



AS ADOPTED BY THE CALIFORNIA ISO BOARD OF GOVERNORS ON OCTOBER 22, 1998

California ISO Information Availability Policy

1. Statement of Policy

1.1 The California Independent System Operator Corporation ("Corporation") is a California nonprofit public benefit corporation, established by statute to ensure efficient use and reliable operation of the transmission grid consistent with achievement of planning and operating reserve criteria no less stringent than those established by the Western Systems Coordinating Council and the North American Electric Reliability Council. (California Public Utilities Code, Section 345).

1.2 The Corporation is committed to providing timely access to its information to the fullest extent practicable, and has adopted a variety of policies and practices to ensure that this commitment is met. This Information Availability Policy ("Policy") identifies and supplements all of the available avenues of information, and provides for access to materials not otherwise disseminated through alternative methods.

1.2.1 The basic information policy of the Corporation is stated in Article VII, Section 3 of the bylaws:

Information regarding the Corporation and its operations, other than information that the Governing Board has determined must be kept confidential in order to protect the interests of the Corporation or information received by the Corporation that is subject to a confidentiality obligation, shall be publicly available, provided that the Corporation may require any recipient of such information to pay the reasonable costs of providing such information. Such information shall include, but not be limited to, transmission system status information through the Corporation's electronic notification site, minutes of public meetings of the Governing Board and nonconfidential business records of the Corporation.

1.2.2 In addition, the Corporation has adopted an Open Meeting Policy that provides that all materials submitted to the Board of Governors or committees thereof to be discussed in open session will be posted on the Corporation's Internet site.

1.2.3 The Corporation also makes information available to the public and market participants through various methods set forth in its tariff and protocols.

- 1.3 In preparing this Policy, the Corporation has given careful consideration to the substantive provisions of the California Public Records Act (California Government Code Sections 6250-6270) and has adapted and incorporated them herein to the extent they assist and enable the Corporation to serve its statutory purposes; the Corporation, however, is not a state agency and is not subject to state public records laws relating to state agencies.
- 1.4 This Policy will be available at the Corporation's headquarters and posted on the Corporation's Internet site at www.caiso.com.

2. Definitions

- 2.1 "Corporation" means the California Independent System Operator Corporation.
- 2.2 "Record" includes any Writing that contains information relating to the conduct of the Corporation's business and/or that is prepared, owned, used, or retained by the Corporation, regardless of physical form or characteristics.
- 2.3 "Writing" means handwriting, typewriting, printing, photocopying, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or a combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.
- 2.4 The "Records Coordinator" shall mean the ISO employee designated as such by the Corporation's Chief Executive Officer.

3. Purpose

The purpose of this Policy is to implement Article VII, Section 3 of the Corporation's bylaws.

4. Records Availability

- 4.1 All of the Corporation's Records are available to the public except as specified in Section 4.3. Notwithstanding Section 4.3, the Corporation's Board of Governors may choose to make any of such materials available to the public on a case-by-case basis.
- 4.2 Requests for certain public records will be met through other means.
 - 4.2.1 Certain Records of the Corporation are required by the Federal Energy Regulatory Commission ("FERC") to be made available in a specific manner, such as information required to be posted on the Corporation's Open Access Same-Time Information System ("OASIS"), and certain additional materials are required to be maintained by the Corporation as confidential. To ensure fair and non-discriminatory access to such information which is not required to be kept confidential, the Corporation will respond to any requests for such information by reference to the mechanism mandated by FERC for public access. For reference purposes, Appendix 1 hereto identifies the current tariff (including protocol) provisions relating to such Records and information that are to be made available through methods other than through a request under this Policy,

as well as Records and information which must be kept confidential under the tariff.

