

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

New York Independent System Operator, Inc.

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Docket Nos. ER08-1281-010

**REQUEST FOR EXTENSION OF TIME TO SUBMIT COMPLIANCE FILING,  
SHORTENED NOTICE AND COMMENT PERIOD AND EXPEDITED COMMISSION  
ACTION OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rule 212 of the Federal Energy Regulatory Commission’s (“Commission’s”) Rules of Practice and Procedure,<sup>1</sup> the New York Independent System Operator, Inc. (“NYISO”) submits this Request for Extension of Time to Submit Compliance Filing, **Shortened Notice and Comment Period and Expedited Commission Action** (“Request”).

On March 30, 2012, the NYISO submitted a request that the Commission schedule an on-the-record technical conference in the above-captioned Docket to permit the NYISO to obtain Commission Staff guidance on its proposed method of achieving compliance with the Commission’s March 15, 2012 Order on Compliance Filing (“March 15 Order”). The NYISO’s March 30 pleading included a request for extension of time to permit the NYISO to submit its compliance filing 30 days after the requested technical conference is held. The purpose of the requested extension of time is to permit the NYISO an opportunity to incorporate the guidance it receives at the technical conference into the Tariff revisions it submits.

On April 10, 2012, the Commission issued a *Notice of Extension* granting the NYISO an extension of time, until May 10, 2012, to submit its compliance filing. The *Notice of Extension*

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<sup>1</sup> 18 C.F.R. § 385.212 (2012).

did not rule on the NYISO's request for a technical conference and the Commission has not yet ruled on the NYISO's request.

The NYISO now requests that the Commission grant the NYISO an additional extension of time to permit the NYISO to submit its compliance filing either 30 days after the date of the requested technical conference or 30 days after the Commission issues an order denying the NYISO's request for a technical conference. Because the NYISO's compliance filing is currently due on May 10, 2012, **the NYISO requests that the Commission abbreviate the notice period for submitting comments on this Request and that the Commission rule on this Request by May 7, 2012.**

#### **I. Request for Extension of Time to Submit Compliance Filing**

The NYISO is required to submit its compliance filing in the above Docket by Thursday, May 10, 2012.<sup>2</sup> The NYISO requests that the Commission grant an additional extension to permit the NYISO to submit its compliance filing 30 days after the date of the technical conference or 30 days after the Commission issues an order denying the NYISO's request for technical conference. Granting the NYISO 30 days after the technical conference, if the Commission is willing to schedule such a technical conference, will enable the NYISO to incorporate the guidance received from Commission Staff<sup>3</sup> into the compliance filing it submits.

On March 30, 2012, the NYISO requested an opportunity to present to Commission Staff how it proposes to comply with the March 15 Order, and to seek further guidance from Commission Staff regarding the NYISO's proposal. The NYISO committed to provide technical conference materials to the Commission and other interested parties prior to the technical

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<sup>2</sup> May 10, 2012 is 30 days after the date of the April 10, 2012, Notice of Extension.

<sup>3</sup> The NYISO recognizes that Commission Staff is not the Commission, and that the Commission's authority to consider and rule on the NYISO's compliance filing will not be bound by guidance that the NYISO receives from Commission Staff.

conference. Consistent with its commitment, on April 10, 2012, the NYISO submitted all of its proposed technical conference materials to the Commission. The materials submitted to the Commission include: (1) the NYISO's technical conference presentation; (2) the NYISO's external Market Monitoring Unit's ("NYISO MMU's") technical conference talking points; and (3) PJM Interconnection, LLC's ("PJM's") technical conference talking points.

If the Commission is prepared to schedule such a technical conference and to permit Commission Staff to provide guidance, the NYISO would prefer to move forward with its compliance filing after it receives Commission Staff guidance at the technical conference. Obtaining input from Commission Staff regarding the NYISO's proposal will enable the NYISO to better understand the scope and nature of the compliance obligations imposed by the March 15 Order, and should reduce the administrative burden on both the NYISO and the Commission. Providing the NYISO sufficient time to incorporate Commission Staff's guidance into its filing should, in turn, reduce the likelihood that the Commission will be required to issue additional orders requiring modifications to the NYISO's compliance filing, should the Commission find such actions necessary.

## **II. Request for Shortened Notice and Comment Period and Expedited Commission Action on this Request**

Unless the Commission grants the NYISO's requested extension of time to submit its compliance filing, the NYISO is required to submit its compliance filing on May 10, 2012. In order to provide the NYISO with sufficient time to prepare and submit a compliance filing if the Commission decides to reject this Request, the NYISO requests that the Commission employ a shortened notice and comment period, and issue a ruling on this request by close-of-business on May 7, 2012.

### **III. Conclusion**

WHEREFORE, the New York Independent System Operator, Inc. respectfully requests that the Commission act on an expedited basis and issue a ruling by May 7, 2012 on the NYISO's request for an extension of time to submit a compliance filing in response to the March 15 Order until 30 days after either (a) the date of the requested technical conference, or (b) the date the Commission rejects the NYISO's request for a technical conference.

Respectfully submitted,

/s/ Alex M. Schnell

Robert E. Fernandez, General Counsel  
Alex M. Schnell  
James H. Sweeney  
New York Independent System Operator, Inc.

Dated: May 2, 2012

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document 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 Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 2<sup>nd</sup> day of May, 2012.

/s/ Joy A. Zimmerlin

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