

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

**Allegany Generating Station LLC**

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**Docket No. ER14-1680-000**

**MOTION TO INTERVENE AND COMMENT OF  
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 and 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.214 (2006), the New York Independent System Operator, Inc. (“NYISO”) respectfully moves to intervene in this proceeding and offers its comment on the *Petition for Temporary Waiver of Certain Provisions of NYISO Market Services Tariff Procedures and Request for Expedited Treatment and Shortened Comment Period* (“Petition”) of Allegany Generating Station, LLC (“Allegany Generating”).

**I. COMMUNICATIONS AND CORRESPONDENCE**

All communications regarding this filing should be directed to:

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**II. BACKGROUND**

On April 7, 2014, Allegany Generating filed a Petition seeking a limited waiver of provisions of the NYISO’s Market Administration and Control Area Services Tariff (“Services

Tariff”), more specifically, the limited ISO Procedures<sup>1</sup>, used for calculating the Equivalent Demand Forced Outage Rate (“EFORd”). The waiver is requested so that it can be used to determine the amount of Unforced Capacity (“UCAP”) the Allegany Generating Station (“Allegany Plant”) can offer in the NYISO’s Installed Capacity (“ICAP”) market.

In the Petition, Allegany Generating explains that it purchased the Allegany Plant, a 62 MW natural gas-fueled generator located in Hume, New York, from Rochester Gas & Electric Corporation in a transaction that closed on November 1, 2013.<sup>2</sup> Allegany Generating resumed operations by mid-December 2013.<sup>3</sup>

Allegany Generating asks the Commission to approve the substitution of alternate data for six months, May 1, 2013 through October 31, 2013, in the calculation of the Allegany Plant’s EFORd for purposes of computing the amount of UCAP that the Allegany Plant can offer going forward.<sup>4</sup> Allegany Generating asks the Commission to authorize the NYISO’s use of the NERC class average derating factor for the period of May 1, 2013 through October 31, 2013, which Allegany Generating represents is consistent with the NYISO’s current practices with mothballed units that return to service.<sup>5</sup>

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning specified in the Services Tariff. In this instance, the ISO Procedures are set forth in the *Installed Capacity Manual*.

<sup>2</sup> Petition at 2-3.

<sup>3</sup> Petition at 3. Allegany states that on April 1, 2014 it submitted Dependable Maximum Net Capability (“DMNC”) testing data to the NYISO that demonstrated a sustained maximum net output of 61.4 MW. *Id.* at 3.

<sup>4</sup> Section 15.12.6.1 of the Services Tariff requires the NYISO to “calculate for each Resource the amount of Unforced Capacity that each Installed Capacity Supplier is qualified to supply in the NYCA in accordance with formulae provided in the ISO Procedures,” which are specified in ICAP Manual Attachment J. The unforced capacity is determined by the formula:  $(1 - \text{EFORd}) \times \text{DMNC}$ . A plant’s UCAP is determined based on generating availability data system (GADS) data such that the amount of unforced capacity that Allegany is qualified to supply in any given month is determined by an average EFORd value calculated over preceding 12-month periods. ICAP Manual, Attachment J at 3.1.

<sup>5</sup> Petition at fn 14.

### **III. MOTION TO INTERVENE**

The NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering open and competitive wholesale markets for electricity, capacity, and ancillary services in New York State. The NYISO is responsible for the reliable operation of the bulk electricity grid, and both short-term and long-term planning for the bulk power system in New York State. The NYISO maintains and implements the Services Tariff, as well as an Open Access Transmission Tariff, and is responsible for making the calculations and determinations described above and in the Petition. The NYISO therefore has an interest in this proceeding that cannot be adequately represented by any other party. The NYISO, therefore, should be permitted to intervene in this proceeding.

### **IV. COMMENT**

Based on the specific facts and circumstances set forth in the Petition, the NYISO does not oppose Allegany Generating's request for this limited waiver.

### **V. CONCLUSION**

WHEREFORE, for the foregoing reasons, the New York Independent System Operator, Inc. respectfully requests that the Commission: (i) accept its motion to intervene, and (ii) accept the NYISO's comment on Allegany Generating Station's Petition for Temporary Waiver.

April 14, 2014

Respectfully submitted,

/s/ Gloria Kavanah

Gloria Kavanah

Counsel for the

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## **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 14th day of April, 2014.

/s/ Mohsana Akter

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