

**Manual No. 027**

# ***Business Practices Manual***

## **Competitive Transmission Process**

## Disclaimer

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## Revision History

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## 1 Introduction

This introduction to the Midcontinent Independent System Operator, Inc. ("MISO") Business Practices Manual ("BPM") for the Competitive Transmission Process includes basic information about this BPM and the other MISO BPMs. The first section (Section 1.1) of this Introduction provides information about the MISO BPMs. The second section (Section 1.2) is an introduction to this BPM. The third section (Section 1.3) identifies other documents in addition to the BPMs, which can be used by the reader as references when reading this BPM.

### 1.1 Purpose of the MISO Business Practices Manuals

The BPMs developed by MISO provide background information, guidelines, business rules, and processes established by MISO for the operation and administration of the MISO markets, provisions of transmission reliability services, and compliance with the MISO settlements, billing, and accounting requirements. A complete list of MISO BPMs is available for reference through MISO's website<sup>1</sup>. All definitions in this document are as provided in the MISO Tariff, the NERC Glossary of Terms Used in Reliability Standards, or are as defined by this document.

### 1.2 Purpose of this Business Practices Manual

MISO's Competitive Transmission Process BPM provides further background information, business rules, processes, and guidelines to the Tariff's Competitive Transmission Process requirements and obligations. In addition, this BPM-027 describes the roles and responsibilities of MISO, its Transmission Owners<sup>2</sup>, its Members, and any other non-MISO Members and/or other interested parties regarding the MISO Competitive Transmission Process.

Any reference(s) in this BPM-027 to the Tariff, other MISO BPMs, agreement(s), and/or any other instrument(s) is intended to refer to the most current version of that Tariff, BPM, agreement, and/or instrument as it has been modified, amended, supplemented, or restated from time to time. In addition, the captions and headings of this BPM-027 are intended solely to facilitate reference to the information in this BPM-027 and not to have any bearing on the meaning of any of the terms and/or conditions of this BPM-027.

### 1.3 References

Other reference information related to this BPM-027 includes, but is not limited to:

- Transmission Owners Agreement
- MISO Tariff:
  - Attachment O — "Rate Formulae"
  - Attachment FF — "Transmission Expansion Planning Protocol"
  - Attachment GG — "Network Upgrade Charge"
  - Attachment HH — "Dispute Resolution Procedures"
  - Attachment MM — "Multi-Value Project Charge ("MVP Charge")"
  - Schedule 26 — "Network Upgrade Charge"

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<sup>1</sup> <https://www.misoenergy.org/Legal/section/BPMs>

<sup>2</sup> For purposes of this BPM, all references to the term "Transmission Owner(s)" shall include the term "ITC(s)".

- Schedule 26-A — “Multi-Value Project Usage Rate”
  - Module A — “Common Tariff Provisions”
- MISO Business Practices Manuals:
  - BPM-020 “Transmission Planning”
  - BPM-029 “Minimum Project Requirements for Competitive Transmission Projects”
- Consent to Assignment<sup>3</sup>

## 1.4 Terms Defined in this BPM

The following terms have not been defined in the MISO Tariff and have been defined in this Section 1.4 of BPM-027 for use in this BPM-027.

- **Evaluation Principals:** “Evaluation Principals” shall mean the principals specified in Section 8.1 of this BPM-027
- **Proposal Deposit:** “Proposal Deposit” shall mean the deposit specified in Section 6.2 of this BPM-027
- **Records Management Policy:** “Records Management Policy” shall mean the MISO records management policy specified in MISO controlled document COR-PL-003 [PROTECTED DOCUMENT]
- **Record Retention Schedule:** “Records Retention Schedule” shall mean the “Retention Schedule” as that term is defined and specified in the MISO Records Management Policy [PROTECTED DOCUMENT]
- **Request for Proposals (RFP) Issuance Date:** “RFP Issuance Date” shall mean the date an RFP is publicly posted on the MISO website
- **Transmission Owners Agreement (“TOA”):** “Transmission Owners Agreement” or “TOA” shall mean the ISO Agreement as defined in Module A of the MISOTariff

## 2 Competitive Transmission Process

As part of the final Order 1000<sup>4</sup> rulemaking issued by the Federal Energy Regulatory Commission (“FERC”), jurisdictional public-utility transmission providers were required to remove provisions that granted a Federal right of first refusal, also known as a “ROFR”, for transmission facilities approved for the purposes of regional cost-allocation<sup>5</sup> from their Federal tariffs and agreements. To comply with this requirement, MISO along with its Members and stakeholders developed a competitive developer selection process to select the entity or entities that would construct, own, operate, and maintain Competitive Transmission Facilities.

### 2.1 Process Overview

MISO’s Competitive Transmission Process includes a process to certify entities as a Qualified Transmission Developer (“QTD”), known as the Competitive Developer Qualification Process, and a process to select an entity or

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<sup>3</sup> Posted with the documents applicable to each Competitive Transmission Project at [www.misoenergy.org/Planning/Competitive Transmission Administration/](http://www.misoenergy.org/Planning/Competitive%20Transmission%20Administration/) Current and/or Awarded Projects

<sup>4</sup> Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities, Order No. 1000, FERC Stats. & Regs. 31,323 (2011), order on reh’g, Order No. 1000-A, 139 FERC 61,132 (2012), order on reh’g and clarification, Order No. 1000-B, 141 FERC 61,044 (2012).

<sup>5</sup> For purposes of this BPM, any references to “facilities whose costs are regionally allocated” shall only include Eligible Projects, pursuant to FERC Order 1000, the subsequent MISO compliance filings, and the MISOTariff

entities to construct, own, operate, and maintain Competitive Transmission Facilities, known as the Competitive Developer Selection Process. The Competitive Developer Qualification Process is discussed in Section 3 of this BPM-027 and the Competitive Developer Selection Process is discussed in Sections 5 through 9 of this BPM-027.

Utilization of the MISO Competitive Developer Selection Process is dependent on the presence of Competitive Transmission Facilities within Appendix A of the MISO Transmission Expansion Plan ("MTEP"). As a result, the MTEP identifies the expansions and/or enhancements to the MISO Transmission System; the Competitive Developer Selection Process will be used to determine the entity or entities that will construct, own, operate, and maintain the Competitive Transmission Facilities. Entities selected to construct, own, operate, and maintain Competitive Transmission Facilities are subject to the Variance Analysis procedures specified by the MISO Tariff and BPM-020 and are required to provide regular project status reporting in accordance with the MISO Tariff and BPM-020.

## 2.2 Governance

The MISO Competitive Transmission Process is governed by the MISO Tariff and this BPM-027 and is administered by the Competitive Transmission Executive Committee. In addition, stakeholder input will be facilitated through the stakeholder process described below in Section 2.2.2 of this BPM-027. The details and requirements of this BPM-027 are intended to be consistent with the MISO Tariff and should be read as harmonious with the MISO Tariff to the extent possible. In the event of an express conflict between the provisions of this BPM-027 with the MISO Tariff, such conflicts shall be resolved in accordance with the following precedence to the extent of such conflict: (a) the MISO Tariff, including the Selected Developer Agreement ("SDA"); and then (b) the MISO BPMs, including this BPM-027. Any provision of the Tariff that may have been summarized or repeated in this BPM-027 is only intended to aid the reader in the understanding on how the information in this BPM-027 is to be applied.

### 2.2.1 Competitive Transmission Executive Committee

As defined in the MISO Tariff<sup>6</sup>, the Competitive Transmission Executive Committee is an internal committee consisting of three (3) or more MISO executives, including at least one (1) officer, that are charged with overseeing MISO staff and consultants involved in implementing the MISO Competitive Transmission Process. In accordance with the MISO Tariff<sup>7</sup>, the Competitive Transmission Executive Committee will have the exclusive and final decision-making authority over: (a) the certification, recertification, and termination of QTDs; (b) the evaluation and selection of Proposals, resulting in the designation of Selected Developer(s); and (c) Variance Analysis.

### 2.2.2 Stakeholder Process

Stakeholder involvement will be facilitated through the Planning Advisory Committee ("PAC"), including any subcommittees, task forces, workshops, etc. that the PAC may designate from time to time.

## 2.3 Communication & Contact Information

Questions regarding this BPM-027 and/or the MISO Competitive Transmission Process, which includes the Developer Qualification Process and the Competitive Developer Selection Process, should be directed to the MISO [Client Services and Readiness](#) department by submitting an e-mail to [Help@misoenergy.org](mailto:Help@misoenergy.org) or visiting the [MISO Help Center](#).

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<sup>6</sup> As defined by the MISO Tariff in Module A §1.C "Definitions – C".

<sup>7</sup> Sections VIII.B.2.2, VIII.B.3.2, VIII.B.8, VIII.E, and IX.B, in Attachment FF and Module A §1.C.

Additional information regarding the Competitive Transmission Process is publicly available on the [Competitive Transmission Administration](#) website<sup>8</sup>.

Information on how to subscribe to e-mail distribution lists used to communicate information associated with the MISO Competitive Transmission Process is available on the [Stakeholder Entities / Workshops](#) website.

### 3 Competitive Developer Qualification Process

The MISO Tariff in Section VIII.B of Attachment FF describes the Competitive Developer Qualification Process to certify entities as a QTD should the requirements for QTD status be met, as well as the process to terminate an entity's certification as a QTD should the requirements for QTD status no longer be met. Section 3 of this BPM-027 further describes the MISO Competitive Developer Qualification Process, which includes the Quarterly Prequalification Process (Section 3.1, including each of its subsections), to certify entities that are not currently MISO QTDs; the Biennial Recertification Process (Section 3.3, including each of its subsections), to recertify entities currently listed as QTDs; and the ongoing responsibilities QTDs have to maintain their QTD certification (Section 3.2). The requirements and process for QTD certification are specified in the MISO Tariff in Section VIII.B.2 and VIII.B.4 of Attachment FF and Section 3.1 (including subsections) of this BPM-027. The requirements and process for recertification is specified in the MISO Tariff in Section VIII.B.3 and VIII.B.4 of Attachment FF and Section 3.3 of this BPM-027 (including subsections).

#### 3.1 Prequalification Process

The MISO Tariff in Section VIII.B.2 of Attachment FF and this Section 3.1 of BPM-027 (including each of its subsections) specifies the process that will be utilized to certify an entity as a MISO QTD if the requirements for such certification have been met.

##### 3.1.1 Quarterly Prequalification Window

On a quarterly basis, during the months of January, April, July and October, a prequalification window will be opened by MISO to allow entities that are not currently certified as a MISO QTD an opportunity to submit a Transmission Developer Application in an attempt to obtain such certification. The prequalification window is opened by MISO with the posting of an invitation and the Transmission Developer Application template(s) onto the MISO website. The prequalification invitation shall specify the date in which submitted Transmission Developer Applications must be received by, which shall be no earlier than thirty (30) Calendar Days after the date the invitation was publicly posted on the MISO website. Each entity seeking QTD certification must submit a Transmission Developer Application using the template(s) posted with the invitation prior to the specified deadline. The prequalification invitation will also include contact information should Transmission Developer Applicants have any questions or require assistance regarding the preparation and submission of a Transmission Developer Application. The Transmission Developer Application template(s) will specify, at a minimum, the following: (a) the required information and/or data that must be provided with the Transmission Developer Application; (b) the optional information and/or data requested to be provided with the Transmission Developer Application; (c) the order in which the information and/or data must be provided in; (d) the format that the information and/or data should be

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<sup>8</sup> <https://www.misoenergy.org/Planning/Competitive-Transmission-Administration>

submitted in; and (e) a list of required documents that must be signed and/or executed by an authorized representative of the Transmission Developer Applicant.

MISO reserves the right to extend a quarterly prequalification window(s) (i.e. the deadline to submit Transmission Developer Applications) via a message posted on the MISO website should issues or circumstances beyond the reasonable control of the Transmission Developer Applicant(s) prohibit the submission of Transmission Developer Applications by the deadline. Examples of such issues would include, but are not limited to, disasters, terrorist attacks, technical issues with e-mail or the internet outside the Transmission Developer Applicant's own systems, interruption of the United States of America postal service due to unforeseen circumstances, and similar such situations. MISO shall make the sole determination as to whether or not an extension of the Transmission Developer Application deadline is appropriate, and no extensions will be made solely because of a Transmission Developer Applicant's request. If the Transmission Developer Application deadline is changed, it will be applicable to all Transmission Developer Applicants.

### **3.1.2 Transmission Developer Application Fee**

Each Transmission Developer Application must be accompanied by a non-refundable application fee in the amount of \$20,000 (U.S.), which shall be received by MISO prior to 5:00 PM ET on the deadline specified in the posted invitation. The invitation will specify the format for submitting the non-refundable Transmission Developer Application fee including the contact information to request MISO's banking/money transferring instructions.

### **3.1.3 Preparation & Submission of Transmission Developer Application.**

Each Transmission Developer Application must be submitted in accordance with the instructions and/or requirements provided in the posted prequalification invitation, the Transmission Developer Application template(s), this BPM-027, and the MISO Tariff, including but not limited to the deadline specified in Section 3.1.1 of this BPM-027. MISO will confirm the receipt of each Transmission Developer Application by notifying the primary and secondary contact persons designated in the Transmission Developer Application. A complete Application includes a completed Application template and a \$20,000 Application fee. MISO is not liable for any expenses incurred in the preparation and submission of Transmission Developer Applications.

### **3.1.4 Transmission Developer Application**

Transmission Developer Applications must be submitted utilizing the template(s) posted on the MISO Competitive Transmission Administration website with the invitation and shall include the information specified in Section 3.7 of this BPM-027 to the extent applicable. In providing this information, a Transmission Developer Applicant may satisfy one or more of these requirements by referencing or utilizing the resources, qualifications, capabilities, or competencies of an Affiliate instead of, or in addition to, those of the Transmission Developer Applicant, provided that the Transmission Developer Applicant has (a) clearly identified in the Transmission Developer Application which prequalification requirements the Transmission Developer Applicant will rely on its Affiliate in the Transmission Developer Application; (b) clearly identifies the resources, capabilities, and competencies of the Affiliate that the Transmission Developer Applicant intends to rely on to satisfy each prequalification requirement; and (c) included an executed Statement of Support for each such Affiliate that acknowledges that the Transmission Developer Applicant is relying on the Affiliate in the Transmission Developer Application. A Transmission Developer Applicant may elect to satisfy one or more of the requirements of Sections 3.7.l and 3.7.m of this BPM-027 by submitting documentation pertaining to an Affiliate provided that the Transmission Developer Applicant also submits such documentation pertaining to itself, including an executed Statement of Support in the Transmission

Developer Application for each such Affiliate, and has clearly identified which information and documentation pertains to the Affiliate and which information and documentation pertains to itself.

### **3.1.5 Transmission Developer Application Cure Period**

For each Transmission Developer Application submitted prior to the deadline specified in the Transmission Developer Application invitation, MISO will review the contents of the submission for completeness and conformance with the Transmission Developer Application template to ensure all required information and/or data has been submitted in the correct order and format. To the extent that a Transmission Developer Application is found to be deficient of any required information and/or data, MISO will notify the applicable Transmission Developer Applicant, by e-mail communication to the primary and secondary contact persons identified in the Transmission Developer Application, that their submission is deficient. This notification will take place within thirty (30) Calendar Days of MISO's receipt of a Transmission Developer Application and shall include a list of all missing information and/or data that are required to process the Transmission Developer Application. The Transmission Developer Applicant will be required to submit all missing information and/or data in the proper format within thirty (30) Calendar Days of the date that the deficiency notification was sent by MISO. If MISO needs to notify the Transmission Developer Applicant and the e-mail address for both the primary and secondary contacts are not specified in the Transmission Developer Application, MISO may elect to use alternative means to contact the Transmission Developer Applicant if and to the extent such alternative means are readily available, otherwise MISO will have no further obligation to notify such Transmission Developer Applicants that their Transmission Developer Application has been rejected. The absence of valid contact information for both the primary and secondary contact persons in the Transmission Developer Application will be considered sufficient grounds for MISO to reject the Transmission Developer Application. Upon reaching the Transmission Developer Application cure period deadline, MISO will reject any Transmission Developer Application with outstanding deficiencies. MISO will notify such Transmission Developer Applicants, through electronic communication to the primary and secondary contact persons identified in the Transmission Developer Application, that their Transmission Developer Application has been rejected, including the reason for such rejection.

### **3.1.6 Certification of Qualified Transmission Developers**

Upon receipt of all cured Transmission Developer Applications by the deadlines specified in Section 3.1.5 of this BPM-027, and after rejection notices have been sent for all deficiencies not appropriately cured, MISO staff and/or their consultants will review in detail the information contained in each Transmission Developer Application. Based on a thorough review of each application, MISO staff and/or their consultants will then provide the Competitive Transmission Executive Committee with their recommendations for qualification. The Competitive Transmission Executive Committee will make the final decision on whether or not to certify Transmission Developer Applicants as QTDs based on an overall assessment of all information submitted by the Transmission Developer Applicant and information and recommendations provided by MISO staff and/or their consultants as to whether or not the Transmission Developer Applicant represents acceptable levels of financial, project implementation, regulatory, and operational risk based on their track record, level of experience, credentials, business plans, and/or existing resources. If MISO does not accept a Transmission Developer Application due to a late submittal (including the submission of the Transmission Developer Application fee), the Transmission Developer Applicant will be notified by MISO through electronic communication to the primary and secondary contact persons identified in the Transmission Developer Application that their submission has not been accepted for further consideration.

