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August 10, 2011

FILE NO: 55430.000065

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington D.C. 20426

Re: *New York Independent System Operator, Inc.*, Notification of Waiver of Right to  
Commission Action within 60 Days of Filing, Docket No. ER11-3881-000

Dear Ms. Bose:

The New York Independent System Operator, Inc. (“NYISO”) gives formal notice that it is no longer requesting, and expressly waives any right under Section 205 of the Federal Power Act that would otherwise compel,<sup>1</sup> Commission issuance of an order on its *Filing to Modify Effective Date of Proposed Tariff Revisions to Clarify the Definition of Available Transfer Capability and to Update List of Applicable North American Energy Standards Board WEQ Standards* (“ATC Definition Filing”) within 60 days of the date of filing (*i.e.*, by August 23, 2011).<sup>2</sup> At this time, the NYISO respectfully requests that the Commission act on the ATC Definition Filing within 120 days of the date of filing (*i.e.*, no later than October 24, 2011),<sup>3</sup> the maximum notice period for tariff filings normally allowed under 18 C.F.R. § 35.3 (2011).

Respectfully submitted,

/s/ Ted J. Murphy

Counsel to

New York Independent System Operator, Inc.

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<sup>1</sup> 16 U.S.C. § 824d(d) (2006).

<sup>2</sup> The NYISO does not object to delaying the effective date for the proposed modification to the ATC definition to correspond to date the Commission acts on the filing. However, this notification does not change the NYISO’s request for an April 1, 2011 effective date for the proposed NAESB tariff modifications.

<sup>3</sup> Because the 120<sup>th</sup> day from the date of filing (*i.e.*, June 24, 2011) is Saturday October 22, 2011, pursuant to 18 C.F.R. § 385.2007(a)(2) (2011), the NYISO is requesting Commission action no later than the next business day, Monday October 24, 2011.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day caused the foregoing document to be served on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 10th day of August, 2011.

/s/ Vanessa A. Colón

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