- 4.2.2 Requestors will be referred to the applicable public agency for documents that are not submitted by the Corporation and are maintained by the public agency as part of its proceedings involving the Corporation. For example, the Corporation will make available copies of its pleadings filed with FERC, but it will refer requestors to FERC for copies of pleadings filed by any other party.
- 4.3 The Board of Governors has determined that the following types of Records should, in general, be kept confidential in order to achieve the Corporation's mandated role in ensuring efficient use and reliable operation of the electric transmission grid.
 - 4.3.1 Preliminary drafts, notes and memoranda that are not retained by the Corporation in the ordinary course of business.
 - 4.3.2 Records that contain information required to be kept confidential or otherwise not subject to disclosure by the Corporation's articles of incorporation or bylaws or by any tariff or agreement accepted by FERC for filing and currently in effect. Such Records include, without limitation, individual bids for supplemental energy and ancillary services, individual adjustment bids for congestion management that are not designated by a scheduling coordinator as available, transactions between scheduling coordinators, individual generator outage programs (other than the identity of such generator under special circumstances set forth in the tariff), and market monitoring activities. For reference purposes, Appendix 1 hereto identifies the current tariff (including protocol) provisions relating to such Records and information that are to be maintained as proprietary or confidential.
 - 4.3.3 Records pertaining to matters properly discussed in a closed/executive session in accordance with the Corporation's Open Meeting Policy then in effect.
 - 4.3.4 Records, disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the California Evidence Code relating to privilege, work product and trade secrets.
 - 4.3.5 Records pertaining to hardware or software programs developed or licensed by the Corporation, or the software programs themselves, to the extent that such materials are proprietary to the Corporation or are deemed confidential in any agreement entered into with the Corporation.
 - 4.3.6 Records that refer to commercially sensitive matters, disclosure of which may affect the competitive positions of the Corporation's market participants, or otherwise compromise the efficiency of the market as a whole or of the efficient and nondiscriminatory access to the transmission grid.
 - 4.3.7 Records for which the Board of Governors of the Corporation determines that the public interest served by not making the Record public clearly outweighs the public interest served by disclosure of the Record.

5. Procedure

5.1 Requesting Copies of Records

All requests for copies of Records must be made in writing to:

Records Coordinator
California ISO
P.O. Box 639014
Folsom, CA 95763-9014

Facsimile (916) 351-4436
Email: <mailto:recordscoordinator@caiso.com>

All requests must be made with sufficient clarity so as to reasonably describe an identifiable Record. Requests not meeting these criteria may be returned. Reasonable restrictions may be imposed upon general requests for voluminous classes of documents. Copies will not be provided if disclosure would infringe a copyright. Computer data will be provided in a form determined by the Corporation.

5.2 Response Time

5.2.1 As soon as practicable, but within ten (10) business days after the receipt of a Record request, the Corporation will notify the requestor whether it will comply with the request or, if not, the basis for denying the request.

5.2.2 The Corporation will make readily compiled Records available as soon as practicable, but not later than ten (10) business days after determination of the Record's availability.

5.2.3 Additional time may be required if there is a large amount of material to compile, or if there is a question regarding the status of the requested Records as available under this Policy. In either case, the requestor will be notified within the above ten (10) business day period and will be given an approximate date by which the Record will be available.

5.3 Third Party Records in the Corporation's Custody

In event of a reasonable doubt as to whether the Corporation should make a third party's Records available to the public, the Corporation will refer the request directly to the third party for appropriate resolution. The Corporation will not take further action unless and until the third party authorizes the Corporation in writing to release the Records.

5.4 Subpoenas

This Policy is not applicable in situations where subpoenas have been issued against the Corporation for document production. All such subpoenas shall be referred to the General Counsel unless otherwise directed by that office.

5.5 Inspection

Records responsive to a request will be made available for inspection during the hours of 9:00 A.M. to 5:00 P.M. at the offices of the Corporation, Monday through Friday, Corporate holidays excepted, by appointment.

The Records Coordinator, or a designated representative, will be available to assist the requestor during the inspection. The requestor will be provided with the Records and a workspace. The Records Coordinator or the designated representative will ensure that no Records are removed or altered. If the requestor asks for photocopies of certain Records, the Records Coordinator will arrange for the copies to be made and mailed as soon as practicable, but within ten (10) business days.

6. Fees

6.1 Copies

Whenever practicable, the Corporation will provide copies in electronic format by email at no charge. When a requestor seeks a hard copy of the requested Record(s), there will be no fee for less than thirty (30) pages of copying per requestor. For more than thirty (30) pages, the photocopying fee is twenty (20) cents per page for all pages, including the first thirty (30). Computer printout pages are 10 cents per page. If the charges are estimated to exceed fifty dollars (\$50), the requestor will be notified before the Records Coordinator begins to process the request. If the costs will exceed two hundred dollars (\$200), the Corporation may require advance payment before copies are made. In all other cases, the Records Coordinator will submit an invoice for any remaining charges. Postage will also be charged if it exceeds a nominal amount. In the event of a conflict between this section 6.1 and any applicable legal or regulatory requirement, the latter shall apply.

