

I. SUMMARY

Through this Notice, we initiate a rulemaking to amend certain portions of Chapter 321, the rule that governs load obligations and settlement calculations for competitive electricity providers (CEPs). The proposed amendments modify terminology to be consistent with other rules, clarify the intent of the original profiling methodology language, add provisions regarding northern Maine, specify how CEPs will be identified for settlement purposes, add cross-references to other rules, and change the annual reporting date.

II. BACKGROUND

By order dated October 13, 1998, the Commission adopted Chapter 321 of its rules. This rule governs the process, methods and terms by which transmission and distribution (T&D) utilities will develop hourly load estimates and monthly energy reconciliations of CEPs' load obligations. The rule also contains load profiling and individual customer metering requirements. The proposed amendments to the rule result from ongoing efforts to implement electric industry restructuring. These efforts have revealed areas of the current rule in which amendments are either necessary or desirable. The amendments do not substantively change the procedures or intended effects of the current rule. We discuss below each of the proposed amendments to the rule.

III. DISCUSSION OF PROPOSED AMENDMENTS

A. Definitions (Section 1)

The proposed amended rule contains minor changes to the definitions of "aggregator" and "broker" to be consistent with statutory language and terminology used in other rules. We have also added definitions of "ISO-NE Control Area," "Maritimes Control Area," and "Northern Maine ISA." The inclusion of these definitions results from adding more specific language on the settlement process in northern Maine. We discuss this aspect of the proposed rule in section III (E), below.

B. Obligations (Section 2)

We have simplified the language in section 2.B to clarify that it is only aggregators and brokers that are exempt from the rule's provisions.

C. Telemetry (Section 3)

We propose to change the name and description of the class of customers that are required to have telemeters for settlement purposes. We propose to make this change to be consistent with the terminology used in our standard offer rule, Chapter 301, to avoid the confusion we have observed among market participants to date. The current rule refers to customers with loads above those of the "Large Commercial and Industrial Profile Group." This term is described in section 4.A.2 of the current rule. The description of this customer group is essentially the same as the standard offer customer class referred to as "Medium Non-Residential" in Chapter 301. Similarly, the group of customers referred to as those with loads in excess of the large commercial and industrial group (in the current Chapter 321) is essentially the same as the "large non-residential" standard offer class in Chapter 301. Accordingly, we have changed the name of the customer group in section 3.A to "Large Non-Residential" to be consistent with Chapter 301. We have also changed the description of the customer group to that contained in Chapter 301. This description is more straightforward and easier to apply, because it identifies customers by reference to existing utility customer class definitions. Finally, we have added language to make it clear that customers above specified maximum demand levels must be telemetered for settlement purposes.

D. Load profiles (Section 4)

1. Customer Groups

For the reasons discussed above, we have changed the customer group names and descriptions contained in section 4.A to be consistent with those of Chapter 301. Specifically, we have changed "Small Commercial and Industrial" to "Small Non-Residential," and "Large Commercial and Industrial" to "Medium Non-Residential." In addition, we have clarified the treatment of deemed and telemetered loads in the residential group.

We have also made a minor revision to section 4.A.1 to improve consistency with section 5.A.1 and to clarify that all telemetered customers will be settled on their telemetered load data.

2. Profiling Methodology

Section 4.B. of the rule provides for the statistical sampling methodology for load profiles. For greater clarity, we have added references to the ISO-NE and Maritimes control areas to section 4.B.1.a of the rule.

After the adoption of the current rule, Central Maine Power Company (CMP) requested the opinion of the General Counsel as to the interpretation of section 4.B.1.b and c. CMP expressed the concern that the language of the rule could be read to require 100% accuracy in the peak hours of all months and in all hours

of the year. The General Counsel responded that these provisions were intended only to encourage consideration of the referenced variables, if reasonably possible. Opinion of General Counsel, 99-1 (Jan. 21, 1999). We have modified these provisions in the proposed amended rule to clarify the intent.

