

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System
Operator, Inc.
Docket No. ER14-2518-003

Issued: 10/15/15

New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, N.Y. 12144

Attention: Mollie Lampi
Assistant General Counsel

Reference: Outage States Compliance Filing

Dear Ms. Lampi:

On June 1, 2015, you submitted a compliance filing on behalf of New York Independent System Operator, Inc. (NYISO) to comply with the requirements of the Commission's April 30, 2015, order in this proceeding.¹ The April 30, 2015 Order required NYISO to submit a compliance filing revising its tariff to: (1) clarify that certain termination provisions will apply to both *pro forma* and non-conforming interconnection agreements; (2) designate the Commission as the agency responsible for providing the compensation order that precedes the return to service of a generator in designated circumstances; (3) remove provisions assigning costs to a Market Participant who fails to return to service in a timely manner to meet a reliability need; (4) add criteria describing elements of the Physical Withholding Test; and (5) include timelines that NYISO will adhere to in issuing a determination on whether a generator's outage was the result of a Catastrophic Failure or other Exceptional Circumstances.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307 (2015), your submittal is accepted for filing, effective as requested.

¹ *N.Y. Indep. Sys. Operator, Inc.*, 151 FERC ¶ 61,075 (2015) (April 30, 2015 Order).

The filing was noticed on June 2, 2015, with comments, interventions and protests due on or before June 22, 2015. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2015)), 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,

Kurt Longo, Director
Division of Electric Power
Regulation – East