

May 18, 2016

By Electronic Delivery

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

Re: *New York Independent System Operator, Inc., Compliance Filing, Docket No. ER16-966-___*

Dear Secretary Bose:

The New York Independent System Operator, Inc. (“NYISO”) hereby submits this compliance filing to fulfill the directives of the Federal Energy Regulatory Commission (“Commission”) in its April 18, 2016, *Order on Proposed Tariff Revisions* in the above-captioned proceeding (“April Order”).¹

This proceeding concerns the NYISO’s proposed clarifications and enhancements to its Public Policy Transmission Planning Process (“Public Policy Process”). The NYISO submits in this compliance filing the proposed revisions described in Part IV of this filing letter to its Open Access Transmission Tariff (“OATT”).² The proposed tariff revisions are expressly required by the directives of the April Order, are necessary to implement or clarify the existing tariff language to accommodate those directives, or are non-substantive organizational or clarifying adjustments. As described in Part V below, the NYISO requests that the Commission accept the proposed tariff revisions with an effective date of February 19, 2016, which was the effective date accepted by the Commission for the tariff revisions previously accepted in this proceeding.

¹ *New York Independent System Operator, Inc., Order on Proposed Tariff Revisions*, 155 FERC ¶ 61,037 (2016) (“April Order”). Contemporaneous with this compliance filing, the NYISO is submitting a request for clarification, or in the alternative, rehearing, with respect to one aspect of the April Order, pursuant to which the NYISO asks the Commission to clarify that the NYISO’s proposed tariff revisions described in Part IV.D of this filing letter appropriately address a directive in the April Order by establishing a process pursuant to which the transmission component of an Other Public Policy Project can be selected for purposes of cost allocation under the NYISO OATT. *See New York Independent System Operator, Inc., Request for Clarification or, in the Alternative, for Rehearing of New York Independent System Operator, Inc., Docket No. ER16-966-___* (May 18, 2016).

² Capitalized terms that are not otherwise defined in this filing letter shall have the meaning specified in Attachment Y of the NYISO OATT, and if not defined therein, in the NYISO OATT and the NYISO Market Administration and Control Area Services Tariff.

The NYISO respectfully submits that – with the proposed tariff revisions set forth in this compliance filing – it has fully complied with the directives set forth in the April Order.

I. COMMUNICATIONS

Communications and correspondence regarding this filing should be directed to:

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II. LIST OF DOCUMENT SUBMITTED

The NYISO respectfully submits the following documents with this filing letter:

1. A clean version of the NYISO's OATT Sections 31.1, 31.2, 31.4, 31.5, and 31.12 containing the proposed compliance modifications (Attachment I);⁴

³ Waiver of the Commission's regulations (18 C.F.R. § 385.203(b)(3) (2014)) is requested to the extent necessary to permit service on counsel for the NYISO in Rensselaer, NY, Richmond, VA and Washington, DC.

⁴ OATT Sections 31.1, 31.2, and 31.5 included in Attachments I and II with a requested effective date of February 19, 2016 include language that the NYISO filed on October 19, 2015 in Docket No. ER16-120-000 with a requested effective date of October 20, 2015. The April Order stated that the Commission accepted the NYISO's filing in that proceeding in the manner discussed "subject to NYISO making a compliance filing to revise the language, if necessary, pursuant to Commission action in Docket No. ER16-120-000." April Order at P 29. The Commission has since issued its order in Docket No. ER16-120, directing the NYISO to make a further compliance filing in that proceeding that will impact the tariff language in OATT Sections 31.1, 31.2, and 31.5. See *New York Independent System Operator, Inc.*, Order on Compliance and Rehearing, 155 FERC ¶ 61,076 (2016). When the NYISO makes its

2. A blacklined version of the proposed revisions to the OATT Sections 31.1, 31.2, 31.4, 31.5, and 31.12 containing the proposed compliance modifications (Attachment II); and
3. A clean version of OATT Sections 31.1, 31.2, 31.4, and 31.5 that includes tariff revisions proposed to be effective April 1, 2016 (Attachment III).⁵

