

April 19, 2011

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

**Re: *TC Ravenswood, LLC v. New York Independent System Operator, Inc.*, Docket  
No. EL10-70-000**

Dear Secretary Bose:

Pursuant to Rule 602 of the Federal Energy Regulatory Commission's ("FERC" or the "Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.602 (2010), TC Ravenswood, LLC, Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., the New York Independent System Operator, Inc. ("NYISO"), New York Power Authority, Consolidated Edison Solutions, Inc., Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc., Astoria Generating Company, L.P., a US Power Generating Company, Independent Power Producers of New York, Inc. and the New York State Public Service Commission (collectively, "Parties") hereby submit an Offer of Settlement in the above-captioned proceeding. The Parties are not aware of any opposition to this Offer of Settlement by interveners or other interested entities. As is noted below, the Parties are also requesting a shortened comment period and expedited Commission action so that the Offer of Settlement may become effective on May 1, 2011.

This Offer of Settlement is being submitted by the Parties and resolves all the issues raised or that could have been raised in Docket No. EL10-70-000 as well as all issues related to the compensation of TC Ravenswood for complying with the New York State Reliability Council Rule I-R3 or Minimum Oil Burn Rule ("MOB Rule") obligations for the period May 1, 2010 through April 30, 2011,<sup>1</sup> pursuant to Section 4.1.9 of the NYISO Market Administration and Control Area Services Tariff ("Services Tariff"). The Offer of Settlement also resolves related issues for the period May 1, 2011 through April 30, 2014 thereby avoiding future disputes. The Parties state that this filing contains copies of or references to all documents relevant to this Offer of Settlement. Enclosed with this letter are: (a) an Explanatory Statement, (b) the Offer of Settlement, (c) the TC Ravenswood Minimum Oil Burn Agreement, (d) clean NYISO Services Tariff Amendments, (e) black lined NYISO Services Tariff Amendments, and (f) a Certificate of Service.

---

<sup>1</sup> Payment, if any, for April 2011 minimum oil burn compliance will be made in accordance with the existing Section 4.1.9 of the NYISO Services Tariff and existing Westport Fuel Oil Delivery Agreement as described in the Offer of Settlement.

The Parties state that the proposed NYISO Services Tariff Amendments were voted on and approved unanimously, with abstentions, by the NYISO Management Committee on March 30, 2011 and subsequently approved by the NYISO Board of directors on April 19, 2011. As such, the proposed Services Tariff Amendments meet all of the requirements for a filing by the NYISO with the Commission pursuant to section 205 of the Federal Power Act.

A copy of this filing is being served on the Service List in the above-referenced proceeding. The filing will also be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com) and the NYISO will e-mail an electronic link to this filing to each of its customers and to each participant on its stakeholder committees. Copies are also being sent to Commission Staff that participated in the settlement proceeding as well as Administrative Law Judge H. Peter Young.

Pursuant to Rule 602(f)(2), 18 C.F.R. § 385.602(f)(2), the date for filing initial comments on the Offer of Settlement would be May 9, 2011 and the date for filing reply comments would be May 19, 2011. However, the Parties, with the concurrence of the Commission Staff, hereby request a shortened comment period with initial comments due by April 22, 2011, and reply comments due by April 26, 2011, provided that the Parties request waiver of reply comments if no initial comments are filed opposing or seeking to modify the Settlement. To the extent necessary, the Parties also request waiver of any answer period that might otherwise apply to these requests. Copies of this letter and all enclosures are being served on all persons required to be served by Rule 602(d), 18 C.F.R. § 385.602(d).

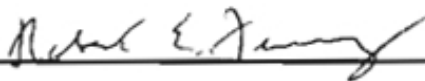
In addition, the Parties respectfully request an order approving the Offer of Settlement, TC Ravenswood Minimum Oil Burn Agreement, and NYISO Services Tariff Amendments be issued with an effective date of May 1, 2011. TC Ravenswood is moving forward with contracts to be ready to provide uninterrupted and reliable service pursuant to the MOB Rule in accordance with the Offer of Settlement and TC Ravenswood Minimum Oil Burn Agreement commencing May 1, 2011. Accordingly, an effective date of May 1, 2011 would align with the operational and financial commitments TC Ravenswood is making with its vendors to maintain uninterrupted and reliable service. The NYISO will make a compliance filing in the e-tariff system of the amendments to Section 4.1.9 of its Services Tariff on the day following the last date for filing an application for rehearing with the Commission in accordance with Section 6.1 of this Offer of Settlement.