E. Daily Estimation of Hourly Loads (Section 5)

As part of the settlement process, utilities must report hourly loads to the regional bulk power administrator. At the time the current rule was adopted, no entity existed to perform the retail settlement process in northern Maine. For that reason, the current rule states that utilities in northern Maine shall report the data in a manner to be determined by the Commission. Subsequently, the Northern Maine ISA was created to administer the settlement process in northern Maine. Accordingly, we have revised the rule to specify that the data be reported to the Northern Maine ISA.

We have also added a provision to section 5 of the proposed amended rule that specifies that all reporting to the system administrators shall be by Load Asset I.D. Number. The current rule contemplates that reporting be done by each individual CEP. A problem with this approach is that a CEP would have to be a NEPOOL member and recognized by the ISO-NE as a load serving entity in order to have a settlement account. However, our licensing rule explicitly states that a CEP does not have to be a NEPOOL member; it could satisfy its transactional requirements through a contractual relationship with a NEPOOL member. Ch.305, § 2 (B)(2). Moreover, during discussions in Commission-initiated working groups (i.e. utility/CEP contracts Docket No. 99-170 and Electronic Business Transactions Docket No. 98-522), potential suppliers indicated that they may want more than one settlement account. The ISO-NE requires information to be provided to it by Load Asset I.D and it will issue several numbers to individual entities. Thus, a NEPOOL member could use its multiple accounts to differentiate between its own products, or to contractually assign one or more of its I.D. numbers to non-NEPOOL members so that a CEP would not have to be a NEPOOL member to participate in Maine's market. It was agreed among the members of the working groups that settlements should be differentiated by Load Asset I.D. Number. Accordingly, we have modified the rule in this respect.

F. Monthly Settlement (Section 6)

For the reasons discussed in section III (D), above, we have added to the monthly settlement provision references to the Northern Maine ISA and a requirement that data be provided to the bulk power administrators by Load Asset I.D. Number.

G. Information Access (Section 7)

This section of the rule provides for the transfer of customer data to CEPs. The current rule specifies that CEPs must get customer authorization to obtain data pursuant to 35-A M.R.S.A. § 3205(3)(I). As explained in our recent Notice of Rulemaking containing proposed amendments to Chapter 322 of our rules, the

Legislature repealed 35-A M.R.S.A. § 3205(3)(I) during its last session and replaced it with a provision added to the licensing section of the restructuring statute. See Notice of Rulemaking, Docket No. 99-659 at 4-6 (Sept. 28, 1999). In our Chapter 322 rulemaking, we will implement the statutory provision on customer authorization of data transfers. In this proposed rule, we have deleted the reference to 35-A M.R.S.A. § 3205(3)(I) and have added cross-references to Chapter 322.

H. Data Transfer (Section 8)

This section requires data to be transferred among utilities and CEPs according to Commission-adopted Electronic Business Transaction (EBT) Standards. After the initial adoption of this rule, the Commission opened a rulemaking to adopt EBT standards (Chapter 323). We have, thus, added a cross-reference to Chapter 323 in this section of Chapter 321. We have also cross-referenced Chapter 322's requirement that each entity be responsible for the cost of transferring data.

I. Reporting (Section 9)

This section of the rule contains utility reporting requirements. The current rule requires utilities to file annual reports on March 1 of each year. The proposed rule provides for a June 1 filing date to coincide with the standard offer bid process time frame.

IV. RULEMAKING PROCEDURES

This rulemaking will be conducted according to the procedures set forth in 5 M.R.S.A. §§ 8051-8058. Written comments on the proposed Rule may be filed with the Administrative Director until December 3, 1999. Written comments should refer to the docket number of this proceeding, Docket No. 99-721, and sent to the Administrative Director, Public Utilities Commission, 242 State Street, 18 State House Station, Augusta, Maine 04333-0018. No public hearing on this matter is scheduled, but one will be held if requested by any five interested persons. Persons wishing to request a public hearing on this rule must notify the Administrative Director in writing by November 19, 1999.

