

October 26, 2010

Submitted Electronically

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: Compliance Filing of the New York Independent System Operator, Inc. to
Remove Section 23.8 of its Market Power Mitigation Measures:
Docket No. ER10-2220-_____**

Dear Ms. Bose:

In compliance with the Commission's October 12, 2010 order in Docket No. ER10-2220-000 (the "October 12 Order"),¹ the New York Independent System Operator, Inc. ("NYISO") respectfully submits proposed revisions to the Market Power Mitigation Measures ("Mitigation Measures") that are set forth in Attachment H to its Market Administration and Control Area Services Tariff ("Services Tariff"). The October 12 Order accepted for filing a series of proposed revisions to the Mitigation Measures that permit the NYISO to apply a "generic" market power mitigation measure to Generators located outside the New York City Constrained Area² at times when they are committed outside the NYISO's economic evaluation process to address a reliability need and possess market power.

With the new "generic" mitigation measure in place, the NYISO no longer needs to retain a Generator-specific mitigation measure that it was authorized to add to its Market Mitigation Measures in Docket No. ER09-1682.³ This filing proposes a tariff revision directed by the Commission in paragraph 43 and ordering paragraph (B) of its October 12 Order, namely, "to submit a compliance filing within 15 days of the date of this order to remove section 23.8 (Generator-Specific Mitigation Measure) from Attachment H of the Services Tariff."

¹ *New York Independent System Operator, Inc.*, 133 FERC ¶ 61,030 (2010).

² The term Constrained Area is defined in Section 23.2.1 of the Mitigation Measures.

³ *See New York Independent System Operator, Inc.*, 131 FERC ¶ 61,169 (2010).

I. List of Documents Submitted with this Filing

1. This filing letter;
2. A clean version of the proposed modifications to Services Tariff Attachment H; and
3. A blacklined version of the proposed modifications to Services Tariff Attachment H.

II. Copies of Correspondence

Communications and correspondence regarding this filing should be directed to:

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III. Proposed Effective Date

The New York Independent System Operator, Inc. respectfully requests that the Commission accept the proposed tariff revisions for filing with an effective date of December 27, 2010, more than 60 days after the date of this filing.

IV. Service

The NYISO will send an electronic link⁴ to this filing to the official representative of each of its Customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the electric utility regulatory agency of New Jersey. The filing will be posted on the NYISO's website at www.nyiso.com.

⁴18 C.F.R. § 35.2(e)(2).

V. Conclusion

For the reasons explained above, the NYISO respectfully requests that the Commission accept its proposed tariff revisions effective December 27, 2010.

Respectfully submitted,

/s/ Alex M. Schnell

Alex M. Schnell

New York Independent System Operator, Inc.