### **3.1.7 Notification of Qualified Transmission Developer Certification**

MISO will inform all new Transmission Developer Applicants who have submitted Transmission Developer Applications acceptable to MISO of the final decision by the Competitive Transmission Executive Committee no later than one hundred and eighty (180) Calendar Days after receipt of the Transmission Developer Application (or initially submitted Transmission Developer Application for those Transmission Developer Applicants where a deficiency was found and subsequently cured). Notification will be made electronically to the primary and secondary contact persons identified in the accepted Transmission Developer Application. For those Transmission Developer Applicants who are not certified by MISO as QTDs, a written explanation will be submitted to the Transmission Developer Applicant within thirty (30) Calendar Days of notification that the applicant was denied certification, specifying the reason(s) for the decision. For those Transmission Developer Applicants that are certified as QTDs, MISO will update the Qualified Transmission Developer List posted on the Competitive Transmission Administration Prequalification Process website within thirty (30) Calendar Days of notification adding the name of the Qualified Transmission Developer to the list.

### **3.1.8 Provision of Competitive Transmission Administration File Share Access**

Upon being certified by MISO as a QTD and completion of any confidential and/or CEII NDAs, MISO will provide the QTD's primary and secondary contact persons identified in the accepted Transmission Developer Application with access to the Competitive Transmission Administration file share site where non-public RFPs will be posted, and Proposals may be submitted.

## **3.2 Ongoing Responsibilities of Qualified Transmission Developer**

Each Transmission Developer Applicant and QTD have an ongoing duty to provide an update to MISO as soon as reasonably practical should any of the changes specified in Section VIII.B.3.1 of Attachment FF to the Tariff occur. This duty shall survive approval of a Transmission Developer Applicant's application and remain in force so long as the Transmission Developer Applicant remains a QTD. The Competitive Transmission Executive Committee shall have exclusive and final authority to make qualification determinations based on this information. In addition, each QTD is required to either submit or provide an internet link to their current year updated audited financial statements annually, within thirty (30) Calendar Days of such statements being prepared. Updated audited financial statements should be submitted through electronic communications to [CTAQualification@misoenergy.org](mailto:CTAQualification@misoenergy.org) or uploaded to the QTDs private ShareFile folder.

If a QTD fails to supply their current year audited financial statements or, if applicable, their supporting Affiliate's current year audited financial statements in a given year, MISO may terminate the QTDs qualification status.

Should the primary or secondary contact persons or their contact information change, the applicable QTD shall send a notification of such change(s), including the updated contact information, to MISO by sending an e-mail communication to [CTAQualification@misoenergy.org](mailto:CTAQualification@misoenergy.org) as soon as practicable. Notifications sent to the most recent contact information on file with MISO shall be deemed received by the QTD.

## **3.3 Biennial Recertification Process**

Each current QTD that intends to remain qualified must recertify its Qualified Transmission Developer status every second calendar year after the year in which such QTD was last certified or recertified as a QTD. Such recertification must be sought during the recertification window by July 15<sup>th</sup> of the calendar year immediately preceding the year in which a QTD's current certification is due to expire. MISO does not charge a fee for evaluating recertification submissions.

MISO will commence the Biennial Recertification Process by sending a recertification notification before July 15<sup>th</sup> to each QTD whose current certification expires in the next calendar year. This recertification notification will be communicated to the primary and secondary contact persons on file for each respective QTD. The recertification notification will contain instructions on how to complete a recertification statement, which will include a list of specific changes the QTD will need to identify as having occurred or not occurred, along with instructions explaining how QTDs should prepare their recertification information as well as a deadline for submitting the information to MISO. This deadline shall be no later than thirty (30) Calendar Days after the date the recertification notification was sent by MISO. MISO will notify the Qualified Transmission Developer of any deficiencies that MISO has identified electronically within five (5) Business Days after the deadline specified in the renewal notification or request for further information. The Qualified Transmission Developer will have five (5) Business Days from the date of such notification to cure the identified deficiencies. Failure to cure a deficiency will be deemed as a voluntary termination of Qualified Transmission Developer certification.

The recertification notification will also include MISO contact information should the QTD have any questions or require assistance regarding preparation and submission of the recertification information to MISO. MISO will evaluate any changes identified in the recertification statement in accordance with Section 3.3.1 of this BPM-027.

### **3.3.1 Recertification Standards and Submission Requirements**

On a Biennial basis, each QTD is to submit a recertification statement signed by an authorized representative of the QTD affirming whether or not specific changes occurred within the past two (2) years within the timeframe described in Section 3.3 of this BPM-027. The specific changes shall be specified in the recertification notification for the applicable year<sup>9</sup> and may include, but are not limited to, change in MISO membership, dissolution, change in the QTD's legal name or legal status, bankruptcy, mergers, or acquisitions. MISO will confirm the receipt of each submitted recertification statement by notifying the primary and secondary contact persons on file for each respective QTD.

If a submitted recertification statement indicates that a QTD has experienced any of these specific changes, MISO will respond to the QTD with questions regarding the specific changes along with additional instructions for preparing and submitting additional information associated with those specific changes, including a deadline for such additional information to be received by MISO as specified in Attachment FF, Section VIII.B.3.1 of the MISO Tariff. MISO reserves the right to include targeted questions regarding specific changes that MISO believes may be necessary to evaluate a QTD's continued qualifications. Such targeted questions shall be sufficiently specific as to enable to the QTD to understand what is being asked and what documents and information MISO expects in the QTD is to respond with. MISO expects that the questions will be sufficient to evaluate the continuing ability of a QTD to meet certification requirements.

MISO will evaluate the QTD's responses to the specific changes identified in the recertification statement checklist and any supporting information based on the same standards as those applied to the initial Transmission Developer Application. The standards are set forth in Section VIII.B.4 through VIII.B.4.4 of Attachment FF to the Tariff and, as applied to recertification, test whether QTDs seeking recertification continue to possess the required capabilities and competencies and present an acceptable level of risk to be relied on to develop transmission.

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<sup>9</sup> The recertification statement checklist of specific changes the QTD will need to acknowledge can be found in Attachment FF §VIII.B.3.1.

This deadline shall be no later than thirty (30) Calendar Days after the date that such additional instructions were sent to the QTD by MISO.

### **3.3.2 Review of Recertification Submissions and Updated Financials**

A properly completed recertification statement stating that the QTD and, if applicable, its supporting parent or affiliate, has not experienced any of the specific changes listed in the recertification statement checklist shall be deemed a completed recertification statement and, subject to review of the QTDs annual financial updates, shall provide sufficient information upon which the Competitive Transmission Executive Committee may base its decision to recertify or not recertify a QTD.

In the event that a QTD's recertification statement indicates that one of the identified specific changes has occurred, such disclosure shall not by itself create any inference that the QTD does not meet the recertification requirements. The Competitive Transmission Executive Committee shall base its decision to recertify or terminate based on all relevant information submitted by a QTD, including the information submitted in response to MISO's further instructions and the QTDs annual financial updates. MISO shall notify the QTD whether or not it has been recertified for an additional two years within one hundred and eighty (180) Calendar Days after sending out the initial recertification notification.

### **3.4 Termination of QTD Certification**

A QTD may terminate its QTD certification at any time by notifying MISO of such request at [CTAQualification@misoenergy.org](mailto:CTAQualification@misoenergy.org). Upon such notification, MISO will terminate the respective entity's QTD certification and reflect such change to the QTD list publicly posted on the MISO website<sup>10</sup> within thirty (30) Calendar Days of receipt of the notification. QTD certification may also be terminated when an entity that is currently certified as a QTD fails to meet any of the QTD certification requirements in accordance with the MISO Tariff and this BPM-027. Termination of QTD certification of an entity that is currently certified as such will be determined by the MISO Competitive Transmission Executive Committee. A terminated QTD may become a QTD again by submitting a Transmission Developer Application during a quarterly Prequalification Process. A QTD that fails to timely submit a properly completed recertification statement or additional information required by MISO's further instructions shall be deemed to have voluntarily terminated its certification as a QTD. Such entities may seek qualification by submitting a new Transmission Developer Application and fee in any subsequent prequalification cycle. If the decision is to not recertify a QTD, a notification explaining the reason the QTD was not recertified will be supplied to the QTD.

### **3.5 Developer Qualification Alternative Dispute Resolution**

Any Transmission Developer Applicant who is not approved as a QTD by the Transmission Provider may request alternative dispute resolution under Attachment HH of the MISO Tariff within thirty (30) Calendar Days of receiving the Transmission Provider's written explanation detailing its determination to deny the Transmission Developer Application.

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<sup>10</sup> The list of entities certified as a MISO QTD is publicly posted on MISO's Competitive Transmission Administration / [Prequalification Process website](#) and by URL on the [Recertification Process website](#). MISO reserves the right to move the location of the QTD list without updating this BPM-027

### 3.6 Confidential Treatment of Competitive Developer Qualification Information

All information submitted in the MISO Competitive Developer Qualification Process will be considered Confidential Information and will not be publicly posted, except for entity names which are required to be listed on the publicly posted list of QTDs in accordance with Sections 3.1.7 and 3.4 of this BPM-027, or shared with any individual except for MISO employees and/or MISO contractors that have executed appropriate non-disclosure agreement(s).

### 3.7 QTD Certification Requirements

Transmission Developer Applications must be submitted in accordance with the MISO Tariff, this BPM-027, the posted invitation, and the respective Transmission Developer Application template(s) and shall include, but is not limited to, the following:

- a) Legal name of the Transmission Developer Applicant;
- b) Legal structure of the Transmission Developer Applicant (e.g. Corporation, Limited Liability Company, Partnership, Sole Proprietor, etc.);
- c) Location and date the Transmission Developer Applicant was legally organized;
- d) Mailing address of the Transmission Developer Applicant;
- e) Website address of the Transmission Developer Applicant (if available);
- f) MISO membership status and type;
- g) Primary contact person information, including name, title, telephone number, e-mail address, and mailing address;
- h) Secondary contact person information, including name, title, telephone number, e-mail address, and mailing address;
- i) Submission of the Transmission Developer Application Fee;
- j) Submission of a MISO Universal Non-Disclosure Agreement ("UNDA"), including Appendix A that lists and has been appropriately signed by the Transmission Developer Applicant's primary and secondary contact persons;
- k) Submission of a MISO Critical Energy Infrastructure Information ("CEII") Non-Disclosure Agreement ("NDA");
- l) Project Implementation capabilities and competencies either through describing the transmission facilities it owns, the infrastructure, and resources it has in place to perform project implementation activities, as specified in Section 3.7.1 of this BPM-027, and/or providing a Business Implementation Plan describing how it would acquire the capabilities and competencies to perform the project implementation activities, as specified in Section 3.7.2 of this BPM-027;
- m) Operations & Maintenance capabilities and competencies either through describing the transmission facilities it owns and/or operates and maintains, the infrastructure, and resources it has in place to perform operations and maintenance activities, as specified in Section 3.7.1 of BPM-027, and/or providing a Business Implementation Plan describing how it would acquire the capabilities and competencies to perform the operations and maintenance activities, as specified in Section 3.7.2 of this BPM-027;
- n) Evidence that the Transmission Developer Applicant legally exists, where such evidence could be a corporate charter issued by a state or local jurisdiction, filed articles of incorporation, an executed partnership agreement, or similar type of document;
- o) A summary of the Transmission Developer Applicant's legal and/or regulatory violations, if any, found by Federal or state courts, Federal regulatory agencies, state public utility commissions, other regulatory

agencies, and/or attorneys general during the past five (5) years. If the Transmission Developer Applicant has not been in business for previous five (5) years, the Transmission Developer Applicant shall provide a summary of legal and/or regulatory violations, if any, for the number of years for which the Transmission Developer Applicant has been in business. Regulatory violations include, but are not limited to, violations of rules, standards, and requirements promulgated by the FERC, the North American Electric Reliability Corporation Reliability ("NERC"), the U.S. Securities Exchange Commission ("SEC"), the U.S. Commodity Futures Trading Commission ("CFTC"), and any other applicable requirements;

- p) A summary of any and all instances in which the Transmission Developer Applicant is currently under investigation or is a defendant in a proceeding involving an attorney general or any state or Federal regulatory agency, for violation of any laws, including regulatory requirements, during the past five (5) years. If the Transmission Developer Applicant has not been in business for the previous five (5) years, the Transmission Developer Applicant shall provide a summary for the number of years for which the Transmission Developer Applicant has been in business;
- q) An affidavit signed by an authorized officer of the Transmission Developer Applicant's company stating that the submitted legal information is accurate and that the Transmission Developer Applicant will comply with all applicable requirements in the MISO Tariff, the Business Practices Manuals, and any other applicable Transmission Provider documents or agreements;
- r) A proposed capital procurement plan outlining how the Transmission Developer Applicant will procure funding to develop Competitive Transmission Projects including evidence that the Transmission Developer Applicant is capable of procuring at least \$5,000,000.00 (U.S.) in capital which corresponds to the minimum cost of any Competitive Transmission Project that could be competitively bid. Such evidence could include demonstration of \$5,000,000.00 of cash and equivalents in recent audited financial statements, evidence of sufficient commercial paper or revolving line of credit facilities or other equivalent information. If information pertaining to an Affiliate is provided, a signed Statement of Support from the Affiliate is required to be submitted in the Transmission Developer Application. Additionally, the Transmission Developer Applicant or its Affiliate should demonstrate recent experience, if any, procuring capital for the construction of transmission facilities or interconnecting generation or load to a transmission system. Such information should include the amount and sources of needed capital and the financial structure of each relevant project;
- s) Credit rating(s) for the Transmission Developer Applicant from Moody's Investor Services, Inc., Standard and Poor's Rating Group, and/or any other Nationally Recognized Statistical Rating Organization ("NRSRO") as recognized by the United States of America's Securities and Exchange Commission ("SEC"). Such credit rating information may pertain to an Affiliate in lieu of the Transmission Developer Applicant if the Affiliate has signed and provided an executed Statement of Support with the Transmission Developer Application. In the event the Transmission Developer Applicant or the Affiliate(s) do not have an investment grade credit rating, MISO will consider additional information to evaluate its financial capability to construct the transmission facility in a timely manner, and to maintain and operate it reliably for the long term;
- t) Audited financial statements, including notes to those financials, for the Transmission Developer Applicant and/or an Affiliate who has signed and provided an executed Statement of Support, for the last two (2) fiscal years. This information may be submitted by providing an internet link to the applicable reports or the SEC 10K or 10Q reports. In the event the Transmission Developer Applicant does not have two (2) years of audited financial statements and has not submitted audited financial statements from an Affiliate providing an executed Statement of Support, the Transmission Developer Applicant must submit an

audited balance sheet dated within the last ninety (90) Calendar Days. In addition, it must also submit *pro forma* financials for the next fiscal year which includes an income statement, balance sheet, and statement of cash flows;

- u) A summary of the Transmission Developer Applicant's history, and/or an Affiliate's history who has signed and provided an executed Statement of Support, of any bankruptcies and dissolutions during the previous five (5) calendar years;
- v) A summary of the Transmission Developer Applicant's history, and/or an Affiliate's history who has signed and provided an executed Statement of Support, of any mergers and acquisitions during the previous five (5) calendar years;
- w) A signed commitment from an authorized representative of the Transmission Developer Applicant, and/or an Affiliate who has signed and provided an executed Statement of Support, attesting that the submitted financial information in the Transmission Developer Application is accurate;
- x) A signed commitment from an authorized representative of the Transmission Developer Applicant, and/or an Affiliate who has signed and provided an executed Statement of Support, attesting that it is not aware of any material events or circumstances that would likely result in any material adverse weakness in its financial strength;
- y) Commitment to execute the TOA, if the Transmission Developer Applicant is not already a signatory to the TOA;
- z) Commitment to comply with Applicable Laws and Regulations, Codes, & Standards; aa)
- aa) Commitment to register with the North American Electric Reliability Corporation ("NERC"), if the Transmission Developer Applicant is not already registered with the NERC as a 'Transmission Owner', 'Transmission Planner', and 'Transmission Operator' as defined by the NERC functional model;
- bb) Commitment to operate Competitive Transmission Facilities within a Local Balancing Authority ("LBA");
- cc) Commitment to comply with the FERC Form 715 Part 4 Transmission Planning Reliability Criteria;
- dd) Commitment to comply with the Interconnection Requirements and Standards;
- ee) A signed commitment from an authorized representative of the Transmission Developer Applicant, and/or an Affiliate who has provided a Statement of Support, attesting that the submitted technical information is accurate; and
- ff) An executed Statement of Support from each Affiliate identified in the Transmission Developer Application as providing resources and/or capabilities to the Transmission Developer Applicant

