply Capacity" for a given Locality (or the NYCA,) is (a) the full amount of ICAP MW associated with each Generator or UDR project that the Self Supply LSE or any of its Affiliates own directly or indirectly, in at least a 50.01% interest (in the aggregate) as of the Class Year Start Date, or have the power to direct the management or policies of, excluding any whose CRIS MW are projected by the ISO to be expired on or before the date that marks the end of Mitigation Study Period, based on a demonstration by the Self Supply LSE, and (b) the ICAP MW that the Self Supply LSE and all its Affiliates are reasonably projected by the ISO to receive, including ICAP MW which they have a call option to receive, either by way of ownership or under "Existing Long Term Commitments" in that Locality (or the NYCA), and that are associated with a Generator or UDR project that the Self Supply LSE or any of its Affiliates do not own directly or indirectly, at least a 50.01% interest (in the aggregate) as of the Class Year Start Date, and that they do not have the

power to direct the management or policies of, excluding those that are associated with any Expected Retirement. For purposes of Self Supply Capacity, "Existing Long Term Commitments" is the amount of Capacity that the Self Supply LSE or any of its Affiliates are projected by the ISO to receive, including ICAP which they have a call option to receive, under a written agreement (whether stated in ICAP or otherwise,) with a minimum term of ten years, and a minimum of six years remaining thereon on the Class Year Start Date. When calculating the term and remaining term of a written agreement for the purposes of this section, the ISO, using its independent judgment and at its sole discretion, will determine whether to reflect in its calculation any potential extension to the current term of a written agreement that may reasonably result from renewal provisions.

For the purposes of Section 23.4.5.7.14.3, "Additional Self Supply Capacity", for a given Locality (or the NYCA,) is the ICAP MW of a Generator or UDR project that were granted a Self Supply Exemption at the time of the completed Class Year based on the Self Supply LSE or any of its Affiliates' being a Self Supply LSE for such Generator or UDR project, in the 10 year period immediately preceding the Class Year Start Date of the Class Year, in that Locality (or the NYCA), excluding: (i) any ICAP MW that are included in Self Supply Capacity, (ii) any ICAP MW associated with a Generator or UDR project that the Self Supply LSE and any of its Affiliates own directly or indirectly, at least a 50.01% interest(in the aggregate) as of the Class Year Start Date, or have the power to direct the management or policies of, and that the CRIS of which is projected by the ISO to be expired on or before the date that marks the end of Mitigation Study Period, based on a demonstration by the Self Supply LSE; and (iii) any ICAP MW of a Generator or UDR project that neither the Self Supply LSE nor any of its Affiliates own directly or indirectly, at least a 50.01% interest (in the aggregate) as of the Class Year Start

Date, or have the power to direct the management or policies of, and that is an Expected Retirement.

23.4.5.7.14.3.1 Net Short Threshold

The Net Short Threshold will be satisfied for the "SSE Evaluated ICAP" if the ISO determines that, summed over all Localities and the NYCA, the Self Supply LSE's and all of its Affiliates' "Total Capacity Costs without Entry" are expected to be less than the Self Supply LSE's and all of its Affiliates' "Total Capacity Costs with Entry".

23.4.5.7.14.3.1.1 The ISO will calculate the estimated "Total Capacity Costs without Entry" as the sum over all Localities, and the NYCA, of the product of (a) the "ICAP Spot Auction Price without Entry" and (b) the "Capacity Exposed to Market Prices without Entry".

(a) "ICAP Spot Market Auction Price without Entry" shall be based on the ICAP Spot Market Auction prices for each Locality and the NYCA, averaged over the three most recently completed Capability Years preceding the Class Year Start Date.

