

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

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

**NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. REPORT REGARDING
ISSUANCE OF BUYER-SIDE MITIGATION RULE DETERMINATION AND
POSTING OF RELATED STAKEHOLDER NOTICE AND INDEPENDENT REPORT
OF THE MARKET MONITORING UNIT**

On August 15, 2012, the New York Independent System Operator, Inc. (“NYISO”) filed a motion for an extension of time to submit its answer to the complaint of Hudson Transmission Partners, LLC (“HTP”) in this proceeding.¹ The NYISO explained that an extension was warranted because the Commission’s June 22 Order in Docket No. EL11-42-000² required it to issue to Hudson Transmission Partners, LLC (“HTP”) a new determination under the NYISO’s In-City buyer-side market power mitigation measures. Concurrent with the issuance to HTP: (i) the NYISO is required to provide notice to its stakeholders of the exempt or non-exempt determination; and (ii) the NYISO’s Market Monitoring Unit, Potomac Economics, Ltd. (“MMU”), is required to issue an independent report on the NYISO’s determination.³ The NYISO Motion stated that the NYISO intended to issue the HTP determination no later than

¹ *Motion of the New York Independent System Operator, Inc. for Extension of Time, for Shortened Response Period, and for Expedited Action*, Docket No. EL12-98-000 (August 15, 2012) (“NYISO Motion”).

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

³ *See* NYISO Motion at n. 3.

September 7, 2012.⁴ The Commission subsequently issued a notice granting, an extension of time until September 14, 2012 for the NYISO to file its answer, and for other parties to file comments, in response to the HTP compliant.⁵

It now appears that it will not be possible to concurrently finalize and post the NYISO's HTP determination, the NYISO's notice to its stakeholders, and the MMU's independent report today. The NYISO is therefore providing this notice to the Commission, and to the parties and to NYISO stakeholders, that it [anticipates issuing its determination in the next several days. Consistent with the June 22 Order, the NYISO plans that its notice to stakeholders and the MMU's report will be concurrently posted on the same date that the determination is issued.

Respectfully submitted,

/s/Ted J. Murphy
Ted J. Murphy
Counsel to the
New York Independent System Operator, Inc.

September 7, 2012

⁴ See NYISO Motion at 2.

⁵ See *Notice of Extension of Time*, Docket No. EL12-98-000 (August 22, 2012).

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 Washington, D.C. this 7th day of September, 2012.

/s/ Catherine Karimi

Catherine Karimi

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