

GENERAL SESSION MINUTES EIM GOVERNANCE REVIEW COMMITTEE MEETING May 20, 2021 Teleconference

May 20, 2021

The EIM Governance Review Committee, an advisory committee to the ISO Board of Governors and the EIM Governing Body, convened the general session teleconference meeting at approximately 3:00 p.m., roll call was taken and the presence of a quorum was established.

ATTENDANCE

The following members of the EIM Governance Review Committee were in attendance:

Tony Braun
Andrew Campbell
Suzanne Cooper
Eric Eisenman
Jennifer Gardner
Therese Hampton
Douglas Howe
Kristine Raper
Rob Taylor (joined at approximately 3:05 p.m.)
Rebecca Wagner
Cameron Yourkowski
Angelina Galiteva
Valerie Fong

Not present: Mary Wiencke

GENERAL SESSION

The following agenda items were discussed in general session:

DECISION ON GENERAL SESSION MINUTES

Committee member Tony Braun moved for approval of the EIM Governance Review Committee general session minutes for the April 26, 2021 meeting. The motion was seconded by Committee member Therese Hampton and approved 10-0.

PUBLIC COMMENT

No public comment was offered at this time.

STRATEGIC PLANNING

Committee Chair Hampton provided an overview of the EIM Governance Review Committee's background and charter, and then outlined the key milestones to date. Ms. Hampton stated the primary goal of the meeting was to discuss the scope of joint authority and the process for resolving potential deadlocks and highlighted how the Committee was seeking feedback on how the part two straw proposal aligned with stakeholder interests. Next, Ms. Hampton provided a brief update on the next steps for part one of the draft final proposal, which was approved by the EIM Governing Body and Board of Governors on May 6. She noted revisions were being made to the EIM Governing Body charter and selection policy. Ms. Hampton added that the EIM Governing Body had advisory authority and the Board of Governors had approval authority for both governance documents.

Next, Ms. Hampton provided an overview of the straw proposal. She stated that if this proposal were adopted, it would increase the current scope of issues over which the EIM Governing Body and the Board would hold shared approval authority. She added that the proposal was designed for both bodies to resolve any differences of opinion before anything was filed at FERC. She noted that it does recognize that a dispute resolution mechanism was needed in the event there was an impasse between the two bodies and/or there was exigent circumstances and FERC filing needs to be made. In that case, the Board could make the FERC filing and the EIM Governing Body would have the opportunity to make an opinion or a statement included in the FERC filing, with the assistance of outside counsel for the EIM Governing Body.

Next, Committee member Tony Braun discussed the new rule for the scope of joint authority. He stated the current straw proposal used a concept of "tariff rule applicability" and explained if there were proposals to change or estimate a tariff rule, and was applicable to the EIM entity balancing authority areas or market participant within them and their capacity as participants in the EIM, then that would be subject to joint authority. Mr. Braun added that it excluded from joint authority, proposals to change or establish new market rules that were applicable to the CAISO balancing authority area or to CAISO controlled grid. He noted this was an expansion of the role of the Governing Body over a greater area of tariff provisions and it was an expansion of the role of the Board of Governors over a host of market provisions. To conclude, Mr. Braun provided illustrative examples of what would fall under the joint authority model.

Next Committee member Jennifer Gardner discussed and summarized the dispute resolution process. She explained that if the Board of Governors and the EIM Governing Body were unable to reach an agreement under a proposed tariff change, under joint authority; the matter would be remanded to ISO staff to initiate another round of the stakeholder process. The result would produce another revised proposal for both bodies to review and approval. She noted if the Board and EIM Governing Body were still unable to reach an agreement; the bodies would be given flexibility on how best to proceed. Ms. Gardner explained that both bodies could jointly

decide to abandon the proposal or could agree to resolve in a different manner. Should exigent circumstances exist and both bodies remained deadlocked, Ms. Garner highlighted specific criteria that must be met before the Board of Governors could proceed with the 205 filing at FERC. She added that the ISO would be required to include the written opinion or statement from the EIM Governing Body and that the Governing Body could retain outside counsel to assist in preparing the opinion/statement.

Public comment

Public comment was provided as follows:

Michele Kito on behalf of the California Public Utilities Commission.

Next, Chair Hampton introduced the five panelists: Jeff Nelson (Southern California Edison), David Rubin (NV Energy), Josh Walter (Seattle City Light), Letha Tawney (BOSR and Oregon Commissioner), and Meg McNaul (Six Cities) and then requested feedback on the following two questions: (1) How do these proposal meet your interests related to delegation of authority for EIM and (2) What other interests do you want the GRC to consider related to delegation of authority for EIM. Interactive discussion followed amongst the panelists and members of the Governance Review Committee.

Public comment

Public comment was provided as follows:

Kanya Dorland on behalf of the Public Advocates Office

Alaine Ginocchio behalf of the Western Interstate Energy Board

Committee Chair Hampton concluded by summarizing the Committee's timeline and next steps noting comments were due on June 4, 2021.

FUTURE AGENDA ITEMS

There were no items to discuss.

ADJOURNED

There being no additional executive matters to discuss, the executive session was adjourned at approximately 5:00 p.m.