In accordance with 5 M.R.S.A. § 8057-A(1), the fiscal impact of the proposed Rule is expected to be minimal. The Commission invites all interested parties to comment on the fiscal impact and all other implications of the proposed rule.

The Administrative Director shall send copies of this Order and the attached rule to:

1. All electric utilities in the State;
2. All persons who have filed with the Commission within the past year a written request for Notice of Rulemaking;

3. All persons listed on the service list or filed comments in the Rulemaking, *Load Obligation and Settlement Calculations for Competitive Electricity Providers* (Chapter 321) Docket No. 98-496;

4. All persons listed on the service list or who filed comments in the Inquiry, *Inquiry into the Energy and Load Profiling and Settlement Functions for Transmission and Distribution Utilities in a Restructured Electric Industry*, Docket No. 97-861;

5. The Secretary of State for publication in accordance with 5 M.R.S.A. § 8053(5); and

6. Executive Director of the Legislative Council, 115 State House Station, Augusta, Maine 04333-0115 (20 copies).

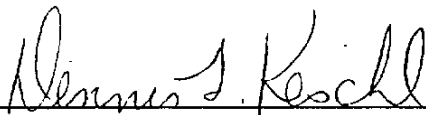
Accordingly, we

ORDER

That the Administrative Director send copies of this Notice of Rulemaking and attached proposed Rule to all persons listed above and compile a service list of all such persons and any persons submitting written comments on the proposed Rule.

Dated at Augusta, Maine, this 19th day of October, 1999.

BY ORDER OF THE COMMISSION



Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Nugent
Diamond

COMMISSIONER ABSENT: Welch

65 - INDEPENDENT AGENCIES - REGULATORY

407 - PUBLIC UTILITIES COMMISSION

CHAPTER 321 - LOAD OBLIGATION AND SETTLEMENT CALCULATIONS
FOR COMPETITIVE PROVIDERS OF ELECTRICITY

SUMMARY - This Chapter establishes requirements governing the calculation of hourly and monthly loads by transmission and distribution utilities for competitive electricity providers operating in Maine, for purposes of determining their retail load obligations within bulk power systems operating in the region.

§ 1	DEFINITIONS	3
§ 2	TRANSMISSION AND DISTRIBUTION UTILITY OBLIGATION	4
	A. <u>Obligation for Compliance</u>	4
	B. <u>Aggregators and Brokers</u>	4
	C. <u>Standard Offer Provider</u>	4
	D. <u>Consumer-Owned Utility Obligations</u>	5
§ 3	TELEMETERING	5
	A. <u>Customers with Maximum Load in Excess of Large Commercial and Industrial Profile Group</u>	5
	B. <u>All Other Customers</u>	6
	C. <u>Phase-In of Telemetry</u>	6
§ 4	LOAD PROFILES	6
	A. <u>Load Profiles for Customer Groups</u>	6
	B. <u>Profiling Methodology</u>	7
§ 5	DAILY ESTIMATION OF COMPETITIVE ELECTRICITY PROVIDER HOURLY LOADS	8
	A. <u>Calculation of Customers' Hourly Loads</u>	8

B.	<u>Calculation of Competitive Electricity Providers' Hourly Load Responsibilities</u>	8
§ 6	MONTHLY SETTLEMENT OF COMPETITIVE ELECTRICITY PROVIDER ENERGY USE	9
A.	<u>Recalculation of Competitive Electricity Provider Hourly Loads</u>	9
B.	<u>Calculation of Hourly Load or Monthly Energy Differences</u>	9
§ 7	INFORMATION ACCESS	10
A.	<u>Access to Each Day's Hourly Load Estimates</u>	10
B.	<u>Access to Month-End Energy Differences</u>	11
C.	<u>Access to Load Profiles</u>	11
§ 8	DATA TRANSFER	11
§ 9	REPORTING	11
A.	<u>Methodology Report</u>	11
B.	<u>Annual Report</u>	12
C.	<u>Line Loss Study</u>	12
§ 10	WAIVER OR EXEMPTION	12