The Parties request that the Commission approve the Offer of Settlement, TC Ravenswood Minimum Oil Burn Agreement, and NYISO Services Tariff Amendments without condition or modification, as fair, reasonable and in the public interest and grant other relief that the Commission determines is necessary to implement the Offer of Settlement, TC Ravenswood Minimum Oil Burn Agreement, and NYISO Services Tariff Amendments as described in this filing.


Respectfully submitted,

New York Independent System Operator,  
Inc.

TC Ravenswood, LLC



Robert E. Fernandez, Esq.  
General Counsel  
NYISO  
10 Krey Boulevard  
Rensselaer, NY 12144  
Telephone: (518) 356-6220  
Email: [rfernandez@nyiso.com](mailto:rfernandez@nyiso.com)  
*Counsel to New York Independent System  
Operator, Inc.*



James M. D'Andrea, Esq.  
TC Ravenswood, LLC  
532 Broadhollow Road, Suite 139  
Melville, NY 11747  
Telephone : (631) 501-5240 x3102  
Email: [jim\\_dandrea@transcanada.com](mailto:jim_dandrea@transcanada.com)  
*Counsel to TC Ravenswood, LLC*

Consolidated Edison Company of New  
York, Inc. and Orange and Rockland  
Utilities, Inc.

New York Power Authority

---

Neil H. Butterklee, Esq.  
Consolidated Edison Co. of New York, Inc.  
4 Irving Place, Room 1815-s  
New York, NY 10003  
Telephone: (212) 460-1089  
Email: [butterkleen@coned.com](mailto:butterkleen@coned.com)  
*Counsel to Consolidated Edison Company  
of New York, Inc. and Orange and Rockland  
Utilities, Inc.*

---

Roni Epstein, Esq.  
New York Power Authority  
123 Main Street  
White Plains, NY 10601-3170  
Telephone:  
Email: [Roni.Epstein@nypa.gov](mailto:Roni.Epstein@nypa.gov)  
*Counsel to New York Power Authority*

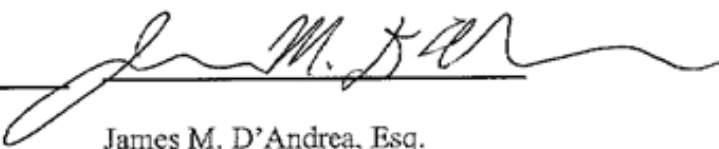
Respectfully submitted,

New York Independent System Operator,  
Inc.

TC Ravenswood, LLC

---

Robert E Fernandez, Esq.  
General Counsel  
NYISO  
10 Krey Boulevard  
Rensselaer, NY 12144  
Telephone: (518) 356-6220  
Email: [rfernandez@nyiso.com](mailto:rfernandez@nyiso.com)  
*Counsel to New York Independent System  
Operator, Inc.*



James M. D'Andrea, Esq.  
TC Ravenswood, LLC  
532 Broadhollow Road, Suite 139  
Melville, NY 11747  
Telephone : (631) 501-5240 x3102  
Email: [jim\\_dandrea@transcanada.com](mailto:jim_dandrea@transcanada.com)  
*Counsel to TC Ravenswood, LLC*

Consolidated Edison Company of New  
York, Inc. and Orange and Rockland  
Utilities, Inc.

New York Power Authority

---

Neil H. Butterklee, Esq.  
Consolidated Edison Co. of New York, Inc.  
4 Irving Place, Room 1815-s  
New York, NY 10003  
Telephone: (212) 460-1089  
Email: [butterklee@coned.com](mailto:butterklee@coned.com)  
*Counsel to Consolidated Edison Company  
of New York, Inc. and Orange and Rockland  
Utilities, Inc.*

---

Roni Epstein, Esq.  
New York Power Authority  
123 Main Street  
White Plains, NY 10601-3170  
Telephone:  
Email: [mailto:Roni.Epstein@nypa.gov](mailto:mailto:Roni.Epstein@nypa.gov)  
*Counsel to New York Power Authority*

Respectfully submitted,

New York Independent System Operator,  
Inc.

TC Ravenswood, LLC

---

Robert E Fernandez, Esq.  
General Counsel  
NYISO  
10 Krey Boulevard  
Rensselaer, NY 12144  
Telephone: (518) 356-6220  
Email: [rfernandez@nyiso.com](mailto:rfernandez@nyiso.com)  
*Counsel to New York Independent System  
Operator, Inc.*

---

James M. D'Andrea, Esq.  
TC Ravenswood, LLC  
532 Broadhollow Road, Suite 139  
Melville, NY 11747  
Telephone : (631) 501-5240 x3102  
Email: [jim\\_dandrea@transcanada.com](mailto:jim_dandrea@transcanada.com)  
*Counsel to TC Ravenswood, LLC*

Consolidated Edison Company of New  
York, Inc. and Orange and Rockland  
Utilities, Inc.

