

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. ER11-2544-000
2/10/11

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

Attention: Alex M. Schnell
Attorney for New York Independent System Operator, Inc.

Reference: Services Tariff Mitigation and Market Monitoring Plan Clarifications

Dear Mr. Schnell:

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. §375.307, your submittal filed in the above referenced docket is accepted for filing. The tariff revisions with a requested effective date of February 28, 2011 are accepted as of that date. The tariff revisions with a requested late June 2011 flexible date are accepted subject to a compliance filing specifying the effective date.

On December 28, 2010, New York Independent System Operator, Inc. (NYISO) submitted revisions to the NYISO Market Services Tariff. These revisions made clarifications and a small substantive change to NYISO's mitigation plan and market monitoring plan. You state that the small substantive change revised a reference level at which energy offers are mitigated; you state that NYISO is often required to override the current reference level because a generator's mitigated energy price is below its marginal cost.

Notice of the filing was made on December 29, 2011, with comments, protests, or interventions due on or before January 18, 2011. No protests or adverse comments were filed.

This acceptance 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 provided for in the filed documents; 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 any which may hereafter be made by the Commission in any proceeding now or 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