§ 1 DEFINITIONS

A. Aggregator. "Aggregator" means an entity that gathers individual customers together for the purpose of purchasing electricity, provided such entity is not engaged in the purchase or resale of electricity directly with a competitive electricity provider, and provided further that such customers contract for electricity directly with a competitive electricity provider.

B. Broker. "Broker" means an entity that acts as an agent or intermediary in the sale and purchase of electricity but that does not take title to electricity, provided such entity is not engaged in the purchase or resale of electricity directly with a competitive electricity provider, and provided further that customers contract for electricity directly with a competitive electricity provider.

C. Bulk Power System Administrator. "Bulk power system administrator" means ISO-NE or Northern Maine ISA.

D. Competitive Electricity Provider. "Competitive electricity provider" means a marketer, broker, aggregator or any other entity selling electricity to the public at retail in Maine.

E. Consumer-owned Utility. "Consumer-owned utility" means any transmission and distribution utility wholly owned by its consumers, as described in 35-M.R.S.A. § 3201(6).

F. Deemed Load Profile. "Deemed load profile" means a load profile defined by engineering estimates.

G. Dynamic Load Profile. "Dynamic load profile" means a load profile whose hourly load levels are assigned no less frequently than daily based on actual conditions.

H. Investor-Owned Utility. "Investor-Owned Utility" means a large investor-owned transmission and distribution utility or a small investor-owned transmission and distribution utility, as described in 35-M.R.S.A. § 3201(12) and 35-M.R.S.A. § 3201(16).

I. ISO-NE. "ISO-NE" means the Independent System Operator of the New England bulk power system.

J. ISO-NE Control Area. "ISO-NE control area" means the area in which the ISO-NE operates the New England bulk power system.

K. Load Profile. "Load profile" means an estimate of the hourly load levels of a group of customers during a specified time period such as a day or a month, at the point of delivery, measured with either static metering or telemetering.

L. Maritimes Control Area. "Maritimes control area" means the area in which the New Brunswick Power Corporation operates the Maritimes bulk power system.

M. Northern Maine ISA. "Northern Maine ISA" means the Independent System Administrator of the northern Maine retail markets.

N. Static Metering. "Static metering" means the reading or gathering of metered load data less frequently than daily, such as at the end of each month, to obtain hourly loads.

O. Static Load Profile. "Static load profile" means a load profile whose hourly load levels are assigned in advance.

P. Standard Offer Provider. "Standard offer provider" means a provider of standard offer service chosen pursuant to Chapter 301 of the Commission's rules.

Q. Summer. "Summer" means the months not defined as winter for a transmission and distribution utility's seasonally differentiated core rate classes. If a transmission and distribution utility has no seasonally differentiated core rate classes, "summer" means the months between and including April and October.

R. Telemetry. "Telemetry" means the remote reading or gathering of metered load data no less frequently than daily, to obtain hourly loads.

S. Transmission and Distribution Utility. "Transmission and distribution utility" means a person, its lessees, trustees, receivers or trustees appointed by a court, owning, controlling, operating or managing a transmission and distribution plant for compensation within the state.

T. Winter. "Winter" means the months defined as winter for a transmission and distribution utility's seasonally differentiated core rate classes. If a transmission and distribution utility has no seasonally differentiated core rate classes, "winter" means the months between and including November and March.

§ 2 TRANSMISSION AND DISTRIBUTION UTILITY OBLIGATION

A. Obligation for Compliance. Each transmission and distribution utility shall ensure that the provisions of this Chapter are carried out in its service territory.

B. Aggregators and Brokers. The provisions of this Chapter that refer to competitive electricity providers do not apply to aggregators and brokers.