6.2 Search time.

Staff time will not be charged for searching and duplicating existing identifiable documents.

6.3 Compilations of Corporate Information

Requests that require analysis and summary of the Corporation's records are not requests for an existing identifiable Record, and, therefore, are not subject to this Policy. However, the Board of Governors or the Chief Executive Officer or his or her designee may agree to create a new Record, provided the requestor agrees to compensate the Corporation for all costs associated with the task, including, but not limited to, staff time incurred in creating the new Record. No information will be released until such costs are paid.

6.4 Fees for Subpoenaed Records

The prescribed statutory fees for providing Records in response to a subpoena are established by law (Section 1563 of the Evidence Code). Those fees currently are as follows, however, any changes to such statutory fees shall be incorporated into this Policy without further action by the Corporation:

6.4.1 ten cents (10¢) per page for reproducing documents of a size 8 1/2 by 14 inches or less;

- 6.4.2 twenty cents (20¢) per page for copying documents from microfilm;
- 6.4.3 Actual costs for reproducing oversized documents, or those requiring special processing;
- 6.4.4 Clerical costs (to be calculated above) cannot exceed sixteen dollars (\$16) per hour (billed in quarter hour increments);
- 6.4.5 Actual postage charges; and
- 6.4.6 Actual costs incurred for retrieval of Records from storage.

7. Appeal

Any request denied under this Policy may be appealed within thirty (30) calendar days from the date the request is denied to the Corporation's Governance Committee by filing a notice with the Corporate Secretary. The decision of the Governance Committee shall be final and binding upon the Corporation's staff, but may be appealed to the Corporation's Board of Governors.

**CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION (“ISO”)
 INFORMATION AVAILABILITY POLICY - APPENDIX 1
 ISO TARIFF & PROTOCOL PROVISIONS DEALING WITH CONFIDENTIAL INFORMATION AND
 INFORMATION TO BE MADE AVAILABLE OTHER THAN THROUGH THE POLICY**

1. Tariff (Effective as of November 1, 1998) - Provisions Dealing With Confidentiality (See Policy §4.3.2)

Section No.	Section Title	Summary
2.5.22.5	Information Used in the Real Time Dispatch	The ISO shall place all bid price information received in a database for use in real time Dispatch of Balancing Energy. The Database shall indicate: <ul style="list-style-type: none"> • Generating Unit / Load/ System Resource Name; • congestion zone; • quantity bid; • normal ramp rate; • price; and • whether the Generating Unit/Load/System Resource has been contracted to provide any Ancillary Services and /or Supplemental Energy, and, if so, which ones.
6.5	Confidentiality	All information posted on WEnet shall be subject to confidentiality obligations.
10.2.6	Access to Meter Data	The ISO has complete authority over all rights of access to the ISO’s revenue meter data acquisition and processing system. Meter Data supplied by an ISO Metered Entity shall be made available by the ISO to the Scheduling Coordinator representing such ISO Metered Entity and the other authorized users identified in its Meter Service agreement, but shall not be disclosed to any other third party except as may otherwise be required by law, FERC, any Local Regulatory Authority or other provision of this ISO Tariff. Access by third parties other than the authorized users to Meter Data held by the ISO shall be coordinated through the Scheduling Coordinator representing the relevant ISO Metered Entity that supplied the data and shall not be obtained directly from the ISO on any basis, including, without limitation, by the polling of the ISO’s revenue meter data acquisition and processing system via WEnet.
10.6.5	Access to Meter Data	The ISO has complete authority over rights of access to its revenue meter data acquisition and processing system.
11.21.2	Data Dissemination	Data shall not be disseminated by the ISO except as permitted in this ISO Tariff.
11.22	Confidentiality	The ISO shall implement and maintain a system of communications with Scheduling Coordinators that includes the strict use of passwords for access to data.
12.5	Confidentiality of Information	All proprietary information obtained through any audits will remain strictly confidential. All auditors shall sign a confidentiality agreement prior to being accepted as auditors by the ISO Audit Committee.
13.3.9	Confidentiality	Subject to other provisions of this ISO Tariff, any party may claim that information contained in a document otherwise subject to discovery is “Confidential” if such information would be so characterized under the Federal Rules of Evidence.
20.3.1	ISO	The ISO shall maintain the confidentiality of all of the documents, data and information provided to it by any Market Participant that