III. BACKGROUND

On February 18, 2016, the NYISO filed proposed revisions to the Public Policy Process component of its Comprehensive System Planning Process (“February Filing”), along with minor other revisions to the other components of the NYISO’s planning processes.⁶ The proposed tariff revisions clarified and enhanced the Public Policy Process requirements, which requirements are located in Attachment Y of the OATT. The April Order accepted in large part the proposed tariff revisions. However, the April Order rejected certain revisions and directed the NYISO to make further revisions in a compliance filing within thirty days of the order. In response to the April Order’s directives, the NYISO proposes the revisions to its OATT described in Part IV of this filing letter.

IV. DESCRIPTION OF PROPOSED TARIFF REVISIONS

A. NYISO Authority to Extend Deadlines Applicable to Other Parties

In the February Filing, the NYISO proposed to insert a new OATT Section 31.1.8.7 to permit the NYISO to extend other parties’ deadlines set forth in Attachment Y for a reasonable period of time, so long as the extension is applied equally to all parties that must meet the deadline and will not result in a reliability violation. In the April Order, the Commission directed the NYISO to revise the provision “to provide that the section applies only to deadlines that apply to all developers, but excludes developer-specific instances.”⁷

compliance filing in Docket No. ER16-120, the NYISO will revise the language in OATT Sections 31.1, 31.2, and 31.5 to address the Commission’s directives in that proceeding and to make any conforming modifications to these provisions.

⁵ Attachment III incorporates the revisions proposed in this compliance filing in OATT Sections 31.1, 31.2, 31.4, and 31.5 with a requested effective date of February 19, 2016, into the same sections filed by the NYISO on March 22, 2016 in Docket No. ER13-102-009, and currently pending at the Commission, with a requested effective date of April 1, 2016. *See New York Independent System Operator, Inc.*, Compliance Filing, Docket No. ER13-102-009 (March 22, 2016) (“March 2016 Compliance Filing”).

⁶ *New York Independent System Operator, Inc.*, Proposed Tariff Revisions Regarding Public Policy Transmission Planning Process, Docket No. ER16-966-000 (February 18, 2016) (“February Filing”).

⁷ April Order at P 27.

The NYISO, therefore, proposes to revise Section 31.1.8.7 and to make limited conforming revisions within OATT Attachment Y to clarify that it may only extend certain, specified deadlines that apply “to all parties participating in a given planning process.” Specifically, the NYISO proposes to revise Section 31.1.8.7 to provide that the NYISO may extend for a reasonable period of time, at its discretion, specific deadlines that are explicitly listed in that section as applicable to all parties participating in a given process. As in the previously filed tariff language, Section 31.1.8.7 states that the NYISO will apply the extensions equally to all parties required to meet the deadline and will not provide extensions that would result in a reliability violation. The deadlines specified in Section 31.1.8.7 as eligible for extension are as follows:

No.	OATT Section	Deadline
1.	31.2.5.1	Sixty (60) day deadline for interested Developers to propose solutions in response to the NYISO’s solicitation for solutions to a Reliability Need.
2.	31.2.6.1	Thirty (30) day deadline for Developers of viable and sufficient transmission solutions to submit project information in response to NYISO request.
3.	31.4.2	Sixty (60) day deadline for stakeholders/interested parties to submit proposed transmission needs in response to NYISO solicitation for proposed needs.
4.	31.4.3.1, 31.4.4.3.1	Sixty (60) day deadline for Developers to propose solutions to a Public Policy Transmission Need in response to NYISO solicitation for solutions.
5.	31.4.4.4	Sixty (60) day deadline for Developers of Public Policy Transmission Projects to execute study agreement, provide study deposit, and provide application fee in response to NYISO solicitation for solutions.
6.	31.4.6.6, 31.4.6.7	Deadlines for Developers to inform NYISO following Viability and Sufficiency Assessment that their viable and sufficient Public Policy Transmission Projects will proceed to be evaluated by the NYISO for purposes of selection. ⁸

For clarity, the NYISO proposes to make conforming revisions in each of the provisions specified in the above table to expressly state that the particular deadlines provided may be