New York Power Authority

---



Neil H. Butterklee, Esq.  
Consolidated Edison Co. of New York, Inc.  
4 Irving Place, Room 1815-s  
New York, NY 10003  
Telephone: (212) 460-1089  
Email: [butterklee@coned.com](mailto:butterklee@coned.com)  
*Counsel to Consolidated Edison Company  
of New York, Inc. and Orange and Rockland  
Utilities, Inc.*

---

Roni Epstein, Esq.  
New York Power Authority  
123 Main Street  
White Plains, NY 10601-3170  
Telephone:  
Email: [Roni.Epstein@nypa.gov](mailto:Roni.Epstein@nypa.gov)  
*Counsel to New York Power Authority*

Respectfully submitted,

New York Independent System Operator,  
Inc.

TC Ravenswood, LLC

---

Robert E Fernandez, Esq.  
General Counsel  
NYISO  
10 Krey Boulevard  
Rensselaer, NY 12144  
Telephone: (518) 356-6220  
Email:  
*Counsel to New York Independent System  
Operator, Inc.*

---

James M. D'Andrea, Esq.  
TC Ravenswood, LLC  
532 Broadhollow Road, Suite 139  
Melville, NY 11747  
Telephone : (631) 501-5240 x3102  
Email:  
*Counsel to TC Ravenswood, LLC*

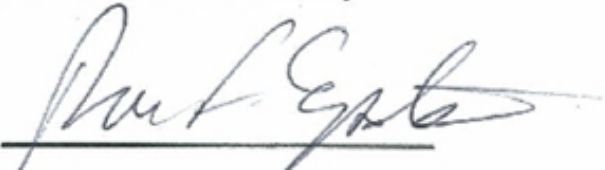
Consolidated Edison Company of New  
York, Inc. and Orange and Rockland  
Utilities, Inc.

New York Power Authority

---

Neil H. Butterklee, Esq.  
Consolidated Edison Co. of New York, Inc.  
4 Irving Place, Room 1815-s  
New York, NY 10003  
Telephone: (212) 460-1089  
Email:  
*Counsel to Consolidated Edison Company  
of New York, Inc. and Orange and Rockland  
Utilities, Inc.*

---

  
Roni Epstein, Esq.  
New York Power Authority  
123 Main Street  
White Plains, NY 10601-3170  
Telephone:  
Email: [Roni.Epstein@nypa.gov](mailto:Roni.Epstein@nypa.gov)  
*Counsel to New York Power Authority*

Constellation New Energy, Inc. and  
Constellation Energy Commodities Group,  
Inc.



---

Joseph Donovan  
Constellation Energy Resources, LLC  
100 Constellation Way  
Suite 500  
Baltimore, MD 21202  
Telephone: (410) 470-3582  
Email: [joseph.Donovan@Constellation.com](mailto:joseph.Donovan@Constellation.com)  
*Senior Counsel*

Astoria Generating Company, L.P.

---

Liam Baker  
Astoria Generating Company, L.P.  
300 Atlantic Street, 5<sup>th</sup> Floor  
Stamford, CT 06901  
Telephone: (212) 792-0816  
Email: [lbaker@uspowergen.com](mailto:lbaker@uspowergen.com)  
*Vice President Regulatory Affairs*

Consolidated Edison Solutions, Inc.

---

Jorge Lopez  
Consolidated Edison Solutions, Inc.  
100 Summit Lake Drive, Suite 410  
Valhalla, NY 10595  
Telephone:  
Email:  
*President, Consolidated Edison Solutions,  
Inc.*

New York State Department of Public  
Service

---

Alan Michaels, Esq.  
Department of Public Service  
3 Empire State Plaza, 19<sup>th</sup> Floor  
Albany, New York 12223-1350  
Telephone: (518) 474-1585  
Email: [alan\\_michaels@dps.state.ny.us](mailto:alan_michaels@dps.state.ny.us)  
*Counsel to New York State Department of  
Public Service*

Constellation New Energy, Inc. and  
Constellation Energy Commodities Group,  
Inc.

---

Joseph Donovan  
Constellation  
100 Constellation Way  
Suite 500  
Baltimore, MD 21202  
Telephone: (410) 470-3582  
Email: [joseph.Donovan@Constellation.com](mailto:joseph.Donovan@Constellation.com)  
*Senior Counsel*

Astoria Generating Company, L.P

---



Liam Baker  
Astoria Generating Company, L.P.  
300 Atlantic Street, 5<sup>th</sup> Floor  
Stamford, CT 06901  
Telephone: (212) 792-0816  
Email: [lbaker@uspowergen.com](mailto:lbaker@uspowergen.com)  
*Vice President Regulatory Affairs*

Consolidated Edison Solutions, Inc.

