

May 27, 2011

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

Re: *New York Independent System Operator, Inc.*, Docket No. ER11-\_\_\_\_-000  
Proposed Tariff Revisions to Section 35 of the NYISO OATT

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act,<sup>1</sup> the New York Independent System Operator, Inc. (“NYISO”) hereby submits proposed amendments to Section 35 of the NYISO’s Open Access Transmission Tariff (“OATT”). Section 35, also designated as Attachment CC of the NYISO OATT, contains the Joint Operating Agreement Among and Between New York Independent System Operator Inc. and PJM Interconnection, L.L.C. (“JOA”). In this filing, the NYISO proposes to relocate, within Section 35, Schedule C to the JOA. The NYISO also proposes to reflect, for Schedule C and its appendices, the effective date that was established by Commission Order in 2008.<sup>2</sup> This May 1, 2012 effective date was inadvertently omitted by the NYISO in its June 30, 2010 eTariff baseline filing and the NYISO proposes to correct that inadvertent error in this filing.

## **I. Documents Submitted**

1. This filing letter;
2. A blackline version of the proposed revisions to Sections 35.20 and 35.21 of the NYISO’s OATT (“Attachment I”); and
3. A clean version of the proposed revisions to Sections 35.20 and 35.21 of the NYISO’s OATT (“Attachment II”)

## **II. Description of Proposed Tariff Revisions**

The NYISO proposes to amend OATT Sections 35.20 and 35.21 by deleting

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<sup>1</sup> 16 U.S.C. §824d (2010).

<sup>2</sup> Commission’s August 26, 2008 order in Docket Nos. ER08-858-000 and ER08-867-000 (“August 26 Order”) 124 FERC ¶ 61,184, which established an effective date of May 1, 2012 for Schedule C of the JOA.

Schedule C, (the Operating Protocol for the Implementation of Con Ed - PJM Transmission Service Agreements), from Section 35.20 and inserting it in Section 35.21. Section 35.21 currently contains the appendices to Schedule C, not independent appendices to the JOA. Relocating Schedule C from Section 35.20 to Section 35.21 will more logically place Schedule C in the OATT Tariff section in which its appendices are already located. Locating Schedule C together with its appendices will improve the accessibility of all of Schedule C for those interested in its content.

### **III. Effective Dates**

On September 25, 2008 the NYISO filed the JOA as Attachment CC to its Open Access Transmission Tariff in compliance with Ordering Paragraph “A” of the Commission’s August 26, 2008 order in Docket Nos. ER08-858-000 and ER08-867-000 (“August 26 Order”). As required by the August 26 Order, the NYISO designated a May 1, 2012 effective date for Schedule C of the JOA and its appendices. When the NYISO filed its eTariff Baseline on June 30, 2010, it inadvertently did not specify that Schedule C of the JOA and its appendices should be effective May 1, 2012. As a result, Schedule C and its appendices are currently designated effective June 30, 2010. In this filing the NYISO proposes to correct its oversight by reinstating the effective date of May 1, 2012 for Schedule C of the JOA and its appendices. As previously discussed, Schedule C will now be located in OATT Section 35.21.

With regard to the effective date for the amendments to Section 35 of the NYISO OATT proposed by this filing, that is, the change in the location of Schedule C from Section 35.20 to Section 35.21, the NYISO requests an effective date of sixty days from the date of this filing (i.e., July 25, 2011) for the amendment to Section 35.20. As noted, Section 35.21, Schedule C and its appendices, should reflect an effective date of May 1, 2012.

### **IV. Certificate of Concurrence**

PJM, co-signatory to the JOA, will file and post a certificate of its concurrence with this filing in accordance with 18 CFR 35.1(a).

### **V. Communications and Correspondence**

All communications and service in this proceeding should be directed to:

Robert E. Fernandez, General Counsel  
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## **VI. Service**

The NYISO will send an electronic link 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. In addition, the complete filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com).

## **VII. Conclusion**

Wherefore, for the foregoing reasons, the New York Independent System Operator, Inc. respectfully requests that the Commission accept this filing to be effective on the dates specified in Section III of this filing letter.

Respectfully submitted,

/s/ Mollie Lampi  
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