### 3.7.1 Capabilities & Competencies Currently In-Place

All Transmission Developer Applicants must provide a description of current operations to be included in the Transmission Developer Application. The description of current operations should summarize the following information<sup>11</sup>:

1. Electric Transmission Line Assets Owned (Required Information):
  - a. Total Transmission Line Miles Owned (individually)
  - b. Total Transmission Line Miles Owned (jointly)

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<sup>11</sup> In addition to the Transmission Developer Applicant's information, this description may include information from an Affiliate of the Transmission Developer Applicant if such Transmission Developer Application included an Acknowledgement of Support from each Affiliate referenced in the Transmission Developer Application

- c. Total Transmission Line Miles Owned in United States (individually)
  - d. Total Transmission Line Miles Owned in United States (jointly)
  - e. Total Transmission Line Miles Owned by kV
2. Electric Transmission Line Assets Owned (Optional Information):
  - a. Total Transmission Line Miles Owned by Jurisdiction (State for facilities within the United States)
  - b. Total Estimated Gross Transmission Line Plant in Service(U.S. \$)
3. Electric Transmission Substation Assets Owned (Required Information):
  - a. Total # of Transmission Substations Owned (individually)
  - b. Total # of Transmission Substations Owned (jointly)
  - c. Total # of Transmission Substations Owned in United States (individually)
  - d. Total # of Transmission Substations Owned in United States (jointly)
  - e. Total # of Transmission Substations Owned by kV<sup>12</sup>
4. Electric Transmission Substation Assets Owned (Optional Information):
  - a. Total Power Transformer Capability Owned (MVA)
  - b. Total Estimated Gross Transmission Substation Plant in Service (U.S. \$)
5. Electric Transmission Line Assets Operated and Maintained (Required Information):
  - a. Total Transmission Line Miles Operated and Maintained
  - b. Total Transmission Line Miles Operated and Maintained in the United States
  - c. Total Transmission Line Miles Operated as the TOP in the United States
  - d. Total Transmission Line Miles Operated and Maintained by kV
6. Electric Transmission Line Assets Operated & Maintained (Optional Information):
  - a. # of Transmission Line Miles Operated & Maintained by Jurisdiction
  - b. # of Transmission Line Circuits Operated & Maintained by kV
  - c. # of Transmission Line Circuits Operated & Maintained by Jurisdiction (State for facilities within the United States)
  - d. # of Transmission Line Circuits Operated as the TOP
  - e. # of Transmission Line Circuits Operated as the TOP by kV
  - f. # of Transmission Line Circuits Operated as the TOP by Jurisdiction
7. Electric Substation Assets Operated & Maintained: (Required Information):
  - a. Total # of Transmission Substations Operated & Maintained
  - b. Total # of Transmission Substations Operated & Maintained in the United States
  - c. Total # of Transmission Substations Operated & Maintained as the TOP in the United States
  - d. Total # of Transmission Substations Operated & Maintained by kV<sup>13</sup>
8. Electric Substation Assets Operated & Maintained (Optional Information):
  - a. Total Power Transformer Capability (MVA) Operated
  - b. Total Power Transformer Capability (MVA) Operated as the TOP
9. Description of Current Transmission Support Resources (Required Information):
  - a. Total # of existing personnel engaged in transmission project implementation and/or transmission facility operations & maintenance. In-house staff includes full-time staff, part-time staff, and permanent contractors.

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<sup>12</sup> kV level of substations represents the high-side terminal design voltage

<sup>13</sup> kV level of substations represents the high-side terminal design voltage

- b. Total man-years of experience in project implementation.
  - c. Total man-years of experience in operations and maintenance.
  - d. Total gross plant investment in general plant used to support project plant investment in general plant used to support project implementation and operations & maintenance (land, buildings, office machines, telecommunications equipment, computers, software, vehicles, tools, construction machinery, test equipment, technical instruments, and safety equipment).
  - e. Transmission Developer Applicant attests they can and will provide Current Business Standards and Practices Documents upon request (engineering standards manuals, construction standards manuals, preventative maintenance program documents, equipment maintenance and testing manuals, switching manuals, safety manuals, training manuals, troubleshooting manuals, contingency planning manuals, restoration of service manuals, stores and spare parts manuals, etc.).
10. Description of Current Transmission Support Resources (Optional Information):
- a. Number of In-House Staff by Experience Type (project management, finance, legal, routing and siting, land acquisition, regulatory permitting, land surveying, transmission line engineering, transmission substation engineering, structural engineering, system protection engineering, materials and contractor procurement, budget analysis, line construction and maintenance, substation construction and maintenance, switching, control room operations, protective relay testing and commissioning, equipment testing and commissioning, field supervision, quality assurance, safety, and risk management). In-house staff includes full-time staff, part-time staff, and permanent contractors.
  - b. Years of In-House Experience by Experience Type (project management, finance, legal, routing and siting, land acquisition, regulatory permitting, land surveying, transmission line engineering, transmission substation engineering, structural engineering, system protection engineering, materials and contractor procurement, budget analysis, line construction and maintenance, substation construction and maintenance, switching, control room operations, protective relay testing and commissioning, equipment testing and commissioning, field supervision, quality assurance, safety, and risk management). In-house staff includes full-time staff, part-time staff, and permanent contractors.

### 3.7.2 Business Implementation Plan

For those Transmission Developer Applicants who do not already develop, own, and/or operate electric transmission assets, a business implementation plan should be developed and included in the Transmission Developer Application. A business implementation plan may also be submitted by Transmission Developer Applicants who currently develop, own, and/or operate electric transmission assets if the applicant believes it would provide additional relevant information not included in the Description of Current Operations. The business implementation plan should summarize the following information:

- 1. Project Implementation Capabilities Business Implementation Plan
  - a. A detailed plan to acquire required capabilities to implement transmission line projects and transmission substation projects including plans and strategies to perform the following project implementation functions:
    - i. Capital procurement for project funding;
    - ii. Project management;

- iii. Transmission line routing studies and/or substation siting studies;
  - iv. Regulatory permitting including filing preparation, legal support, and testimony;
  - v. Right-of-way and other real estate acquisition;
  - vi. Engineering, design, and land surveying;
  - vii. Preliminary engineering and surveying for regulatory filing and routing study support;
  - viii. Detailed engineering and surveying for final design package;
  - ix. Material bidding and procurement;
  - x. Construction; and
  - xi. Final commissioning and testing.
2. Operations and Maintenance Capabilities Business Implementation Plan
- a. A detailed plan to acquire required capabilities to implement transmission line projects and transmission substation projects including plans and strategies to perform the following operations and maintenance functions:
    - i. Forced outage response including source and location of resources (labor, contractors, equipment, base of operations), line patrol policies and procedures, equipment testing and diagnostic policies and procedures, troubleshooting policies and procedures, policies and procedures to interpret fault recording and sequence of events recording data including coordination with other entities, fault removal procedures including emergency clearance and coordination with other entities, emergency repair procedures, and anticipated response times;
    - ii. Switching including preparation, approval, and issuance of switching orders and clearance, field switching procedures, tagging procedures, location of resources (labor, contractors, and base of operations), and description of procedures to handle emergency switching, planned switching, and switching coordination with other entities;
    - iii. Spare parts including planned policies and procedures, source and location of spare major equipment and spare parts, and proposed sharing agreements with other entities;
    - iv. Emergency repair capabilities including planned policies and procedures, source and location of resources (labor, equipment, base of operations), anticipated contractor agreements, and anticipated response times;
    - v. Catastrophic capital replacement capabilities including planned policies and procedures, source of funding, source and location of resources (labor, contractors' equipment, base of operations), anticipated contractor agreements, and anticipated response times;
    - vi. Preventative and predictive maintenance capabilities including planned policies and procedures, source and location of resources (labor, equipment, base of operations), anticipated contractor agreements, and anticipated response times; and
    - vii. Preventative and predictive maintenance program description for transmission lines, substations, and major equipment including type of program (time-based, condition-based, duty-based, etc.), maintenance intervals (inspection, patrol, testing, routine maintenance), equipment testing program details (types of testing performed, test equipment utilized, testing results analysis, corrective action thresholds, etc.), inspection and patrol checklists, and other pertinent information.
3. Safety Assurance and Risk Business Implementation Plan

- a. Submit a detailed description of the planned safety assurance and risk management plan including descriptions of planned safety rules, safety policies, safety prevention programs, and safety training. In addition, the plan should address general policies, strategies, and procedures to be employed for risk management to address and mitigate potential risks including, but not limited to, potential litigation from liability claims, catastrophic premature failure or destruction of assets, and legal or regulatory compliance violations

## 4 Eligible Facilities for Competitive Transmission Process

In accordance with the MISO Tariff<sup>14</sup>, MISO will comply with any Applicable Laws and Regulations granting a right of first refusal to a Transmission Owner. A MISO Transmission Owner will be assigned any transmission facility within the scope, and in accordance with the terms, of any Applicable Laws and Regulations granting such a right of first refusal. These Applicable Laws and Regulations include, but are not limited to, those granting a right of first refusal to the incumbent Transmission Owner(s) or governing the use of existing developed and undeveloped right of way held by an incumbent utility. A Transmission Owner shall also have the right to construct, own, and operate any upgrade to a transmission facility owned by that Transmission Owner, in accordance with the MISO Tariff<sup>15</sup> and the Transmission Owners Agreement. Pursuant to the MISO Tariff<sup>16</sup>, only those transmission facilities that: (i) are located in jurisdictions that do not have any Applicable Laws and Regulations granting a ROFR to an incumbent Transmission Owner for such facilities<sup>17</sup>; (ii) are not upgrades to existing transmission facilities<sup>18</sup>, and (iii) are not facilities comprising an Immediate Need Reliability Project<sup>19</sup> are eligible for the MISO Competitive Developer Selection Process.

Upon approval of an Eligible Project(s) (as defined in the MISO Tariff) by the MISO Board of Directors, MISO will review such Eligible Project(s) to determine which transmission facilities, if any, are competitive based upon the application of the provisions in the MISO Tariff in Section VIII.A of Attachment FF and the Transmission Owners Agreement. The transmission facilities found to be competitive for a given Eligible Project will be grouped together and identified in a single Competitive Transmission Project, unless MISO determines that the Competitive Transmission Facilities need to be separated into multiple Competitive Transmission Projects. If a Storage As Transmission-Only Asset (SATO) qualifies as a Competitive Transmission Project, MISO will classify the SATOA as a Competitive Substation Facility. If MISO determines that the Competitive Transmission Facilities will be segmented into multiple Competitive Transmission Projects, MISO will publicly post an explanation of its determination on the MISO website.

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<sup>14</sup> As defined by the MISO Tariff in Module A §1-C ("Competitive Line Facility and Competitive Substation Facility"), Attachment FF §VIII.A.1 "State or Local Rights of First Refusal", Attachment FF §VIII.A.2 "Upgrades to Existing Transmission Facilities", and Attachment FF §VIII.A.3 "Immediate Need Reliability Projects".

<sup>15</sup> Pursuant to the MISO Tariff in Attachment FF §VIII.A.2 "Upgrades to Existing Transmission Facilities"

<sup>16</sup> Module A §1.C "Definitions – C ("Competitive Line Facility and Competitive Substation Facility"), Attachment FF §VIII.A.1 "State or Local Rights of First Refusal", and Attachment FF §VIII.A.2 "Upgrades to Existing Transmission Facilities"

<sup>17</sup> Pursuant to the MISO Tariff in Attachment FF §VIII.A.1 "State or Local Rights of First Refusal"

<sup>18</sup> Pursuant to the MISO Tariff in Attachment FF §VIII.A.2 "Upgrades to Existing Transmission Facilities"

<sup>19</sup> Pursuant to the MISO Tariff in Attachment FF §VIII.A.3 "Immediate Need Reliability Projects"

Within thirty (30) Calendar Days after the Board approves the MTEP, the Transmission Provider shall post a report on the Transmission Provider's website that separately identifies each Immediate Need Reliability Project approved in such MTEP. For each Immediate Need Reliability Project so identified, the Transmission Provider will provide the need-by date, a brief explanation of the project need, and the date the project was placed in service (if project is in service at time of report).

Stakeholders will have thirty (30) Calendar Days from the posting date of the report to submit comments. Transmission Provider shall post comments received from for stakeholders and responses within sixty (60) Calendar Days of posting the report.

In addition, at least annually, the Transmission Provider shall post on its website an updated list of all projects identified as Immediate Need Reliability Projects in prior MTEPs together with the need by date identified for such project and the date that the Transmission Owner actually placed such facilities in service.

## 5 Request for Proposals

MISO will develop and issue a Request for Proposals ("RFP") for each Competitive Transmission Project, pursuant to Attachment FF, Section VIII.C of the MISO Tariff and Section 5 of this BPM- 027, according to the timeframes established therein. If MISO elects to stagger the release of RFPs, MISO will review each Competitive Transmission Project and consider each of the following in developing the RFP issuance schedule: the complexity, the Proposal Window, level of internal and external resource commitment needed to develop an RFP and evaluate Proposals for each Project, and the timing impacts of the Competitive Developer Selection Process with respect to the in-service dates of the Competitive Transmission Projects for which RFPs will be staggered. Based on these factors, MISO's schedule shall endeavor to post RFPs as expeditiously as possible. MISO's schedule for RFP issuance will indicate the Proposal Window applicable for each Competitive Transmission Project.

Each RFP shall specify, at a minimum, the following:

1. The RFP Issuance Date;
2. A list identifying each Competitive Transmission Facility (i.e. each Competitive Transmission Line Facility and/or each Competitive Substation Facility) included in the Competitive Transmission Project;
3. The information specified in Section 5.5 of this BPM-027 for each Competitive Transmission Line Facility identified in the RFP;
4. The information specified in Section 5.6 of this BPM-027 for each Competitive Substation Facility identified in the RFP;
5. A list of currently effective transmission facility interconnection requirements and or standards that must be adhered to in the design of Competitive Transmission Facilities, as further specified in Section 5.2 of this BPM-027;
6. If an RFP contains non-public information as described in Section 5.1 of this BPM- 027, the publicly posted RFP shall state that it has been redacted and include the information and/or instructions to request the non-public version of the RFP;
7. The date of the RFP Informational Meeting date<sup>20</sup>;

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<sup>20</sup> As further specified in Section 5.3 of this BPM-027

8. The Proposal Window
9. The Proposal length/page limit
10. The Proposal Submission Deadline<sup>21</sup>;
11. Information and/or instructions for submitting Proposals including, at a minimum, the location to submit Proposals and the format and or Proposal template(s) to be used as further specified in Section 6.3 and Section 7 of this BPM-027;
12. A list of any specific capabilities, aspects, or elements of the Project, or other specific information that MISO believes at the time of posting to be key for purposes of evaluating the Proposals and identifying a Selected Proposal and Selected Developer;
13. Any other information that MISO deems necessary and/or appropriate for specific Competitive Transmission Line Facilities and/or Competitive Substation Facilities.

## 5.1 Confidential Treatment of RFP Information

If and to the extent an RFP contains any non-public information, such as but not limited to Critical Energy Infrastructure Information ("CEII"), MISO will redact such non-public information in the publicly posted version of the RFP and will make the non-public version available to those entities and individuals that have executed the appropriate non-disclosure agreements ("NDAs") required by MISO. Information on how to request the non-public version of the RFP will be provided in the public (redacted) version of the RFP. Any information that is identified as non-public in the issued RFP and made available to those entities and individuals that have executed the appropriate NDAs shall not be shared with any other entities and individuals unless and to the extent allowed by the NDAs governing such information.

## 5.2 Facility Interconnection Requirements and Standards

At a minimum, each RFP shall include a list of the effective<sup>22</sup> facility interconnection requirements and standards that are applicable to interconnecting the Competitive Transmission Facilities to the MISO transmission system; in addition, each RFP shall include the document(s) and or internet link(s) to the listed facility interconnection requirements and standards. This list, at a minimum, shall include the facility interconnection requirements and or standards from each MISO Transmission Owner interconnecting with one (1) or more of Competitive Transmission Facilities specified in the RFP and the MISO Minimum Project Requirements for Competitive Transmission Projects specified in BPM-029. Each RFP may also include the effective facility interconnection requirements and or standards from a non-MISO transmission owner that will be interconnecting to one (1) or more of the Competitive Transmission Facilities should the non-MISO transmission owner(s) provide MISO such requirements and or standards. In developing an RFP, MISO may need information from a MISO Transmission Owner that will be interconnecting to a Competitive Transmission Facility; such Transmission Owners should work with MISO to facilitate any such request. MISO Transmission Owners interconnecting with a Competitive Transmission Facility

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<sup>21</sup> As further specified in Section 6.1 of this BPM-027

<sup>22</sup> Only the transmission interconnection requirements and or standards currently effective at the time the RFP is or will be issued shall be used for Proposal submissions; any subsequent updates, modifications, or revisions made to such requirements and or standards shall not affect the Proposal submissions and MISO's evaluation of such Proposals. The foregoing does not affect the post-selection obligations of an entity chosen as a Selected Developer with regards to transmission interconnection requirements or standards that become effective after the date that its Proposal is submitted. Such obligations shall be as set forth in the SDA and the MISO Tariff

will be required to submit their currently effective transmission interconnection requirements and or standards to MISO upon MISO's request by providing either the link(s) to or the document(s) containing such requirements. MISO will also request the currently effective transmission interconnection requirements and/or standards from any non-Member owner(s) who will be interconnecting to the Competitive Transmission Facilities identified in a particular RFP; however, such non-Member owner(s) are under no obligation to provide MISO the requested information.

