

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

New York Power Authority

)
)
)

Docket No. ER12-1806-000

**SUPPLEMENTAL COMMENTS OF
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

In accordance with Rules 212, 213 and 214 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) Rules of Practice and Procedure,¹ the New York Independent System Operator, Inc. (“NYISO”) respectfully submits these supplemental comments updating information provided in its May 18, 2012, *Motion to Intervene with Supporting and Explicatory Comments* (“May 18 Motion”) filed in the above-captioned proceeding.

I. BACKGROUND

In its May 18 Motion, the NYISO submitted for the Commission’s consideration that there were nine other Responsible Interface Parties (“RIPs”) the NYISO believed were similarly situated to the New York Power Authority (“NYPA”) in failing to report Average Coincident Load (“ACL”) baseline verification data for the Special Cases Resources (“SCRs”) each RIP had enrolled in the NYISO SCR program for the Summer 2011 Capability Period.² The NYISO indicated that it had contacted the nine RIPs to alert them to this proceeding and urged them to

¹ 18 C.F.R. §§ 385.212, 385.213 and 385.214 (2011).

² *Motion to Intervene with Supporting and Explicatory Comments of the New York Independent System Operator, Inc.*, pp. 5-6, May 18, 2012.

intervene to seek application of the requested tariff waiver to their similar circumstances.³ The NYISO, however, has now confirmed that two of the nine RIPs discussed in the May 18 Motion did in fact provide the ACL baseline verification data to the NYISO within the appropriate data reporting period, which ran from October 3, 2011 to November 18, 2011. Combined, these two RIPs represented eight SCRs totaling approximately 22 MW of eligible capacity that the NYISO had reported as derated in the May 18 Motion. The exclusion of these two RIPs and the corresponding eight SCRs from those characterized in the May 18 Motion as similarly situated to NYPA reduces the total number of SCRs impacted by a failure to report ACL verification data to 185.⁴ Further, as a result of the 22 MW reduction in the total estimated capacity derate, the estimated price impact decreases by six percent, from \$0.89/kW-month⁵ to \$0.84/kW-month.

II. COMMUNICATIONS

Copies of correspondence concerning this filing should be served on:

Robert E. Fernandez, General Counsel
Raymond Stalter, Director of Regulatory Affairs
*David Allen, Senior Attorney
New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144
Tel: (518) 356-8540
Fax: (518) 356-4702
rfernandez@nyiso.com
rstalter@nyiso.com
dallen@nyiso.com

* Persons designated for service.

³ *Id.* at 5-6.

⁴ *Id.*

⁵ *Id.* at 7-8.

III. CONCLUSION

WHEREFORE, for the reasons provided in its May 18 Motion, as clarified herein, the NYISO respectfully requests that the Commission grant its Motion to Intervene and issue an order granting the requested waiver expeditiously.

Respectfully submitted,

/s/ David Allen

David Allen

Senior Attorney

New York Independent System Operator, Inc.

May 23, 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 23rd day of May, 2012.

/s/ Mohsana Akter

Mohsana Akter
New York Independent System Operator, Inc
10 Krey Blvd.
Rensselaer, NY 12144
(518) 356-7560