C. Standard Offer Provider. The provisions of this Chapter that refer to competitive electricity providers apply to standard offer providers.

D. Consumer-Owned Utility Obligations. A consumer-owned utility may carry out the provisions of this Chapter by any of the following methods. The consumer-owned utility shall compensate the investor-owned utility its reasonable costs of carrying out the provisions in this Section.

1. All retail electricity sales to customers of a consumer-owned utility may be treated as if they were made within an adjacent investor-owned transmission and distribution utility for purposes of complying with all provisions of this Chapter.

2. A consumer-owned utility may adopt the load profiles of an adjacent investor-owned transmission and distribution utility to represent customers in the consumer-owned utility's service territory for purposes of complying with Section 4 of this Chapter.

3. A consumer-owned utility may adopt a single load profile per day for all customers receiving standard offer service using the following procedure:

a. The consumer-owned utility shall require all customers who receive generation service from a competitive electricity provider other than the standard offer provider to be telemetered. The transmission and distribution utility shall, at its option, waive the charge to the competitive electricity provider determined pursuant to Section 3.B of this Chapter.

b. The consumer-owned utility shall calculate a single load profile per day for all non-telemetered customers that is equal in each hour to the hourly bulk power meter reading attributable to retail sales, less the sum of the hourly telemetered loads adjusted for line losses attributable to the telemetered customers between the customer delivery point and the point of bulk system metering for purposes of complying with Section 4 of this Chapter.

4. A consumer-owned utility may petition the Commission to use any other method for load profiling or for hourly and monthly load calculations that reasonably complies with the goals of this Chapter.

§ 3 TELEMETERING

A. Large Non-Residential Customers. For the purposes of this Chapter, transmission and distribution utilities shall use telemetering to measure hourly loads of all non-residential customers that are not within the small non-residential or medium non-residential profiling classes as they are defined in subsection 4.A.2. For transmission and distribution utilities that have a core customer class with a breakpoint of 500 kW, all customers with maximum demands of 500 kW or greater shall be considered Large Non-Residential Customers. For transmission and distribution utilities that have a core customer class with a breakpoint of 400 kW, all customers with maximum demands of 400 kW or greater shall be considered Large Non-Residential

Customers. The transmission and distribution utilities shall recover the reasonable costs of equipment and data processing required by this provision. These costs will be recovered from the classes containing customers affected by this provision.

B. All Other Customers. Competitive electricity providers may request that a transmission and distribution utility use telemetering to measure the hourly loads of any customer that receives generation service from that competitive electricity provider and that is not telemetered pursuant to subsection 3.A. The transmission and distribution utility shall charge the requesting competitive electricity provider the resulting incremental cost of equipment and data processing. The transmission and distribution utility shall accommodate requests for telemetering as quickly as practicable.

C. Phase-In of Telemetering. Upon a finding that transmission and distribution utilities cannot accommodate requests for telemetering in a reasonably timely manner, the Commission shall implement a phase-in approach that shall limit telemetering requests to customers using a prioritizing process to be determined by the Commission.

§ 4 LOAD PROFILES

A. Load Profiles for Customer Groups.

1. Each transmission and distribution utility shall develop a set of load profiles for each of the three customer profile groups defined in Section 4.A.2. Each customer profile group's load profile set will contain 24-hour profiles that may be used to represent each day of a year. Each daily profile will represent an average per-customer load, at the point of retail delivery. Each profile will represent a 24-hour day that may be identified through some indicator such as month, day of the week, weather condition, or any other indicator that significantly affects load. Profiles may be created by combining the metered loads from more than one day. Each customer profile group will be used to represent those customers not telemetered.