⁸ OATT Section 31.4.6.6 currently provides that all Developers have thirty days following the presentation of the Viability and Sufficiency Assessment to make this election to proceed. In the March 22 Compliance Filing, the NYISO has proposed to revise this deadline to fifteen days following the New York Public Service Commission’s issuance of an order confirming a Public Policy Transmission Need in order to provide Developers with additional time to satisfy proposed interconnection requirements. *See* March 22 Compliance Filing at p 29.

extended by the NYISO pursuant to Section 31.1.8.7.⁹ Finally, the NYISO proposes to revise the specified provisions, so that they are drafted in the plural, to make clear that these are provisions of general applicability to all Developers participating in a given process and not Developer-specific requirements.

B. Study Agreement for Selection Processes

In the February Filing, the NYISO proposed to revise OATT Section 31.4.4 to include an explicit requirement that the Developer of a proposed Public Policy Transmission Project will enter into a study agreement with the NYISO. The study agreement is the mechanism by which the NYISO will conduct the analysis required and recover its actual study costs in evaluating the proposed Public Policy Transmission Project for purposes of selecting the more efficient or cost-effective transmission solution to a Public Policy Transmission Need. As described in the February Filing, the NYISO developed the “Study Agreement for Evaluation of Public Policy Transmission Projects” (“Study Agreement”), with its stakeholders and included it as an appendix to the NYISO’s Public Policy Transmission Planning Process Manual. In the April Order, the Commission directed the NYISO to incorporate the Study Agreement into its OATT.¹⁰

With this filing letter, the NYISO submits the Study Agreement to be located in OATT Section 31.12 (Appendix I to Attachment Y) and specifies in Section 31.4.4 that the study agreement will be in the form set forth in Section 31.12. As described in the February Filing, the Study Agreement is consistent with the FERC-accepted agreements used by the NYISO in connection with its performance of interconnection studies, as modified to reflect the existing requirements of the Public Policy Process.

Key terms of the Study Agreement include:

- The Developer elects, and the NYISO will cause to be performed, an evaluation of the Developer’s proposed transmission project for purposes of the NYISO’s selection of the more efficient or cost-effective transmission solution to satisfy the identified Public Policy Transmission Need.¹¹
- Upon executing the Study Agreement, the Developer will provide the NYISO with its

⁹ Note that OATT Section 31.2.6.1 previously provided that a Developer is required to provide its project information within thirty days “or such other additional period as the ISO determines is reasonable.” As the NYISO is proposing to have the discretion to extend this thirty day period for a reasonable period of time in accordance with Section 31.1.8.7, the NYISO proposes to remove the language in Section 31.2.6.1 regarding the flexibility in setting a deadline as it is now duplicative. In addition, the NYISO proposed to replace the reference to the “60 day period” in OATT Section 31.4.2 with the description “needs solicitation period” as the solicitation period could be extended beyond 60 days.

¹⁰ April Order at P 23.

¹¹ Study Agreement § 2.0.

required project information and its \$100,000 study deposit.¹²

- The NYISO will not commence its evaluation of Developer's transmission project until the Developer has submitted its study deposit and satisfied the required milestones in the Public Policy Process for its project to proceed to be evaluated for purposes of selection.¹³
- The NYISO will invoice, and Developer will pay, the NYISO's actual costs in performing its evaluation in accordance with the requirements in OATT Section 31.4.4.4.¹⁴
- The NYISO will use the project information provided by the Developer, additional information requested by the NYISO from the Developer, and analysis from the NYISO's independent consultants in evaluating the transmission project in accordance with the selection metrics set forth in the NYISO OATT.¹⁵
- As part of its evaluation, the NYISO will provide the Developer with a summary of its findings and will meet with the Developer to discuss its findings and address any questions.¹⁶ The final study results will be included in the NYISO's Public Policy Transmission Planning Process Report.¹⁷
- The Study Agreement will terminate upon the completion of the NYISO's evaluation of the transmission project, which will be the later of: (i) the date on which the NYISO Board of Directors' approval of the Public Policy Transmission Planning Report is final, and (ii) the date on which the NYPSC issues an Article VII certification for a regulated transmission solution to satisfy the Public Policy Transmission Need.¹⁸ The Developer or NYISO may also end the evaluation and terminate the agreement upon: (i) the Developer's withdrawal of its project, (ii) the NYISO's rejection of the project from further consideration under the relevant tariff provisions, or (iii) any changes by the NYPSC to the Public Policy Transmission Need that eliminates the need for the transmission project.¹⁹
- Finally, consistent with footnote 46 of the April Order, the NYISO has modified Section 8.1 of the Study Agreement concerning the "Accuracy of Information" to provide that a Developer's representation and warranty that the information it has provided is accurate and complete must be "to the best of its knowledge and belief."