Transmission Owner(s) who do not provide MISO the requested interconnection requirements and or standards will have their QTD status revoked should such entity or entities be currently listed as a QTD at the time. Entities providing facility interconnection requirements and or standards to MISO to be included in an RFP shall also provide MISO a statement whether each such document is public or non-public (i.e. containing non-public information such as, but not limited to, Critical Energy Infrastructure Information).

### **5.3 RFP Pre-Posting Informational Meeting**

As deemed appropriate by MISO, a pre-posting informational RFP meeting may be facilitated by MISO prior to an RFP being finalized and issued. MISO will deem such a meeting necessary at its sole discretion based upon its consideration of the Competitive Transmission Facilities size, scope, and cost. If such a meeting is held, it will be open to all stakeholders for the purposes of reviewing a draft redacted version of the RFP (i.e. a public version of a non-issued RFP) to ensure clarity and to provide an opportunity for MISO to receive feedback concerning any additional data and/or information that may be helpful or necessary to be included in the RFP. MISO will hold the meeting on a date prior to the expected RFP posting date that allows a reasonable amount of time for MISO to address any feedback it may receive.

### **5.4 RFP Informational Meeting**

After an RFP has been issued by MISO for a Competitive Transmission Project, MISO will facilitate an informational meeting to discuss the issued RFP. This meeting will be open to all stakeholders and is intended to address any questions QTDs and any other interested parties may have related to the issued RFP, the Competitive Transmission Facilities, and/or the Proposal submission requirements. MISO will schedule the RFP informational meeting no earlier than ten (10) Business Days after an RFP is issued (i.e. publicly posted on the MISO website) and no later than thirty (30) Business Days after such issuance, unless otherwise deemed necessary and/or appropriate by MISO. The informational meeting date, time, location, and any other meeting materials will be publicly posted on the MISO website at least five (5) Business Days in advance of the scheduled informational meeting. Since the informational meeting is open to all stakeholders, non-public information regarding the RFP, Competitive Transmission Facilities, and/or the Proposal submission requirements will not be discussed. At MISO's discretion, additional informational meetings may be scheduled.

### **5.5 Competitive Transmission Line Facilities Requirements**

Each RFP for a Competitive Transmission Project containing one (1) or more Competitive Transmission Line Facilities shall specify for each Competitive Transmission Line Facility, at a minimum, the following:

1. The expected in-service date, which should be the MTEP defined in-service date;
2. The nominal operating voltage level in kV and the voltage characteristics (e.g. three- phase AC 60 Hz, bipolar DC, etc.) for each transmission line circuit;
3. The terminating substations and buses for each transmission line circuit;

4. The minimum required normal and emergency load ratings for both summer and winter seasons for each transmission line circuit;
5. The maximum allowable positive sequence impedance for each transmission line circuit when determined applicable by MISO through planning studies performed by MISO;
6. Unless otherwise defined in the RFP; and:
  - a. If any Competitive Transmission Line Facilities are interconnecting to existing substation facilities, the Selected Developer shall only be responsible for building the Competitive Transmission Line Facilities up to and including the last transmission line structure outside of those substation facilities.
  - b. The owner of the existing substation facilities shall be responsible for constructing and interconnecting the Competitive Transmission Line Facilities to their substation facilities, including all other work inside the fence line of their substation. Requirements, schedules, and coordination will be defined in a Transmission-Transmission Interconnection Agreement, where such an agreement will be executed by the Selected Developer, the existing substation facilities owner (incumbent Transmission Owner), and MISO.
7. Any other information that MISO deems necessary and/or appropriate.

## 5.6 Competitive Substation Facilities Requirements

Each RFP for a Competitive Transmission Project containing one (1) or more Competitive Substation Facilities shall specify for each Competitive Substation Facility, at a minimum, the following:

1. The expected in-service date, which should be the MTEP defined in-service date;
2. A list of all transmission buses within the Competitive Substation Facility, including nominal operating voltage level in kV<sup>23</sup> and the voltage characteristics;
3. A list of all major equipment and facilities within the Competitive Substation Facility and associated terminating buses including (unless the Transmission Provider determines a requirement to be inapplicable) power transformers, voltage regulators, phase angle regulators, series reactors, series capacitors, shunt reactors, shunt capacitors, static VAR compensators, DC converters, Storage As Transmission-Only Assets (SATOAs), transmission line circuit terminals, generator terminals, and loads;
4. Any limitations or requirements for bus configurations when determined applicable by MISO through planning studies performed by MISO including required load ratings of circuit breakers, disconnects, bus sections and other load carrying equipment under alternative bus configurations;
5. The required load ratings for all load carrying equipment and facilities identified in item 5.6.D. above;
6. The winding connection and tap requirements for power transformers, voltage regulators, phase angle regulators and load tap changers when determined necessary by planning studies performed by MISO;
7. The impedance requirements for power transformers, phase angle regulators, series reactors and series capacitors when determined necessary by planning studies performed by MISO;
8. Any limitations or requirements for protection systems when determined applicable by a planning driver or Applicable Reliability Standard or in order to ensure a compatible interconnection with existing protection systems associated with existing transmission facilities to which the Competitive Transmission Facilities will interconnect;

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<sup>23</sup> kV level of substations represents the high-side terminal design voltage

9. Any phase shift requirements for power transformers or phase angle regulators; and
10. Any other information that MISO deems necessary or appropriate.

## 5.7 Communication Protocol Associated with an Issued RFP

During the period after an RFP is posted and prior to the announcement of a selected Proposal, RFP Respondents are to direct any and all questions solely to MISO and not to the interconnecting incumbent TO(s) and/or any non-MISO transmission owner(s).

For questions, inquiries, and requests for clarifications related to Project-specific RFP, MISO will respond in a reasonable amount of time and as soon as practically possible. MISO will provide such responses up to fifteen (15) Business Days prior to the Proposal Submission Deadline. MISO may rephrase, combine, or otherwise modify such questions before posting for efficiency, to reduce redundancy, and/or remove confidential or non-public information. Questions and MISO's response(s) will be publicly posted on the MISO website to the extent they do not include non- public information.

Inquiries, questions, and or requests for clarification submitted to MISO through any form of communication other than the form specified in the RFP may not be accepted. To the extent that MISO provides any answers to questions asked orally, such as at an RFP Informational Meeting, such answers are subject to revision or correction in the posted answer as per the process described above.

## 5.8 Corrections and/or Modifications to an Issued RFP

In the event that an issued RFP needs to be corrected and/or modified, MISO may post a revised RFP addressing such corrections and/or modifications. Revised RFPs will be posted by MISO in the same manner which the previous version of the RFP was posted (e.g. the public version of the RFP will be posted on the MISO website), including documentation of the corrections and/or modifications (e.g. a marked/redline document). MISO will send a notification through electronic communication to the QTD e-mail distribution list.

# 6 Proposals

Entities interested in responding to an issued RFP must submit a Proposal in accordance with the requirements specified by the MISO Tariff and this BPM-027. Each Proposal submitted must stand on its own and shall not be dependent on or be built upon another Proposal, or otherwise contain multiple options, alternatives, scenarios, and/or variances for evaluation (e.g. such as multiple design submittals for a single facility). Each such alternative option and or scenario shall be submitted as a separate Proposal that is independent from any other Proposal submissions. Proposals may only be submitted by an entity or entities that have been certified by MISO as a QTD<sup>24</sup>. Entities submitting a Proposal have been defined by the MISO Tariff as RFP Respondents<sup>25</sup>. Proposals submitted by an RFP Respondent(s) may also include entities that have not been certified by MISO as a QTD; these entities have

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<sup>24</sup> An entity must be certified by MISO as a QTD at the time the Proposal is submitted.

<sup>25</sup> As defined by the MISO Tariff in Module A §1.R "Definitions – R"

been defined by the MISO Tariff as Proposal Participants<sup>26</sup>. Each RFP Respondent is required by the MISO Tariff<sup>27</sup> to maintain its QTD certification status throughout the duration of the MISO Competitive Developer Selection Process. If at any time during this process one (1) or more of the RFP Respondents involved in Proposal ceases to be certified by MISO as a QTD and such failure remains uncured for more than thirty (30) Calendar Days from the date that MISO provides notice of such fact to the RFP Respondent, such Proposal(s) shall be deemed invalid and will not be evaluated any further by MISO during the Competitive Developer Selection Process.

Proposals are required to address all of the Competitive Transmission Facilities listed in an issued RFP. Therefore, Proposal submissions that do not address each of the Competitive Transmission Facilities will be deemed invalid and will not be evaluated in the Competitive Developer Selection Process. MISO will provide notices to each RFP Respondent involved in a Proposal deemed to be invalid by MISO in the form of a written explanation to identify the reasons the Proposal has been disqualified.

## 6.1 Proposal Window & Deadline

Proposals may be submitted once an RFP has been issued (i.e. the date and time MISO posted the public version of an RFP to its website) but no later than the Proposal Submission Deadline specified in the issued RFP, in accordance with the MISO Tariff<sup>28</sup>; hereafter known as the “Proposal Window” in this BPM-027. Any Proposal submission received outside the Proposal Window, including the submission of the Proposal Deposit, shall not be accepted and will be deemed invalid and not evaluated by MISO. Any unsolicited offers and/or proposals submitted to MISO (e.g. a proposal that is not associated with an issued RFP) are prohibited and will not be reviewed or considered.

The applicable Proposal Window will be stated in the RFP. MISO will determine the Proposal Window based on characteristics of the Project, and in general, the Proposal Window will match the complexity of the Project with the complexity of the evaluation. Indicative project characteristics matched with different Proposal Windows are shown in Table 6.1-1 below. The selection of a Proposal Window may not necessarily match all the project characteristics. The project characteristics for each Proposal Window are indicative, not absolute or formulaic.

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<sup>26</sup> As defined by the MISO Tariff in Module A §1.P “Definitions – P”

<sup>27</sup> In Section VIII.D.12. of Attachment FF.

<sup>28</sup> Proposal Submission Deadline is defined by the MISO Tariff in Module A §1.P “Definitions – P” and in §VIII.D.1 of Attachment FF

PROJECT CHARACTERISTICS	INDICATIVE PROPOSAL WINDOW		
	90 Calendar Days	120 Calendar Days	165 Calendar Days
Complex Routing/Siting (e.g., river crossings, wetlands, urban areas, etc.).	Low	Moderate	High
States/RTOs Impacted (Quantity)	1	2	2+
In-Service Date (years from MTEP)	3 - 4 years	4 - 5 years	5 years +
Facilities (Quantity)	1 Facility	1 - 2 Facilities	2+ Facilities (Lines and Substations)
Project Value (USD)	\$5M - \$40M	\$40M - \$80M	Over \$80M

**Table 6.1-1: Project characteristics aligning with Proposal Windows**

## 6.2 Proposal Deposit and Estimated Number of Proposals

An initial refundable Proposal Deposit, hereafter known as the “Proposal Deposit” in this BPM-027, shall be submitted from each RFP Respondent. MISO will determine the Proposal Deposit amount, not to exceed \$100,000. The Proposal Deposit represents a forecast of the evaluation cost for the project. A single or joint Proposal deposit is due no earlier than 30 Calendar Days before the Proposal submission deadline. When submitting the initial Proposal deposit, RFP Respondents will be asked to provide an estimate of how many Proposals they will be submitting. If an RFP Respondent submits more than one proposal, the Proposal Deposit(s) for the additional Proposal(s) will be due by the Proposal submission deadline. Only one (1) Proposal Deposit is required for each Proposal, regardless of the number of RFP Respondents and Proposal Participants involved with the Proposal. After the Proposal Submission Deadline, any Proposal that is missing the required Proposal Deposit will be deemed invalid. In the event that an RFP Respondent does not submit a Proposal by the Proposal Submission Deadline the Proposal Deposit will be refunded. Any return or refund of a Proposal Deposit will be issued in accordance with Section 8.6 of this BPM-027.

## 6.3 Proposal Submission Format

Each Proposal shall be submitted in accordance with the requirements specified in the RFP and this BPM-027 (e.g. location, format, submission method, templates, etc.). MISO may provide template(s) for Proposal submissions and if provided, RFP Respondents shall utilize the format of the proposal template(s) in submitting their Proposals.

## 6.4 Acknowledgement of Proposal Receipt

MISO will acknowledge its receipt of each Proposal and Proposal Deposit by sending an e-mail notification to the RFP Respondent(s) through the primary and secondary contact person<sup>29</sup> within two (2) Business Days of the Proposal Submission Deadline. This acknowledgement does not, in any way, represent that the Proposal is considered complete as specified in Section 6.5 of this BPM-027. The sole purpose of this acknowledgement is to confirm MISO's receipt of Proposals and Proposal Deposits.

## 6.5 Proposal Validation – Review for Completeness

MISO will review each Proposal<sup>30</sup> for completeness to determine that the required information and attachments were submitted as well as validating that each RFP Respondent was certified as a QTD at the time the Proposal was submitted. The substance and quality of a Proposal will not be reviewed during this review for completeness as it is solely intended to verify that the required documents and attachments were submitted in the Proposal including whether each RFP Respondent was certified as a QTD at the time the Proposal was submitted. MISO will notify RFP Respondents by e-mail, through the primary and secondary contact person, whether a Proposal is complete (valid) or incomplete (deficient) within thirty (30) Calendar Days of the Proposal Submission Deadline. Such notification will include the identification of any deficiencies found by MISO during the validation period. Proposals found to be incomplete due to such deficiencies, other than those involving RFP Respondents not certified as a QTD, will have a single Proposal Cure Period to cure deficiencies. RFP Respondents remain solely responsible for ensuring that their submissions are complete and comply with the RFP's submission instructions. If MISO identifies a deficiency in a Proposal, the RFP respondent shall provide the necessary data and/or information to cure the deficiencies during the Proposal Cure Period. Only the data and/or information necessary to cure a Proposal's deficiencies may be submitted during the Proposal Cure Period. Any Proposal that is not deemed complete by MISO (i.e. cured of deficiencies) at the end of the Proposal Cure Period will be deemed invalid and will not be evaluated in the Competitive Developer Selection Process. Proposals involving one (1) or more RFP Respondent(s) that were not certified as a QTD on the date the Proposal was submitted will be deemed invalid and will not be evaluated in the Competitive Developer Selection Process.

Each Proposal deemed invalid by MISO pursuant to this Section 6.5 of BPM-027 shall be refunded ninety percent (90%) of the Proposal Deposit, if the Proposal Deposit was submitted to and received by MISO prior to the Proposal Submission Deadline. MISO will provide written notices to the RFP Respondent(s) of an invalid Proposal by e-mail, through the primary and secondary contact person, identifying the reason(s) a Proposal was deemed invalid. These written notices will be sent within ten (10) Business Days after the Proposal Cure Period.

## 6.6 Public Disclosure of RFP Respondents and Proposal Participants

After the Proposal Cure Period, MISO will publicly identify the names of the RFP Respondent(s) who submitted completed Proposals, together with their associated Proposal Participant(s). This list of RFP Respondents and

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<sup>29</sup> As identified in the respective Proposal submission

<sup>30</sup> That was submitted during the Proposal Window

Proposal Participants will be publicly available on the MISO [Competitive Transmission Administration](#) page<sup>31</sup> of the MISO website.

## 6.7 Proposal Amendments

Requests to amend a Proposal that has been submitted to MISO will only be accepted up until the Proposal Submission Deadline. Proposal amendments shall comply with the Proposal Submission Requirements<sup>32</sup>.

## 6.8 Withdrawing a Submitted Proposal

Prior to the Proposal Submission Deadline, RFP Respondents may withdraw a submitted Proposal by notifying MISO in writing as soon as practical. If a Proposal Deposit was received by MISO for the Proposal being withdrawn (prior to the Proposal Submission Deadline), MISO will return one hundred percent (100%) of the deposit to the applicable entity who submitted the deposit. Proposals that have been withdrawn prior to the Proposal Submission Deadline will not be evaluated in the Competitive Developer Selection Process.