2. The three customer profile groups shall be:

a. Residential. This profile group shall contain all customers defined as residential by the terms and conditions of the transmission and distribution utility.

b. Small Non-Residential. This profile group shall contain all non-residential customers that meet the availability criteria to take service under a core customer class of the transmission and distribution utility that does not include a demand charge. The profile group shall exclude customers with deemed load profiles as described in Section 4.A.3 and shall exclude customers who are telemetered pursuant to Section 3.

c. Medium Non-Residential. This profile group shall contain all non-residential customers that do not meet the criteria for a small non-residential customer and that meet the availability criteria to take service under a core customer class of the transmission and distribution utility that includes a demand charge and in which a customer's maximum demand shall not exceed 500 kW, or the kW breakpoint that is closest to but does not exceed 500 kW. The profile group shall exclude customers with deemed load profiles as described in Section 4.A.3 and shall exclude customers who are telemetered pursuant to Section 3.

3. Deemed load profiles are permissible but not required for customers whose loads are easily estimated through engineering characteristics.

B. Profiling Methodology

1. For each transmission and distribution utility, samples in each customer profile group will be designed to produce the following accuracy:

a. a 90% confidence level with plus or minus 10% error margin in hourly load at the time of the transmission and distribution utility's summer peak for utilities operating in the ISO-NE control area; or a 90% confidence level with plus or minus 10% error margin in hourly load at the time of the transmission and distribution utility's winter peak for utilities operating in the Maritimes control area .

b. to the extent that it is practicable, the highest possible level of accuracy in the peak hours of all months in the year should be given consideration, while maintaining the provisions in Section B.1.a; and

c. to the extent that it is practicable, the highest possible level of accuracy in all hours of the year should be given consideration, while maintaining the provisions in Section B.1.a.

2. Transmission and distribution utilities shall re-sample each customer profile group no less frequently than every two years. This provision will be waived if the transmission and distribution utility demonstrates to the Commission that the current sample represents the customer profile group with reasonable accuracy.

3. Transmission and distribution utilities shall use either simple random sampling or stratified random sampling to select samples of each customer profile group.

4. Transmission and distribution utilities shall use either ratio analysis or mean-per-unit analysis to create load profiles from the samples of each customer profile group.

§ 5 DAILY ESTIMATION OF COMPETITIVE ELECTRICITY PROVIDER HOURLY LOADS

A. Calculation of Customers' Hourly Loads. After each day, the transmission and distribution utility shall estimate hourly loads in that day for each customer at the point of delivery.

1. For customers that are telemetered, the estimate shall equal the customer's telemetered usage.

2. For customers that are not telemetered, including those with deemed load profiles, the estimates shall be equal to a load profile, from the appropriate customer profile group's set of profiles, that represents the day being estimated, based on the indicator(s) used to create the load profiles pursuant to Section 4.A.1; adjusted for weather or other conditions that significantly affect load, using regression analysis or other technique, if not otherwise reflected in the load profile; and adjusted for the customer's estimated daily energy use.

B. Calculation of Competitive Electricity Providers' Hourly Load Responsibilities

1. After each day, transmission and distribution utilities shall estimate hourly load responsibilities in that day for each competitive electricity provider. The estimate shall equal:

a. the sum of the telemetered hourly loads of the competitive electricity providers' telemetered customers, calculated pursuant to Section 5.A, and adjusted for line losses attributable to those customers between the customer delivery point and the point of bulk system metering; plus

b. the sum of the estimated hourly loads of the competitive electricity providers' profiled customers, calculated pursuant to Section 5.A, and adjusted for line losses attributable to those customers between the customer delivery point and the point of bulk system metering; plus

c. the hourly difference between the portion of the bulk system hourly metered loads attributable to retail sales and the total system estimated hourly loads calculated pursuant to Sections 5.B.1.a and 5.B.1.b, allocated to competitive electricity providers based on sales to profiled customers.

