

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

Office of Energy Market Regulation

In Reply Refer To:
New York Independent System Operator, Inc.
Docket No. ER11-92-000
Issued: 11/3/10

Alex M. Schnell
New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, New York 12144

Reference: Proposed Revisions to Effective Dates for Market Administration and
Control Area Services Tariff and Open Access Transmission Tariff
Provisions

Dear Mr. Schnell:

On October 12, 2010, the New York Independent System Operator, Inc. (NYISO) submitted Market Administration and Control Area Services Tariff (Services Tariff) and Open Access Transmission Tariff (OATT) sections that propose revised effective dates for: (1) recently accepted¹ amendments to the Market Power Mitigation Measures to permit NYISO to implement new reference level software (RLS) functionality; (2) recently accepted² revisions to permit generators to increase real-time market incremental energy bids (Increasing Bids in Real-Time or IBRT); and (3) proposed revisions addressing Bid Production Cost Guarantees (BPCGs) and Day Ahead Margin Assurance Payments (DAMAP), as well as proposed revisions to permit the NYISO to implement Mitigation Measures to permit generators to include start-up reference levels that incorporate costs related to minimum run time requirements (Late Day Start).³ NYISO proposes to revise the effective dates from September 30, 2010 to October 21, 2010 for its RLS and IBRT tariff revisions, and from September 30, 2010 to November 2, 2010 for its Late Day Start tariff revisions.⁴

¹ See *New York Independent System Operator, Inc.*, 132 FERC ¶ 61,270 (2010).

² See *New York Independent System Operator, Inc.*, 132 FERC ¶ 61,271 (2010).

³ The proposed BPCG, DAMAP, and Late Day Start tariff revisions have been accepted in an unpublished letter order that is being issued in Docket Nos. ER10-1866-000, *et al.* concurrently with this order.

⁴ On September 28, 2010, NYISO submitted a temporary waiver to permit delayed

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation - East 18 C.F.R. § 375.307, your submittal filed in the above referenced docket is accepted for filing, effective October 21, 2010 and November 2, 2010, subject to the compliance obligations in Docket Nos. E10-1977-000, *et al.* and ER-2062-000.

Notice of the filing was published in the Federal Register with comments, protests or interventions due on or before November 2, 2010.⁵ No protests or adverse comments were filed. Notices of interventions and unopposed timely filed motions to intervene are granted pursuant to Rule 214 of the Commission's Rule of Practice and Procedure (18 C.F.R. § 385.214).

This acceptance for filing shall not be construed as constituting approval of any service, rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against NYISO.

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Jignasa Gadani, Director
Division of Electric Power
Regulation - East

implementation of proposed tariff rules in Docket Nos. ER10-1866-000, ER10-1977-000 and ER10-2062-000. This filing moots NYISO's temporary waiver request.

⁵ The Commission issued an Errata Notice on October 15, 2010 to shorten the comment date to October 22, 2010.