		<p>are treated as confidential or commercially sensitive; provided, however, that the ISO need not keep confidential:</p> <p>(1) information that is explicitly subject to data exchange through WEnet;</p> <p>(2) information that the ISO or the Market Participant providing the information is required to disclose pursuant to this ISO Tariff, or applicable regulatory requirements (provided that the ISO shall comply with any applicable limits on such disclosure); or</p> <p>(3) information that becomes available to the public on a non-confidential basis (other than as a result of the ISO's breach of this ISO Tariff).</p>
20.3.2	Confidential Information	<p>The following information provided to the ISO by Scheduling Coordinators shall be treated by the ISO as confidential:</p> <ul style="list-style-type: none"> • individual bids for Supplemental Energy; • individual Adjustment Bids for Congestion Management which are not designated by the Scheduling Coordinator as available; • individual bids for Ancillary Services; • transactions between Scheduling Coordinators; • individual Generator Outage programs unless a Generator makes a change to its Generator Outage program which causes Congestion in the short-term (i.e., one month or less), in which case, the ISO may publish the identity of that Generator.
20.3.3	Other Parties	<p>No Market Participant shall have the right to receive from the ISO or to review any documents, data or other information of another Market Participant to the extent such documents, data or information is to be treated confidentially; provided, however, a Market Participant may receive and review any composite documents, data, and other information that may be developed based upon such confidential documents, data, or information, if the composite document does not disclose such confidential data or information relating to an individual Market Participant and provided, however, that the ISO may disclose information as provided for in its bylaws.</p>
20.3.4	Disclosure	<p>If the ISO is required by applicable laws or regulations, or in the course of administrative or judicial proceedings, to disclose information that is otherwise required to be maintained in confidence, the ISO may disclose such information; provided, however, that as soon as the ISO learns of the disclosure requirement and prior to making such disclosure, the ISO shall notify any affected Market Participant of the requirement and the terms thereof. The Market Participant may, at its sole discretion and own cost, direct any challenge to or defense against the disclosure requirement and the ISO shall cooperate with such affected Market Participant to the maximum extent practicable to minimize the disclosure of the information consistent with applicable law. The ISO shall cooperate with the affected Market Participant to obtain proprietary or confidential treatment of confidential information by the person to whom such information is disclosed prior to any such disclosure.</p>

2. Tariff (Effective as of November 1, 1998) - Provisions Dealing with Dissemination of Information other than through the Policy (See Policy §4.2.1)

Section No.	Section Title	Summary
2.2.4.6	Notification of Termination	The ISO shall post a notice of termination on the ISO home page.
2.2.10	Information to be Provided by the ISO to all Scheduling Coordinators	By 6:00 p.m. two days prior to a Trading Day, the ISO shall publish on WEnet information related to: <ul style="list-style-type: none"> • Scheduled Line Outages; • Forecast Loop-Flow; • Advisory Demand Forecasts; • Updated Transmission Loss Factors; and • Ancillary Services.
2.2.12.6	ISO Analysis of Preferred Schedules	On receipt of the Preferred Schedules the ISO will notify Scheduling Coordinators of any specific Reliability Must-Run Units which have not been included in the Preferred Schedule but which the ISO requires to run in the Trading Day as well as any Ancillary Services which it requires.
2.2.12.7	Issuance of Suggested Adjusted Schedules	If the ISO finds that the Preferred Schedules would cause Congestion, it shall issue Suggested Adjusted Schedules no later than 11:00 a.m. on the day preceding the Trading Day.
2.2.12.8	Submission of Revised Schedules	If the ISO identifies mismatches in the scheduled quantity or location for any Inter-Scheduling Coordinator Trade, it will notify the Scheduling Coordinators concerned and give them until a specified time, which will allow them approximately one half-hour, in which to modify their Schedules to resolve the mismatch.
2.2.13.3	Final Hour-Ahead Schedules	The ISO shall inform each Scheduling Coordinator of its responsibilities to provide Ancillary Services. Not later than thirty minutes before the commencement of each Settlement Period, the ISO shall provide each Scheduling Coordinator with the Final Schedule for that Settlement Period.
2.3.2.9.2	Provide Information to Review Outages	Participating TOs, Participating Generators, Eligible Customers, Scheduling Coordinators and UDCs shall provide information requested by the ISO to review Outages and to prepare Outage reports. All findings and reports arising from the ISO's review shall be shared with participating TOs, Participating Generators, Eligible Customers and UDCs.
2.3.5.1.1	Generation Planning Reserve Criteria	On an annual basis, the ISO shall prepare a forecast of weekly Generation capacity and weekly peak demand on the ISO Controlled Grid. This forecast shall cover a period of twelve months and be posted on the WEnet and the ISO may make the forecast available in other forms at the ISO's option.
2.5.9	Provision of System Information to Market Participants	By 6:00 p.m. two days prior to the Trading Day, the ISO shall make available to Scheduling Coordinators general system information including: <ul style="list-style-type: none"> • Scheduled Line Outages; • Forecast Loop-Flow; • Advisory Demand Forecasts; • Updated Transmission Loss Factors; and • Ancillary Services.

