

**TO: MISO:** [stakeholderrelations@misoenergy.org](mailto:stakeholderrelations@misoenergy.org)  
**FROM: OMS**  
**DATE: 8/18/2016**  
**RE: Pre- and Post- Service Restrictions**

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MISO Transmission Owners' Agreement and by-laws provide for 2 year pre- and post- service restrictions as outlined in the following terms:

- A director shall not be and shall not have been at any time within two (2) years prior to or subsequent to election to the Board, a Director, Officer, or employee of a Member or User engaged in the electric utility industry or participating in wholesale electricity markets. At all times while serving on the Board, and for two (2) years thereafter, a Director shall have no material business relationship or other affiliation with any Member or User or an affiliate of a Member or User engaged in the electric utility industry or participating in wholesale electricity markets.
- MISO is considering three (3) options to replace the language:
  - 1) 1 year pre- and post- service restriction;
  - 2) 1 year pre-service restriction and elimination of post-service restriction; or
  - 3) Elimination of pre- and post- service restriction altogether.

**OMS Comments:**

OMS supports option 1 out of the three options provided by MISO. Moving from 2 year pre- and post- service restriction to 1 year pre- and post- service restriction is the most reasonable of the proposed options. OMS would like MISO to consider the following issues as they work through this proposed change.

- 1) Are the changes being suggested on the basis that the current pre- and post- service restrictions would enable finding qualified Board candidates willing to serve?
- 3) With respect to the post-service provision, how has the “no material business relationship or other affiliation” provision been interpreted and what would be an effective enforcement mechanism to ensure compliance on post-service restrictions?
- 3) Does the provision identified in question 2 primarily concern stock ownership or employment?