

CHARTER
ENERGY IMBALANCE MARKET BODY OF STATE REGULATORS

March 1, 2016

(Revised April 30, 2021)

The Energy Imbalance Market (EIM) Body of State Regulators (Body) was formed in response to state-regulated electric investor-owned utilities participating or planning to participate in the California Independent System Operator (ISO) EIM. The ISO Board of Governors authorized the creation of the Body at its September 17, 2015 meeting. The Body has been formed by state utility regulatory commissioners and is not a committee or sub-committee of or established by the ISO Board of Governors or the ISO EIM Governing Body.

Members of the Body are not restricted in taking any position before FERC or any other forum concerning matters related to EIM or the ISO.

Purpose and Responsibilities

The purpose of the Body is to select a voting member of the EIM Governing Body Nominating Committee and to provide a forum for state regulators to learn about the EIM, EIM governing body and related ISO developments that may be relevant to their jurisdictional responsibilities.

The Body shall:

1. Select a member to serve as a voting member of the EIM Governing Body Nominating Committee.
2. Hold periodic meetings to provide information to members about the EIM and ISO markets and provide a forum for discussion.
3. Establish a process through which it may express a common position in ISO stakeholder processes or to the EIM Governing Body on EIM issues.

Composition and Governance

1. Members

- a. The Body shall be composed of one representative of each state public utilities commission in which load-serving regulated utilities participate in the EIM, including the ISO real-time market.
- b. Each state commission shall select a commissioner or representative to serve on the Body. When necessary, a member of the Body may designate an alternative commissioner or representative to attend meetings if they are unavailable. Each member of the Body shall serve until a successor is identified. If a vacancy occurs at any time, a designated representative may participate in meetings of the Body.

2. Liaisons

a. There shall be up to three liaisons to the BOSR. One non-voting representative from a federal power marketing administration (PMA) that is participating in the EIM and no more than two non-voting representatives from consumer-owned utilities that are participating in the EIM. These representatives may participate in BOSR open meetings and provide the perspective of their customers in an effort to allow for a better understanding of where positions are shared and where they diverge. The liaison's presumed term shall be one year and liaisons may serve multiple terms. The PMAs and consumer-owned utilities shall determine the selection of their representatives.

3. Leadership

- a. The members of the Body shall select one member to serve as the chair and one member to serve as the vice-chair for a term of one year.
- b. The chair of the Body shall plan and manage its meetings, and coordinate and circulate agendas.

4. Meetings

- a. The Body shall determine the time and place of its meetings.
- b. The Body shall determine the procedures for its meetings, except:
- i. A quorum for meetings shall be a majority of its members.
 - ii. Action taken by the Body shall require the affirmative vote of a majority of its members. The Body strives for consensus in all matters.
 - iii. Meetings of the Body may be in person or by conference call as determined by the chair.
- c. The Body may hold meetings or portions of meetings in executive session, in which only members and commission staff members may attend.

Notice

The chair (or designee) shall provide each member of the Body and designated commission staff notice of the time and place of all meetings of the Body together with an agenda that identifies the items on which a vote will be taken at the meeting.

Unless the meeting will be held in executive session, the chair (or designee) shall also provide notice to interested persons by posting the notice and agenda on the EIM BOSR website, as well as websites of organizations such as the Western Interstate Energy Board, the California ISO or the Western Conference of Public Service Commissions, if the organization is facilitating an in-person meeting.

The chair (or designee) will endeavor to provide notice 10 business days prior to the meeting for in-person meetings, and 5 business days prior to the meeting for conference calls, however these notice requirements may be waived by unanimous consent of the members when the matter(s) to be considered require immediate attention.

Review and Changes to the Charter

The Body shall review and make any changes to this charter as needed at the request of any member.

REFERENCE LINKS:

EIM BOSR:

<https://www.westernenergyboard.org/energy-imbalance-market-body-of-state-regulators/>

Transitional Committee Governance Proposal:

http://www.caiso.com/Documents/Decision_EIM_GovernanceProposal-AttachA-Proposal-Sep2015.pdf

CAISO EIM:

<https://www.westerneim.com/pages/default.aspx>