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**TO:** NAESB Wholesale Electric Quadrant (WEQ) and Retail Markets Quadrant (RMQ) Business Practices Subcommittees (BPS) Participants and Interested Parties

**FROM:** Caroline Trum, Director of Wholesale Electric Activities

**RE:** Joint WEQ and RMQ BPS Meeting – October 16, 2024

**DATE:** October 11, 2024

Dear NAESB WEQ and RMQ BPS Participants and Interested Parties,

As discussed during the previous meeting, the RMQ and WEQ BPS have scheduled an additional meeting for Wednesday, October 16, 2024 from 2:00 – 5:00 PM Central. During the meeting, the participants will finalize the modifications to the NAESB Base Contract for the Sale and Purchase of Distribution Services from DER Aggregations, the NAESB Conditions Precedent Addendum that the RMQ/WEQ BPS would like to propose as late comments in response to Standards Request R24001. Any late comments will be provided to the Executive Committees for consideration during their meetings scheduled for October 23 – 24, 2024. The agenda for this meeting is included below and posted to the WEQ and RMQ BPS pages of the NAESB website.

During the October 10, 2024 meeting, participants discussed areas where additional clarity may be helpful for contracting parties, with a focus on the sets of products and services intended to be transacted for using the contract. These discussions resulted in modifications to better clarify that transactions under the contract are limited to distribution services that enhance or support distribution system facilities and exclude any distribution services that are wholesale sales of FERC jurisdictional products. The participants also identified several other areas where further revisions may be beneficial. These included consideration of : (1) language to better clarify non-performance penalties and the use of performance evaluations and settlement methodologies as part of the billing and payment process in Section 6; (2) the inclusion of a services-related indemnity clause in Section 7; (3) a more streamlined early termination process; and (4) additional, explanatory information in the NAESB Distribution Services Base Contract FAQ regarding applicable programs, governing documents, and dispute resolution processes. For this next meeting, the chairs have asked participants provide draft language for consideration.

As with all NAESB meetings, this meeting is open to any interested party regardless of membership status within NAESB. Consistent with the NAESB non-member meeting participation [policy](http://www.naesb.org/pdf4/naesb_web_site_faq.pdf), non-members must register through the following hyperlink and pay the non-member meeting participation fee: <https://naesb.org/committee_activities.asp>

All participants are encouraged to read the NAESB Antitrust and Other Meetings Policies prior to the meeting: <http://www.naesb.org/misc/antitrust_guidance.doc>.

Best Regards,

Caroline Trum

**WHOLESALE ELECTRIC QUADRANT**

**RETAIL MARKETS QUADRANT**

**Joint WEQ and RMQ Business Practices Subcommittees**

**October 16, 2024 – 2:00 PM to 5:00 PM Central**

**DRAFT AGENDA**

1. Welcome

* [Antitrust and Other Meeting Policies](http://www.naesb.org/misc/antitrust_guidance.doc)
* Introduction of Attendees
* Adoption of Agenda
* Adoption of Available Draft Minutes

1. Finish Review the Industry Comments Submitted in Response to the Recommendation to Support Standards Request R21004 and Finalize Revisions to Propose as Late Formal Comments from the Joint WEQ/RMQ BPS

* NAESB Base Contract for the Sale and Purchase of Distribution Services from DER Aggregations
* NAESB Conditions Precedent Addendum
* NAESB Distribution Services Base Contract FAQ

1. Other Business
2. Adjourn

Antitrust and Other Meeting Policies

Antitrust guidelines direct meeting participants to avoid discussion of topics or behavior that would result in anticompetitive behavior including: restraint of trade and conspiracies to monopolize, unfair or deceptive business acts or practices, price discriminations, division of markets, allocation of production, imposition of boycotts, and exclusive dealing arrangements.

Any views, opinions or positions presented or discussed by meeting participants are the views of the individual meeting participants and their organizations. Any such views, opinions or positions are not the views, positions or opinions of NAESB, the NAESB Board of Directors, or any NAESB Committee or Subcommittee, unless specifically noted otherwise.

As it is not the purpose of the meeting to discuss any antitrust topics, if anyone believes we are straying into improper areas, please let us know and we will redirect the conversation.

Participants recording any portion of a NAESB meeting or conference call are reminded that federal and state statutes mandate various disclosure and consent requirements. It is NAESB’s policy that participants comply with all applicable state and federal statutes related to the recording of conversations. As a courtesy to the meeting attendees, anyone taping a meeting should announce that they are doing so in the meeting before beginning the recording.

Participants should understand that NAESB meetings are open to any interested party, who may or may not declare themselves present when attending by phone/web cast.

Participants are advised to review the NAESB Intellectual Property Rights Policy Concerning Contributions and Comments.