Tri-State Generation & Transmission Assn., Inc.

2026

Standards of Conduct Implementing Procedures for Tri-State Generation and Transmission Association, Inc.

In Accordance with the Federal Energy Regulatory Commission Order 717 - Standards of Conduct for Transmission Providers (18 C.F.R. PART 358)

In October 2008, the Federal Energy Regulatory Commission (FERC) issued Order No. 717, revising the Standards of Conduct rules for electric and natural gas Transmission Providers (the Standards). Subsequently, FERC issued several Orders to clarify certain provisions of Order 717. For ease of reference, we refer to each of these Orders collectively as Order 717. FERC Order 717 requires Tri-State Generation and Transmission Association, Inc. ("Tri-State") to establish detailed written compliance procedures. This document provides those procedures with some clarifying text.

Tri-State, as the owner, operator, and controller of facilities used for the Transmission of electric energy in interstate commerce that conducts Transmission transactions with an Affiliate that engages in Marketing functions, has elected to adopt and abide by the FERC standards of Conduct pursuant to 18 C.F.R. Part 358. However Tri-State does not waive any exemption from jurisdiction or submit to any jurisdiction that FERC does not have with respect to Tri-State, its facilities, books and records or its operations.

Compliance Obligations

Compliance with these procedures by employees, contractors, consultants and agents is mandatory.

Affected Employees (as defined in these Procedures) should strictly adhere to the Order 717 Standards and these Guidelines in performing their jobs. The Standards of Conduct Chief Compliance Officer (SOC CCO), senior executives, department team leaders and supervisors are ultimately responsible for ensuring that all employees within their areas of responsibility review, understand, and comply with the Standards and these Procedures.

If You Have Questions

Any questions regarding the FERC Standards of Conduct regulations or these Procedures should be submitted to:
SOC@tristategt.org or call at 303-254-3676.

Updates/Revisions

These Procedures may be revised from time to time to reflect the most recent rules or interpretations of the Standards by FERC. Updates to these Guidelines may be distributed to Affected Employees by e-mail or also may be viewed on the Tri-State website at:
https://tristate.coop/written-procedures

Organization of these Procedures

These Procedures are organized to generally follow the organization of the FERC regulations. The Procedures list the FERC rule number, the FERC rule text in italics and then provide information on how to comply. To aid your understanding of the rules and Procedures, the Procedures provide some Order 717 and Tri-State definitions first.

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Employees, contractors, consultants and agents of Tri-State are encouraged to consult the Standards of Conduct Compliance Site on the intranet and these additional resources for further information on Standards of Conduct compliance issues located at:
https://tristate.coop/written-procedures

Definitions

The following capitalized terms used in these Procedures have the following meanings:

1. Tri-State Definitions

Affected Employees within Tri-State include:

- Transmission Function employees in Transmission System Operations, Transmission Engineering, Transmission Maintenance, Transmission Support, Transmission Contracts, Rates, and Policy and employees in Transmission Planning who perform System Impact Studies used to grant or deny transmission service requests.
- Wholesale Merchant Function employees in: (i) Energy Trading in Energy Markets including Energy Portfolio Management (ii) Business Development Managers in Energy Resources and (iii) contractors/consultants/agents who perform Marketing Function activities.
- Officers, directors, supervisory employees, and any other employees likely to become privy to Transmission Function Information.

SOC Chief Compliance Officer or SOC CCO means the Standards of Conduct Chief Compliance Officer. The SOC CCO is Doug Reese. The SOC CCO has a reporting relationship to the Tri-State Senior Vice President – General Counsel, Jay Sturhahn who is also the Tri-State Chief Compliance Officer.

Transmission Restricted Area means an area where Transmission Function employees and other employees that routinely use non-public Transmission Function Information to perform their jobs should be located. The areas have restricted card access readers or other access controls.

NERC means the North American Electric Reliability Corporation.

OATT or **Tariff** means Open Access Transmission Tariff. Under separate FERC rules, the Tri-State Transmission Provider is obligated to provide open access transmission services to non-affiliated customers on a non-discriminatory basis under an OATT mandated by FERC. An OATT can include (a) the Tri-State OATT, (b) or the OATT of a Regional Transmission Organization like SPP.

RTO means a Regional Transmission Organization. SPP is an RTO with functional control of the Tri-State Transmission facilities located in the eastern Interconnect of the United States.