¹² Study Agreement §§ 3.0, 4.0.

¹³ Study Agreement §§ 2.0, 4.0.

¹⁴ Study Agreement § 4.0.

¹⁵ Study Agreement § 5.0.

¹⁶ Study Agreement § 7.0.

¹⁷ Study Agreement § 7.0.

¹⁸ Study Agreement § 8.5.

¹⁹ Study Agreement § 8.5.

C. Abandoned Plant Recovery

In the February Filing, the NYISO proposed to insert a new OATT Section 31.4.12.1 that establishes, consistent with OATT Section 31.5.6.5, that the Developer of a selected Public Policy Transmission Project may recover its costs if the appropriate federal, state, or local agencies reject, or approve and later withdraw, their necessary authorizations. In the April Order, the Commission directed the NYISO to revise Sections 31.4.12.1 and 31.5.6.5 to clarify that any cost recovery under these circumstances must be consistent with the Commission's regulations on abandoned plant recovery.²⁰ Accordingly, the NYISO proposes to revise Sections 31.4.12.1 and 31.5.6.5.2 to provide that the Developer may recover its costs "to the extent permitted by the Commission in accordance with its regulations on abandoned plant recovery."

D. Selection of Transmission Component of Other Public Policy Projects

In its February Filing, the NYISO proposed to add two defined terms – "Public Policy Transmission Project" and "Other Public Policy Project" – in the definition provisions in Section 31.1.1 of Attachment Y of the OATT to describe the two different types of projects that participate in the Public Policy Process. A Public Policy Transmission Project is defined as:

A transmission project or a portfolio of transmission projects proposed by Developer(s) to satisfy an identified Public Policy Transmission Need and for which the Developer(s) seek to be selected by the ISO for purposes of allocating and recovering the project's costs under the ISO OATT.

An "Other Public Policy Project" is defined as:

A non-transmission project or a portfolio of transmission and non-transmission projects proposed by a Developer to satisfy an identified Public Policy Transmission Need.

In its April Order, the Commission directed the NYISO to amend its OATT to provide that if an Other Public Policy Project contains a transmission component and is selected during the regional transmission planning process, the NYISO must allocate the cost of the transmission component consistent with its regional cost allocation methodology.²¹ As described below, the NYISO proposes to revise OATT Section 31.4.6.7 to describe the circumstances in which a transmission component of an Other Public Policy Project could be selected by the NYISO and become eligible for cost allocation under the NYISO OATT.

Order No. 1000 required public utility transmission providers, including the NYISO, to establish a process by which transmission needs driven by Public Policy Requirements are

²⁰ April Order at P 22.

²¹ April Order at P 28.

identified in a regional transmission planning process and potential solutions to the identified transmission needs are evaluated.²² Order No. 1000 further required that the regional transmission planning process include a transparent and not unduly discriminatory process for evaluating whether to select a transmission facility in the regional transmission plan for purposes of cost allocation.²³ Although the public utility transmission provider must also consider proposed non-transmission solutions on a comparable basis,²⁴ Order No. 1000 does not require the selection of non-transmission solutions for purposes of cost allocation and recovery.²⁵

