

THIS FILING LETTER DOES NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. THE BODIES OF THE REPORTS ALONG WITH THE REDACTED VERSIONS OF THE DEMAND RESPONSE PROGRAMS REPORT TABLES 2 AND 4 (MARKED PUBLIC) DO NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. ATTACHMENT A TO THE DEMAND RESPONSE PROGRAMS REPORT INCLUDES UNREDACTED TABLES WHICH CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION, AND ARE SUBMITTED SEPARATELY.

June 3, 2013

VIA ELECTRONIC FILING

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

Subject: Semi-Annual Reports on Demand Response Programs and New Generation Projects; Docket Nos. ER01-3001-000 and ER03-647-000.

Dear Ms. Bose:

Enclosed for filing in the above-referenced dockets are the New York Independent System Operator's ("NYISO's") Semi-Annual Reports to the Federal Energy Regulatory Commission ("Commission") on the NYISO's Demand Side Management programs and new generation projects in the New York Control Area. This filing is made for informational purposes only in accordance with the Commission's delegated orders issued February 19, 2010 and February 23, 2010 in these dockets.

I. List of Documents Submitted

1. This filing letter;
2. NYISO Semi-Annual Compliance Report on New Generation Projects, June 1, 2013 (Attachment I)

3. NYISO Semi-Annual Compliance Report on Demand Response Programs, June 1, 2013 - public, redacted (Attachment II)
4. Attachment A to the NYISO Semi-Annual Compliance Report on Demand Response Programs, June 1, 2013 - CONFIDENTIAL (Attachment III).

II. Request for Confidential Treatment of Attachment A to the NYISO Semi-Annual Compliance Report on Demand Response Programs

The attached Semi-Annual Compliance Report on Demand Response Programs (“Demand Response Report”) summarizes the current status of demand response participation in the NYISO’s markets as of June 1, 2013. The Demand Response Report includes redactions of confidential, commercially sensitive information in Tables 2 and 4. The redactions are submitted separately as Attachment III to this filing, titled Attachment A to the NYISO Semi-Annual Compliance Report on Demand Response, which contains the unredacted versions of Tables 2 and 4 as well as the entirety of Tables 5 and 6.

In accordance with Sections 388.107 and 388.112 of the Commission’s Regulations,¹ Article 6 of the NYISO’s Market Administration and Control Area Services Tariff, Sections 1.0(4) and 4.0 of the NYISO’s Code of Conduct, the NYISO requests Privileged and Confidential treatment of the contents of Attachment III. The NYISO also requests that the Confidential Attachment be exempted from public disclosure under the Freedom of Information Act (“FOIA”), 5 U.S.C. §522.²

The Confidential Attachment contains commercially sensitive, trade secret information that is not made public by the NYISO. Disclosure of such information could cause competitive harm to the affected Market Participants,³ and could adversely affect competition in the markets administered by the NYISO. This information includes the number of demand response resources in a load zone that, when aggregated, are not greater than five (5). The confidential attachment also contains information on NYISO’s Demand Side Ancillary Service Program (“DSASP”), as total enrollment in the entire program is less than five (5) resources as well. With such a small number of resources in the load zone or program, the NYISO’s aggregation of the data reported for that load zone or program may not sufficiently mask confidential and commercially sensitive Market Participant information. Further, because this confidential, commercially sensitive information is exempt from disclosure under 5 U.S.C. §522(b)(4), the NYISO requests that the contents of Attachment III receive Privileged and Confidential treatment and be exempt from FOIA disclosure. Attachment III is identified and marked in accordance with the

¹ 18 C.F.R. §§ 388.107 and 388.112 (2011).

² The information provided by the NYISO for which the NYISO claims an exemption from FOIA disclosure is labeled “Contains Privileged Information - Do Not Release.”

³ Terms with initial capitalization not defined herein have the meaning set forth in the NYISO’s Market Administration and Control Area Services Tariff.

Commission's regulations and rules published by the Secretary's Office for submitting privileged information.⁴

III. Correspondence

Copies of correspondence concerning this filing should be addressed to

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Respectfully Submitted

/s/ Kristin A. Bluvas

Kristin A. Bluvas

Counsel,

New York Independent System Operator, Inc.

⁴ Federal Energy Regulatory Commission Submission Guidelines, July 1, 2010, page 2.

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 3rd day of June, 2013.

/s/ Joy A. Zimmerlin

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