2.5.22.10	Dispatch Instructions	<p>The instructions shall include the following information:</p> <ul style="list-style-type: none"> • name of the Generating Unit, Load, or System Resource being dispatched; • specific MW value to which the Generating Unit, Load, or System Resource is being dispatched; • operating level and price point to which the Generating Unit, Load or System Resource is being dispatched; • time the Generating Unit, Load or System Resource is required to achieve the Dispatch instruction; • time of the Dispatch Instruction; and • any other information which the ISO considers relevant. <p>This information will be communicated by telephone or fax. It will be confirmed by voice conversation which will be recorded. The dispatch instruction and all information associated with it shall be logged and recorded by the ISO.</p>
4.8.1	System Planning Studies	The ISO, Participating TOs and UDCs shall share information necessary to conduct necessary system planning studies to the extent that these may impact the operation of the ISO Controlled Grid.
5.8.2	Providing Information to Generators	The ISO shall provide to any Participating Generator, upon its request, copies of any operational assessments, studies or reports prepared by or for the ISO concerning the operations of such Participating Generator's Generating Units, including, but not limited to, reports on major Generation Outages, available transmission capacity, and Congestion.
5.8.4	Sharing Information on Reliability of ISO Controlled Grid	The ISO and each Participating Generator shall have the obligation to inform each other, as promptly as possible, of any circumstance or incident of which it becomes aware that is reasonably likely to threaten the reliability of the ISO Controlled Grid or the integrity of the Participating Generator's facilities.
6.1.2.2		<p>The ISO shall provide public information over WEnet which shall include, at a minimum, but not limited to:</p> <ul style="list-style-type: none"> • Advisory Information; • Day-Ahead and Hour-Ahead Information; • Ex Post Information; • Usage Charges for the Inter-Zonal Interfaces; • A Bulletin Board; • Operating Orders; and • Information to Market Participants.
7.1.4.4	Information Required from Scheduling Coordinators	The ISO shall publish a list of the Bulk Supply Points or interconnection points to which this Section applies together with details of the electronic form and procedure to be used by Scheduling Coordinators to submit the required information on the ISO "Home Page."

10.2.6	Access to Meter Data	The ISO has complete authority over all rights of access to the ISO's revenue meter data acquisition and processing system. Meter Data supplied by an ISO Metered Entity shall be made available by the ISO to the Scheduling Coordinator representing such ISO Metered Entity and the other authorized users identified in its Meter Service agreement, but shall not be disclosed to any other third party except as may otherwise be required by law, FERC, any Local Regulatory Authority or other provision of this ISO Tariff. Access by third parties other than the authorized users to Meter Data held by the ISO shall be coordinated through the Scheduling Coordinator representing the relevant ISO Metered Entity that supplied the data and shall not be obtained directly from the ISO on any basis, including, without limitation, by the polling of the ISO's revenue meter data acquisition and processing system via WEnet.
10.6.5	Access to Meter Data	The ISO has complete authority over rights of access to its revenue meter data acquisition and processing system.
11.4.3	Data Files	Settlement Statements relating to each Scheduling Coordinator shall be accompanied by a data file of supporting information.
11.20.2	Evidence of Unpaid Amount	The ISO shall, on request, certify in writing the amounts owed by an ISO Debtor that remain unpaid and the ISO Creditors to whom such amounts are owed and shall provide certified copies of the relevant Final Settlement Statements, invoices and other documentation on which the ISO's certificate was based to the ISO Debtor and the relevant ISO Creditors.
11.21.2	Data Dissemination	Data shall not be disseminated by the ISO except as permitted in this ISO Tariff.
20.3.4	Disclosure	If the ISO is required by applicable laws or regulations, or in the course of administrative or judicial proceedings, to disclose information that is otherwise required to be maintained in confidence, the ISO may disclose such information; provided, however, that as soon as the ISO learns of the disclosure requirement and prior to making such disclosure, the ISO shall notify any affected Market Participant of the requirement and the terms thereof. The Market Participant may, at its sole discretion and own cost, direct any challenge to or defense against the disclosure requirement and the ISO shall cooperate with such affected Market Participant to the maximum extent practicable to minimize the disclosure of the information consistent with applicable law. The ISO shall cooperate with the affected Market Participant to obtain proprietary or confidential treatment of confidential information by the person to whom such information is disclosed prior to any such disclosure.

