

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. ER10-2158-000
Issued: 9/20/10

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

Reference: Compliance Filing on Mitigation Measures

Dear Mr. Schnell:

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, as designated, effective September 8, 2009 as requested.

On August 6, 2010, the New York Independent System Operator, Inc. (NYISO), filed revisions to the NYISO Market Administration and Control Area Services Tariff (Services Tariff or MST) in compliance with directives contained in the Commission's May 20, 2010 order on proposed mitigation measures for three specific generators.¹ This compliance filing incorporates the mitigation provisions into section 23.8 of the Services Tariff, revises language to indicate that the provisions apply only to the three specifically identified generators, and incorporates a modified consultation timeline.

Notice of the filing was published in the Federal Register with comments, protests, or interventions due on or before August 27, 2010. None were filed.

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

¹ See *New York Independent System Operator, Inc.*, 131 FERC ¶61,169 (2010) *reh'g pending*, at P 96, 97, & 99.

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