After the Proposal Submission Deadline, a Proposal may be withdrawn upon request from an RFP Respondent; however, such an action will not relieve the RFP Respondent(s) of its obligations to be responsible for the Proposal's *pro rata* allocation of expenses, in accordance with the MISO Tariff and as further described in Section 8.5 of this BPM-027. To withdraw a Proposal after the Proposal Submission Deadline, an RFP Respondent will need to notify MISO in writing. Proposals that have been withdrawn after the Proposal Submission Deadline will not be evaluated any further in the Competitive Developer Selection Process. If one (1) or more RFP Respondents ceases to be certified as a QTD, MISO will deem each Proposal involving such RFP Respondent(s) invalid and discontinue its evaluation in the Competitive Developer Selection Process. The RFP Respondent, who is no longer listed as a QTD, will retain all of its obligations to cover the *pro rata* allocation of expenses, in accordance with the MISO Tariff and as further described in Section 8.5 of this BPM-027.

## 6.9 Expiration Date & Disposal of Proposal Submissions

Proposals that are submitted in response to an issued RFP shall be held open as offers capable of acceptance by MISO until such time that MISO announces the identity of the Selected Developer(s) and designates an Alternate Selected Developer pursuant to the MISO Tariff under Sections VIII.E.2 and VIII.H of Attachment FF, unless withdrawn in accordance to Section 6.8 of this BPM-027. All Proposals submitted to MISO will be kept until such time that they are destroyed and/or disposed of in accordance with the MISO Records Management Policy and Record Retention Schedule.

## 6.10 Preparation & Submission Expenses

MISO is not liable for any expense(s) incurred by RFP Respondents and Proposal Participants in the preparation and submission of their Proposals.

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<sup>31</sup> Posted [with the documents applicable to each Competitive Transmission Project](#) at [www.misoenergy.org](http://www.misoenergy.org) > Planning > Competitive Transmission Administration > Current and/or Awarded Projects

<sup>32</sup> As specified by the MISO Tariff in §VIII.C of Attachment FF and in Section 7.0 of this BPM-027

## 6.11 Requests for Clarifications & Corrections

MISO will have the right, but not the obligation, during the Competitive Developer Selection Process to request clarifications, corrections, or further supporting information regarding a Proposal. If MISO determines that it needs clarifications, corrections, or further supporting information regarding a Proposal, MISO will request such clarification in writing from the RFP Respondent(s). Clarifications shall not materially change a Proposal and shall only include the data and/or information necessary to respond to MISO's request for clarification. In the event an RFP Respondent agrees to provide a clarification, corrections, or further supporting information the RFP Respondent shall provide these within ten (10) Business Days of MISO's request. Since clarifications do not materially change a Proposal, an additional proposal attestation in the form specified in Section 7.7. of this BPM is not required for the clarification. Should MISO accept the submitted clarification(s), corrections, or further supporting information these shall immediately become a part of the Proposal; or upon MISO's request, the RFP Respondent shall immediately update its Proposal to reflect the accepted clarification(s), corrections, or further supporting information. In the event that the RFP Respondent declines to provide requested clarification(s), corrections, or further supporting information, MISO will evaluate the Proposal as submitted. RFP Respondent(s) shall also be responsible for providing any clarifications, corrections, or further supporting information MISO requests associated with the Proposal Participants.

## 6.12 Additional Data Requests

During MISO's evaluation of Proposals, MISO may determine that additional information is necessary to effectively evaluate Proposals that was not requested in the issued RFP. In such circumstances, MISO will request additional information in writing from each RFP Respondent involved in a Proposal, through the primary and secondary contacts designated in the Proposal. Each additional data request for additional information will include: (i) a description of the information being requested; (ii) the date in which the information must be submitted to MISO by, which shall be no earlier than ten (10) Business Days from the date MISO issues the request; and (i) the attestation, similar to that described in Section 7.7. of this BPM-027, that must be submitted by each RFP Respondent submitting additional information. If the information requested by MISO is not received prior to the specified deadline, the Proposal will be deemed invalid and will not be evaluated further in the Competitive Developer Selection Process. Only the information and/or data that is necessary to respond to MISO's request may be submitted to MISO by RFP Respondents. Requests for additional information will not extend MISO's evaluation timeframe as defined in the MISO Tariff.

## 6.13 Communication Protocols

Any inquiries, communications, questions, and/or requests for clarification regarding an issued RFP or the submission and evaluation of Proposals shall follow the process specified in Section 5.4 & 5.7 of this BPM-027.

## 6.14 Confidential Treatment of Proposal Data & Information

All information submitted in the MISO Competitive Developer Selection Process will be considered Confidential Information, except as required or permitted by the MISO Tariff and this BPM-027, and will not be publicly posted or shared with individuals except for MISO employees and/or MISO contractors that have executed appropriate non-disclosure agreement(s).

## 7 Required Content for Proposal Submissions

Each Proposal submission shall utilize the template(s) provided by MISO as specified in the respective RFP and include all information and/or data required by such template(s).

The template(s) will specify the format(s) that shall be utilized in submitting a Proposal, including but not limited to, the specific data and narratives. RFP Respondents and Proposal Participants may provide additional information not required by the template(s) as part of the Proposal submission (as allowed by the Proposal template instructions), provided such information is relevant to the Competitive Transmission Project for which the RFP was issued, including the locations and applicable jurisdictions where Competitive Transmission Facilities are/will be located. At a minimum, the Proposal template(s) shall include the following items specified in Sections 7.1 through 7.9 of this BPM-027 and the items required by the MISO Tariff:

1. Executive Summary (Section 7.1 of this BPM-027)
2. Cost & Design (Section 7.2 of this BPM-027)
3. Project Implementation (Section 7.3 of this BPM-027)
4. Operations & Maintenance (Section 7.4 of this BPM-027)
5. Planning Participation (Section 7.5 of this BPM-027)
6. General Proposal Information (Section 7.6 of this BPM-027)
7. Attestation Affidavit (Section 7.7 of this BPM-027)
8. Acknowledgement of Support (Section 7.8 of this BPM-027)
9. Additional Information (Section 7.9 of this BPM-027)

Note that a given RFP template may require that information described in the Tariff or this BPM- 027 be organized in different formats or grouping that differ from the format or organization of this BPM or the Tariff in order to facilitate efficient presentation and evaluation in the context of the specific RFP.

### 7.1 Executive Summary

Each Proposal shall include an executive summary, not to exceed three (3) pages in length, highlighting the key project-related attributes including, at a minimum; cost, schedule, design, project implementation, and operations and maintenance. A summary of any proposed cost containments, and/or rate-recovery commitments along with the proposed aggregate annual transmission revenue requirement, must also be included in the executive summary of a Proposal. It is important that this executive summary discuss the key attributes of the Proposal, as opposed to merely providing general descriptions of the RFP Respondents' organization and/or the RFP Respondent's accomplishments (these can be provided through other various sections in the Proposal templates or as an attachment to the Proposal as allowed by the Proposal template instructions).

### 7.2 Cost & Design

Each Proposal shall include the cost and reasonably descriptive facility design information required by the MISO Tariff, this BPM-027, the respective RFP, and the respective Proposal template(s). Such information must relate to the Competitive Transmission Project, including the locations and applicable jurisdictions where the Competitive Transmission Facilities are/will be located. At a minimum, the cost and reasonably descriptive facility design information shall include the following topics:

1. Estimated Project Cost (Section 7.2.1 of this BPM-027)

2. Estimated Annual Transmission Revenue Requirements (Section 7.2.2 of this BPM-027)
3. Binding Cost Containment (Section 7.2.3 of this BPM-027)
4. Reasonably Descriptive Facility Design (Section 7.2.4 of this BPM-027)
5. Facility Design Complies with Applicable Laws & Regulations (Section 7.2.4.1 of this BPM-027)
6. One-Line Diagram Requirements (Section 7.2.4.2 of this BPM-027)

### **7.2.1 Estimated Cost**

Each Proposal shall include a detailed cost estimate for each Competitive Transmission Facility in the Competitive Transmission Project, based upon the descriptive facility design submitted in the Proposal for such facility. Such information shall be submitted in accordance with the respective RFP and Proposal template(s) and shall include, at a minimum, the financial assumptions used in developing the cost estimates as well as the information required by the MISO Tariff and the respective Proposal template(s). RFP Respondents shall develop their own cost estimates and rely on such when developing and submitting a Proposal. The cost estimates developed by MISO in the MTEP process shall be considered as informational only and are not guaranteed to be accurate or complete in all respects; and as such are not intended to be used in the preparation of Proposals. To the extent that any RFP Respondent or Proposal Participant identified in a Proposal, or an Affiliate of any RFP Respondent or Proposal Participant identified in the Proposal, has not committed to forego recovery of such costs, the project cost estimate shall include:

1. all costs to develop the Proposal, including any costs of participating in the planning process and Competitive Developer Selection Process for the Competitive Transmission Project for which recovery may be sought. To the extent that an RFP Respondent submit more than one Proposal for a Competitive Transmission Project, such cost estimate shall state all costs for which recovery may be sought if any of the Proposals submitted by such RFP Respondent for the Competitive Transmission Project if selected as the Selected Proposal; and
2. any other pre-commercial expense that an RFP Respondent or Proposal Participant identified in a Proposal may seek recovery for if the Proposal is selected as the Selected Proposal.

Any additional information associated with the estimated costs beyond that which is required may be submitted in a Proposal as an attachment at the option of the RFP Respondent(s) as allowed by the Proposal template instructions.

### **7.2.2 Estimated Annual Transmission Revenue Requirements**

Each Proposal shall contain an estimated Annual Transmission Revenue Requirement ("ATRR") for each RFP Respondent and Proposal Participant, beginning in the year costs would first be recovered under Attachment O and either Attachment MM or Attachment GG of the MISO Tariff (including any incentives, such as to collect Construction Work In Progress ("CWIP") in ratebase or pass-through pre-commercial expenses on a current basis), through the first forty (40) years that the Competitive Transmission Facilities will be in service in accordance with the MISO Tariff and the Proposal template(s). In addition, each Proposal that involves multiple RFP Respondents and/or Proposal Participants shall include in the Proposal an Aggregate ATRR, which aggregates the individual ATRRs of each RFP Respondent and Proposal Participant into a single ATRR. The Aggregate ATRR shall be submitted in accordance with the Proposal template(s). The supporting detail on annual allocation factors for operations and maintenance, general and common depreciation expenses, taxes other than income taxes, income taxes, and return used to estimate the ATRRs shall be included in the Proposal as well.

The Project Template Workbook (PTW) includes separate input rows for return on rate base percentage and individual incentives to increase clarity. The PTW also includes rows for on-going capital expenditures and a separate blank tab for Respondents to calculate the depreciation for the on-going capital expenditures.

### **7.2.3 Binding Cost Containment**

Each Proposal shall specify if any binding cost containment measures are being offered for inclusion in any of the cost estimates. Each Proposal containing binding cost containment measures shall also include a detailed description of the binding cost containment measures being proposed and draft term sheets or agreements that clearly describe in detail the nature of the cost containment measures being proposed, including all exclusions, exceptions, conditions, enforcement mechanisms, and interactions with change orders. Such binding cost containment measure information shall be provided in accordance with the respective Proposal template(s). The PTW includes a cost containment summary and should agree with the cost-containment draft term sheet should the Respondent include cost containments in the Proposal. The PTW cost containment summary includes a list of cost containments including waiving the right to recover costs in excess of a proposed cap resulting from a regulatory change in the scope of work, waive or limit the right to seek recovery of Pre-commercial Costs and waive the right to seek recovery from abandoned plant. The cost containment summary list does not include all the possible cost containments as Respondents may include some or all that are on the list and add others.

### **7.2.4 Reasonably Descriptive Facility Design**

Each Proposal shall include a reasonably descriptive facility design for each Competitive Transmission Facility specified in the respective RFP. Such designs shall include the data and information required by the MISO Tariff as specified in Sections VIII.D.5.7., VIII.D.5.7.1.(a) – (j), & VIII.D.5.7.2.(a) – (g) of Attachment FF and the respective Proposal template(s). These reasonably descriptive facility designs shall be utilized in the development of the detailed project cost estimates and estimated ATRRs included in the Proposal. Descriptive facility design for each Competitive Transmission Facility is divided into two sub- criteria categories: Electrical Design and Structural Design. Electrical design considerations and structural design considerations are described further in the RFP for each potential project.

Any other specific supporting data and/or facility studies performed that clearly documents and support the RFP Respondent(s) consideration and attention given to the proposed design shall also be included as an attachment to the Proposal (as allowed by the Proposal template instructions). Any additional information the RFP Respondent(s) deem necessary or otherwise desire to include in the Proposal for MISO's consideration in evaluating the reasonably descriptive facility design shall also be submitted as an attachment to the Proposal (e.g. typical structure drawings, etc.) as allowed by the Proposal template instructions.

#### **7.2.4.1 Facility Design Complies with Applicable Laws & Regulations**

Each Proposal shall include a statement demonstrating that the RFP Respondent(s) and Proposal Participant(s) currently have or reasonably expect(s) to obtain all necessary registrations, certifications, and/or other necessary legal statuses to develop, construct, operate, and maintain the Competitive Transmission Facilities, to the extent required by Applicable Laws and Regulations.

#### **7.2.4.2 One-Line Diagram Requirements**

Each Proposal shall include a detailed one-line diagram for each Competitive Substation Facility identified in the Competitive Transmission Project showing the interconnection and location of all the high-voltage electrical conductors and equipment within the footprint of the Competitive Substation Facility. Each such one-line diagram

should be oriented in a manner that is electrically accurate, contain a legend indicating the symbols used for each high-voltage equipment proposed for the Competitive Substation Facility (which can be on a separate sheet if necessary), and be contained to a single page if possible, however if multiple pages are necessary, each page shall include a page number and a title block indicating the name of the Competitive Substation Facility as specified in the respective RFP. At a minimum, each detailed one-line diagram shall include the following information (unless the Transmission Provider determines a requirement to be inapplicable):

1. Main buses
2. Two-winding power transformers
3. Three-winding transformers
4. Autotransformers;
5. Station service transformers;
6. Circuit breakers;
7. Circuit switches;
8. Switchers and disconnects;
9. Fuses;
10. Shunt capacitor banks;
  - a. series capacitors;
  - b. shunt reactor banks;
  - c. series reactors;
  - d. coupling capacitor voltage transformers and voltage transformers
11. Current transformers;
12. Wave traps;
13. Surge arresters;
14. Line and generator terminals;
15. Conductor connection designations;
16. Ground connections;
17. Any special equipment items such as voltage regulating transformers, phase angle regulating transformers, grounding transformers, Static VAR Compensators ("SVC"), Static Synchronous Compensators ("STATCOM"), Storage As Transmission-Only Asset ("SATOA"), other Flexible Alternating Current Transmission System ("FACTS") devices, synchronous condensers, High-Voltage Direct Current ("HVDC") converter equipment, fault current limiting devices (e.g. neutral reactors and resistors, etc.), and Geomagnetic Disturbance ("GMD") prevention devices (e.g. switchable neutral capacitors, etc.);
18. Any information specified in the respective RFP and Proposal template(s).

For each of the special equipment items listed in this Section 7.3.5.2.q of this BPM-027, the information required to be included in a one-line diagram shall be specified on a case-by-case basis should any such facilities be proposed for a Competitive Substation Facility.

## 7.3 Project Implementation

Each Proposal shall include the project implementation information required by the MISO Tariff, this BPM-027, the respective RFP, and the respective Proposal template(s). Such information must relate to the Competitive Transmission Project, including the locations and applicable jurisdictions where the Competitive Transmission

Facilities are/will be located. At a minimum, the project implementation information shall include the following topics:

1. Project Schedule & Management
  - a. Project Implementation Schedule (Section 7.3.1 of this BPM-027)
  - b. Project Management (Section 7.3.2 of this BPM-027)
2. Regulatory Permitting & Route/Site Evaluation
  - a. Route & Site Evaluation (Section 7.3.3 of this BPM-027)
  - b. Regulatory Permitting (Section 7.3.4 of this BPM-027)
  - c. Right of Way & Land Acquisition (Section 7.3.5 of this BPM-027)
3. Construction
  - a. Engineering & Surveying (Section 7.3.6 of this BPM-027)
  - b. Material Procurement (Section 7.3.7 of this BPM-027)
  - c. Construction (Section 7.3.8 of this BPM-027)
  - d. Commissioning & Energization (Section 7.3.9 of this BPM-027)
4. Financing & Capital Resource Plan
  - a. Description of Capital Resources (Section 7.3.10 of this BPM-027)
  - b. Expected Capital Cash Flows (Section 7.3.11 of this BPM-027)
  - c. Schedule of Significant Expenditures (Section 7.3.12 of this BPM-027)
  - d. Capital Reserves (Section 7.3.13 of this BPM-027)
  - e. Credit Ratings (Section 7.3.14 of this BPM-027)
  - f. Audited & Pro Forma Financial Statements (Section 7.3.15 of this BPM-027)
  - g. Project Financial Security (Section 7.3.16 of this BPM-027)
  - h. Safety (Section 7.3.17 of this BPM-027)

### **7.3.1 Project Implementation Schedule**

Each Proposal shall include detailed project implementation schedules for each Competitive Transmission Facility of a Competitive Transmission Project, including an overall project schedule for the Competitive Transmission Project consolidating the detailed project implementation schedules for each Competitive Transmission Facility into a single project schedule highlighting at a minimum the project's critical path and the major project milestones. Each project implementation schedule shall include the information specified by the MISO Tariff<sup>33</sup>, this Section 7.3.1 of BPM-027, the respective RFP, and the respective Proposal template(s). The submission format of the project implementation schedules will be specified by MISO in either the respective RFP or the Proposal template(s) referenced in the respective RFP. Other information related to or associated with the project implementation schedule(s) may be included in the Proposal at the option of RFP Respondents as an attachment to the Proposal, including but not limited to a brief discussion of the scheduling risks associated with the Proposal as allowed by the Proposal template instructions.

