

INFORMAL COMMENTS

Quadrant: Wholesale Electric Quadrant (WEQ)
Business Practice: NAESB WEQ BPS Request for Informal Comments on Draft Recommendation 2009 AP 3(d) Order 717, Standards of Conduct
Submitted By: Ed Skiba
Date: February 27, 2009

Though Midwest ISO acknowledges that Part 358 does not apply to it (See 18 C.F.R. § 358.1 (c)), we are requesting the NAESB Business Practices Subcommittee consider the following comments to the draft recommendation 2009 AP 3(d) Order 717, Standards of Conduct.

There are a number of other sections in the NAESB Business Practices, which should be addressed when updating the Standards of Conduct.

- WEQ001-21.3.1.2.2 Any such waiver of the Biennial Reassessment shall be posted on OASIS as a discretionary action under the Tariff in accordance with Standards WEQ-002 and WEQ-013 such that this information may be queried and viewed using the **discretion** template.

Comment: Under FERC Order 890-A paragraph 585 FERC indicates that the biennial reassessment waivers must be posted on OASIS as an “act of discretion” by the Transmission Provider. The current draft recommendation deletes this **discretion** template. Either the template needs to remain as a valid template in OASIS or an alternate method for posting Biennial Reassessments waivers needs to be established.

- WEQ001-1.6 (g) (3) Notices of transfers of personnel shall be posted as described in Standard WEQBPS-007-000 4(c). The posting requirements are the same as those provided in Standard 1.7 for audit data postings.

Comment: In the initial Version 0 NAESB WEQ Business Practices, but prior to Version 0 of the NAESB Business Practices being accepted by FERC, WEQBPS-007 was the Standards Of Conduct Business Practices (See [WEQ Business Practice Standards Booklet](#) containing standards filed by reference with the Federal Energy Regulatory Commission in Docket No. RM05-5-000 on January 18, 2005, Minor Corrections Applied on March 25, 2005). In Version 0 of the NAESB Business Practices that were approved under FERC Order 676 (though FERC did not approved the Standards of Conduct) the Standards of Conduct were moved from WEQBPS-007 to WEQ-009. In Version 1.0 of the WEQ Business Practices the entire content of WEQ-009 was deleted. Therefore, we would recommend that the WEQ BPS consider deleting this section.

- WEQ001-1.6 (g) (4) Logs detailing the circumstances and manner in which a Transmission Provider or Responsible Party exercised its discretion under any terms of the tariff shall be posted as described in Standard WEQBPS-007-000 5(c)(4). The posting requirements are the same as those provided in Standard 1.7 for audit data postings.

Comment: If it is determined that the *discretion* template is retained, this section will need to be updated to point to the appropriate section of the NAESB Business Practices. If the *discretion* template is deleted then this section should also be deleted.

- WEQ002.1 (d) **Permit Use of Existing Communications Facilities**

In implementing the OASIS, the use of existing communications facilities shall be permitted. The use of OASIS communication facilities for the exchange of information beyond that required for open transmission access (e.g., transfer of system security or operations data between regional control centers) shall also be permitted, provided that such use does not negatively impact the exchange of open transmission access data and is consistent with the applicable Standards of Conduct regulations.

Comment: Does this section still need to reference the Standards of Conduct Regulation?

In looking at the recommendation itself, Midwest ISO is recommending that the WEQ consider a number of other items specific to the recommendation.

- Since no new templates are being added and no existing templates are being revised we would suggest that the version of the OASIS Business Practices not be updated from OASIS Version 1.5 to a new version number. (This includes updating all reference of OASIS Version 1.5 in WEQ001, 002, 003, and 013.) If the subcommittee agrees not to change the OASIS Version 1.5 the redline changes to Section WEQ002-5.10.1 can be removed from the recommendation.
- Under the section “Modifications to WEQ-002”, the following statement should be deleted from the recommendation if the decision is made to not change the OASIS Version from 1.5.

NOTE: NAESB staff will assign appropriate enumeration to this standard to replace x with appropriate version number.

- The recommendation does not address the need to maintain historical information for a period of time. Rather than outright deleting templates in WEQ-002 and Data Elements in WEQ-003 the BPS may want to either consider tagging these items as “no-longer used but are retained to provide historical information as required” or create an archive process to retain the existing information.
- FERC Order 717 requires the posting of information specified under 18 C.F.R. § 358 on the public utilities’ Internet website. The Midwest ISO would recommend that the Business Practices Subcommittee in its initial discussions reach a common understanding of where the data is required to be posted. There are statements under 18 C.F.R. § 358 which could have different interpretations:

18 C.F.R. § 358.3 (e) Open Access Same Time Information System or OASIS refers to the Internet location where a public utility posts the information required by part 37 of this chapter, and where it may also post the information required to be posted on its Internet website by this part 358.

Comment: This statement could be interpreted such that OASIS can be used as the Internet website for part 358.

18 C.F.R. § 358.7 (g) (1) A transmission provider must update on its Internet website the information required by this part 358 within seven business days of any change, and post the date on which the information was updated. A public utility may also post the information required to be posted under Part 358 on its OASIS, but is not required to do so.

Comment: This statement could be interpreted such the posting on the Internet website is different from the OASIS website under Part 358.

18 C.F.R. § 358.7 (g) (3) All Internet website postings required by this part must be sufficiently prominent as to be readily accessible.

Comment: This statement could be interpreted to indicate that Part 358 requirements should be posted on the public utilities home page rather than on its OASIS.