

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

New York Independent System Operator, Inc.)

Docket No. ER10-2220-000

**MOTION TO TERMINATE THE REPORTING OBLIGATION OF THE
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 of the Commission’s Rules of Practice and Procedure,¹ the New York Independent System Operator, Inc. (the “NYISO”) respectfully submits this *Motion to Terminate the Reporting Obligation* (“Motion”) with the Federal Energy Regulatory Commission (“FERC” or “Commission”). This Motion requests that the current semiannual informational filing obligation in this Docket be discontinued. The purpose of the informational reports submitted in this docket has been superseded by the Commission’s action in Docket No. EL15-37.²

On October 12, 2010, the Commission issued an Order on Proposed Mitigation Measures in Docket No. ER10-2220-000 (“October 2010 Order”) requiring the NYISO to submit semiannual informational reports on efforts to develop rules addressing compensation to generators that are determined to be needed for reliability.³ The NYISO submitted its ninth informational report on March 23, 2015.

¹ 18 C.F.R. § 385.212 (2013).

² See *New York Independent System Operator, Inc.*, 150 FERC ¶ 61,116 (2015).

³ *New York Independent System Operator, Inc.*, 133 FERC ¶ 61,030. Since issuance of this Order in October 2010, the Commission has accepted tariff revisions to establish a New Capacity Zone comprised of Load Zones G, H, I and J, and a corresponding revision to the definition of “Rest of State.” See *New York Independent System Operator, Inc.*, 144 FERC ¶ 61,126, (Docket No. ER13-1380-000, accepting Services Tariff Sections 2.7, 2.18). Effective January 27, 2014, Rest of State is defined as Load Zones A through F.

The October 2010 Order stated:

Because fixed cost recovery issues do not go to whether NYISO's mitigation proposal is in itself just and reasonable, this proceeding is not the appropriate forum in which to raise such issues. Further, commenters do not present factual evidence that demonstrates that market participants generally will be unable to recover their costs due to application of the proposed mitigation provisions. We note, however, that the NYISO Board of Directors, in its July 29, 2010 decision on the appeal of the NYISO Management Committee's adoption of the instant mitigation proposal, directed NYISO management to work with stakeholders to examine the generation owners' claims that existing cost recovery mechanisms are inadequate and to review the process that evaluates permanent solutions to reliability problems. Accordingly, we believe the better course is to await the outcome of the stakeholder process as directed by the NYISO Board of Directors. In this regard, we direct NYISO to file status reports every 180 days beginning 180 days from the date of this order for informational purposes only.⁴

The NYISO respectfully requests that the Commission terminate the semiannual informational filing obligation in this docket. On February 19, 2015, the Commission issued an order finding that "the NYISO [Market Administration and Control Area Services] Tariff lacks provisions governing the rates, terms and conditions for RMR [(reliability must run)] service" ("February 2015 Order").⁵ The February 2015 Order requires the NYISO to submit

proposed tariff revisions governing the retention of and compensation to generating units required for reliability, including procedures for designating such resources, the rates, terms and conditions for RMR service, provisions for the allocation of costs of RMR service, and a pro forma service agreement for RMR service.⁶

The NYISO is developing proposed tariff revisions in accordance with the February 2015 Order. The tariff revisions required to comply with this order eliminate the need to separately

⁴ *New York Independent System Operator, Inc.*, 133 FERC ¶ 61,030 at P 54 (2010) (original footnotes omitted).

⁵ *New York Independent System Operator, Inc.*, 150 FERC ¶ 61,116 (2015) at P 2.

⁶ *Id.* at P 4.

continue examining “the generation owners’ claims that existing cost recovery mechanisms are inadequate and to review the process that evaluates permanent solutions to reliability problems” as required by the October 2010 Order in Docket No. ER10-2220. The Commission’s February 19, 2015 order, 150 FERC ¶ 61,116 (Docket No. EL15-37), directed the NYISO to submit a compliance filing including proposed tariff revisions. The NYISO will submit such a compliance filing. The Docket No. EL15-37 proceeding renders the Docket No. ER10-2220 informational filings redundant and superfluous.

The NYISO will send an electronic link to this filing to the official representative of each party to this proceeding, to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the New Jersey Board of Public Utilities. In addition, the complete filing will be posted on the NYISO’s website at www.nyiso.com.

The NYISO respectfully requests that the Commission terminate the semiannual reporting requirement imposed in the October 2010 Order.

Respectfully submitted,

NEW YORK INDEPENDENT SYSTEM
OPERATOR, INC.

/s/ James H. Sweeney

James H. Sweeney, Attorney
New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144
Tel: (518) 356-6000
Fax: (518) 356-4702
jsweeney@nyiso.com

Dated: March 24, 2015

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 24th day of March, 2015.

By: /s/ John C. Cutting

John C. Cutting
New York Independent System Operator, Inc.
10 Krey Blvd.
Rensselaer, NY 12144
(518) 356-7521