The Commission has accepted the NYISO's two-stage evaluation process in its Public Policy Process as satisfying the Order No. 1000 requirements concerning the evaluation of solutions to a transmission need driven by a Public Policy Requirement.²⁶ In the first stage, the NYISO performs a comparable assessment of all proposed solutions, regardless of resource type (e.g., transmission, generation, demand response, or a combination of these resources), to determine whether each proposed solution is viable and sufficient to address the Public Policy Transmission Need.²⁷ After the viability and sufficiency assessment is complete, the New York Public Service Commission ("NYPSC") reviews the viable and sufficient solutions, and issues an order indicating whether the NYISO should continue to evaluate transmission solutions or whether non-transmission solutions should be pursued.²⁸

²² See *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 136 FERC ¶ 61,051 at P 205 (2011) ("Order No. 1000"), *order on reh'g and clarification*, Order No. 1000-A, 139 FERC ¶ 61,132 (2012) ("Order No. 1000-A"), *order on reh'g and clarification*, 141 FERC ¶ 61,044 (2012).

²³ See Order No. 1000 at P 328; Order No. 1000-A at P 452.

²⁴ See Order No. 1000 at P 148.

²⁵ See Order 1000-A at P 193 ("We do not require anything more than considering non-transmission alternatives as compared to potential transmission solutions, similar to what was developed in Order No. 890, Order No. 890-A, and resulting compliance filings. The evaluation of non-transmission alternatives as part of the regional transmission planning process does not convert that process into integrated resource planning. Order No. 1000 requires that there be a regional transmission plan that includes transmission facilities selected in the regional transmission plan for purposes of cost allocation"); *New York Independent System Operator, Inc.*, Order on Rehearing and Compliance, 148 FERC ¶ 61,044 (2014) at P 248 ("In response to protestors, Order No. 1000 does not require that NYISO select a non-transmission solution.").

²⁶ See *New York Independent System Operator, Inc.*, 148 FERC ¶ 61,044 at PP 245-257 (2014) (accepting the NYISO's comparable evaluation and selection process).

²⁷ See OATT Section 31.4.6.

²⁸ The NYPSC identifies the Public Policy Transmission Need for which the NYISO will evaluate proposed solutions in accordance with OATT Section 31.4.2.1. In the subsequent order described in OATT Section 31.4.6.7, the NYPSC may determine that its initially identified transmission need that is driven by a Public Policy Requirement has been modified due to the existence of viable and sufficient non-transmission solutions.

If the Public Policy Transmission Need is continued, the NYISO will perform the second stage of the process pursuant to which it evaluates the viable and sufficient, fully-transmission solutions²⁹ to select the more efficient or cost-effective transmission solution to address the Public Policy Transmission Need for purposes of cost allocation under the NYISO OATT.³⁰ In response to protests early in the NYISO's Order No. 1000 regional compliance process arguing that the NYISO should be required to select the more efficient or cost-effective solution from among both transmission and non-transmission projects,³¹ the Commission confirmed that Order No. 1000 does not require the NYISO to select a non-transmission solution.³² Accordingly, the NYISO OATT, as accepted by the Commission, does not provide that the NYISO select non-transmission projects or a project with a non-transmission component for purposes of cost allocation under its regional planning process.³³

While the Public Policy Process does not provide for the NYISO to select a project with a non-transmission component to address a Public Policy Transmission Need, the NYISO OATT does contemplate a scenario in which the transmission component of an Other Public Policy Project could be carved out of the project to address the Public Policy Transmission Need. Specifically, the NYPSC, as part of its review of the viable and sufficient solutions, may conclude that non-transmission solutions, including the non-transmission component of an Other Public Policy Project, should be pursued to meet a portion of a Public Policy Transmission Need and could modify that need accordingly.³⁴

²⁹ Without the inclusion of the non-transmission component, the transmission component of a proposed Other Public Policy Project would not be viable and sufficient as a stand-alone project to address the Public Policy Transmission Need and would not be comparable to the other proposed fully transmission solutions that can address the complete Public Policy Transmission Need.