2. The calculations described in Section 5.B.1 shall be used to determine regional load obligation settlements.

a. Each transmission and distribution utility located in the ISO-NE control area shall report the hourly load responsibilities of each competitive electricity

provider operating in its territory to ISO-NE in conformance with ISO-NE requirements as they may be changed from time to time.

b. Each transmission and distribution utility located in the Maritimes control area shall use the hourly load responsibilities of each competitive electricity provider operating within its territory to the Northern Maine ISA in conformance with Northern Maine ISA requirements as they may be changed from time to time.

c. All hourly load responsibilities reported to the ISO-NE and Northern Maine ISA pursuant to this paragraph shall be differentiated by Load Asset I.D. Number or other unique identifying number used by the ISO-NE or Northern Maine ISA. All competitive electricity providers operating within the ISO-NE control area must be assigned at least one valid ISO-NE Load Asset I.D. Number or other identifying number. All competitive electricity providers operating within the Maritimes control area must be assigned at least one valid Northern Maine ISA Load Asset I.D. Number or other identifying number.

3. Line losses that occur when delivering a competitive electricity provider's energy within a transmission and distribution utility's local network are the sole responsibility of the competitive electricity provider, and will be allocated in a manner consistent with this principle. Line losses will reflect, at a minimum, variation between summer and winter and variation among voltage levels.

§ 6 MONTHLY SETTLEMENT OF COMPETITIVE ELECTRICITY PROVIDER ENERGY USE

A. Recalculation of Competitive Electricity Provider Hourly Loads. After each calendar month, transmission and distribution utilities shall re-estimate the hourly load responsibilities for each competitive electricity provider, to reflect monthly energy use most recently metered for billing purposes. The re-estimate shall be done in a manner that duplicates the hourly load responsibilities calculated pursuant to Section 5 in all respects except that customers' estimated daily energy use used in each day's calculations shall reflect the most recent meter reading done for billing purposes.

B. Calculation of Hourly Load or Monthly Energy Differences.

1. After each calendar month, the transmission and distribution utility shall be capable of calculating two energy difference estimates for each competitive electricity provider:

a. the hourly load differences between hourly loads estimated pursuant to Section 6.A and hourly loads estimated pursuant to Section 5; and

b. the monthly energy differences, equal to the sum of the hourly load differences within the month calculated pursuant to Section 6.B.1.a.

2. The calculations described in Section 6.B.1 shall be used to adjust the financial settlement associated with each competitive electricity provider's regional load obligation and generation delivery. The bulk power system administrator will determine whether hourly load differences or monthly energy differences will be used for this purpose.

a. Each transmission and distribution utility located in the ISO-NE control area shall report the hourly load differences or monthly energy difference of each competitive electricity provider operating in its territory to ISO-NE in conformance with ISO-NE requirements as they may be changed from time to time.

b. Each transmission and distribution utility located in the Maritimes control area shall report the hourly load differences or monthly energy difference of each competitive electricity provider operating in its territory to the Northern Maine ISA in conformance with Northern Maine ISA requirements as they may be changed from time to time.

c. All load responsibilities reported to the ISO-NE and Northern Maine ISA pursuant to this paragraph shall be differentiated by Load Asset I.D. Number or other unique identifying number used by the ISO-NE or Northern Maine ISA. All competitive electricity providers operating within the ISO-NE control area must be assigned as least one valid ISO-NE Load Asset I.D. Number or other identifying number. All competitive electricity providers within the Maritimes control area must be assigned at least one valid Northern Maine ISA Load Asset I.D. Number or other identifying number.

§ 7 INFORMATION ACCESS

A. Access to Each Day's Hourly Load Estimates.

1. After each day, the transmission and distribution utility shall provide an estimate of each competitive electricity provider's hourly loads, within 36 hours of the end of the day or at such time as the bulk power system administrator requires, to the bulk power system administrator, as specified in Section 5.B.2.

2. The transmission and distribution utility shall provide to each competitive electricity provider its estimated hourly loads as reported to the bulk power system administrator as soon as practicable, but no later than two business days after providing that data to the bulk power system administrator.

