



North American Energy Standards Board

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Home Page: www.naesb.org

March 16, 2010

The Managing Committee via email unanimously endorsed the actions taken by the Parliamentary Committee as shown below.

Explanation and Clarification adopted by the Parliamentary Committee unanimously on January 5, 2011

Explanation & Clarification of Notational Voting Rules

Chairs have been given certain responsibilities and authority by the NAESB Board in order to effectively discharge their duties and see that the work of their committees, subcommittees and task forces is carried out.

In addition, and as GISB did prior to NAESB's creation, NAESB's EC uses notational voting to adopt standards, as provided in the bylaws. Normally this occurs when there are insufficient members at an EC meeting to either pass or not pass a proposed standard. In addition, and has occurred in the past, the EC has made ballots completely notational, which is to say that voting occurs solely through a notational ballot and not at an EC meeting. Normally this is a decision made by the chair(s) at the time of the vote in the case of complex matters and where additional time for consideration is deemed appropriate.

The PC believes it is time to better clarify the rules on notational ballots and thus makes the following recommendations to the Managing Committee and the Board:

- (1) Notational Ballots which occur as a result of insufficient votes at an EC meeting are sent only to those persons who were not present at the meeting in person or by phone and whose segment did not have Alternate(s) vote to full segment tally. If an EC member is not present at an EC meeting and is represented by a designated Alternate, that Alternate's vote counts when made. In the absence of a designated Alternate, any Alternate in attendance from the EC's segment may vote, and that Alternate's vote likewise counts when made. If there are multiple Alternates from the EC member's segment in attendance, any segment rules on seniority apply; in the absence of such rules the segment members in attendance shall designate which Alternate may vote. The votes of all present parties are final when cast prior to the close of the vote on the matter at the meeting. The subsequent notational vote(s) of EC members are final and counted in the order cast prior to the announced date and time of the close of voting. No segment may cast more votes than its full tally.
- (2) In the exercise of their sound discretion, chair(s) may declare that an EC vote shall be a notational vote only, in which case all EC members shall vote notationally. In such cases the votes of the EC members are final when cast prior to the announced date and time of the close of voting.
- (3) When the chair(s) have opted to use their discretion as indicated above they shall state their reasons for doing so; normally such reasons shall be limited to issues of greater complexity where postponing action to the next meeting is impractical or inconsistent with previously-established deadlines. The chair(s) decision shall stand unless overturned at the meeting by a vote of a majority of voting members (including seated Alternates) in attendance (in person or by phone), in which case the provisions of (1) above shall apply.

Revisions to NAESB Operating Practices adopted by the Parliamentary Committee unanimously via email on February 18, 2011

F. Standards Appeal Procedure

Any interested person with a direct and material interest who has been or may be adversely affected by a substantive or procedural action or inaction of the EC shall have the right to appeal, by resort to the procedures below. Section 1 applies to NAESB Standards and Section 2 applies to NAESB Standards that have been adopted by ANSI as ANSI Standards:



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1. Such affected person may ask that any adopted NAESB standard or proposed standard be amended, rejected, or reconsidered. A request for an amendment to existing standards or reconsideration of a proposed standard that was not adopted may be designated as an appeal by the requesting party and filed with the NAESB office. Appeals of actions shall be taken within 30 days after the date of notification of action by the EC; appeals of inactions may be taken at any time. The requesting party shall state in its appeal the reasons for its request and any proposed alternative language. Such requests shall be treated as requests for new standards and processed accordingly; or

2. Such affected person may appeal using the procedures set forth in Section 6 and Clause A.12 of the *ANSI Procedures for Development and Coordination of American National Standards*.

G. Process Appeal Procedure

Any interested person with a direct and material interest who has been or reasonably may be adversely affected by a procedural action of the EC to adopt a standard shall have the right to appeal, by resort to the procedures below, within 10 calendar days after the date of notification of action by the EC:

1. Such affected person carries the burden of presenting clear and convincing evidence that a standard adopted by the EC was invalidly adopted as a matter of process. Such evidence must overcome the rebuttable presumption that a standard adopted by the EC is valid and was validly adopted.

2. The complaining party must clearly identify the specific procedural defect(s) alleged and how they relate to existing NAESB policy regarding the adoption of standards and to the standard in question.

3. All such complaints must be directed to the NAESB Office on a form specified by them.

4. The NAESB Office shall first refer the matter to the NAESB General Counsel, who shall promptly review the complaint and advise the NAESB Office and the Managing Committee whether the complaint states a prima facie clear and valid cause for appeal.

5. If the Managing Committee determines that the complaint does not state a prima facie clear and valid cause for appeal then the NAESB Office will so advise the complaining party. The complaining party shall have 10 calendar days from the NAESB Office's notification to revise its appeal application. Following the reapplication, if the Managing Committee again determines that the complaint does not state a prima facie clear and valid cause for appeal then the NAESB Office shall advise the complaining party. A report shall be made to the Board as a matter of information only at the next meeting following its action.

6. If the Managing Committee determines that the complaint does state a prima facie clear and valid cause for appeal then the complaining party becomes the appealing party, the complaint becomes an appeal and the Managing Committee shall promptly refer the matter to the Parliamentary Committee for review and decision. The Parliamentary Committee may meet in person or otherwise, and may consider the matter based upon the written filing and may request supplemental information from the appealing party. It shall also request input from the EC leadership and shall review the record of EC proceedings as the Parliamentary Committee deems necessary.

7. The Parliamentary Committee thereafter shall promptly forward its decision to the Board through the Managing Committee.

8. If the Parliamentary Committee determines that the EC action was procedurally defective, the Parliamentary Committee shall promptly notify the NAESB Office and the NAESB Office shall promptly so advise the EC and direct the EC to take action to reconsider the standard. The action taken shall be in the form of a revote of the appealed standard using NAESB practices.

9. If the Parliamentary Committee determines that the EC action was not procedurally defective then the then the Parliamentary Committee shall promptly notify the NAESB Office and the NAESB Office shall promptly so advise the appealing party.



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10. The Parliamentary Committee shall endeavor to complete its work, make its decision and communicate same to the Managing Committee within 60 calendar days of the Managing Committee's referral of the matter to the Parliamentary Committee for review and decision.

11. At the next Board meeting following final action by the Parliamentary Committee with respect to the appeal, the Managing Committee shall report the Parliamentary Committee's decision to the Board as a matter of information only.

12. Should the appealing party be a member of the Managing Committee or the Parliamentary Committee, to avoid conflict of interest, the appealing party is barred from voting on the appeal.



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Parliamentary Committee Members as of March 3, 2011:

Valerie Crockett	(WGQ)	Tennessee Valley Authority
Susanna B. Barry	(WGQ)	Tennessee Gas Pipeline Company
Bill Boswell	non-voting	NAESB General Counsel
R. Scott Brown	(WEQ)	Exelon Generation Power Team
Jim Buccigross	(WEQ)	8760 Inc.
J. Cade Burks	(REQ)	ista
Michael Desselle	(WEQ)	Southwest Power Pool
Bruce Ellsworth	(WEQ)	New York State Reliability Council
Art Fusco	(WEQ)	Central Electric Power Cooperative, Inc.
Joseph R. Hartsoe	(WEQ)	American Electric Power Service Corp.
Jesse Hurley	(WEQ)	Shift Research, LLC
Richard Kruse	(WGQ)	Spectra Energy Transmission
Greg Lander	(RGQ)	Capacity Center
Lou Oberski	(WEQ)	Dominion Resources Services, Inc.
Debbie McKeever	(REQ)	Oncor
Leigh Spangler	(RGQ)	Latitude Technologies, Inc.