(b) "Capacity Exposed to Market Prices without Entry" is calculated for each Locality and the NYCA as:

"Capacity Obligations without Entry" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using the average derating factor for each Locality and the NYCA corresponding to the ICAP Spot Market Auctions used to determine the ICAP Spot Market Auction Price without Entry;

minus

"Self Supply Capacity" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using a derating factor, as determined by the ISO, that is reasonably anticipated to be associated with ICAP Suppliers included in this Self Supply Capacity;

minus

"Additional Self Supply Capacity" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using a derating factor, as determined by the ISO, that is reasonably anticipated to be associated with ICAP Suppliers included in this Additional Self Supply Capacity;

23.4.5.7.14.3.1.2 The ISO will calculate "Total Capacity Costs with Entry" as the sum of "Proportional Entry Costs" and the sum over all Localities, and the NYCA, of the product of (a) "ICAP Spot Market Auction Price With Entry" and (b) "Capacity Exposed to Market Prices With Entry".

"Proportional Entry Costs" is the percentage of the Unit Net CONE (expressed in dollars) of the SSE Applicant (calculated in accordance with Section 23.4.5.7.3 if an Examined Facility, or in accordance with Section 23.4.5.7.2.1 if an NCZ Examined Project, or in accordance with Section 23.4.5.7.6.1 if Additional CRIS MW) that is equal to the SSE Evaluated ICAP divided by the total MW of CRIS requested by the SSE Applicant in the Class Year.

(a) The "ICAP Spot Market Auction Price with Entry" shall be based on the ICAP Spot Market Auction prices calculated for each Locality and the NYCA, averaged over the three most recently completed Capability Years preceding the Class Year Start Date, and adjusted to reflect the entry of the SSE Applicant.

(b) the "Capacity Exposed to Market Prices with Entry" is calculated for each Locality and the NYCA as:

"Capacity Obligations with Entry" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using the average derating factor for each Locality and the NYCA corresponding to the ICAP Spot Market Auctions used to determine the ICAP Spot Market Auction Price with Entry;

minus

"Self Supply Capacity" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using a derating factor, as determined by the ISO, that is reasonably anticipated to be associated with ICAP Suppliers included in this Self Supply Capacity;

minus

"Additional Self Supply Capacity" for each Locality and the NYCA, translated from ICAP MW into UCAP MW using a derating factor, as determined by the ISO, that is reasonably anticipated to be associated with ICAP Suppliers included in this Additional Self Supply Capacity;

minus

"SSE Evaluated ICAP", translated from ICAP MW into UCAP MW using a derating factor, as determined by the ISO that is reasonably anticipated to be associated with the SSE Applicant.

23.4.5.7.14.3.2 Net Long Threshold

If the Self Supply LSE and any of its Affiliates are associated with more than one Self Supply Exemption Request in the Class Year, the Net Long Threshold determination will be

made based on the sum of the Self Supply LSE's and all of its Affiliates' SSE Evaluated ICAP ("Cumulative Affiliated Quantity") prior to the Initial Decision Period. The ISO shall recalculate the Cumulative Affiliated Quantity prior to the ISO's issuance of a Revised Project Cost Allocation Subsequent Decision Period if any SSE Applicant with which it is associated is no longer in the Class Year.

For each Mitigated Capacity Zone containing the location of the SSE Applicant, the ISO will determine the largest amount of SSE Evaluated ICAP MW that is (a) less than or equal to the sum of the Self Supply LSE's and all of its Affiliates' "SSE Evaluated ICAP" and (b) for which the Self Supply LSE's and all of its Affiliates' "Total Self Supply Capacity" is less than or equal to the "Future Capacity Obligation." The Net Long Threshold will be satisfied for the smallest of these determined amounts of SSE Evaluated ICAP MW, and will be considered not satisfied if the smallest of these amounts is less than or equal to zero.

(i) The "Total Self Supply Capacity" is the sum, in each Mitigated Capacity Zone, of ICAP MW of (A) Self Supply Capacity, (B) Additional Self-Supply Capacity, and (C) the cumulative quantity of the Self Supply LSE's and all of its Affiliates' SSE Evaluated ICAP.

(ii) the "Future Capacity Obligation" is the product of (A) ICAP MW of Capacity Obligations without Entry, and (B) the higher of (x) one plus the "10 year growth rate of peak demand" and (y) one plus one percent. The "10 year growth rate of peak demand" shall be determined based on the longest available NYSO Baseline forecast of non-coincident peak demand for the corresponding Mitigated Capacity Zone found in the "Baseline Forecast of Non-Coincident Peak Demand" table, or

its successor in the most current Gold Book, published by the Class Year Start Date of the Class Year, for each Mitigated Capacity Zone.