SPP means the Southwest Power Pool, Inc. Tri-State is a transmission-owning member of SPP.

Tri-State means Tri-State Generation and Transmission Association, Inc., headquartered in Westminster Colorado serving load primarily in the states of Colorado, Nebraska, New Mexico and Wyoming[1].

2. FERC Definitions

The following terms used in these Procedures have the meanings established by FERC. To assist your understanding, some of the terms are followed by explanatory information. Note: the text in italics is FERC rule text. We have omitted some rule text not applicable to Tri-State, which is shown by an "…." in the text.

Affiliate *of a specified entity means: (1) Another person that controls, is controlled by or is under common control with, the specified entity. An affiliate includes a division of the specified entity that operates as a functional unit…. (3)"Control" as used in this definition means the direct or indirect authority, whether acting alone or in conjunction with others, to direct or cause to direct the management policies of an entity. A voting interest of 10 percent or more creates a rebuttable presumption of control.*

Explanation: The Tri-State Transmission Provider and Tri-State Wholesale Merchant Function are affiliates of each other because they are under the common control of Tri-State Generation and Transmission Association, Inc. The Transmission Function and Wholesale Merchant Function are "functional units" within Tri-State. For purposes of these Standards of Conduct, Energy Markets in the Energy Management Division of Tri-State is an Affiliate of Tri-State.

Control means *the direct or indirect authority, whether acting alone or in conjunction with others, to direct or cause to direct the management policies of an entity. A voting interest of 10 percent or more creates a rebuttable presumption of control*.

Internet website *refers to the Internet location where…a public utility posts the information, by electronic means, required under this part 358.*

Explanation: The Tri-State Transmission Provider posts the information, by electronic means, required under Order 717 at the Transmission Page of the Tri-State website, located at: http://www.tristate.coop/
In addition to posting on the Tri-State website, the Tri-State Transmission Provider may also post this information on its Open Access Same Time Information System (OASIS) site.

Marketing Functions *means (1) in the case of public utilities and their affiliates, the sale for resale in interstate commerce, or the submission of offers to sell in interstate commerce, of electric energy or capacity, demand response, virtual transactions, or financial or physical*

[1] Through is member Systems, Tri-State provides small amounts of load service to end users in Arizona, Utah, and Montana but no transmission facilities cross those state lines.

transmission rights, all as subject to an exclusion for bundled retail sales, including sales of electric energy made by providers of last resort (POLRs) acting in their POLR capacity….

Explanation: At Tri-State, we refer to Marketing Functions as Energy Markets. Affected Employees in these functions make *wholesale* sales, or offer to make sales, of electric energy or capacity, demand response, virtual transaction or financial or physical transmission rights in interstate commerce. However, the vast majority of electric customers served by the Tri-State Transmission Provider are member systems served on Wholesale Electric Service Contacts. Tri-State does not make any retail or end user sales so it is not considered a Provider of Last Resort (POLR).

Marketing Function [or Wholesale Merchant Function] employee *means an employee, contractor, consultant or agent of a transmission provider or of an affiliate of a transmission provider who actively and personally engages on a day-to-day basis in marketing functions.*

Explanation: At Tri-State, the Energy Markets employees are located in the Energy Trading area in a locked area of the third floor of the HQ building. The Business Development Managers are located outside the locked area, also on the third floor. FERC clarified that an employee making business decisions about non-price terms and conditions also can be considered a Wholesale Merchant Function employee if the employee is actively and personally engaged in marketing functions. However, an employee who simply drafts or redrafts a contract, including non-price terms and conditions, without making business decisions, is not a marketing or Wholesale Merchant Function employee.

Open Access Same Time Information System or **OASIS** *refers to the Internet location where a public utility posts the information required by part 37 of this chapter, and where it may also post the information required to be posted on its Internet website.*

Explanation: The Tri-State Transmission Provider has been required to operate an OASIS site for several years. The Tri-State Transmission Provider and its Transmission Customers use OASIS to, among other things, request or approve transmission services Under Order 717, some information previously published on OASIS shall now be published on an **Internet website**. Information that must be posted pursuant to the Standards will be made available via the Transmission page of the Tri-State website at http://www.tristate.coop/. In addition, this information also may be posted on the applicable OASIS site.

