



Information Access Issues for High Electric Demand Days

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The Info Problem

- Hard to quantify emissions from HEDD units because:
 1. ISOs may treat info on specific units operating at peak times as confidential
 2. HEDD units that report to CAMD may overestimate emissions

Focus Here is on Info Access

1. ISO-NE info policy
2. NY DEC draft rule info requirements for emergency and DR sources

ISO-NE Info Policy

www.iso-ne.com/regulatory/tariff/attach_d/index.html

- ISO-NE treats as confidential near real-time info related to specific generating units;
 - Generation levels (MW)
 - Operating limits
 - Response rates
 - Unit forecast and operation info
 - etc...

Approaches to Getting ISO-NE Info

1. Make a “Formal Information Request” in writing
 - ISO-NE to make initial response in 15 business days
 - May refer to Participants Committee for response in 60 days from request date
 - Right to appeal with binding arbitration
 - Downside – no guarantee of getting info in timely manner

Possible Approaches to Getting Info

2. Obtain status as “Authorized Person” to receive confidential information
 - Must sign a “Non-Disclosure Agreement”
 - Must be authorized in writing from a New England State PUC
 - Downside – may only apply for lawyers/contractors/consultants retained by the PUC

Possible Approaches to Getting Info

3. Create new Non-Disclosure Agreement form specific to state air agencies
 - Precedent exists with existing form for academic institutions
 - Downside – may take time to negotiate/debate

Possible Approaches to Getting Info

4. Compel by order

- ISO-NE may disclose if “required by order of a court or regulatory agency of competent jurisdiction”
- Downside – potentially litigious, expensive, and protracted in time

What is compelled vs. allowed?

- ISO-NE info policy “comports” with FERC regs “Codes of Conduct”
 - Does FERC allow or *require* the info access restrictions?

NY Approach

NY DEC draft rule on distributed generation sources

- Moots some reporting needs
 - Prohibits emergency units from participating in DR programs
 - Prohibits maintenance and testing of emergency and DR units from 1pm-8pm during ozone season

NY Draft Rule Reporting Req'ts

- NY would limit max hours of DR units (30 or 60 hrs annually)
- If called upon in emergency to operate longer, NY DPS must report to NY DEC within 90 days of event:
 - Locations affected by event
 - Start and end times of event
 - DR sources that operated during event
 - # hrs each DR source operated
- DR sources must keep monthly operational data
 - Hours of operation
 - Fuel characteristics

Concluding Thoughts

- ISO-NE options may be limited but perhaps negotiable
- NY draft rule suggests info disclosure policy not necessarily rigid

The Clean Air Association of the Northeast States



www.nescaum.org