

March 6, 2012

**By Electronic Delivery**

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: *New York Independent System Operator, Inc.*, Refiling of Base Tariff Sections to Correct Ministerial Error and Request for Waiver of Public Notice Requirement; Docket No. ER12-26-000, ER12-\_\_**

Dear Ms. Bose:

It has recently come to the New York Independent System Operator's ("NYISO") attention that due to an administrative oversight, the tariff section base document used to create the clean and blacklined version of Section 23 of (Attachment H to) the NYISO's Market Administration and Control Area Services Tariff ("Services Tariff") in the above referenced docket was incorrect.<sup>1</sup> Upon further investigation, the NYISO identified two additional eTariff filings that used the same incorrect base document.<sup>2</sup> The NYISO is submitting this filing to correct its Services Tariff to accurately reflect the NYISO's submission and the Services Tariff language that the Commission accepted in its Orders.<sup>3</sup>

Therefore, the NYISO is now making three separate errata filings to resubmit for recordkeeping purposes only corrected blacklined and clean versions of the affected sections.

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<sup>1</sup> See Docket No. ER12-26-000 filed October 5, 2011, and accepted by Letter Order issued November 25, 2011.

<sup>2</sup> The other eTariff filings that require correction were submitted in Docket No. ER11-2544-001 filed June 7, 2011, and accepted by Letter Order issued July 13, 2011; and Docket No. ER11-2544-002 filed June 16, 2011, and accepted by Letter Order issued July 13, 2011.

<sup>3</sup> The Commission has previously permitted filing entities to correct errors in filed tariff sheets after the issuance of an order accepting the tariff revisions for filing. *See, e.g., New York Independent System Operator, Inc.*, Letter Order, Docket No. ER09-1027-001 (Sept. 24, 2009) (accepting revised tariff sheets to reinstate erroneously omitted language several months after the Commission's acceptance of the tariff revisions that contained the erroneous omission); *New York Independent System Operator, Inc.*, Letter Order, Docket Nos. ER04-230-037 and ER04-230-038 (Sept. 5, 2008) (accepting corrected tariff sheets that reinstated erroneously omitted language and corrected the table of contents several months after the Commission's acceptance of the tariff revisions that contained errors).

The NYISO is not proposing any substantive changes to the revisions proposed and approved as part of these filings, nor is it proposing any revision to the effective date of these provisions. These errata filings will simply update the base Services Tariff document to include language that was inadvertently omitted from the original filings. The missing base document text relates to the NYISO's January 25, 2011, compliance filing regarding buyer-side capacity mitigation measures.<sup>4</sup>

Attachment I to this filing letter contains a corrected clean version of the proposed revisions to the Services Tariff that were originally filed on October 5, 2011, and accepted by the Commission in a Letter Order issued on November 25, 2011. Attachment II to this filing letter contains a corrected blacklined version of the previously referenced revisions. Attachments I and II should replace the Services Tariff records filed on October 5, 2011.

Upon eTariff confirmation of the Commission's receipt and eTariff acceptance of this filing and the other errata filings, the NYISO will post to its website a corrected version of Services Tariff Section 23. In this manner, all Market Participants will have immediate access to the correct and currently effective Services Tariff provisions.

This filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com). In addition, the NYISO will e-mail an electronic link to this filing to the official representative of each party to this proceeding, to 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.

The NYISO respectfully requests that the Commission accept these errata to Section 23 of the NYISO's Services Tariff as an administrative correction and not issue a new public notice because the changes submitted with this letter merely conform the posted Services Tariff to language that the Commission has already accepted for filing.

Please do not hesitate to contact the undersigned should you have any questions regarding this letter or the attached Services Tariff revisions.

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<sup>4</sup> See Docket No. ER10-3043-003 filed January 25, 2011, and accepted by Letter Order issued March 17, 2011.

Respectfully submitted,

/s/Karen Georgenson Gach

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## **Communications and Correspondence**

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