Transmission or **Transmission services** *means electric transmission, network or point-to-point service, ancillary services or other methods of electric transmission, or the interconnection with jurisdictional transmission facilities under 18 CFR part 35….*

Explanation: Transmission services can be provided under the Tri-State OATT, (b) the regional SPP OATT, or (c) individual transmission service contracts.

Transmission Customer *means any eligible customer, shipper or designated agent that can or does execute a transmission service agreement or can or does receive transmission service, including all persons who have pending requests for transmission service or for information regarding transmission.*

Transmission Function *means the planning, directing, organizing or carrying out of day-to day transmission operations, including the granting and denying of transmission service requests*.

Transmission Function employee *means an employee, contractor, consultant or agent of a transmission provider who actively and personally engages on a day-to-day basis in transmission functions*.

Explanation: At Tri-State, Transmission Function employees are located in the Transmission Operations area and the System Protection Engineering area. These areas are actively and personally engaged on a day-to day basis in transmission operations, including the granting or denying of transmission service and interconnection requests.

Transmission Function Information *means information relating to transmission functions*.

Explanation: Tri-State has interpreted **Transmission Function Information** to mean any internal information related to the planning, directing, organizing or carrying out of day-to day transmission operations, including the granting and denying of transmission service and interconnection requests. Below are some examples of Transmission Function Information:

- Transmission operating data
- Transmission flows
- Transmission equipment status
- Capacity available on the transmission system (present or future)
- Transmission outages (planned and unplanned, current and future)
- Transmission operating and switching procedures
- Non-affiliated Transmission Customer information
- Transmission information received by the Transmission Function about the transmission system of others

The Tri-State Transmission Provider will provide comparable access to Transmission Function Information by posting such information on the Internet website and/or the applicable Transmission Provider's OASIS.

Transmission Provider *means…any public utility that owns, operates or controls facilities used for the transmission of electric energy in interstate commerce*.

Explanation: Tri-State is a Transmission Provider subject to the Standards because it owns, operates or controls facilities used for the transmission of electric energy in interstate commerce.

Waiver *means the determination by a transmission provider, if authorized by its tariff, to waive any provisions of its tariff for a given entity.*

Explanation: Under FERC rules, the Tri-State Transmission Provider (or SPP) can sometimes waive application of a provision of an OATT to avoid unintended harm to a customer. Waivers are infrequent, but if an OATT waiver is granted, the Standards apply and a notice of each waiver granted to the affiliated WMF must be posted within one business day of the act of the waiver. The Transmission Function must also maintain a log of all acts of waiver and must make it available to the Commission upon request. The records must be kept for five years from the date of each waiver.

358.1 Applicability

358.1(b) This *[rule] applies to any public utility that owns, operates, or controls facilities used for the transmission of electric energy in interstate commerce and conducts transmission transactions with an affiliate that engages in marketing functions.*

Compliance Guidance: These Guidelines apply to the Tri-State Transmission Provider. It is subject to the Standards because it owns electric transmission facilities and provides non-discriminatory open-access transmission services to its affiliated Wholesale Merchant Function. In addition, Affected Employees in the Company are subject to the Standards because they may have access to Transmission Function Information that is subject to the Standard of Conduct rules.

358.2 General Principles

358.2(a) *As more fully described and implemented in subsequent sections of this part, a transmission provider must treat all transmission customers, affiliated and non-affiliated, on a non-discriminatory basis, and must not make or grant any undue preference or advantage to any person or subject any person to any undue prejudice or disadvantage with respect to any… transmission of electric energy in interstate commerce, or with respect to the wholesale sale of …electric energy in interstate commerce.*

Compliance Guidance: The Tri-State Transmission Provider will treat all Transmission Customers, affiliated and non-affiliated, on a non-discriminatory basis, and will not make or grant any undue preference or advantage to any internal or external Transmission Customer with respect to transmission of and/or wholesale sale of electric energy in interstate commerce. Please refer to the discussion of the **Non-discrimination Requirements** below for additional compliance information.

358.2(b) *As more fully described and implemented in subsequent sections of this part, a transmission provider's transmission function employees must function independently from its*

marketing function employees, except as permitted in this part or otherwise permitted by Commission order.

