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March 23, 2010

**VIA ELECTRONIC FILING**

The Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: ISO New England Inc. and New England Power Pool; Docket No. ER09-1051  
Response of the New England Power Pool Participants Committee to Post-Technical  
Conference Comments of Massachusetts Attorney General and the MPUC and CT  
DPUC

Dear Secretary Bose:

Attached for filing in the above-captioned proceeding is a Response of the New England Power Pool ("NEPOOL") Participants Committee to Post-Technical Conference Comments of Massachusetts Attorney General ("MA AG") and the Maine Public Utilities Commission ("MPUC") and the Connecticut Department of Public Utility Control ("CT DPUC") in the above-captioned docket.

A copy of the foregoing has been served on all parties included on the official service list for this proceeding maintained by the Secretary. Please contact me if you have any questions or need any further information regarding this filing.

Respectfully submitted,

Michelle C. Gardner  
Counsel to the NEPOOL Participants Committee

cc: Official Service List



The Order 719 Compliance Filing detailed several agreements reached among ISO-NE and stakeholders, including Market Participants, state regulators, and consumer advocates, that enhance ISO-NE's existing responsiveness, agreements that were the result of an extensive stakeholder review process among many divergent interests.

NEPOOL files this brief response to MA AG comments to remind the Commission that the MA AG had advocated fully in New England its preferences, among other things, for open meetings of the ISO-NE Board of Directors and publicly posted minutes of the Board meetings. The MA AG was not alone in seeking those changes, but others concluded that such changes were not necessary in the final package. In the end, NEPOOL worked out among its members and with ISO-NE a solution for New England that the MA AG supported that many believe is responsive to the concerns raised by the MA AG and others in that process. That solution provides, *inter alia*, for a full report by the ISO-NE Chief Executive Officer each month on Board activities. Following those reports, which CEO Gordon van Welie or his designee has delivered to the NEPOOL Participants Committee at every regularly-scheduled monthly Participants Committee meeting since May 2009, members and guests are provided the opportunity to ask whatever follow up questions they wish. That report is reflected in a written summary NEPOOL counsel prepares and distributes shortly after the meeting.

Similarly, NEPOOL responds also to the assertions by the MPUC and the CT DPUC that the ISO-NE CEO reports of Board activities at the NEPOOL Participants Committee meetings “do not provide any indication of how the ISO-NE Board is making its decisions and thus do not advance transparency.”<sup>4</sup> The MPUC and the CT DPUC representatives are invited to and in fact do attend the Participants Committee meetings at which those reports have been provided. They are invited as are all attendees to ask whatever follow up questions they wish, but have elected

not to take advantage of that opportunity. They receive copies of the follow up reports and have not raised any questions with respect to them. Other than to repeat their initial desires for public board meetings and published minutes, they have not demonstrated any effort to work within the agreed-upon arrangements to meet whatever additional information needs they may have, nor have they provided the NEPOOL Participants with any basis for their conclusory statement that the current arrangements do not advance transparency.

If there are specific concerns with the arrangements that have been worked out, NEPOOL urges that they be raised within its process so those concerns can be addressed. At this time, though, the New England arrangements have been identified through careful balancing of all interests and perspectives.

WHEREFORE, for the reasons stated herein and in its prior filings in this proceeding, NEPOOL urges that the Commission not force governance changes to the current, just and reasonable New England arrangements.

Respectfully submitted,

**NEPOOL Participants Committee**

By: \_\_\_\_\_

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Its Attorneys

Dated: March 23, 2010

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<sup>4</sup> MPUC and CT DPUC Comments at 5.

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a copy of the foregoing document to be served electronically upon each person designated on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission.

Dated at Hartford, Connecticut this 23rd day of March, 2010.

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