### **7.3.2 Project Management**

Each Proposal shall include a detailed description on how the Competitive Transmission Project will be managed to meet the proposed project implementation schedule, including a detailed description of the project management

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<sup>33</sup> Attachment FF, §VIII.D.5.2

team and its existing and/or planned capabilities, relative to the location(s) and the applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part), to perform the project management services necessary to successfully complete the Competitive Transmission Facilities. Such description shall include, at a minimum, the members of the project management team, their experience, expertise, capabilities, and base of operations, and the current and/or planned capabilities, resources, policies, procedures, methods, and business practices that will be/expected to be used by the RFP Respondent(s) to perform project management services.

### **7.3.3 Route & Site Evaluation**

Each Proposal shall include a detailed description on how Competitive Transmission Line Facilities will be routed and how Competitive Substation Facilities will be sited while taking into account the specific challenges and risks potentially applicable to the Competitive Transmission Project, including a description of the existing and/or planned routing and siting capabilities, relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part), as required by the MISO Tariff<sup>34</sup> and the applicable Proposal template(s). Such information shall be provided in accordance with the applicable Proposal template(s) and shall include, at a minimum, the following information:

1. The anticipated staff and/or contractors to be utilized;
2. Their base of operations;
3. A summary of their experience and expertise; and
4. The process to be used to evaluate alternative routes, recommendation of a final route and preferred alternatives, and public outreach during the route evaluation and selection process. Any additional information related to or associated with routing and/or siting capabilities that are not otherwise required to be included in the Proposal may be included in the Proposal as an attachment, at the option of RFP Respondent(s) as allowed by the Proposal template instructions.

### **7.3.4 Regulatory Permitting**

Each Proposal shall include a description of existing and/or planned regulatory permitting capabilities relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s). and shall include, at a minimum, (a) the anticipated staff and/or contractors to be used; (b) their base of operations; (c) a summary of their experience and expertise; (d) the process to be used to perform the necessary regulatory permitting activities, including preliminary engineering, preparation of the necessary applications, preparation of written testimony, participation in hearings, and responding to requests for additional data and/or testimony; and (e) the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with regulatory permitting capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.5 Right-of-way & Land Acquisition**

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<sup>34</sup> in Section VIII.D.5.8 of Attachment FF

Each Proposal shall include a description of existing and/or planned right-of-way capabilities (for Competitive Transmission Line Facilities) and land acquisition capabilities (for Competitive Substation Facilities) relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s) and shall include, at a minimum, (a) the anticipated staff and/or contractors to be used; (b) the anticipated number of staff and/or contractors to be used; (c) their base of operations during the Competitive Transmission Project; (d) a summary of their experience and expertise; (e) the process to be used to perform right-of-way acquisition including negotiation with land owners, preparation and execution of contracts, completion of land transactions, and when necessary and applicable, condemnation of right-of-way in accordance with eminent domain rights; and (f) the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with the procurement of right-of-way and/or land acquisition capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.6 Engineering & Surveying**

Each Proposal shall include a description of existing and/or planned engineering and surveying capabilities relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s) and shall include, at a minimum, (a) the anticipated staff and/or contractors to be used; (b) the anticipated number of staff and/or contractors to be used; (c) a summary of their experience and expertise; (d) the overall process to be used to perform the engineering and design work necessary; (e) potential risks/hazards, as appropriate to the project; (f) railroads/pipelines – cathodic protection; (g) warranties; and (h) the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with engineering and surveying capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.7 Material Procurement**

Each Proposal shall include a description of existing and/or planned material procurement capabilities relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s) and shall include, at a minimum, the anticipated staff and/or contractors to be used; the anticipated number of staff and/or contractors to be used; a summary of their experience and expertise; the process to be used to purchase, store, transport, and stage all materials necessary for the Competitive Transmission Project; Long lead item procurement plan; Material staging – staggered deliveries; warranties/material-defects/recalled-parts; Potential risks/hazards, as appropriate to the project; Delayed materials; and the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with material procurement capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.8 Construction**

Each Proposal shall include a description of existing and/or planned construction capabilities relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s) and shall include, at a minimum, the RFP Respondent's approved contractor lists in specific states if they exist; the RFP Respondent's requirements and standards for contractors; the anticipated staff and/or contractors to be used; the anticipated number of staff and/or contractors to be used; their base of operations during the Competitive Transmission Project; a summary of their experience and expertise; the safety program to be used during construction of the Competitive Transmission Facilities including safety policies, safety procedures, safety rules, and safety training; and the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with construction capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.9 Commissioning & Energization**

Each Proposal shall include a description of existing and/or planned commissioning and energization capabilities relative to the location(s) and applicable jurisdiction(s) where each Competitive Transmission Facility will be located (whether wholly or in part) as required by the MISO Tariff in Section VIII.D.5.9 of Attachment FF. Such information shall be provided in accordance with the respective Proposal template(s) and shall include, at a minimum, the information required by the MISO Tariff and the respective Proposal template(s). Any additional information related to or associated with commissioning and energization capabilities that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions.

### **7.3.10 Description of Capital Resources**

Each Proposal shall include a description of the capital resources that are currently and/or expected to be available to fund the Competitive Transmission Project; where such resources shall total in amount equaling at least one hundred percent (100%) of the estimated project cost provided in the Proposal (where such cost-estimate is required pursuant to Section 7.3.1 of this BPM-027). Such description shall be submitted in accordance with the Proposal template(s) and shall include, at a minimum, a statement on how the Competitive Transmission Project will be funded (e.g. corporate finance or project finance basis), the identification, type, amount, expected availability, costs, and credit quality (for security being offered to the providers of project debt and equity including what conditions must be met to secure the funds) of each funding source as well as the information required by the MISO Tariff and the Proposal template(s). If information regarding the cost of a funding source is unknown, the Proposal shall include a range and/or estimate of the funding costs as well as a description as to why this information was not provided in the Proposal. Any additional information related to or associated with capital resources that are not otherwise required to be included in the Proposal may, at the option of RFP Respondent(s), be included in the Proposal as an attachment as allowed by the Proposal template instructions. Such additional information could include the submission of signed agreements, demonstration of the previous use of the capital resource, and/or a description of mutual benefit to the RFP Respondent(s) and its source of financing. If the Proposal does not include any ROE-caps on funding costs, the Proposal may include projected interest rates and equity returns (aka cost of funds) based on the assumed creditworthiness during the construction and operational phases of the Competitive Transmission Project.

Please note that MISO will consider either a corporate finance or a project finance approach in funding the Competitive Transmission Project:

- Corporate finance: Balance sheet of RFP Respondent(s) and/or third-party(s) provides financial support and financial resources.
- Project finance: Stand-alone project with no third-party financial resources or support.

As applicable, each Proposal shall identify the financial firm(s) assisting the RFP Respondent(s) and/or Proposal Participant(s) to provide funding for construction costs and contingencies, and as required, *pro-forma* reserves and deposits. If internal funding is being utilized, identify the financial firm(s) the RFP Respondent(s) and/or the Proposal Participant(s) has previously engaged in a capital raising capacity shall also be provided in the Proposal. In addition to the financial firm's name, office location, and capital markets area or financial function, each Proposal shall provide a contact person and contact info for that respective financial firm and describe any material transactions executed on the RFP Respondent's and/or the Proposal Participant's behalf by the financial firm for the prior thirty-six (36) months.

### **7.3.11 Expected Capital Cash Flows**

Proposals shall include a high-level narrative description, as well as an exhibit, of the expected cash flows between the RFP Respondent(s) and the funding sources identified in the Proposal with enough specificity to explain the timing, form, and volume of cash flows expected between each RFP Respondent and the identified funding sources. In addition, the parties identified in the capital cash flows shall also include, at a minimum, the relevant Affiliates, financial institutions, and financial intermediaries in the Proposal.

### **7.3.12 Schedule of Significant Expenditures**

Proposals shall include a high-level narrative description, as well as an exhibit, of the anticipated schedule of significant expenditures to demonstrate that the expected capital cash flows specified in the Proposal will be available when required for the expected significant expenditures (such significant expenditures may include, but is not limited to, long-lead materials, permits, land acquisition, start of construction and right-of-ways).

### **7.3.13 Capital Reserves**

Specify the amount of funds immediately available to the RFP Respondent(s) to deal with unforeseen contingencies arising during the Project's development, construction, and implementation; where immediately available funds may include, but are not limited to, cash and cash equivalents, revolving credit facilities, and certain callable investor commitments.

### **7.3.14 Credit Ratings**

Each Proposal shall include the credit ratings and credit rating reports pertaining to the current year and the three (3) previous years, if available, for each RFP Respondent and Affiliate providing an Acknowledgment of Support.

### **7.3.15 Audited and Pro Forma Financial Statements**

Each Proposal shall include: audited financial statements, if available, including notes for each RFP Respondent and Affiliate providing an Acknowledgment of Support; and *pro forma* financial statements for each calendar year

thereafter until the Competitive Transmission Facilities are expected to be placed into service for each RFP Respondent.

### **7.3.16 Project Financial Security**

The Proposal shall include a sufficiently detailed description that clearly demonstrates how the required Project Financial Security of three percent (3%) of the estimated Project cost, provided in the Proposal, will be obtained and provided to MISO within the timeframe required by the SDA. If an RFP Respondent plans to provide the Project Financial Security with an *Irrevocable Standby Letter of Credit*, such RFP Respondents shall specify and include written documentation that the *Irrevocable Standby Letter of Credit* is acceptable to both the RFP Respondent(s) and the RFP Respondent's financial institution in the Proposal. An *Irrevocable Standby Letter of Credit* template is available in Attachment FF that includes references to the SDA.

### **7.3.17 Safety – Project Implementation**

Each Proposal shall include detailed descriptions of the current and or planned approach to safety during the project implementation phase. Such description should address any specific safety considerations or challenges posed by the specific Competitive Transmission Project, such as site-specific or Project-specific safety considerations, and the proposed plan for addressing these considerations and challenges, as well as any supporting documentation needed to support the discussion and proposed plan as allowed by the Proposal template instructions.

Each Proposal shall also include the safety record of the entities that will be constructing the Competitive Transmission Project concerning the project implementation scope of work (e.g. construction). Specifically, this description should include the OSHA/DART reports of the entities that will be constructing the Competitive Transmission Project.

### **7.3.18 Previous Applicable Experience and/or Demonstrated Ability**

Proposals may, but are not required to, include a descriptive summary of any previous and/or current experiences the RFP Respondent(s) have demonstrating its ability to implement transmission projects, specifically those transmission projects that are similar to the respective Competitive Transmission Project. This summary may include, but is not limited to, the following:

(a) whether the RFP Respondent(s) have constructed or are currently constructing transmission facilities (i.e. transmission line facilities and/or transmission substation facilities); (b) whether the RFP Respondent(s) have successfully been awarded any other competitive transmission projects; or (c) a brief but descriptive summary of the scope of such projects (e.g. type, size, and characteristics of transmission facilities). If needed, any exhibits may be included in the Proposal. The descriptive summary should relate any prior experience and demonstrated abilities to the specific Competitive Transmission Project that is the subject of their Proposal in order to enable MISO to evaluate the relevance of such discussion to the RFP Respondent's ability to develop, construct, own, operate and maintain the specific project facilities. Generalized descriptions of prior experience and ability that are not related to the specific Proposal shall be considered but may be less useful or persuasive.

## **7.4 Operations and Maintenance**

Each Proposal shall include the operations, maintenance, repair, and replacement information required by the MISO Tariff, this BPM-027, the respective RFP, and the respective Proposal template(s). Such information must be relative to the Competitive Transmission Project, including the locations and applicable jurisdictions where the

Competitive Transmission Facilities are/will be located. At a minimum, the operations and maintenance information shall include the following topics:

1. Normal Operations
  - a. Local Balancing Authority Area (Section § 7.4.1 of this BPM-027)
  - b. Real-time Operations Monitoring and Control (Section 7.4.2 of this BPM-027)
  - c. Switching (Section 7.4.3 of this BPM-027)
2. Non-Normal Operations
  - a. Forced Outages and Response Plan (Section 7.4.4 of this BPM-027)
  - b. Emergency Repair and Testing (Section 7.4.5 of this BPM-027)
  - c. Major Facility Replacement/Rebuild Capabilities (Section 7.4.6 of this BPM-027)
3. Maintenance Activities
  - a. Spare Parts, Structures, and/or Equipment (Section 7.4.7 of this BPM-027)
  - b. Preventative/Predictive Maintenance & Testing (Section 7.4.8 of this BPM-027)
  - c. Financial Strategy for Facility Rebuilds/Replacement (Section 7.4.9 of this BPM- 027)
4. Safety (Section 7.4.10 of this BPM-027)

Any additional operations and maintenance information the RFP Respondents' desire to include in a Proposal may be submitted and shall be located in an attachment to the Proposal as instructed by the respective RFP and/or the Proposal template(s).

#### **7.4.1 Local Balancing Authority Area**

Proposals shall include a detailed description of the proposed plan(s) to incorporate the Competitive Transmission Facilities into a MISO Local Balancing Authority Area ("LBAA").

#### **7.4.2 Real-time Operations Monitoring and Control**

Proposals shall include a detailed description of any existing and/or planned procedures, processes, methods, practices, resources, and capabilities used to perform real-time monitoring and control of any Competitive Substation Facilities. For Competitive Substation Facilities this description shall include, at a minimum, the location of the control center and a summary of the Supervisory Control and Data Acquisition ("SCADA") system, including the type and frequency of data collected from the Competitive Substation Facilities and the type and frequency of data provided to MISO via Inter-Control Center Communications Protocol ("ICCP"). This description shall also include a summary of how the control center is staffed including, but not limited to, the following: (a) verification that the center is staffed on a 24/7 basis; (b) the number of staff per shift; the required qualifications of operations staff (e.g. NERC system operator certifications); and a summary of the control capabilities and procedures (e.g. remote breaker control, remote capacitor and reactor switching, etc.).

#### **7.4.3 Switching**

Any Proposal containing field mounted switches to be installed on a Competitive Transmission Facility shall include a detailed description of existing and/or planned capabilities, competencies, and processes, relative to the Competitive Transmission Facilities and the locations and the applicable jurisdictions where the Competitive Transmission Facilities are expected to be located, to perform necessary switching. Such switching activities may include writing switching orders, issuing tags, issuing clearances, and performing switching in the field. This description shall include, at a minimum, the following: (a) the identification and description of any internal

resources (e.g. supervision, labor, tools, vehicles, and equipment) and/or the contractors who will provide such supervision, labor, tools, vehicles, and/or equipment to be used; (b) the anticipated number (#) of internal staff and/or contractors to be used; (c) a summary of the experience and expertise of the internal staff and/or contractors to be used; (d) the base of operations and anticipated response time of the internal staff and/or contractors to be used; (e) identification and description of any specialty tools, vehicles, and/or equipment that is not owned by the RFP Respondent(s) or contractors that would need to be contracted (e.g. cranes, helicopters, etc.) to respond to and successfully complete any necessary switching on a 24/7 basis; and (f) rules, procedures, processes, and practices used for switching including writing switching orders, issuing tags, issuing clearance, and performing switching in the field.

#### **7.4.4 Forced Outage Response**

Proposals shall include a detailed description of any existing and/or planned capabilities, competencies, and processes to be utilized for the Competitive Transmission Facilities relative to the locations and jurisdictions where the Competitive Transmission Facilities will be routed and/or located, to respond to and successfully address any forced outages on a 24/7 basis. This description shall include, at a minimum: (a) the identification and description of any internal resources (e.g. supervision, labor, tools, vehicles, and equipment) and/or the contractors who will provide such supervision, labor, tools, vehicles, and/or equipment to be used; (b) the anticipated number (#) of internal staff and/or contractors to be used; (c) a summary of the experience and expertise of the internal staff and/or contractors to be used; (d) the base of operations and anticipated response time of the internal staff and/or contractors to be used; (e) identification and description of any specialty tools, vehicles, and/or equipment that is not owned by the RFP respondent(s) or contractors that would need to be contracted (e.g. cranes, helicopters, etc.) to respond to and successfully address any forced outages on a 24/7 basis; and (f) the rules, procedures, processes, and practices used for analyzing events and restoring service. Procedures for initiating emergency repair work and emergency switching should also be detailed.