---

Jorge Lopez  
Consolidated Edison Solutions, Inc.  
100 Summit Lake Drive, Suite 410  
Valhalla, NY 10595  
Telephone:  
Email:  
*President, Consolidated Edison Solutions,  
Inc.*

New York State Department of Public  
Service

---

Alan Michaels, Esq.  
Department of Public Service  
3 Empire State Plaza, 19th Floor  
Albany, New York 12223-1350  
Telephone: (518) 474-1585  
Email: [alan\\_michaels@dps.state.ny.us](mailto:alan_michaels@dps.state.ny.us)  
*Counsel to New York State Department of  
Public Service*



Constellation New Energy, Inc. and  
Constellation Energy Commodities Group,  
Inc.

Astoria Generating Company, L.P

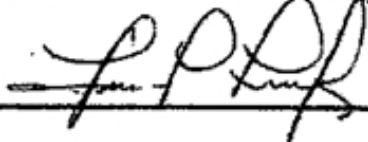
---

Joseph Donovan  
Constellation  
100 Constellation Way  
Suite 500  
Baltimore, MD 21202  
Telephone: (410) 470-3582  
Email: [joseph.Donovan@Constellation.com](mailto:joseph.Donovan@Constellation.com)  
*Senior Counsel*

---

Liam Baker  
Astoria Generating Company, L.P.  
300 Atlantic Street, 5<sup>th</sup> Floor  
Stamford, CT 06901  
Telephone: (212) 792-0816  
Email: [lbaker@uspowergen.com](mailto:lbaker@uspowergen.com)  
*Vice President Regulatory Affairs*

Consolidated Edison Solutions, Inc.



---

Jorge Lopez  
Consolidated Edison Solutions, Inc.  
100 Summit Lake Drive  
Valhalla, NY 10595  
Telephone: 914-286-7779  
Email: [lopezjj@conedsolutions.com](mailto:lopezjj@conedsolutions.com)  
*President, Consolidated Edison Solutions,  
Inc.*

New York State Department of Public  
Service

---

Alan Michaels, Esq.  
Department of Public Service  
3 Empire State Plaza, 19th Floor  
Albany, New York 12223-1350  
Telephone: (518) 474-1585  
Email: [alan\\_michaels@dps.state.ny.us](mailto:alan_michaels@dps.state.ny.us)  
*Counsel to New York State Department of  
Public Service*

Constellation New Energy, Inc. and  
Constellation Energy Commodities Group,  
Inc.

Astoria Generating Company, L.P.

---

Joseph Donovan  
Constellation  
100 Constellation Way  
Suite 500  
Baltimore, MD 21202  
Telephone: (410) 470-3582  
Email: [joseph.Donovan@Constellation.com](mailto:joseph.Donovan@Constellation.com)  
*Senior Counsel*

---

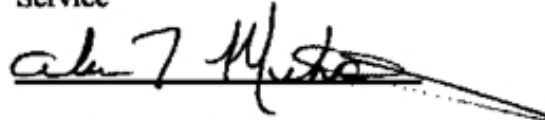
Liam Baker  
Astoria Generating Company, L.P.  
300 Atlantic Street, 5<sup>th</sup> Floor  
Stamford, CT 06901  
Telephone: (212) 792-0816  
Email: [lbaker@uspowergen.com](mailto:lbaker@uspowergen.com)  
*Vice President Regulatory Affairs*

Consolidated Edison Solutions, Inc.

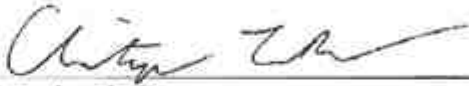
New York State Department of Public  
Service

---

Jorge Lopez  
Consolidated Edison Solutions, Inc.  
100 Summit Lake Drive, Suite 410  
Valhalla, NY 10595  
Telephone:  
Email:  
*President, Consolidated Edison Solutions,  
Inc.*

  
Alan T. Michaels, Esq.  
Department of Public Service  
3 Empire State Plaza, 19th Floor  
Albany, New York 12223-1350  
Telephone: (518) 474-1585  
Email: [alan\\_michaels@dps.state.ny.us](mailto:alan_michaels@dps.state.ny.us)  
*Assistant Counsel to New York State  
Department of Public Service*

Independent Power Producers of New York, Inc.

A handwritten signature in black ink, appearing to read "Christopher LaRoe", written over a horizontal line.

Christopher LaRoe  
Managing Director - Marketing Policy and  
Regulatory Affairs  
19 Dove St. Suite 302  
Albany, N.Y. 12210

*On behalf of Independent Power Producers of New York, Inc.*