3. Treatment of Information Under the ISO Protocols (Effective as of November 1, 1998)

A. Ancillary Services Requirements Protocol (ASRP)

The Protocol describes the ISO's basis for determining its Ancillary Services requirements and the required standard for each Ancillary Service. The Protocol also describes the means by which the ISO will monitor performance of these Ancillary Services to ensure that the required standards are met and maintained.

Dissemination

The Protocol describes information that must be posted on WEnet. It also describes information flows between entities providing Ancillary Services or desiring certification and the ISO. There are also several appendices to the Protocol that discuss certification requirements. These appendices discuss information flows between entities desiring certification and the ISO.

B. Demand Forecasting Protocol (DFP)

The Protocol sets forth procedures for submission of Demand Forecasts which will provide information to the ISO for projecting future Demand requirements to be served by the ISO Controlled Grid.

Dissemination

The Protocol states that the ISO may publish information on the accuracy of SC and/or UDC demand forecasts. The Protocol also describes data that the ISO will publish on WEnet.

C. Dispatch Protocol (DP)

The Protocol: 1) implements those sections of the ISO Tariff which involve real time and emergency operations; 2) describes the real time Dispatch of the Ancillary Services; 3) describes the operational activities of the ISO after all commitments have been made in the Hour-Ahead Market; 4) describes the use of Supplemental Energy bids received by the ISO; and 5) describes how the ISO will meet the operational requirements of NERC and WSCC guidelines.

Dissemination

The Protocol describes information flows between the ISO and SCs, UDCs, PTOs, Generators, Control Area Operators, and EOE's. The Protocol specifically sets forth that "the ISO shall provide all Participants with non-discriminatory access to information concerning the status of the ISO Controlled Grid by posting such information on the WEnet or other similar computer communications device, or by telephone or facsimile in the event of computer systems failure."

D. Market Monitoring and Information Protocol (MMIP)

The Protocol sets forth the workplan and the rules under which the ISO will monitor the ISO Markets to identify abuses of market power to ensure to the extent possible the efficient working of the ISO Markets and to provide for their protection from abuses of market power and from other abuses that have the potential to undermine their effective functioning or overall efficiency.

Confidentiality

ISO Participants may request that the ISO provide data that it has collected; and upon approval of the ISO CEO and at his sole discretion, such data may, subject to constraints on the ISO's resources, be provided by the ISO subject to due safeguards to protect confidential and commercially sensitive data.

Dissemination

The Protocol sets forth the information, dissemination, publication and reporting activities and other means of providing information that the ISO will undertake to meet its reporting requirements to regulatory agencies, ISO Participants, and others. The Protocol also discusses the collection of complaints and data to identify flaws.

ISO Participants may request that the ISO provide data that it has collected; and upon approval of the ISO CEO and at his sole discretion, such data may, subject to constraints on the ISO's resources, be provided by the ISO subject to due safeguards to protect confidential and commercially sensitive data. Where such activity imposes a significant burden or expense on the ISO, the data may be provided on the condition that a reasonable contribution to the cost incurred by the ISO is made to the ISO by the requesting party.