#### **7.4.5 Emergency Repair and Testing**

Proposals shall include a detailed description of any existing and/or planned capabilities, competencies, and processes, relative to the Competitive Transmission Facilities and the locations and jurisdictions where the Competitive Transmission Facilities will be routed and/or located, to respond to and successfully complete any emergency repairs and/or testing on a 24/7 basis. This description shall include, at a minimum: (a) a discussion of policies, procedures, and processes for repairing and or replacing equipment following a failure; (b) the anticipated response times for making such repairs including transportation of spares to the site; (c) the anticipated quantity and type of resources that will be maintained to make various types of emergency repairs (e.g. employees, contractors, vehicles, tools, heavy equipment, safety equipment, etc.) including the location for the resources; (d) policies for determining which repairs can be made with equipment and facilities in service vs. which repairs require removing equipment and facilities from service; (e) policies, procedures, and processes for making emergency repairs to prevent a forced outage, equipment derate, or equipment damage when abnormal conditions are detected but no forced outage has yet occurred; (f) the internal resources (e.g. supervision, labor, tools, vehicles, and equipment) and/or the contractors who will provide such supervision, labor, tools, vehicles, and/or equipment to be; (g) the anticipated number (#) of internal staff and/or contractors to be used; (h) a summary of the experience and expertise of the internal staff and/or contractors to be used; (i) the base of operations and anticipated response time of the internal staff and/or contractors to be used; and (j) identification and description of any specialty tools, vehicles, and/or equipment that is not owned by the RFP respondent(s) or contractors that

would need to be contracted (e.g. cranes, helicopters, etc.) to respond to and successfully complete any emergency repairs and/or testing on a 24/7 basis.

#### **7.4.6 Major Facility Replacement and/or Rebuilding Capabilities**

Proposals shall include a detailed description of the current and/or planned capabilities, competencies, and processes relative to the Competitive Transmission Facilities and the locations and jurisdictions where the Competitive Transmission Facilities will be routed and/or located to complete any major facility replacements and/or rebuilds necessary as a result of catastrophic destruction and/or normal wear and tear. This description shall include, at a minimum, the general policies, procedures, methods, and practices that will be used to maintain and/or secure the resources required (e.g. labor, contractors, materials, equipment, etc.) to perform and successfully complete major facility replacements and rebuilds in a timely manner. Catastrophic restoration policies shall also be outlined, including but not limited to, the design criteria and estimated timeline for using temporary construction to restore service until permanent reconstruction can be completed (e.g. using wood H-frames to temporarily replace a large quantity of destroyed steel tangent structures until permanent structures, such as steel monopoles, steel H-frames, lattice towers, or similar structures can be made available, etc.).

#### **7.4.7 Spare Parts, Structures, and/or Equipment**

Proposals shall include a detailed description of any existing and/or planned capabilities, competencies, and processes to manage and maintain spare parts, structures, equipment, and/or assembly inventories for the Competitive Transmission Facilities. This description shall specifically include, at a minimum, a discussion on: (a) the spare parts believed necessary for the Competitive Transmission Facilities and a brief description of its reasoning; (b) any sharing agreements and/or agreements to procure readily available parts from vendors in lieu of maintaining an inventory; (c) the quantity of spare parts held in inventory and/or otherwise available for use if requested; (d) where such spare parts will be stored and/or located; (e) the anticipated response time to deploy such a spare part(s) for the Competitive Transmission Facilities following a request for such spare part(s); and (f) any information specified in the respective RFP and Proposal template(s).

#### **7.4.8 Preventative and/or Predictive Maintenance & Testing**

Each Proposal shall include a detailed description of any existing and/or planned capabilities, competencies, and processes, relative to the Competitive Transmission Facilities and the locations and jurisdictions where the Competitive Transmission Facilities will be routed and/or located, to perform necessary preventative and/or predictive maintenance, including vegetation management, and any necessary equipment testing. This description shall include, at a minimum: a discussion on (a) whether specific Competitive Transmission Facilities and/or equipment within a Competitive Substation Facility will be subject to preventative maintenance, predictive maintenance, or a combination of both; (b) specific maintenance tasks and the frequency with which they are performed, including data recorded, inspections made, and testing performed; (c) specific data used to make maintenance decisions and the trigger levels or trending criteria used to make maintenance decisions for various types of equipment and maintenance activities; (d) the identification and description of any internal resources (e.g. supervision, labor, tools, vehicles, and equipment) and/or the contractors who will provide such supervision, labor, tools, vehicles, and/or equipment to be used; (e) the anticipated number (#) of internal staff and/or contractors to be used; (f) a summary of the experience and expertise of the internal staff and/or contractors to be used; and (g) identification and description of the tools, vehicles, and equipment to be available to support such activities.

#### **7.4.9 Financial Strategy for Facility Rebuilds and/or Replacement**

Proposals shall include a descriptive summary of the RFP Respondent's current and/or planned financial strategy to timely facilitate and finance potential major capital replacements and/or rebuilds that may be necessary throughout the life of the Competitive Transmission Facilities, including potential catastrophic destruction. This description shall demonstrate the RFP Respondents' ability to be reasonably relied upon to address any catastrophic destruction of and/or normal wear and tear on the Competitive Transmission Facilities. The description shall include, but is not limited to the following: (a) general policies; (b) procedures; and (c) methods and practices that will be used to secure the resources necessary to perform major capital replacement work (e.g. labor, contractors, materials, equipment, etc.) in a timely manner.

#### **7.4.10 Safety – Operations and Maintenance**

Each Proposal shall include detailed descriptions of the current and or planned approach to safety during the operations and maintenance phase of the Project. Such description should address any specific safety considerations or challenges posed by the specific Competitive Transmission Project, such as site-specific or Project-specific safety considerations, and the proposed plan for addressing these considerations and challenges as well as any supporting documentation needed to support the discussion and proposed plan as allowed by the Proposal template instructions. Each Proposal shall also include the safety record of the entities that will be operating and maintaining the Competitive Transmission Project concerning the operations and maintenance scope of work. Specifically, this description should include the OSHA/DART reports of the entities that will be operating and maintaining the Competitive Transmission Project.

#### **7.4.11 Previous Applicable Experience and/or Demonstrated Abilities**

Proposals may include, but are not required to include, a brief but descriptive summary of the RFP Respondent(s) previous and/or current experiences in operating, maintaining, repairing, and/or replacing transmission facilities (i.e. transmission line facilities and/or transmission substation facilities). The descriptive summary should relate any prior experience and demonstrated discussed to the specific Competitive Transmission Project that is the subject of their Proposal in order to enable MISO to evaluate the relevance of such discussion to the RFP Respondent's ability to develop, construct, own, operate and maintain the specific project facilities. Generalized descriptions of prior experience and ability that are not related to the specific Proposal shall be considered but may be less useful or persuasive.

### **7.5 Planning Participation**

Participation in the MISO transmission planning process represents five percent (5%) of the criteria used in evaluating Proposals While not required, RFP Respondents and Proposal Participants who desire to have such participation considered in the evaluation of their Proposal shall state in their Proposal whether any RFP Respondent, Proposal Participant, or Affiliate of any RFP Respondent or Proposal Participant named in the Proposal was identified in MISO's publicly-posted list of entities that earned planning participation for the specific Competitive Transmission Project. Any Proposal stating that an Affiliate earned such planning participation credit shall also identify and describe the relationship between the RFP Respondent and/or Proposal Participant to the Affiliate.

### **7.6 General Proposal Information**

Each Proposal shall include the information generally pertaining to a Proposal as required by the MISO Tariff, this BPM-027, the respective RFP, and the respective Proposal template(s). Such information must be related to the Competitive Transmission Project, including the locations and applicable jurisdictions where the Competitive Transmission Facilities are/will be located. At a minimum, the following information shall be included in each Proposal submission.

### **7.6.1 Proposal Contact Information**

Each Proposal shall identify the individuals designated to be the primary contact person and the secondary contact person for the Proposal. This identification shall include the contact information specified in the Proposal template(s) for the primary and secondary contact person. The primary and secondary contact persons will be the point of contact for the Proposal and will represent all RFP Respondents and Proposal Participants involved in the Proposal submission in any communications and/or actions with MISO.

### **7.6.2 Identification of RFP Respondents**

Each Proposal shall clearly identify the number and identity of RFP Respondents involved in the Proposal. This information shall be provided in accordance with the Proposal template(s).

### **7.6.3 Identification of Proposal Participants**

Each Proposal shall clearly identify the number and identity of any Proposal Participants involved in the Proposal. Should a Proposal include any Proposal Participants, each RFP Respondent proposing to convey an interest in the Competitive Transmission Project to one or more Proposal Participants shall include in the Proposal a signed acknowledgment that it is responsible for all aspects of its portion of the Competitive Transmission Project, notwithstanding any default of any Proposal Participant's obligations, whether identified in the Proposal or under any contractual agreement(s). Such information shall be submitted in accordance with the Proposal template(s). In addition, each Proposal Participant shall include a written commitment to execute the TOA in the Proposal. Proposal Participants that are already signatories to the TOA shall indicate such in the Proposal and the written commitment to execute the TOA is not required for such a Proposal Participant. The written commitment to execute the TOA shall be the same written commitment utilized during the Prequalification Process as specified in Section 3.7.(y) of this BPM-027.

### **7.6.4 Proposal Type**

Each Proposal shall identify whether it was submitted as a Single-Developer Proposal or a Joint- Developer Proposal.

### **7.6.5 Ownership of Competitive Transmission Facilities**

Each Proposal involving two or more RFP Respondents or any Proposal Participant(s) shall clearly specify how the proposed ownership and/or conveyance of ownership interest of the Competitive Transmission Facilities will be facilitated amongst the RFP Respondents and Proposal Participants. At a minimum, the type of conveyance planned, the amount of interest to be conveyed, and the expected timing of any such transfer of ownership or interest shall be included in such a Proposal. This information shall be provided in accordance with the Proposal template(s). In addition, any available agreements between or among the RFP Respondent(s) and the Proposal Participant(s) regarding the ownership of the Competitive Transmission Facilities shall be submitted in the Proposal.

### **7.6.6 Disclosure of Assignments (or potential assignment)**

Proposals shall include a declaration stating whether or not each RFP Respondent will seek to assign the Competitive Transmission Facilities, Competitive Transmission Project, or Selected Developer Agreement to another entity pursuant to Article 14 of the Selected Developer Agreement. For each proposed assignment, except for assignments to Project Finance Entities pursuant to Article 14.4 of the Selected Developer Agreement, such declaration shall include the identity of the proposed assignee(s) and the material terms, including timing, of such proposed assignment. If such assignment is conditioned on the occurrence of future events, then a statement of the conditions under which the assignment would occur, and their anticipated timing shall be included. If an assignment is contemplated to an Affiliate that does not yet exist, then a description of the relationship that the RFP Respondent and such future Affiliate will have at the time of assignment and any commitments that the RFP Respondent intends to make to support the Affiliate shall constitute a sufficient identification of the intended assignee.

### **7.6.7 Roles & Responsibilities of RFP Respondents**

Each Proposal shall clearly and specifically identify each RFP Respondent's respective roles and responsibilities (including the respective percentage of responsibility) to finance, construct, implement, own, operate, maintain, repair, and restore the Competitive Transmission Project in such a manner that one hundred percent (100%) of the responsibilities are identified and disclosed in the Proposal. Any agreements between or among the RFP Respondents governing the division of roles and responsibilities shall be submitted with the Proposal.

### **7.6.8 Joint and Several Liability of RFP Respondents**

The Proposal shall state whether each and every RFP Respondent of a Proposal agrees to be jointly and severally liable for all aspects of the Proposal. In such a case, the Proposal shall include an agreement executed by each and every RFP Respondent stating such in the Proposal. If each and every RFP Respondent of the Proposal does not agree to be jointly and severally liable, the Proposal shall clearly specify such as well as the aspects of the Competitive Transmission Project for which each RFP Respondent will be solely liable, such that all aspects of the Competitive Transmission Project are accounted for in the Proposal.

### **7.6.9 Formation and Governance Documents**

Proposals shall include draft formation and governance documents for any legal entities (including the RFP Respondent(s) as applicable) to be formed or materially altered in the event the Proposal is designated by MISO as the Selected Proposal.

## **7.7 Proposal Attestation Affidavit**

Proposal submissions shall include a signed and notarized Proposal Attestation affidavit from each RFP Respondent and Proposal Participant.

Each RFP Respondent shall include an affidavit, signed by an officer of its organization, in a Proposal attesting that: (i) it understands that MISO's evaluation of Proposals and designation of a Selected Proposal is governed by the MISO Tariff and the MISO BPMs; (ii) it agrees to be bound by the MISO Tariff and to follow the applicable MISO BPMs; (iii) it has submitted the Proposal in good faith; (iv) the information submitted by the organization in the Proposal is true to the best of the RFP Respondent's knowledge and belief; (v) it has complied with all Applicable Laws, and

Regulations and Good Utility Practice in preparing the Proposal; and (vi) if selected, the RFP Respondent(s) agrees to be bound by its Proposal.

Each Proposal Participant shall include an affidavit, signed by an officer of its organization, in a Proposal attesting that: (i) the Aggregate ATRR for the Competitive Transmission Project and any required financial information about the Proposal Participant and its inputs into the Aggregate ATRR that has been submitted by the organization is true to the best of the Proposal Participant's knowledge and belief; and (ii) either (a) that it agrees to execute the TOA and identify the Competitive Transmission Facilities in Appendix H of the TOA prior to closing on its conveyed interest in the event MISO designates the Proposal as the Selected Proposal; or (b) prior to such closing it will demonstrate that it has already executed the TOA and it agrees to identify the Competitive Transmission Facilities associated with the Competitive Transmission Project in Appendix H of the TOA.

## **7.8 Acknowledgment of Support**

In the event that a Proposal identifies one or more Affiliates providing personnel, material, technical, financial, and/or any other resources or support from an Affiliate, the Proposal shall include an executed Acknowledgment of Support from each Affiliate identified in the Proposal. The Acknowledgement of Support must identify the full legal name of the Affiliates providing the support and clearly identify each type of support it is providing (i.e. an itemized list of the support/resources provided). Such an Acknowledgment of Support demonstrates that the respective Affiliate(s) is/are aware of the RFP Respondent's reliance on such Affiliate's resources and will make such resources available if the Proposal is designated as the Selected Proposal by MISO. Proposals should not include Acknowledgements of Support from vendors, subcontractors, or other entities that are not Affiliates of the RFP Respondent(s) listed in the Proposal. The RFP Respondent and any Affiliate providing financial support pursuant to an Acknowledgment of Support shall provide additional financial information including audited financial statements and notes, as well as *pro forma* financial statements and credit ratings. If credit ratings are not available, financial letter(s) of reference or support should be provided.

## **7.9 Optional Additional Information**

RFP Respondents shall provide the minimum required supporting attachments as described in the Proposal templates. Where allowed in the Proposal templates, RFP Respondents may elect to include in their Proposals additional information not required by the Transmission Provider that the RFP Respondent believes is relevant and useful to the evaluation of their Proposal. Such information must be relative to the Competitive Transmission Project, including the locations and applicable jurisdictions where the Competitive Transmission Facilities are/will be located. RFP Respondents are encouraged to keep such additional information concise and must explain the relevance of such additional information to the specific Competitive Transmission Project for which the Proposal is being submitted.

## **7.10 Proposal Page Limits**

Proposals submitted in response to an RFP issued by MISO shall not exceed the page limits as listed in the Table 7.10-1. Number of pages is defined as the total pages of the Proposal pdf or word document as counted by the applicable program submitted by RFP Respondent(s). The proposal page limit does not include attachments and attachments themselves do not have any page limits. If a Proposal is submitted that exceeds the page limits shown below, MISO will deem it incomplete at which point RFP Respondents would have the opportunity to cure. Font size, line spacing, page sheet size, and page margins will be specified in the Proposal templates.

Proposal page limits			
Indicative Proposal Window	90 Calendar Days	120 Calendar Days	165 Calendar Days
Proposal page limit	125 pages	200 pages	300 pages

**Table 7.10-1: Proposal page limits**

## 8 Proposal Evaluation & Selection

MISO will evaluate each Proposal<sup>35</sup> utilizing the Evaluation Principals and the evaluation criteria<sup>36</sup>, along with the application of reasonable judgment and opinion, within one hundred and sixty-five (165) Calendar Days from the respective Proposal Submission Deadline. These Proposals will be evaluated by MISO and/or its expert consultants whom will be overseen by the MISO Competitive Transmission Executive Committee, which will have the exclusive and final authority to determine the Selected Proposal. MISO may decline to accept any or all of the Proposals that: (a) do not meet the project classification requirements specified by the MISO Tariff for the respective project (e.g. the benefit-to-cost threshold for MEPs); and/or (b) will not sufficiently address the Transmission Issue(s) that the respective Competitive Transmission Project were intended to address. If no completed Proposals are received from QTDs in response to an issued RFP or if MISO declines to accept any of the Proposals by designating one as the Selected Proposal, the Competitive Transmission Facilities will be cancelled or assigned to the applicable Transmission Owner(s) in accordance with the MISO Tariff.<sup>37</sup>

### 8.1 Evaluation Principles

The evaluation of the Proposals specified in Section 8 of this BPM-027 will be guided and influenced by the collective application of the MISO Evaluation Principles. These principles are intended to provide a framework for applying the evaluation criteria specified by the MISO Tariff<sup>38</sup> to score each Proposal being evaluated. MISO will utilize these Evaluation Principles and the evaluation criteria specified by the Tariff and this BPM-027 along with the application of reasonable judgment and opinion to score the Proposals being evaluated. The MISO Evaluation Principles are specified in the list provided below and depicted in Figure 8.1-1.

