

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

New York Independent System Operator, Inc.)))	Docket No. ER10-2220-000
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**REQUEST FOR CLARIFICATION OF THE
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Section 313 of the Federal Power Act (“FPA”), 16 U.S.C. § 825l, and Rule 713 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. § 385.713 (2010), the New York Independent System Operator, Inc. (“NYISO”) respectfully submits the following request for clarification of the Commission’s *Order on Proposed Mitigation Measures*, 133 FERC ¶ 61,030 (2010) (the “Order”).

I. The Mitigation Measure Applies to Generators Located on Long Island

The NYISO appreciates the Commission’s prompt issuance of its Order accepting the NYISO’s proposed rest-of-state mitigation measure that applies to Generators that are committed for reliability outside the NYISO’s economic evaluation process. However, the NYISO requests a slight clarification of one statement in the Order.

In the introductory paragraph of the Order (P 1) the Commission states that the mitigation measure it is approving will apply “to all generators located in the rest-of-state capacity region (i.e., outside of New York City and Long Island)...” In fact, the mitigation measure applies to all generators that are located in the New York Control Area that are not located in a “designated Constrained Area.”¹

¹ See Section 23.3.1.2.3 of the revisions to Attachment H to the NYISO’s Market Administration and Control Area Services Tariff that the NYISO submitted in this Docket. “If provisions 23.3.1.2.3.1 and

The term “Constrained Area” is defined in Section 23.2.1 of Attachment H to the NYISO’s Market Administration and Control Area Services Tariff (“Services Tariff”):

“Constrained Area” shall mean: (a) the In-City area, including any areas subject to transmission constraints within the In-City area that give rise to significant locational market power; and (b) any other area in the New York Control Area that has been identified by the ISO as subject to transmission constraints that give rise to significant locational market power, and that has been approved by the Commission for designation as a Constrained Area.

The term “In-City” is defined in Section 2.9 of the Services Tariff as:

In-City: Located electrically within the New York City Locality (LBMP Load Zone J).

Hence, the designated Constrained Area is different from the rest-of-state capacity region, primarily because the Constrained Area does not include Long Island. The tariff revisions that the Commission accepted in the Order permit the NYISO to apply Rest-of-State Reliability Mitigation to generators located on Long Island, New York.

II. Conclusion

The NYISO respectfully requests that the Commission clarify that the mitigation measure that it accepted in its Order applies to generators located on Long Island, New York.

Respectfully submitted,

/s/ Alex M. Schnell

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

October 13, 2010

23.3.1.2.3.2 below are met for a Generator in the New York Control Area that is not located in a designated Constrained Area, the ISO shall substitute a reference level for each Bid or component of a Bid...”

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 (2010).

Dated at Rensselaer, New York this 13th day of October, 2010.

By: /s/ Alex M. Schnell
Alex M. Schnell
New York Independent System
Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144
(518) 356-8707