

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Hudson Transmission Partners, LLC)	
v.)	Docket No. EL12-98-000
New York Independent System Operator, Inc.)	

**MOTION OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.
FOR EXTENSION OF TIME, FOR SHORTENED RESPONSE PERIOD,
AND FOR EXPEDITED ACTION**

Pursuant to Rules 212 and 2008 of the Commission’s Rules of Practice and Procedure,¹ the New York Independent System Operator, Inc. (“NYISO”) respectfully requests that the Commission grant a 15-day extension of time from the date for comments set by the Commission’s August 3, 2012 *Notice of Complaint*, i.e., from August 23, 2012, until no later than September 7, 2012, for the NYISO to Answer, and, as the Commission may deem appropriate, for the submittal of interventions and other responses to, the August 3, 2012 *Complaint of Hudson Transmission Partners, LLC* (“Complaint”) in this proceeding. The NYISO also requests that the Commission shorten, or waive, the normal period for responding to this Motion to the maximum extent possible, so that the Commission may act expeditiously to issue an order granting the requested extension by August 20, 2012.

The NYISO is authorized to state that the complainant, Hudson Transmission Partners, LLC (“HTP”) does not oppose granting the requested extension of time for the NYISO to submit its Answer.

¹ 18 C.F.R. §§ 385.212 and 2008 (2011).

I. MOTION FOR EXTENSION OF TIME

Under Rule 2008 the Commission may extend the deadline for comments to the Complaint “for good cause, upon a motion made before the expiration of the period prescribed or previously extended.” The NYISO submits that there is good cause to grant its requested extension.

The Complaint concerns the determination that the NYISO provided to HTP pursuant to the NYISO’s buyer-side market power mitigation tariff provisions (“BSM Rules”). That determination was made and provided to HTP prior to the Commission’s June 22, 2012 order regarding the NYISO’s administration of the BSM Rules in Docket No. EL11-42-000.² In compliance with the June 22 Order, the NYISO will retest HTP and issue its determination. The NYISO intends to issue that determination no later than September 7, 2012.³

Granting the NYISO’s requested extension of time will simplify this proceeding by allowing it to file its Answer promptly after its announcement of the determination pursuant to the retest. It would benefit the Commission, HTP, and any parties if the results of the retest were available when the NYISO’s Answer is filed. Granting the NYISO’s request for an extension will not prejudice any party and the NYISO is authorized to state that HTP does not oppose the request that the NYISO be provided with additional time to submit its Answer.

² *Astoria Generating Company, L.P., et al. v. New York Independent System Operator, Inc.*, 139 FERC ¶ 61,244 (2012) (“June 22 Order”).

³ Pursuant to the June 22 Order, the NYISO will issue its determination to HTP, and concurrently provide notice to stakeholders of the exempt or non-exempt determination for HTP, and the independent Market Monitoring Unit for the NYISO (“MMU”) will also concurrently publish its report.

II. MOTION FOR SHORTENED RESPONSE PERIOD AND FOR EXPEDITED ACTION

To the extent necessary, the NYISO respectfully requests that the Commission shorten, or eliminate, the normal period for answering motions so that it may issue an order extending the answer deadline as expeditiously as possible (and no later than August 20, 2012). Expedited action will give the NYISO, and other parties, certainty regarding the comments deadline and enable the NYISO to develop its Answer accordingly.

III. CONCLUSION

For the reasons set forth above, the New York Independent System Operator, Inc. respectfully requests that the Commission: (i) grant an extension of time until no later than September 7, 2012 for the NYISO to submit its Answer, and as the Commission may deem appropriate, for interventions and other responses, to the Complaint; (ii) shorten, or waive, the normal response period to the maximum extent practicable so that the Commission may expeditiously issue an order granting the extension no later than August 20, 2012.

Respectfully submitted,

/s/ Vanessa A. Colón

Vanessa A. Colón
Counsel for the
New York Independent System Operator, Inc.

August 15, 2012

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CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Commission Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2011).

Dated at Houston, T.X. this 15th day of August, 2012.

/s/ Vanessa A. Colón

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