Compliance Guidance: Tri-State Transmission Function employees in the Transmission group must function independently of Wholesale Merchant Function personnel in Energy Markets. Transmission Function personnel also will be physically separated from Wholesale Merchant Function personnel. Separation is required based on each employee's functional classification. Please refer to discussion of the **Independent Functioning Rule** below for additional compliance information.

358.2(c) *As more fully described and implemented in subsequent sections of this part, a transmission provider and its employees, contractors, consultants and agents are prohibited from disclosing, or using a conduit to disclose, non-public transmission function information to the transmission provider's marketing function employees.*

Compliance Guidance: The Tri-State Transmission Provider and its employees, contractors, consultants and agents will not disclose or use a conduit to disclose, non-public Transmission Function Information to Wholesale Merchant Function employees. Please refer to discussion of the **No Conduit Rule** below for additional compliance information.

358.2(d) *As more fully described and implemented in subsequent sections of this part, a transmission provider must provide equal access to non-public transmission function information to all its transmission function customers, affiliated and non-affiliated, except as permitted in this part or otherwise permitted by Commission Order.*

Compliance Guidance: The Tri-State Transmission Provider and its employees, contractors, consultants and agents will post immediately non-public Transmission Function Information that was inadvertently disclosed to Wholesale Merchant Function employee on its Internet website. However, if non-public Transmission Customer information or Critical Energy Infrastructure Information is disclosed, the Tri-State Transmission Provider will post notice that information
was disclosed and will not disclose the confidential information. Please refer to the discussion of the **Transparency Rule** below for additional compliance information.

358.4 Non-discrimination Requirements

358.4(a) *A transmission provider must strictly enforce all tariff provisions relating to the sale or purchase of open access transmission service, if the tariff provisions do not permit the use of discretion.*

Compliance Guidance: The Tri-State Transmission Provider will strictly enforce all Tariff provisions relating to the purchase or sale of all open access transmission services for which there is no discretion in the application of the Tariff provision.5

358.4(b) *A transmission provider must apply all tariff provisions relating to the sale or purchase of open access transmission service in a fair and impartial manner that treats all transmission customers in a not unduly discriminatory manner, if the tariff provisions permit the use of discretion.*

Compliance Guidance: For transmission service provided under its Tariff, the Tri-State Transmission Provider will apply all Tariff provisions relating to the sale or purchase of open access transmission services in a fair and impartial manner that treats all internal, external and potential Transmission Customers in a non-discriminatory manner, if these provisions permit the use of discretion. If a provision of the OATT allows discretion, the Tri-State Transmission Provider may post a business practice on OASIS describing how the discretionary action will be applied.

358.4(c) *A transmission provider may not, through its tariffs or otherwise, give undue preference to any person in matters relating to the sale or purchase of transmission service (including, but not limited to, issues of price, curtailments, scheduling, priority, ancillary services, or balancing).*

Compliance Guidance: The Tri-State Transmission Provider may not, through its tariffs or otherwise, give undue preference to internal, external and potential Transmission Customers in matters relating to the sale or purchase of transmission service (including, but not limited to, issues of price, curtailments, scheduling, priority, ancillary services, or balancing).

358.4(d) *A transmission provider must process all similar requests for transmission in the same manner and within the same period of time.*

Compliance Guidance: The Tri-State Transmission Provider will process all similar requests for transmission service and interconnections in the same manner and within the same period of time for affiliated and non-affiliated Transmission Customers.

358.5 Independent Functioning Rule

358.5(a) *General rule. Except as permitted in this part or otherwise permitted by Commission order, a transmission provider's transmission function employees must function independently of its marketing function employees.*

Compliance Guidance: Tri-State Transmission Function employees (Transmission Operations and Substation Protection Engineering) will function independently of Wholesale Merchant Function personnel (Energy Trading and Business Development Managers) in Energy Markets. Transmission Function personnel also will be physically separated from the Wholesale Merchant Function personnel. Separation is required based on the employee's functional classification in the human resource management system used by Tri-State. Transmission

Function employees shall be located in Transmission Restricted Areas, which have restricted electronic card access entrances. Wholesale Merchant Function employees are never to be allowed into or given access to a Transmission Control Center except in cases of a declared system reliability emergency.

Important reminder: To comply with the physical separation requirement, it is important that the hiring leader or supervisor of Transmission Function employees works with the Facilities Manager and the SOC Chief Compliance Officer as needed to ensure that Transmission Function employees are located in a Transmission Restricted Area or in an office with a lock.