23.4.5.7.14.4 Timing of Determinations

23.4.5.7.14.4.1 Determinations.

(a) Prior to the Initial Decision Period, the ISO shall determine whether all or a portion of the MW specified in the request for a Self Supply Exemption is eligible for a Self Supply Exemption in accordance with Section 23.4.5.7.14.1.2. If the ISO determines that all or a portion of the CRIS MW for which a Self Supply Exemption was requested is not eligible for a Self Supply Exemption, the ISO shall make a determination in accordance with Section 23.4.5.7.3.2 prior to the commencement of the Initial Decision Period, and prior to the ISO's issuance of a Revised Project Cost Allocation. When evaluating eligibility for a Self Supply Exemption, the ISO shall consult with the Market Monitoring Unit. The responsibilities of the Market Monitoring Unit that are addressed in this section of the Mitigation Measures are also addressed in Section 30.4.6.2.12 of Attachment O to this Services Tariff.

(b) Determinations made pursuant to Section 23.4.5.7.14.4 shall be provided to the SSE Applicant concurrent with the issuance of determinations in accordance with Section 23.4.5.7.3.3, and to an NCZ Examined Project at the time of the ISO's determination pursuant to Section 23.4.5.7.2.1.

(c) The ISO shall post on its web site and concurrently notify the Self Supply LSE of the ISO's determination of exempt, and if exempt the quantity of MW exempted, or non-exempt, from an Offer Floor as soon as the determination is final.

Concurrent with the ISO's posting, the Market Monitoring Unit shall publish a report on the ISO's determination, as further specified in Sections 30.4.6.2.12 of Attachment O to this Services Tariff.

23.4.5.7.14.5 Revocation of a Self Supply Exemption

(a) If, at the time prior to the SSE Applicant first producing or transmitting, Energy it or the Self Supply LSE no longer satisfies the requirements of Section 23.4.5.7.14.1(b) or no longer meets the requirements of the Acknowledgement and Certification, the SSE Applicant and the Self Supply LSE shall notify each other and other ISO in writing within 3 business days of the event or basis for the failure to meet the requirements for a Self Supply Exemption. Upon notification, the ISO shall revoke the Self Supply Exemption and apply the Mitigation Net CONE Offer Floor (such value calculated based on the date it first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of this Services Tariff.)

(b) The failure to provide the ISO written notice in accordance with Section 23.4.5.7.14.5(a) shall constitute a violation of the Services Tariff. Such violation shall be reported by the ISO to the Market Monitoring Unit and to the Commission's Office of Enforcement (or any successor to its responsibilities.)

(c) Where the ISO reasonably believes that a request for a Self Supply Exemption was granted based on (i) false, misleading, or inaccurate information, or (ii) the Self Supply LSE's inclusion within "Self Supply Capacity" (as that term is used in Section 23.4.5.7.14.3) of a Generator or UDR project's capacity that was identified by the Self Supply LSE whose CRIS was projected to expire before the

end of the Mitigation Study Period but has not expired on or before the date that marked the end of the Mitigation Study Period, the ISO shall notify the SSE Applicant and the Self Supply LSE that the Self Supply Exemption may be revoked. Provided that 30 days written notice has been given to the SSE Applicant (such notice to the extent practicable,) the ISO may revoke the Self Supply Exemption and apply the Mitigation Net CONE Offer Floor (such value calculated based on the date the SSE Applicant first offers UCAP, in accordance with Section 23.4.5.7.3.7, and adjusted annually in accordance with Section 23.4.5.7 of this Services Tariff.) Prior to the revocation of a Self Supply Exemption and the submission of a report to the Commission's Office of Enforcement (or any successor to its responsibilities,) the ISO shall provide the SSE Applicant an opportunity to explain any statement, information, or action, and if a statement information or action of the Self Supply LSE, it shall also provide an opportunity to that entity. The ISO cannot revoke the Self Supply Exemption until after the 30 days written notice period has expired, unless ordered to do so by the Commission.