

**THIS FILING LETTER DOES NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. THE BODIES OF THE REPORTS ALONG WITH THE REDACTED VERSIONS OF THE DEMAND RESPONSE PROGRAMS REPORT TABLES 2 AND 4 (MARKED PUBLIC) DO NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. CONFIDENTIAL EXHIBIT A TO THE DEMAND RESPONSE PROGRAMS REPORT INCLUDES UNREDACTED TABLES 2, 4, AND 5 WHICH CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION, AND ARE SUBMITTED SEPARATELY.**

June 1, 2015

**VIA ELECTRONIC FILING**

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

**Re: Semi-Annual Reports on New Generation Projects and Demand Response Programs; Docket Nos. ER03-647-000 and ER01-3001-000**

Dear Ms. Bose:

Enclosed for filing in the above-referenced dockets are the New York Independent System Operator's ("NYISO's") Semi-Annual Reports to the Federal Energy Regulatory Commission ("Commission") on the NYISO's new generation projects and Demand Response programs in the New York Control Area. This filing is made for informational purposes only in accordance with the Commission's delegated order issued February 23, 2010 in these dockets.<sup>1</sup>

**I. Documents Submitted**

1. This filing letter;
2. NYISO Semi-Annual Compliance Report on New Generation Projects, June 1, 2015 (Attachment I);
3. NYISO Semi-Annual Compliance Report on Demand Response Programs, June 1, 2015 – public (redacted) (Attachment II); and

---

<sup>1</sup> *New York Indep. Sys. Operator, Inc.*, Docket Nos. ER01-3001 and ER03-647 (Feb. 23, 2010).

4. Confidential Exhibit A to the NYISO Semi-Annual Compliance Report on Demand Response Programs, June 1, 2015 – CONFIDENTIAL (unreadacted) (“Confidential Exhibit A”) (Attachment III)

## **II. Request for Confidential Treatment of Confidential Exhibit A to the NYISO Semi-Annual Compliance Report on Demand Response Programs**

The attached Semi-Annual Compliance Report on Demand Response Programs (“Demand Response Report,” filing Attachment II) summarizes the current status of demand response participation in the NYISO’s markets as of June 1, 2015. The Demand Response Report redacts confidential, commercially sensitive information in Tables 2 and 4, and omits Table 5 in its entirety. The confidential, unredacted versions of Tables 2 and 4, as well as the entirety of Table 5 are in Confidential Exhibit A, which is labeled as confidential and is being filed separately.

In accordance with Sections 388.107 and 388.112 of the Commission’s regulations,<sup>2</sup> Article 6 of the NYISO’s Market Administration and Control Area Services Tariff, and Sections 1.0(4) and 4.0 of the NYISO’s Code of Conduct, the NYISO requests Privileged and Confidential treatment of the contents of Confidential Exhibit A. The NYISO also requests that the Confidential Exhibit A be exempted from public disclosure under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 522.<sup>3</sup>

Confidential Exhibit A contains commercially sensitive, trade secret information that is not made public by the NYISO. Disclosure of such information could cause competitive harm to the affected Market Participants,<sup>4</sup> and could adversely affect competition in the markets administered by the NYISO. This information includes a very limited number of demand response Resources in a Load Zone. Confidential Exhibit A also contains information on NYISO’s Demand Side Ancillary Services Program, and total enrollment for the entire program is very limited. With such a small number of Resources participating in the Load Zone or program, the aggregation of the data reported would not sufficiently mask confidential and commercially sensitive Market Participant Information. Further, because this confidential, commercially sensitive information is exempt from disclosure under 5 U.S.C. § 522(b)(4), the NYISO requests that the contents of Confidential Exhibit A receive Privileged and Confidential treatment and be exempt from FOIA disclosure. Confidential Exhibit A is identified and marked in accordance with the Commission’s regulations and rules published by the Secretary’s Office for submitting privileged information.<sup>5</sup>

---

<sup>2</sup> 18 C.F.R. §§ 388.107 and 388.112 (2014).

<sup>3</sup> The information provided by the NYISO, for which the NYISO claims an exemption from FOIA disclosure, is labeled “Contains Privileged Information – Do Not Release.”

<sup>4</sup> Capitalized terms not otherwise defined herein have the meaning set forth in the NYISO’s Market Administration and Control Area Services Tariff.

<sup>5</sup> Federal Energy Regulatory Commission Submission Guidelines, July 1, 2010, page 2.

### III. Correspondence

Copies of correspondence concerning this filing should be addressed to:

Robert E. Fernandez, General Counsel  
Raymond Stalter, Director of Regulatory Affairs  
Gloria Kavanah, Senior Attorney  
\*Gregory J. Campbell, Attorney  
10 Krey Boulevard  
Rensselaer, NY 12144  
Tel: (518) 356-6000  
Fax: (518) 356-4702  
rfernandez@nyiso.com  
rstalter@nyiso.com  
gkavanah@nyiso.com  
gcampbell@nyiso.com

\* person designated to receive service

Respectfully submitted,

/s/Gregory J. Campbell

Gregory J. Campbell  
Counsel for  
New York Independent System Operator, Inc.

cc: Michael Bardee  
Gregory Berson  
Anna Cochrane  
Morris Margolis  
David Morenoff  
Daniel Nowak  
Kathleen Schnorf  
Jamie Simler  
Kevin Siqveland