358.5(b)(1) *A transmission provider is prohibited from permitting its marketing function employees to:*
(i) Conduct transmission functions; or
(ii) Have access to the system control center or similar facilities used for transmission operations that differs in any way from the access available to other transmission customers.

Compliance Guidance: Tri-State Transmission Function will ensure Wholesale Merchant Function employees do not:
(a) Plan, direct, organize or carry out day-to-day transmission operations, including the granting and denying of transmission service requests and performing System Impact Studies used to grant or deny transmission service requests; or
(b) Have access to the Transmission system control centers or similar facilities of the Tri-State Transmission Providers used for transmission operations that differs in any way from access available to other non- affiliated Transmission Customers. The Transmission control centers are Transmission Restricted Areas and have restricted electronic card access entrances. Enterprise Security updates the access to the restricted electronic card readers as appropriate.

358.5(b)(2) *A transmission provider is prohibited from permitting its transmission function employees to conduct marketing functions.*

Compliance Guidance: Tri-State Transmission Function employees shall not make a sale for resale or submit offers to sell in interstate commerce of electric energy or capacity, demand response, virtual transactions or financial or physical transmission rights all subject to the exclusion of bundled retail sales.

358.6 No Conduit Rule

358.6(a) *A transmission provider is prohibited from using anyone as a conduit for the disclosure of non-public transmission function information to its marketing function employees.*

Compliance Guidance: The **No Conduit Rule** requires that any employee, contractor, consultant, or agent of Tri-State may not act as a "conduit" to provide non-public Transmission Function Information to a Wholesale Merchant Function. Therefore, if you do not know if the Transmission Function Information is public, Do Not Share the information with a Wholesale

Merchant Function Employee until you know it is public. Personnel can find out if the Transmission Function Information is public by asking (1) the person who provided you the information, (2) your management and/or (3) the SOC CCO. In addition, Tri-State has placed controls on network applications and folders that contain Transmission Function Information that do not allow access to Wholesale Merchant Function employees and others as appropriate. The owner of the network application or folders is responsible to inform IT if the application or folder contains Transmission Function Information. IT flags the network application or folders that contains Transmission Function Information and applies a block that restricts access to the Wholesale Merchant Function employees and others as appropriate.

358.6(b) *An employee, contractor, consultant or agent of a transmission provider, and an employee, contractor, consultant or agent of an affiliate of a transmission provider that is engaged in marketing functions, is prohibited from disclosing non-public transmission function information to any of the transmission provider's marketing function employees.*

358.7 Transparency Rule

358.7(a) *Contemporaneous disclosure. (1) If a transmission provider discloses non-public transmission function information, other than information identified in paragraph (a)(2) of this section, in a manner contrary to the requirements of § 358.6, the transmission provider must immediately post the information that was disclosed on its Internet website. (2) If a transmission provider discloses, in a manner contrary to the requirements of §358.6, non-public transmission customer information, critical energy infrastructure information (CEII) as defined in §388.113(c)(1) of this chapter or any successor provision, or any other information that the Commission by law has determined is to be subject to limited dissemination, the transmission provider must immediately post notice on its website that the information was disclosed.*

Compliance Guidance: If an employee, contractor, consultant or agent of the Tri-State Transmission Provider or any Tri-State employee, including a Wholesale Merchant Function employee, discloses non-public Transmission Function Information in a manner contrary to the No Conduit requirements, s/he must **immediately** notify the SOC Chief Compliance Officer. The SOC Chief Compliance Officer will determine if an improper disclosure occurred. If an improper disclosure occurred, the SOC Chief Compliance Officer will immediately post the improper disclosure on the Internet website which the Tri-State OASIS is directly linked to. To contact the SOC Chief Compliance Officer please email SOC@tristategt.org , call 303-254-3676 or submit the Incident Reporting Form that is located on the Tri-State Website or the Tri-State OASIS.

