

1. Background

The Committee on Regional Electric Power Cooperation (“CREPC”) has been convening a Transmission Collaborative (“TC”) since January 2024 as an informal working group focused on increasing states’ capacity to provide meaningful input on regional transmission issues. In May 2024, the Federal Energy Regulatory Commission (FERC) approved Order No. 1920, addressing regional transmission planning requirements. As part of Order No. 1920, FERC-jurisdictional utilities are required to facilitate an Engagement Process with “relevant state entities” (“RSEs”). This State Engagement Process enables the RSEs to discuss and potentially reach agreement on: (1) an *ex ante* cost allocation methodology to be applied to regionally planned transmission projects and (2) a state agreement process (SAP) that could be used to apply a different cost allocation approach to specific transmission projects or portfolios of projects. States have determined that CREPC is an appropriate body to convene an Order No. 1920 Ad Hoc Committee, as CREPC was formed to convene energy offices and utility regulatory commissions on regional electricity issues. CREPC can also help promote efficiency in the region, as some states will need to participate in the State Engagement Process for both the NorthernGrid and WestConnect transmission planning regions (Planning Regions).

2. Role of the Committee and Scope of Work

The work for the ad hoc committee will be to facilitate:

- the RSEs’ development of a SAP to be applied to both the WestConnect and NorthernGrid regions, and
- provide input to the utilities in NorthernGrid and WestConnect as they develop *ex ante* cost allocation methodologies and propose a state-preferred *ex ante* methodology if one emerges.

The ad hoc committee will work closely with both NorthernGrid and WestConnect (“Planning Regions”).

The ad hoc committee may also determine whether it will be the vehicle for convening states for the SAP to attempt to reach agreement to allocate costs associated with transmission selected in a regional transmission planning cycle. In this case, the ad hoc committee will continue to meet as needed after initial 1920 compliance filings are approved by FERC.

The ad hoc committee will determine if a SAP will be submitted to the Planning Regions for their respective compliance filings. The SAP must include the following elements:

1. The event triggering the beginning of the SAP and identification of which facilities the SAP applies to
2. The duration of the SAP
3. Which entities can participate in the SAP
4. How the SAP will result in a cost allocation being filed at FERC
5. What constitutes an agreement in the SAP

6. How the agreement will be communicated to transmission providers

3. Membership

The committee is comprised of RSEs in the WestConnect and NorthernGrid Planning Regions for the purpose of FERC Order No. 1920, which are defined as “state entities responsible for electric utility regulation or siting electric transmission facilities within the state or portion of a state located in the transmission planning region, including any state entity as designated for that purpose by state law.”

For purposes of the ad hoc committee, anyone who works at the RSEs or CREPC’s member agencies is welcome to participate, however, each state in the Planning Regions may designate one person to be the formal representative to participate in the ad hoc committee for voting purposes.

A list of state agencies participating on the ad hoc committee, along with name of the state representative will be kept on WIEB’s website. The list may change as RSEs invite other state agencies to participate.

4. Procedures

Meetings

Ad hoc meetings will be held approximately twice monthly, and may be extended as needed. Additional meetings may also be added, as determined by the co-chairs. Meetings will be virtual with the option of in-person meetings as needed.

Meetings will be open to the public to attend in listen-only mode, unless committee co-chairs decide to close meetings or portions of meetings to the public, which will be announced in advance. If written comments are submitted to the ad hoc committee, the comments will be taken under advisement, but the committee will not issue direct responses to comments. Committee co-chairs may schedule time in meeting agendas for public comment as necessary.

Quorum

The quorum for a meeting of the ad hoc committee will require at least 2/3rds of the designated state representatives or their proxies. A lesser number may adjourn the meeting at a later time.

Committee Co-Chairs

The duties of the committee co-chairs will include:

1. Development of meeting agendas;
2. Helping to plan the facilitation of meetings, ensuring committee members are given time to speak and contribute as appropriate and discretion to allow public comment;

3. Conducting any formal votes as needed;
4. Working to ensure that the meeting and committee objectives are achieved;
5. Calling a special meeting outside the regular schedule with advanced notice; and
6. Closing the meeting or part of the meeting as deemed appropriate.

During the course of discussions and debates, it is recognized that committee co-chairs will sometimes need to represent views or considerations particular to their states. Whenever a committee co-chair is expressing their state's views or considerations, they will note this to the committee.

Decision Making

The committee will strive for and act on the consensus of its members, however, if consensus cannot be obtained, voting procedures will be used. Participating RSEs from each state will elect one Voting Representative from their state for decision making. Voting Representatives may designate an alternate to carry their proxy vote.

Official actions of the committee shall be taken upon the affirmative vote of at least three-fourths of Voting Representatives who elect to participate in voting; abstentions will not negatively or positively impact voting outcomes and will be considered "neutral" positions. The Co-Chairs may decide to conduct votes via electronic mail as necessary.

Subcommittees

The committee may create or abolish work groups or subcommittees as needed. The committee co-chairs shall appoint any subcommittee or working group chairs.

Principles of Engagement

Actions taken and statements made by Voting Representatives are not necessarily reflective, or binding, of how state agencies may vote or make determinations when official filings or requests are before them.

Decisions will be founded on respectful, inclusive dialogue that prioritizes collaboration. If the ad hoc committee cannot find consensus, both the majority and minority views will be reflected in anything the committee submits to the planning regions.

5. Communications and Record-Keeping

High-level minutes of the meetings that include a record of all committee decisions and actions will be posted to WIEB's website, along with any meeting materials that are not confidential.

6. Review and Modification of the Charter

The committee co-chairs may review and modify this Charter as needed to accomplish the committee's scope of work.