

## TECHNICAL BULLETIN

# **Affidavit for Establishing “Existing” Generation Classification For Net Qualifying Capacity Allocation January 22, 2013**

## Revision History

Date	Version	Description	Author
1/21/2013	1	Creation	D. Le Vine

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## Executive Summary

As described in the June 8, 2012 *Revised Technical Bulletin – Deliverability Requirements for Queue Clusters 1-4 and Determination of Net Qualifying Capacity* (“June 8<sup>th</sup> Technical Bulletin”), a generating facility must provide an affidavit to the ISO to establish its “existing” status in order for the ISO to appropriately allocate net qualifying capability (“NQC”) in the ISO’s annual NQC process, in situations where transmission capacity is not sufficient to support the full capacity or partial capacity deliverability status of all generating facilities in an area where there are transmission constraints for which mitigating network upgrades were initially identified in GIP Phase II studies for clusters 1 – 2 or clusters 3 – 4 and then removed from the required network upgrades in the affected resources’ GIP Phase II study reports. As explained in the June 8<sup>th</sup> Technical Bulletin, the “existing” versus “new” distinction applies to all generating facilities interconnecting in such areas, including serial and transition cluster generators as well as cluster 1-4 generators.

The June 8<sup>th</sup> Technical Bulletin further explained that:

*A generating facility will be considered “existing” for determination of net qualifying capacity (NQC) if by December 31, 2012 it either is already in commercial operation or has an executed bilateral contract committing it to provide resource adequacy capacity to a ISO load-serving entity.<sup>1</sup>*

This technical bulletin outlines the affidavit process for determining if a generating facility meets the “existing” requirement of either being in commercial operation by December 31, 2012 or has executed a bilateral contract committing the generating facility to provide resource adequacy capacity to a ISO load-serving entity. This technical bulletin also outlines the requirements and timeline for submitting these affidavits. The ISO provides the instructions in this technical bulletin to ensure timely submission of the required affidavits, and will subsequently incorporate these instructions in the Business Practices Manual (BPM) for Reliability Requirements.

## Affidavit Process

The ISO already has documentation on generating facilities that met commercial operation by December 31, 2012 and therefore does not require the first affidavit from such facilities. This documentation consists of a Notice of Commercial Operation from the ISO and a letter from the Participating TO. If the interconnection customer believes

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<sup>1</sup> With this modification, a generating facility’s status on a procurement short-list or in active contract negotiation, as discussed in the April 4 technical bulletin, will no longer be relevant for purposes of the “existing” versus “new” classification.

that its facility met these criteria and want to confirm that the affidavit is not required, please contact [QueueManagement@caiso.com](mailto:QueueManagement@caiso.com)

Interconnection customers that have not met the commercial operation date obligations in their interconnection agreement by December 31, 2012 are required to provide two affidavits. The first affidavit is due to the ISO on February 28, 2013. The second affidavit will be due to the ISO by April 1 of the first year that the generating facility will be included in the ISO's annual NQC assessment process, to confirm that the same bilateral contract referenced in the first affidavit remains in effect for the upcoming resource adequacy year.<sup>2</sup> The form of the affidavit is included in Appendix A to this technical bulletin. Both affidavits must be signed, dated and notarized to be valid. Affidavits may be sent via email to [queuemanagement@caiso.com](mailto:queuemanagement@caiso.com), however a signed and notarized original must follow via mail. Please send originals to California ISO, 250 Outcropping Way, Folsom, CA, 95630 Attention: Queue Management.

The ISO will assume that generating facilities that have not reached commercial operation by December 31, 2012 and that do not provide an affidavit by February 28, 2013, do not have the applicable bilateral agreement in place and the facility will not be considered "existing" when the generating facility is included in the annual NQC assessment process in the future. The potential impact to the generating facility of not being considered "existing" is discussed further in the June 8<sup>th</sup> Technical Bulletin.

## ISO Validation

The ISO will validate each affidavit to determine if it is complete and will provide notice to the interconnection customer whether the affidavit is complete or deficient within 10 business days of receipt. Deficiencies must be cleared within 5 business days after the ISO first provides notice of a deficiency.

## ISO Assessment

The ISO will assess the information and determine if the project meets the definition of "existing". The ISO will provide each interconnection customer a notice with the results of this assessment.

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<sup>2</sup> To be included in the ISO's annual NQC assessment a generating facility must either already be in commercial operation at the time the ISO performs the assessment, or be scheduled and on track to begin commercial operation no later than September 1 of the upcoming resource adequacy year. For example, during the second quarter of 2014 the ISO will perform the NQC assessment for the 2015 resource adequacy year. To be included in that assessment, the facility must be scheduled and on track to begin commercial operation no later than September 1, 2015. For such a resource that qualifies as "existing" by having an applicable bilateral contract executed on or before December 31, 2012, the second set of required affidavits will be due to the ISO by April 1, 2014.

## Appendix A

### Existing Generation Affidavit

This affidavit is being submitted in satisfaction of the requirements in the January 22, 2013 technical bulletin, *Affidavit for Establishing "Existing" Generation Classification for Net Qualifying Capacity Allocation*, the June 8, 2012 technical bulletin, *Revised Technical Bulletin - Deliverability Requirements for Queue Clusters 1-4 and Determination of Net Qualifying Capacity* and Section 40 of the ISO Tariff of the California Independent System Operator Corporation ("ISO").

1. I, [name], the undersigned, as a representative of [company name and address], am authorized to execute this affidavit on behalf of [company name]
2. [Company name] is the legal owner of [facility name and address] [Queue number] seeking to interconnect to the ISO Controlled Grid.
3. The project's status regarding bilateral Resource Adequacy ("RA") contracts is as described below :
  - a) Has the project executed a contract for RA capacity with a ISO affiliated Load Serving Entity (LSE)?

Yes \_\_\_\_\_ No \_\_\_\_\_ (go to section 3 (b))

- i. If yes, what is the name of the LSE counterparty to the RA contract, the MW amount of RA capacity to be provided, and the date the contract was fully executed?

(Note: If the contract is for different MW amounts of RA capacity in different time periods within the year, please indicate all relevant time periods and MW amounts.)

LSE Name: \_\_\_\_\_

RA Capacity: \_\_\_\_\_ MW

Execution Date: \_\_\_\_\_

- ii. If yes, has the RA contract been approved by the appropriate regulatory authority?

Regulatory Authority Name: \_\_\_\_\_

Approval Date: \_\_\_\_\_

(Note: If there is more than one applicable RA contract, please complete section I and ii for each RA contract.)

I, [name] declare under penalty of perjury that the foregoing statements are true to the best of my knowledge.

Signed \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

[Company Name]

[Address]