358.7(b) *Exclusion for specific transaction information. A transmission provider's transmission function employee may discuss with its marketing function employee a specific request for transmission service submitted by the marketing function employee. The transmission provider is not required to contemporaneously disclose information otherwise covered by § 358.6 if the information relates solely to a marketing function employee's specific request for transmission service.*

Compliance Guidance: Transmission Function employees may discuss information about specific Wholesale Merchant Function requests for Transmission Service after such requests are submitted by the Wholesale Merchant Function employee on OASIS. The discussion should be limited to the specific Wholesale Merchant Function request (but should not include non-public matters beyond the specific request, such as transmission outages or other transmission system information).

358.7(c) *Voluntary consent provision. A transmission customer may voluntarily consent, in writing, to allow the transmission provider to disclose the transmission customer's non-public information to the transmission provider's marketing function employees. If the transmission customer authorizes the transmission provider to disclose its information to marketing function employees, the transmission provider must post notice on its Internet website of that consent along with a statement that it did not provide any preferences, either operational or rate-related, in exchange for that voluntary consent.*

Compliance Guidance: In the event that a Tri-State Transmission Customer voluntarily consents to allow Tri-State to share its non-public information with Tri-State Marketing Function Employees, the employee that receives such a written consent shall forward it to the SOC Chief Compliance Officer. The SOC Chief Compliance Officer shall post a notice of that consent and a statement that Tri-State did not provide any preferences, either operational or rate-related, in exchange for that voluntary consent on the "Voluntary Consent Provision" page of the Internet Website.

358.7(d) *Posting written procedures on the public Internet. A transmission provider must post on its Internet website current written procedures implementing the standards of conduct.*

Compliance Guidance: This document is the current written procedure document required by the Standards. The SOC Chief Compliance Officer shall post the current version of these Guidelines on the Internet website, including the revision number and the posted date.

358.7(e)(1) *A transmission provider must post on its Internet website the names and addresses of all its affiliates that employ or retain marketing function employees.*

Compliance Guidance: This information is posted on the "Identification of Affiliate Names and Addresses "page, on the Tri-State Website, which is also linked to the Tri-State OASIS.

358.7(e)(2) *A transmission provider must post on its Internet website a complete list of the employee-staffed facilities shared by any of the transmission provider's transmission function employees and marketing function employees. The list must include the types of facilities shared and the addresses of the facilities.*

Compliance Guidance: Tri-State posts a complete list of staffed facilities shared by Transmission Function Employees and Marketing Function Employees in the "Employee Staff Shared Facilities" page on the Tri-State Website, which is also linked to the Tri-State OASIS.

358.7(e)(3) *The transmission provider must post information concerning potential merger partners as affiliates that may employ or retain marketing function employees within seven days after the potential merger is announced.*

Compliance Guidance: The Tri-State Transmission Provider will post on its Internet website information concerning potential merger partners that may employ or retain Wholesale Merchant Function employees. This information is posted on the "Potential Merger Partner Information" page on the Tri-State Website, which is also linked to the Tri-State OASIS. These potential merger partners will then be treated as affiliates of the Tri-State Transmission Providers for purposes of compliance with the Standards during the pendency of the merger if the merger partner employs or will employ Wholesale Merchant Function employees.

358.7(f)(1) *A transmission provider must post on its Internet website the job titles and job description of its transmission function employees.*
Compliance Guidance: The Tri-State Transmission Provider will post the following information on the Tri-State Website, which is also linked to the Tri-State OASIS:
• The job titles for all Transmission Function employees, contractors or consultants or agents of Tri-State; and
• A brief job description for each Transmission Function employee.

358.7(f)(2) *A transmission provider must post a notice on its Internet website of any transfer of a transmission function employee to a position as a marketing function employee, or any transfer of a marketing function employee to a position as a transmission function employee. The information posted under this section must remain on its Internet website for 90 days. No such job transfer may be used as a means to circumvent any provision of this part. The information to be posted must include:*

(i) The name of the transferring employee,
(ii) The respective titles held while performing each function (i.e., as a transmission function employee and as a marketing function employee), and
(iii) The effective date of the transfer.

Compliance Guidance: Transmission Function employees may transfer to the Wholesale Merchant Function, but shall not use such transfer as a means to circumvent the Standards or these Procedures. The Tri-State Transmission Provider will post a notice on the Tri-State Website, which is also linked to the Tri-State OASIS, of any transfer of a Transmission Function employee to a position as a Wholesale Merchant Function employee or any transfer of a Wholesale Merchant Function employee to a position as a Transmission Function employee. The SOC Chief Compliance Officer will post the name of the transferring employee, the respective titles while performing each function, and the effective date of the transfer, on the Internet website within seven business days of the effective date of the transfer and it will remain posted for 90 days.

