

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. ER13-1380-005

Issued: 8/5/14

New York Independent System Operator, Inc.
10 Krey Blvd.
Rensselaer, New York 12144

Attention: Gloria Kavanah
Senior Attorney

Reference: Compliance Filing

Dear Ms. Kavanah:

On June 26, 2014 in Docket No. ER13-1380-004, as revised on July 15, 2014 in Docket No. ER13-1380-005, the New York Independent System Operator, Inc. (NYISO) filed revisions to Section 23.4.5.5(1) of its Market Administration and Control Area Services Tariff (Services Tariff)¹ to revise the rebuttable presumption of the pivotal supplier threshold for the G-J Locality by deleting the current exclusion of forward capacity sales in Section 23.4.5.5(1), as directed by the Commission in its May 27, 2014 Order.² NYISO also proposed a correction of section 23.4.5.5 to reflect previously accepted tariff language that was inadvertently omitted from its Services Tariff.³

¹ NYISO Tariffs, [NYISO MST, 23.4 MST Att H Mitigation Measures, 10.1.0.](#)

² *New York Indep. Sys. Operator, Inc.*, 147 FERC ¶ 61,152 (2014).

³ NYISO states that the administrative oversight dates back to its original “baseline” eTariff filing in 2010.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. §375.307, your submittals are accepted for filing, effective as requested.

The filings were noticed on June 27, 2014, July 15, 2014, and July 17, 2014, with comments, interventions and protests due on or before July 25, 2014. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2013)), to the extent that any timely filed motions to intervene and any motion to intervene out-of-time were filed before the issuance date of this order, such interventions are granted. Granting late interventions at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; 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