1. Certainty: Providing a high degree of certainty and predictability
2. Risk Mitigation: Reflecting the lowest risk to the success of the project
3. Cost: Meeting all requirements at the lowest overall cost
4. Specificity: Providing a high degree of specificity and detail

RFP Respondents who invest the time and effort to clearly articulate how the various aspects of a Proposal provides certainty, specificity, reduces and/or mitigates risk, and lowers cost will be advantaged (i.e. demonstration of the MISO Evaluation Principles).

<sup>35</sup> Proposals submitted prior to the respective Proposal Submission Deadline, that have been cured of any deficiencies, that have not been withdrawn, or otherwise deemed invalid as specified by the MISO Tariff in Section VIII.E of Attachment FF

<sup>36</sup> As specified by the MISO Tariff in Section VIII.E.1 of Attachment FF and BPM-027 in Section 6.5

<sup>37</sup> As specified in the MISO Tariff in Section VIII.E. (a), (b) and (c)

<sup>38</sup> In Section VIII.E.1 of Attachment FF



**Figure 8.1-1:** MISO's Evaluation Principles

## 8.2 Evaluation Criteria, Weightings and Scoring

The MISO Tariff<sup>39</sup> specifies three (3) distinct sets of Proposal evaluation weightings; one for Competitive Transmission Projects only containing Competitive Transmission Line Facilities, one for Competitive Transmission Projects only containing Competitive Substation Facilities, and one for Competitive Transmission Projects containing both Competitive Transmission Line Facilities and Competitive Substation Facilities.

### 8.2.1 Scoring of 'Cost & Design', 'Project Implementation', and 'O & M'

The cost and design, project implementation, and operations and maintenance aspects of Proposals will be evaluated and scored based upon a comparative analysis. This analysis will compare each Proposal to one another with respect to cost and design, project implementation, and operations and maintenance. A Proposal considered to be the best in a given evaluation criterion (i.e. cost and design, project implementation, and operations and maintenance) will be categorized as 'Best' for that criterion. The remaining Proposals will then be organized into one of four categories (i.e. 'Better', 'Good', 'Acceptable', or 'Unacceptable') for that respective criterion based upon the merits of the Proposal and its application of the Evaluation Principles. A numerical score will then be awarded to each Proposal, commensurate with its categorization and comparative ranking for each evaluation criterion. Proposals deemed as the 'Best' in each evaluation criterion will receive the maximum score allowed for that particular criterion. The numerical scores for each remaining Proposals will be awarded based upon its comparative ranking with all other Proposals for that evaluation criterion. MISO may elect to score Proposals the same for categorizations of 'Unacceptable', 'Acceptable', and 'Good'.

<sup>39</sup> In Section VIII.E.1 (a), (b) and (c) of Attachment FF

### **8.2.2 Scoring of Planning Participation**

Participation in the transmission planning process represents five percent (5%) of the criteria used in evaluating and scoring Proposals<sup>40</sup>. Planning participation may be earned regardless of an entity's certification as a QTD (i.e. a non-QTD may earn planning participation).

Planning participation will be scored on an all or nothing basis. Entities may earn the full planning participation credit if they timely submit a minimum of one (1) completed Transmission Solution Idea Submittal Form in the MISO transmission expansion planning study or interregional transmission expansion planning study that resulted in the recommendation of that specific Competitive Transmission Project for inclusion in Appendix A of a MISO Board of Directors approved MTEP. The Transmission Solution Idea Submittal Form does not have to include any of the Competitive Transmission Facilities identified in the respective Competitive Transmission Project. Any planning participation earned by an entity is applicable to that entity's Affiliates.

Within thirty (30) Calendar Days after the date the MISO Board of Directors approve a MTEP containing a Competitive Transmission Project, MISO will publicly post a list on its website identifying the entities that have met the requirements to earn planning participation for each respective Competitive Transmission Project. This list will only identify those entities that have met the requirements. However, any Affiliates of the entities identified on this list will have earned the planning participation in accordance with this Section 8.2.2 of BPM-027.

Proposals will be awarded the full planning participation points if the Proposal identifies any RFP Respondent or Proposal Participant listed on the publicly posted list of entities that earned planning participation for that specific Competitive Transmission Project. Proposals that rely on an Affiliate of any of the RFP Respondents or Proposal Participants named in the Proposal for earning planning participation will be evaluated to verify the Affiliate – RFP Respondent or Proposal Participant relationship prior to the planning participation points being awarded to such Proposals.

### **8.2.3 Evaluation Score**

A Proposal's evaluation score is the summation of that Proposal's cost and design, project implementation, operations and maintenance, and planning participation scores as depicted in Figure 8.2.3-1, Figure 8.2.3-2, and Figure 8.2.3-3.

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<sup>40</sup> As specified by the MISO Tariff in Section VIII.E.1 (a), (b) and (c) of Attachment FF

Evaluation Principles Applied (Certainty, Risk Mitigation, Cost, & Specificity)	Competitive Transmission Line Facilities		
	Tariff Criteria	Tariff Subcriteria	Score
	<b>Cost &amp; Design</b> 30%	Electrical Design	0-30 pts.
		Structural Design	
		Estimated Project Cost	
		Estimated Annual Transmission Revenue Requirement	
	<b>Project Implementation</b> 35%	Project Schedule & Management	0-35 pts.
		Regulatory Permitting & Route Evaluation	
		Right-of-Way & Land Acquisition	
		Construction	
		Financing & Capital Resources Plan	
		Safety	
	<b>O &amp; M</b> 30%	Normal Operations	0-30 pts.
		Non-Normal Operations	
		Maintenance Activities	
		Safety	
	<b>Planning Participation</b> 5%	Transmission Solution Idea Submittal Form	0 or 5 pts.
	Total Score:		0-100 pts.

Figure 8.2.3-1: Evaluation Scorecard for Competitive Transmission Line Facilities

Evaluation Principles Applied (Certainty, Risk Mitigation, Cost, & Specificity)	Competitive Substation Line Facilities		
	Tariff Criteria	Tariff Subcriteria	Score
	<b>Cost &amp; Design</b> 30%	Electrical Design	0-30 pts.
		Structural Design	
		Estimated Project Cost	
		Estimated Annual Transmission Revenue Requirement	
	<b>Project Implementation</b> 30%	Project Schedule & Management	0-30 pts.
		Regulatory Permitting & Route Evaluation	
		Right-of-Way & Land Acquisition	
		Construction	
		Financing & Capital Resources Plan	
		Safety	
	<b>O &amp; M</b> 35%	Normal Operations	0-35 pts.
		Non-Normal Operations	
		Maintenance Activities	
		Safety	
	<b>Planning Participation</b> 5%	Transmission Solution Idea Submittal Form	0 or 5 pts.
	<b>Total Score:</b>		<b>0-100 pts.</b>

Figure 8.2.3-2: Evaluation Scorecard for Competitive Substation Facilities

Evaluation Principles Applied (Certainty, Risk Mitigation, Cost, & Specificity)	Mixed Competitive Transmission Facilities		
	Tariff Criteria	Tariff Subcriteria	Score
	<b>Cost &amp; Design</b> 30%	Electrical Design	0-35 pts.
		Structural Design	
		Estimated Project Cost	
		Estimated Annual Transmission Revenue Requirement	
	<b>Project Implementation</b> 30%	Project Schedule & Management	0-30 pts.
		Regulatory Permitting & Route Evaluation	
		Right-of-Way & Land Acquisition	
		Construction	
		Financing & Capital Resources Plan	
		Safety	
	<b>O &amp; M</b> 35%	Normal Operations	0-30 pts.
		Non-Normal Operations	
		Maintenance Activities	
		Safety	
	<b>Planning Participation</b> 5%	Transmission Solution Idea Submittal Form	5 pts.
	Total Score: 0-100 pts.		

Figure 8.2.3-3: Evaluation Scorecard for Mixed Competitive Transmission Facilities

### 8.3 Announcement of the Selected Proposal

MISO will post the name(s) of the Selected Developer(s) on the MISO website within one hundred and sixty-five (165) Calendar Days of the Proposal Submission Deadline. The Selected Developer(s) identified in the Selected Proposal will be informed that its Proposal was selected by e-mail communication to the primary and secondary contact person(s). In addition, MISO will also notify the Alternate Selected Developer(s), which shall not be the same entity or group of entities that have been chosen as the Selected Developer(s), by e-mail communication to the primary and secondary contact person(s) that they have been designated as such on the same day that MISO publicly posts the name(s) of the Selected Developer(s) on the MISO website. MISO will not publicly announce or disclose the Alternate Selected Developer(s). Upon posting the name of the Selected Developer(s), the obligation of RFP Respondents not named as the Selected Developer or notified that they have been designated as the Alternate Selected Developer(s) pursuant to the MISO Tariff under Section VIII.H of Attachment FF to hold their Proposals open shall cease. MISO will target its evaluation time span to match the Proposal Window time span as shown in Table 8.3-1.

Proposal window and evaluation time spans			
Indicative Proposal Window	90 Calendar Days	120 Calendar Days	165 Calendar Days
MISO evaluation time span	90 CalendarDays	120 CalendarDays	165 CalendarDays

Table 8.3-1: Proposal window and evaluation time spans

### 8.4 Selection Report

Within thirty (30) Calendar Days after the day MISO publicly posts the name(s) of the Selected Developer(s) on the MISO website as specified in Section 8.3 of this BPM-027, MISO will publicly post a selection report on the MISO website explaining the basis of its decision in designating the Selected Proposal. The selection report will set forth the results of the comparative analysis undertaken by MISO including the basis for MISO's decision, each Proposal's total evaluation score (with the identification of RFP Respondents and Proposal Participants redacted), and each Proposal's evaluation criteria rank (i.e., cost and design, project implementation, & operations and maintenance). MISO may elect to group proposal summaries for Proposals that are categorized as 'Unacceptable', 'Acceptable', and 'Good'.

### 8.5 Competitive Transmission Process Fees & Deposit Refunds

Proposals submitted in response to an issued RFP will be allocated a *pro rata* portion of the actual expenses incurred by MISO in implementing the Competitive Developer Selection Process for that respective Competitive Transmission Project. RFP Respondents involved with these Proposal submissions shall be responsible for the expenses allocated to their Proposals. MISO will track all time and expenses associated with each Competitive Transmission Project, pursuant with the MISO Tariff in Section VIII.D.3 of Attachment FF, and offset these expenses by applying the Proposal Deposits from Proposals submitted in response to the respective Competitive Transmission Project's RFP on a pro rata basis. Any shortfall will be billed by MISO and the RFP Respondents involved with these Proposal submissions shall pay the allocated expenses to MISO within thirty (30) Calendar Day

of receiving notice of such shortfall. Any QTD that fails to pay any shortfall may lose its QTD status until the shortfall is recovered from that QTD. Any funds remaining after the evaluation of all Proposals submitted in response to an RFP will be refunded in accordance with Section 8.6 of this BPM-027.

## 8.6 Returns & Refunds of a Proposal Deposit

Proposal Deposits received by MISO after the applicable Proposal Submission Deadline will be returned to the entity that submitted the Proposal Deposit. Proposal Deposits associated with a Proposal that was withdrawn will be handled in accordance with Section 6.8 of this BPM-027. Proposal Deposits associated with Proposals that are deemed invalid will be refunded in accordance with Section 6.5 of this BPM-027. After the expenses of facilitating the Competitive Transmission Process associated with a specific Competitive Transmission Project is reconciled against the Proposal Deposits pursuant to Section 8.5 of this BPM-027, any remaining balance will be refunded with interest on a *pro rata* basis to each Proposal. Any such refund will be distributed to the applicable entity who submitted the Proposal Deposits within seventy-five (75) Calendar Days following the designation of the Selected Developer. The amount of interest payable for such refunds shall be calculated as specified by the MISO Tariff in Section VIII.D.3 of Attachment FF.

## 8.7 Posting of Evaluation Costs

Following the reconciliation of costs for a Competitive Transmission Project, MISO will publicly post an accounting of its costs incurred in facilitating the Competitive Transmission Process for that Competitive Transmission Project on the MISO website including how the Proposal Deposit reconciliation for each Proposal was calculated.

## 8.8 Proposal Evaluation & Selection Dispute Resolution

Any disputes regarding the evaluation and/or selection of Proposals shall be referred to the MISO Dispute Resolution Process specified in the MISO Tariff under Attachment HH.

# 9 Selected Developer Agreement

The Selected Developer Agreement (“SDA”) establishes the terms and conditions under which the Selected Developer(s) will construct and implement the Competitive Transmission Facilities specified in the Selected Proposal. The *pro forma* SDA can be found in the MISO Tariff in Appendix 1 to Attachment FF. Pursuant to the MISO Tariff<sup>41</sup>, the RFP Respondent(s) identified in a Selected Proposal shall execute the SDA or request the submission of an unexecuted SDA with the FERC no later than sixty (60) Calendar Days after MISO has posted the name of the Selected Developer(s) on the MISO website). If the Selected Developer(s) requests a submission of an unexecuted SDA, such filing shall be filed, including an explanation of any matters the Selected Developer(s) and MISO disagree on, no later than fifteen (15) Calendar Days after receiving such request. As specified in Article 2 of the SDA<sup>42</sup>, the SDA is not effective until the Selected Developer(s) have fulfilled the Project Financial Security requirements of Article 3 of the SDA. This requires the submission of financial security to MISO in the amount and form specified in Article 3 of the SDA within thirty (30) Calendar Days after the Effective Date.

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<sup>41</sup> in Section VIII.F of Attachment FF

<sup>42</sup> Attachment FF Appendix 1 of the MISO Tariff

## 10 Consent to Assignment

Pursuant to the SDA, assignment of a Competitive Transmission Project by the Selected Developer(s) is allowable only with the written consent of MISO. The Consent to Assignment will be the mechanism by which MISO will provide its written consent approving an assignment. The Selected Developer(s) (as the assignor), MISO, and the organization(s) being assigned the Competitive Transmission Project (assignee) will execute the Consent to Assignment by an authorized officer, or equivalent official, with the authority to bind their respective organizations. MISO shall execute the Consent to Assignment once the Selected Developer and the proposed assignee have met the requirements for assignment as defined in the Consent to Assignment and no assignments by the Selected Developer will be allowed until the Consent to Assignment has been executed. MISO's consent to the assignment will be based on the considerations set forth in the Tariff and SDA. MISO's consent does not signify approval or express any opinion on the commercial terms of any agreements, including payments, negotiated between the Selected Developer and assignee. If any joint participant in a Joint Proposal desires to assign their responsibilities of a Competitive Transmission Project that joint participant will be required to follow all the requirements for assignment under the MISO Tariff, Attachment FF, Section VIII, SDA, and this BPM-027. MISO will require written consent of the assignment from the other joint parties identified in the Joint Proposal. If any of the joint participants does not consent to the assignment, then MISO will not consent to the assignment.

## 11 Delegation or Assignment Responsibilities

If RFP Respondents intend to delegate or assign a Competitive Transmission Project, RFP Respondents shall disclose any responsibilities being delegated or assigned to another entity, including Affiliates, or a joint partner. Any assignment will be subject to the requirements defined in the MISO Tariff, SDA<sup>43</sup>, and the Consent to Assignment. Any delegation or assignment of responsibilities to another entity not described in the Proposal, including Affiliates, or a joint partner that is either previously undisclosed, or disclosed but assigned to or designated for different responsibilities will trigger MISO's Variance Analysis of the Competitive Transmission Project pursuant to Attachment FF, Section IX of the MISO Tariff. RFP Respondents can delegate responsibilities of the project as identified in their Proposal. The RFP Respondent shall remain solely responsible for the Competitive Transmission Project regardless of any delegations that may take place. Assignment of an awarded Competitive Transmission Project will be subject to the requirements identified in the MISO Tariff, SDA, and Consent to Assignment and will not be allowed until such requirements are met.

## 12 Obligation to Negotiate Interconnection Agreements

The Selected Developer(s) and any Transmission Owner(s) whose facilities will interconnect to the Competitive Transmission Facilities that the Selected Developer is obligated to construct shall each take commercially reasonable efforts to finalize and execute any required Transmission-to-Transmission Interconnection Agreements

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<sup>43</sup> Particularly Article 14 of the SDA



at least one hundred and twenty (120) Calendar Days before the scheduled in service date of the Competitive TransmissionProject.