E. Outage Coordination Protocol (OCP)

The Protocol enables the ISO to coordinate maintenance as far in advance as possible to allow the ISO to maintain System Reliability and to minimize the quantity and effect of Congestion on the ISO Controlled Grid and Interconnections. It also deals with data in connection with reporting for regulatory must-take generation and ISO controlled grid maintenance. It further discusses scheduling and approval of generator maintenance outages, and ISO controlled grid maintenance. Finally, the Protocol discusses management of forced outages or immediate nature maintenance, communication of scheduled maintenance requests, and outage coordination for new facilities.

Dissemination

The Protocol describes communications between entities and the ISO to coordinate outages and maintenance requests.

F. Schedule and Bids Protocol (SBP)

The Protocol requires the provision of scheduling data to enable the ISO to undertake its scheduling process, requires the provision of Ancillary Services Schedules and bidding data, specifies the content of Schedules and specifies in detail the bidding data referred to in the ISO Tariff. Thus the Protocol addresses the various schedules and notifications, adjustment bids, ancillary services, and supplemental energy bids.

Confidentiality

The Protocol specifically states that "[t]hrough the use of the security provisions of WEnet, some data will be provided on a confidential basis" Also, the ISO will not publish adjustment bids.

Dissemination

The Protocol discusses the flow of information between the ISO and SCs and PTOs.

G. Scheduling Coordinator Application Protocol (SCAP)

The Protocol informs the SC Applicant of the actions it must take and information it must provide to become an approved Scheduling Coordinator. It also describes the actions the ISO will take to evaluate a submitted application.

Dissemination

The Protocol discusses information that the ISO will provide on the ISO Home Page as well as information flows between the ISO and SC applicants.

H. Scheduling Protocol (SP)

The Protocol sets forth the process of scheduling input data in order to develop Final Schedules for the Day-Ahead and Hour-Ahead Markets, provides for the scheduling of the use of transmission service rights under Existing Contracts, assists the ISO in purchasing Ancillary Services, and discusses how to manage Congestion.

Dissemination

The Protocol includes the publication of several schedules and related information.

I. Settlement and Billing Protocol (SABP)

The Protocol informs Scheduling Coordinators, Participating TOs and Operators of Reliability Must-Run Units of the manner in which charges shall be calculated and settled and the procedures regarding the billing, invoicing and payment of these charges.

The Annex to the Protocol sets forth information to inform Owners of Reliability Must-Run Units and Participating Utilities that are responsible for payment of the RMR Charge, how these charges shall be calculated and settled, as well as the procedures regarding the billing, invoicing and payment of these charges.

Confidentiality

The Protocol specifically states that the ISO shall implement and maintain a system of communication to ensure that confidential data is protected. Furthermore, access within the ISO to such data on the ISO's communication systems, including databases and backup files, shall be strictly limited to authorized ISO personnel through the use of passwords and other appropriate means.

With respect to the Annex, it specifically states that “[e]xcept as may otherwise be required by FERC Order Nos. 888 or 889 or any other applicable Law, all information and data provided by Owner or the ISO to the Participating utility . . . shall be deemed to be confidential and proprietary to the providing party and will be used by the receiving party solely for the purposes of this Annex 1. The receiving party shall limit the disclosure of any such information to only those personnel within its organization with responsibility for assessing such information in connection with this Annex and shall be responsible for assuring that personnel within its organization . . .” comply with the confidentiality provisions. Furthermore, the provisions of communications, emergency, and confidentiality of the Must-Run Contracts shall apply between the ISO and Owners.

Dissemination

The Protocol and the Annex to the Protocol describe information flows between the ISO and Scheduling Coordinators, Black Start Generators, Participating Utilities and TOs.

J. Metering Protocol (MP)

The Protocol implements the portion of the ISO Tariff relating to the ISO's acquisition of revenue quality meter data for Settlement and billing purposes.

Confidentiality

There is a section of the Protocol specifically concerning the security of meter data. This section states that ISO Metered Entities must not give a third party local access to its revenue quality meters or disclose to that third party the password to its revenue quality meters without the ISO's prior approval, which shall not be unreasonably withheld. ISO Metered Entities will be responsible for ensuring that a third party approved by the ISO to access its revenue quality

meters only access the data it is approved to access. Furthermore, the ISO Metered Entities will be responsible for ensuring that the data are only accessed for the purposes for which the access was approved.

Dissemination

The Protocol discusses communications between the ISO and metered entities and the SCs that represent these entities.