

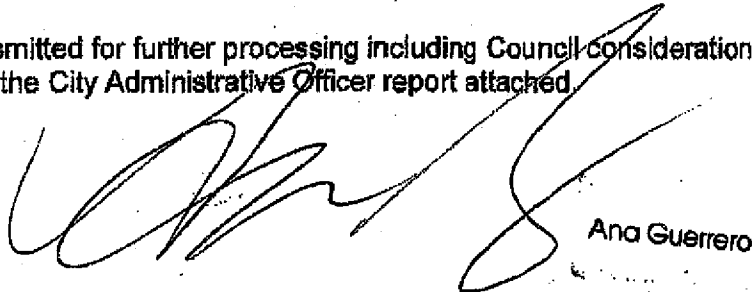
TRANSMITTAL

0150-10628-0000

TO Marcie L. Edwards, General Manager Department of Water and Power	DATE APR 25 2016	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT	

RECIPROCAL NON-DISCLOSURE AND USE OF INFORMATION AGREEMENT FOR EXCHANGE OF TRANSMISSION PLANNING INFORMATION WITH THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION

Approved and transmitted for further processing including Council consideration.
See the City Administrative Officer report attached.



Ana Guerrero

MAYOR

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: April 22, 2016

CAO File No.: 0150-10828-0000

Council File No.:

Council District:

To: The Mayor

From: Miguel A. Santana, City Administrative Officer *MAS*

Reference: Communication from the Department of Water and Power dated February 19, 2016; referred by the Mayor for report on February 19, 2016

Subject: **RECIPROCAL NON-DISCLOSURE AND USE OF INFORMATION AGREEMENT FOR EXCHANGE OF TRANSMISSION PLANNING INFORMATION WITH THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION**

SUMMARY

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution authorizing the Reciprocal Non-Disclosure and Use of Information Agreement for Exchange of Transmission Planning Information (Agreement) with the California Independent System Operator Corporation (CAISO).

The purpose of this Agreement is to protect confidential and proprietary information shared between DWP and CAISO. Collaboration with CAISO and the adjacent transmission providers ensures the simultaneous feasibility of transmission plans/projects, identifies potential areas for increased efficiency, and maintains consistent use of operating assumptions. To receive this information from the CAISO on future projects, DWP is required to execute this proposed Agreement. DWP asserts that all other collaborating agencies will or have already executed a similar non-disclosure and use agreement with the CAISO. There is an existing reciprocal non-disclosure agreement between CAISO and DWP; however, it recently expired on March 20, 2016. The proposed Agreement will replace the expired agreement.

Approval of the proposed resolution will authorize a new Agreement with CAISO providing a term that shall remain in effect until either party provides 10 days written notice to the other party of the intent to terminate. It is noted that certain sections of the Agreement pertaining to confidentiality and disclosures shall survive any termination of the Agreement for a period of 10 years.

Approval of the proposed Agreement does not result in a fiscal impact.

DWP asserts no alternatives are available for this proposed Agreement.

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City Council approval of the proposed resolution and Agreement is required pursuant to City Charter Section 373 and the Los Angeles Administrative Code Section 10.5. The City Attorney asserts that Charter Section 373 does not identify a contractual time limit for the proposed agreement and permits a contract that does not include an expiration date. The City Attorney has approved the proposed resolution as to form and legality.

RECOMMENDATION

That the Mayor:

1. Approve the proposed resolution authorizing the Reciprocal Non-Disclosure and Use Agreement for Exchange of Transmission Planning Information with the California Independent System Operator; and,
2. Return the proposed resolution to the Department for further processing, including Council consideration.

FISCAL IMPACT STATEMENT

Approval of the proposed resolution does not result in a fiscal impact to the DWP Power Revenue Fund or the City General Fund. The proposed Agreement complies with the Department's adopted Financial Policies.

TIME LIMIT FOR COUNCIL ACTION

Pursuant to Charter Section 373, "Long Term Contracts Approved by Council," and the Los Angeles Administrative Code Section 10.5, "Limitation and Power to Make Contracts," unless the Council takes action disapproving a contract that is longer than three years within 60 days after submission to Council, the contract shall be deemed approved.

MAS:RR:10160082