

WORKSHOP
PUC PROJECT NO. 31972

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1 discuss, and then we can either decide to go to a
 2 proposal for publication at that point or at the
 3 February B meeting.
 4 COMM. SMITHERMAN: Can we just quickly
 5 go back to this disclosure period on resource specific
 6 offer curve?
 7 CHAIRMAN HUDSON: Indeed.
 8 COMM. SMITHERMAN: The draft rule had a
 9 month. Right? Market participants had expressed some
 10 reservations with that, some suggesting it should be
 11 six months. What are we going to have the rule say
 12 going out?
 13 CHAIRMAN HUDSON: Well, what I gather
 14 from some of the discussions with market participants
 15 is, there's some data that they are willing to release
 16 in 48 hours.
 17 There's some data they would like to see
 18 held for, you know, six months. And there's some
 19 middle ground available there amongst many of them,
 20 and I had some that were very hard on some of the
 21 issues, come back and say, we discussed it as a
 22 company and we backed away from our initial position.
 23 So if we can hold off on that and let
 24 Staff and market participants work a little bit over
 25 the course of the next two-and-a-half weeks, I think

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1 we may get something that's largely agreed to on the
 2 disclosure.
 3 COMM. PARSLEY: And I don't want to back
 4 off a month, otherwise. I would rather leave it where
 5 it is if we can't -- absent that agreement -- I mean,
 6 at least for publication. So...
 7 COMM. SMITHERMAN: Yeah, six months is
 8 unacceptable to me.
 9 CHAIRMAN HUDSON: So absent some
 10 significant movement on specific data with a sliding
 11 scale, depending upon the sensitivity of the data,
 12 we're going to go to publication with 30 days on all
 13 data, it sounds like.
 14 What else?
 15 COMM. PARSLEY: I'm good. Do we have
 16 a -- do the three of us have a stab at the relevant
 17 market?
 18 Do we think it should be installed
 19 capacity in terms of market power or do you-all --
 20 have you-all reached a thought on that to give -- I
 21 think that direction would probably be helpful, too.
 22 I'm hesitant for it just to be a
 23 balancing energy market. And I understand the concern
 24 about bilaterals. And the way I think -- I think
 25 installed capacity is probably the best way to

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1 get -- to capture everything.
 2 CHAIRMAN HUDSON: Well, it's meaningful
 3 for me what we define that safe harbor to be. If it's
 4 a slightly lower number, I'm more comfortable with
 5 installed capacity. If it's slightly higher, then I
 6 start wanting to define relevant markets because of
 7 the way people seem to play in markets.
 8 I'm not on the 3 percent bandwagon, but
 9 I'm at the lower end of that 5 to 7 percent bandwagon
 10 in terms of defining a safe harbor. And if that
 11 number is higher, then I start wanting to --
 12 COMM. PARSLEY: And 5 percent may be the
 13 right place to start.
 14 COMM. SMITHERMAN: Yeah, I've always
 15 thought around 5 percent.
 16 COMM. PARSLEY: Installed capacity?
 17 COMM. SMITHERMAN: Yeah.
 18 CHAIRMAN HUDSON: Eric, David, what else
 19 do you need to help you-all go and actually put hard
 20 Macintosh to paper?
 21 MR. HURLBUT: We'll set the meeting with
 22 as many of the folks in Bob's group as we can get.
 23 CHAIRMAN HUDSON: As many folks that
 24 want to participate. Anything else from us in terms
 25 of guidance to help you go forward for your initial

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1 drafting?
 2 MR. HURLBUT: I think that's it.
 3 CHAIRMAN HUDSON: Okay. Anybody else?
 4 Comments? Questions? All right. I want to thank
 5 everybody for coming this morning.
 6 COMM. PARSLEY: You-all worked very hard
 7 and we appreciate it very much.
 8 (Proceedings concluded at 11:40 a.m.)
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Monday, January 23, 2006