358.7(g)(1) *A transmission provider must update on its Internet website the information required by this part 358 within seven business days of any change, and post the date on which the information was updated. A public utility may also post the information required to be posted under part 358 on its OASIS, but is not required to do so.*

Compliance Guidance: The SOC Chief Compliance Officer or designee should update the Tri-State website postings within seven business days of any change, and post the date on which the information was updated.

358.7(g)(2) *In the event an emergency, such as an earthquake, flood, fire or hurricane severely disrupts a transmission provider's normal business operations, the posting requirements in this part may be suspended by the transmission provider. If the disruption lasts longer than one month, the transmission provider must so notify the Commission and may seek a further exemption from the posting requirements.*

Compliance Guidance: The Tri-State Transmission Provider may delay posting of information required by the Standards in the event an emergency, such as an earthquake, flood, fire or hurricane or other event severely disrupts the Tri-State Transmission Provider's normal business operations. If the disruption lasts longer than one month, the SOC Chief Compliance Officer will notify the Commission and may seek a further exemption from the posting requirements

358.7(g)(3) *All Internet website postings required by this part must be sufficiently prominent as to be readily accessible.*

Compliance Guidance: The SOC Chief Compliance Officer will ensure that all Tri-State website postings required by the Standards are sufficiently prominent, as to be readily accessible. Employees, Transmission Customers or other interested parties who believe the Tri-State website postings are confusing or difficult to access should notify the SOC Chief Compliance Officer, so corrective action can be considered.

358.7(h)(1) *Exclusion for and recordation of certain information exchanges. Notwithstanding the requirements of §§ 358.5(a) and 358.6, a transmission provider's transmission function employees and marketing function employees may exchange certain non-public transmission function information, as delineated in §358.7(h)(2), in which case the transmission provider must make and retain a contemporaneous record of all such exchanges except in emergency circumstances, in which case a record must be made of the exchange as soon as practicable after the fact. The transmission provider shall make the record available to the Commission upon request. The record may consist of hand-written or typed notes, electronic records such as e-mails and text messages, recorded telephone exchanges, and the like, and must be retained for a period of five years.*

Compliance Guidance: While adhering to the requirements of the Independent Functioning Rule and the No Conduit Rule, Tri-State's Transmission Function Employees and Marketing Function

Employees may exchange certain non-public Transmission Function information. The information subject to the exclusion and that can be exchanged is:
• Information pertaining to compliance with Reliability Standards approved by the Commission, and
• Information necessary to maintain or restore operation of the Transmission system or generating units, or that may affect the dispatch of generating units.

358.7(h)(2) *The non-public information subject to the exclusion in § 358.7(h)(1) is as follows:*

(i) Information pertaining to compliance with Reliability Standards approved by the Commission, and
(ii) Information necessary to maintain or restore operation of the transmission system or generating units, or that may affect the dispatch of generating units.

Compliance Guidance: When such information is exchanged, Tri-State shall make and retain a contemporaneous record of all such exchanges except in emergency circumstances, in which case a record will be made of the exchange as soon as practicable after the fact. Tri-State shall make the record available to the Commission upon request. The record may consist of hand-written or typed notes, electronic records such as e-mails and text messages, recorded telephone exchanges, and the like, and will be retained for a period of five years.
Procedure for recording information:
• Digital Telephone communication will be recorded and electronically stored for five years.
• Inter-company e-mail used to exchange information is archived and stored for five years in the Microsoft Cloud.
• System Operator records and logs are electronically stored and archived for five years in accordance with internal retention policy.
• At the Commission's request, all forms of recordings will be queried by the applicable dates, and a report of all pertinent data will be made for the Commission's inspection.

358.7(i) *Posting of waivers. A transmission provider must post on its Internet website notice of each wavier of a tariff provision that it grants in favor of an affiliate, unless, such waiver has been approved by the commission. The posting must be made within one business day of the act of a waiver. The transmission provider must also maintain a log of the acts of waiver, and must make it available to the Commission upon request. The records must be kept for a period of five years from the date of each act of waiver.*

Compliance Guidance: At the time a Tri-State OATI provision is waived, the relevant Transmission Function Employee will immediately report this Waiver to the Standards of Conduct Chief Compliance Officer via email. (SOC@tristategt.org). The Standards of Conduct Chief Compliance Officer will post the information in the "Waivers" section of the Tri-State Website, within one working

day of the Waiver. All details of the Waiver will be entered into a log kept specifically for the acts of Waiver and the information of each waiver retained for five years from the date of the Waiver. The log will be available for Commission inspection upon request.

