



California ISO
Your Link to Power

Information Availability Policy

 California ISO <small>Your Link to Power</small>	Board Policy	Revision Date Version No.	3/26/2010 3.0
California ISO Information Availability Policy		Policy Adopted	10/28/98

The California Independent System Operator Corporation (the “ISO”) provides access to corporate records in a manner that affords the public the greatest possible access consistent with other duties of the corporation.

1. Definitions

Capitalized terms not otherwise defined herein shall have the following meanings:

- 1.1 "Record" includes any Writing that contains information relating to the conduct of the ISO’s business or that is prepared, owned, used, or retained by the ISO, regardless of physical form or characteristics.
- 1.2 "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.
- 1.3 The “Records Coordinator” shall mean the ISO employee designated as such by the ISO’s Chief Executive Officer.

2. Records Availability

- 2.1 All of the ISO's Records are available to the public except as specified in Section 2.3. Notwithstanding Section 2.3, the ISO’s Board of Governors (the “Board”) may, subject to applicable law, choose to make any of such materials available to the public on a case-by-case basis.
- 2.2 Requests for certain public records will be met through other means:
 - 2.2.1 Certain Records of the ISO 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 ISO’s Open Access Same-Time Information System (“OASIS”), and certain additional materials are required to be maintained by the ISO as confidential. To ensure fair and non-discriminatory access to such information which is not required to be kept confidential, the ISO will respond to any requests for such information by reference to the mechanism mandated by FERC for public access.
 - 2.2.2 Requestors will be referred to the applicable public agency for documents that are not submitted by the ISO and are maintained by the public agency as part of its proceedings involving the ISO. For example, the

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ISO 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.

- 2.3 The Board has determined that the following types of Records should, in general, be kept confidential in order to achieve the ISO's mandated role in ensuring efficient use and reliable operation of the electric transmission grid.
 - 2.3.1 Preliminary drafts, notes and memoranda that are not retained by the ISO in the ordinary course of business.
 - 2.3.2 Records that contain information required to be kept confidential or otherwise not subject to disclosure by the ISO'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, the current tariff is available on the ISO's website, www.caiso.com.
 - 2.3.3 Records pertaining to matters properly discussed in a executive session in accordance with the ISO's Open Meeting Policy then in effect.
 - 2.3.4 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.
 - 2.3.5 Records pertaining to hardware or software programs developed or licensed by the ISO or the software programs themselves, to the extent that such materials are proprietary to the ISO or are deemed confidential in any agreement entered into with the ISO.
 - 2.3.6 Records that refer to commercially sensitive matters, disclosure of which may affect the competitive positions of the ISO'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.
 - 2.3.7 Personnel, medical, or similar files, except for dates of employment of personnel identified by the requestor.

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2.3.8 Records classified, or properly classifiable, as "Confidential" or "Restricted" under the ISO's Supporting Security Practices and Procedures then in effect.

2.3.9 Records for which the Board determines that the public interest served by not making the Record public clearly outweighs the public interest served by disclosure of the Record.

3. Procedure

3.1 Requesting Copies of Records

All requests for copies of Records must be made in writing and directed by U.S. Mail or e-mail to:

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

Facsimile (916) 608-7222
Email: recordscoordinator@caiso.com

All requests must be sufficiently clear to reasonably describe an identifiable Record. A request that does not meet 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 ISO.

3.2 Response Time

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

3.2.2 The ISO 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.

3.2.3 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.

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3.3 Third Party Records in the ISO's Custody

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

3.4 Subpoenas

This Policy does not apply to subpoenas issued against the ISO for document production. All such subpoenas shall be referred to the General Counsel unless otherwise directed by that office.

3.5 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 ISO, Monday through Friday, ISO 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.

4. Fees

4.1 Copies

Whenever practicable, the ISO 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 ISO may require advance payment before copies are made. In other cases when the fee exceeds a nominal amount, 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 4.1 and any applicable legal or regulatory requirement, the latter shall apply.

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4.2 Search time

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

4.3 Compilations of Corporate Information

Requests that require analysis and summary of the ISO's records are not requests for an existing identifiable Record, and, therefore, are not subject to this Policy. However, the Board or the Chief Executive Officer or his or her designee may agree to create a new Record, provided the requestor agrees to compensate the ISO 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.

5. Appeal

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

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1.0	10/22/1998	Adopted by the Board of Governors
2.0	11/29/2001	Amended by the Board of Governors
3.0	3/26/2010	Amended by the Board of Governors