3. Upon request by a competitive electricity provider, the transmission and distribution utility shall provide to the competitive electricity provider its customer's estimated hourly loads for any days within the previous 12 months, for any customer receiving service from that competitive electricity provider. Before issuing a request to

receive estimated hourly loads, a competitive electricity provider must obtain authorization pursuant to Chapter 322, Section 9.A. of the Commission's Rules.

B. Access to Month-End Energy Differences

1. After each month, the transmission and distribution utility shall provide an estimate of each competitive electricity provider's monthly or hourly energy difference(s) to the bulk power system administrator, within 45 days of the end of the month or at such time as the bulk power system administrator requires, as specified in Section 6.B.2.

2. The transmission and distribution utility shall provide to each competitive electricity provider its estimated monthly or hourly difference(s) as reported to the bulk power system administrator as soon as practicable, but no later than two business days after providing those data to the bulk power system administrator.

3. Upon request by a competitive electricity provider, the transmission and distribution utility shall provide to the competitive electricity provider its customer's estimated monthly or hourly differences within the previous 12 months, for any customer receiving service from that competitive electricity provider. Before issuing a request to receive estimated differences, a competitive electricity provider must obtain authorization pursuant to Chapter 322, Section 9.A. of the Commission's Rules.

C. Access to Load Profiles

The transmission and distribution utility shall make public the load profiles of each customer profile group. This provision does not apply when publication may reasonably reveal an individual customer's load characteristics.

§ 8 DATA TRANSFER

Each transmission and distribution utility and each competitive electricity provider shall transfer data among one another in accordance with procedures and formats specified in the Electronic Business Transaction (EBT) Standards contained in Chapter 323 of the Commission's Rules. Each transmission and distribution utility and each competitive electricity provider shall pay for the data transfer pursuant to Chapter 322, Section 9.B. of the Commission's Rules.

§ 9 REPORTING

A. Methodology Report

1. Prior to December 1, 1998, each transmission and distribution utility shall file a report that will allow the Commission to verify compliance with this Chapter.

The report will describe the methods by which sampling and data validation will be performed.

2. Prior to December 1, 1999, each transmission and distribution utility shall file a report that will allow the Commission to verify compliance with this Chapter. The report will describe the methods by which the utility will create profiles from samples, estimate daily supplier loads, and estimate month-end energy difference.

B. Annual Report. Annually on June 1, each transmission and distribution utility shall file a report that describes its benefits and costs of complying with this Chapter and that recommends changes to methods or procedures.

C. Line Loss Study. Each transmission and distribution utility shall file a line loss study before March 1, 1999 and a revised study before March 1, 2001. The Commission shall approve line loss values to be used in calculations made pursuant to this Chapter no later than four months after each filing.

§ 10 WAIVER OR REVISIONS

Upon the request of any person subject to the provisions of this Chapter or upon its own motion, the Commission may waive any of the requirements of this Chapter that are not required by the statute. Where good cause exists, the Commission, the Director of Technical Analysis, or Presiding Officer in a proceeding related to this Chapter may grant the requested waiver, provided that the granting of the waiver would not be inconsistent with the purposes of this Chapter or Title 35-A.

BASIS STATEMENT: The factual and policy basis for this Chapter is set forth in the Commission's Order Adopting Rule and Statement of Policy Basis, No. 98-496, issued on October 13, 1998, and in the Commission's Order Adopting Rule and Statement of Policy Basis, Docket No. 99-721, issued October 19, 1999. Copies of this Statement and Order have been filed with this Chapter at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 242 State Street, 18 State House Station, Augusta, Maine 04333-0018.

AUTHORITY: 35-A M.R.S.A. §§ 111, 1301, 3202(1) and (2), and 3203 (9).

EFFECTIVE DATE: This Chapter was approved as to form and legality by the Attorney General on _____. It was filed with the Secretary of State on October 30, 1998 and will be effective on _____.