Implementation Requirements

358.8(a) *Effective date. A transmission provider must be in full compliance with the standards of conduct on the date it commences transmission transactions with an affiliate that engages in marketing functions.*

Compliance Guidance: The Tri-State Transmission Provider is in compliance with Order 717 Standards.

358.8(b)(1) *Compliance measures. A transmission provider must implement measures to ensure that the requirements of §§ 358.5 and 358.6 are observed by its employees and by the employees of its affiliates.*

Compliance Guidance: The currently effective Guidelines reflecting Orders 717 are included in the Standard of Conduct Training. If there are significant changes, the SOC Chief Compliance Officer will revise the Guidelines and may provide a copy of these to Affected Employees. In addition, Tri-State requires Affected Employees to take and certify they have completed the Standard of Conduct training.

Important Reminder: Compliance is **mandatory** with the FERC Standards of Conduct rules and these Procedures by Tri-State employees, contractors, consultants and agents**.** Failure of a Tri-State employee, contractor, consultant or agent to fully comply with the Standards and these Guidelines may result in disciplinary action up to and including termination of employment, or other remedies pursuant to Tri-State policies. Senior Vice presidents, department team leaders and supervisors are responsible for ensuring that all employees within their areas of responsibility review understand and comply with the Standards and these Guidelines.

358.8(b)(2) *A transmission provider must distribute the written procedures referred to in §358.7(d) to all its transmission function employees, marketing function employees, officers, directors, supervisory employees, and any other*
employees likely to become privy to transmission function information.

Compliance Guidance: These currently effective Procedures reflecting Orders 717 are included in the Standards of Conduct Training. If there are significant changes, the SOC Chief Compliance Officer will revise the Procedures and will provide a copy of these to Affected Employees. The current Procedures are always available on the Tri-State website

358.8(c)(1) *Training and compliance personnel. A transmission provider must provide annual training on the standards of conduct to all the employees listed in paragraph(b)(2) of this section. The transmission provider must*
provide training on the standards of conduct to new employees in the categories listed in paragraph(b)(2) of this section, within the first 30 days of their employment. The transmission provider must require each employee who has taken the training to certify electronically or in writing that s/he has completed the training.

Compliance Guidance: Tri-State provides online computer-based training (CBT) for Affected Employees. Most Affected Employees will take and electronically certify they have completed the training through the Learning Management System (LMS). Affected Employees who do not have LMS access will receive a copy of the training by other means (PDF, etc.). Each new Affected Employee (by new hire, promotion, job transfer, or has access to Transmission Function Information to perform his or her job) must complete within 30 days of the becoming a new Affected Employee the required Standards of Conduct training and certify that s/he has completed the training.

358.8(c)(2) *A transmission provider must designate a chief compliance officer who will be responsible for standards of conduct compliance. The transmission provider must post the name of the chief compliance officer and provide his or*
her contact information on its Internet website.

The Tri-State Transmission Provider Standards of Conduct Chief Compliance Officer is**:**
Doug Reese
Email: *SOC@tristategt.org*
The SOC Chief Compliance Officer contact information is posted on the Tri-State website. Employee requests for interpretation of the Standards or these Guidelines should be submitted to their department manager or the SOC Chief Compliance Officer.

358.8(d) *Books and Records. A transmission provider must maintain its books of account and records (as prescribed under parts 101,125,201 and 225 of this chapter) separately from those of its affiliates that employee or retain marketing function employees, and these must be available for Commission inspections.*

Compliance Guidance: Tri-State shall maintain its books of accounts and records separately from those of its Affiliates that employ or retain Marketing Function Employees (i.e., Tri-State Energy Markets), and these will be available for Commission inspections. Tri-State's accounting software and other applicable programs provide separation between the Marketing Function and all other company departments. Measures are in place to ensure that separation is achieved by using distinct account numbers and specific permissions. Tri-State

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