

CHARTER

ENERGY IMBALANCE MARKET BODY OF STATE REGULATORS

March 1, 2016

The Energy Imbalance Market (EIM) Body of State Regulators (Body) was formed in response to state-regulated electric investor-owned utilities participating or planning to participate in the California Independent System Operator (ISO) EIM. The formation of the Body was recommended in the Governance Proposal made by the EIM Transitional Committee to the ISO Board of Governors, and adopted by the Board of Governors on September 17, 2015. The Body has been formed by state utility regulatory commissioners, and is not a committee or sub-committee of or established by the ISO Board of Governors or the ISO EIM Governing Body. Members of the Body are not restricted in taking any position before FERC or any other forum concerning matters related to EIM or the ISO.

Purpose and Responsibilities

The purpose of the Body is to select a voting member of the EIM Governing Body Nominating Committee and to provide a forum for state regulators to learn about the EIM, EIM governing body and related ISO developments that may be relevant to their jurisdictional responsibilities. (Governance Proposal at 17)

The Body shall:

1. Select a member to serve as a voting member of the EIM Governing Body Nominating Committee.
2. Hold periodic meetings to provide information to members about the EIM and ISO markets and provide a forum for discussion.
3. Establish a process through which it may express a common position in ISO stakeholder processes or to the EIM Governing Body on EIM issues.

Composition and Governance

1. Membership

- a. The Body shall be composed of one representative of each state public utilities commission in which load-serving regulated utilities participate in the EIM, including the ISO real-time market.
- b. Each state commission shall select a commissioner or representative to serve on the Body. When necessary, a member of the Body may designate an alternative commissioner or representative to attend meetings if they are unavailable. Each member of the Body shall serve until a successor is identified. If a vacancy occurs at any time, a

designated representative may participate in meetings of the Body.

2. **Leadership**

- a. The members of the Body shall select one member to serve as the chair for a term of one year.
- b. The chair of the Body shall plan and manage its meetings, and coordinate and circulate agendas.

3. **Meetings**

- a. The Body shall determine the time and place of its meetings.
- b. The Body shall determine the procedures for its meetings, except:
 - i. A quorum for meetings shall be a majority of its members.
 - ii. Action taken by Body shall require the affirmative vote of a majority of its members.
 - iii. Meetings of the Body may be in person or by conference call as determined by the chair.
- c. The Body may hold meetings or portions of meetings in executive session, in which only members and commission staff members may attend.

Notice

The chair (or designee) shall provide each member of the Body and designated commission staff notice of the time and place of all meetings of the Body together with an agenda that identifies the items on which a vote will be taken at the meeting.

Unless the meeting will be held in executive session, the chair (or designee) shall also provide notice to interested persons by posting the notice and agenda on the ISO website, as well as websites of organizations such as the Committee on Regional Electric Power Cooperation or the Western Conference of Public Service Commissions, if the organization is facilitating an in-person meeting.

The chair (or designee) will endeavor to provide notice 10 business days prior to the meeting for in-person meetings, and 5 business days prior to the meeting for conference calls, however these notice requirements may be waived by unanimous consent of the members when the matter(s) to be considered require immediate attention.

Review and Changes to the Charter

The Body shall review and make any changes to this charter as needed at the request of any member.

REFERENCE LINKS:

CAISO EIM:

<http://www.caiso.com/informed/Pages/EIMOverview/Default.aspx>

Transitional Committee Governance Proposal:

http://www.caiso.com/Documents/Decision_EIM_GovernanceProposal-AttachA-Proposal-Sep2015.pdf