³⁰ See OATT Section 31.4.8.2. Prior to the use of the newly defined terms in this provision, the FERC-accepted provision simply stated: "The ISO shall identify under this Section 31.4.8 the proposed regulated transmission solution, if any, that is the more efficient or cost-effective transmission solution proposed in the public policy planning cycle to satisfy the Public Policy Transmission Need."

³¹ See *New York Independent System Operator, Inc.*, Compliance Filing, Docket No. ER13-102-002 (October 15, 2013) at pp 11-15 (describing the NYISO's proposed evaluation and selection process that applies in both its reliability planning process and Public Policy Process and why the NYISO should not be required to select non-transmission solutions).

³² See *New York Independent System Operator, Inc.*, Order on Rehearing and Compliance, 148 FERC ¶ 61,044 (2014) at P 248 ("In response to protestors, Order No. 1000 does not require that NYISO select a non-transmission solution.")

³³ The NYISO has been clear with its stakeholders since early in its development of the Public Policy Process that the NYISO would not select non-transmission projects or hybrid transmission and non-transmission projects to satisfy a Public Policy Transmission Need. See NYISO "Process and Metrics for Evaluating Public Policy Solutions" presentation (dated August 6, 2013) at page 3, August 12, 2013 Electric System and Planning Working Group, *available at*: http://www.nyiso.com/public/webdocs/markets_operations/committees/bic_espwg/meeting_materials/2013-08-12/Draft%20Study%20Process%20Order%201000%20compliance_PPR_130806_redline.pdf.

³⁴ OATT Section 31.4.6.7.

The NYISO has previously discussed with its stakeholders that if this scenario were to occur, it would re-start its Public Policy Process to enable Developers, including the Developer of the hybrid project, to propose solutions to address the modified Public Policy Transmission Need. That is, the Developer of the hybrid project could propose the transmission component of its initial hybrid project as the full, viable and sufficient transmission solution to the smaller, remaining transmission need, and other Developers could propose competing transmission projects for that need. In compliance with the Commission's directive, the NYISO now proposes to make this process explicit in OATT Section 31.4.6.7. The process addition provides for the modification of the transmission Public Policy Transmission Need itself, thereby enabling the NYISO to select, for purposes of cost allocation, from among the transmission component of an Other Public Policy Project that is resubmitted to the NYISO as a transmission-only project, as well as competing transmission projects.³⁵

As revised, Section 31.4.6.7 provides that if the NYPSC modifies the Public Policy Transmission Need in its order reviewing that need, due to consideration of non-transmission solutions or otherwise, the NYISO will re-start its Public Policy Process as an out-of-cycle process to address the modified need.³⁶ As the NYPSC will have already evaluated whether non-transmission solutions should be pursued outside of the Public Policy Process and modified the Public Policy Transmission Need, the NYISO will solicit Public Policy Transmission Projects to address the remaining transmission need. Those solutions can include proposals by the Developer of the transmission component of a previously-submitted hybrid solution and proposals from competing Developers to satisfy the need with transmission.

The NYISO will then evaluate the viability and sufficiency of the proposed transmission projects. Within 30 Calendar Days following the NYISO's presentation of its Viability and Sufficiency Assessment, the Developers whose transmission projects are viable and sufficient must notify the NYISO whether they elect for their projects to proceed to be evaluated for purposes of selection. The NYISO will then evaluate these Public Policy Transmission Projects for purposes of selecting the more efficient or cost-effective transmission solution to address the Public Policy Transmission Need. The project selected will be eligible for cost allocation under the NYISO OATT.³⁷

³⁵ The NYISO's two ongoing Public Policy Processes do not include any viable and sufficient partial transmission/partial non-transmission projects.

³⁶ Proposed OATT Section 31.4.6.7.3. If the NYPSC determines that there is no longer a transmission need, then the NYISO will not make a selection in that Public Policy Process. The non-transmission solutions and any cost allocation and recovery for those projects could then be pursued outside of the Public Policy Process. Proposed OATT Sections 31.4.6.7.1, 31.4.6.7.2.

³⁷ In this out-of-cycle process, the NYPSC will not perform a further evaluation of the modified Public Policy Transmission Need under Section 31.4.6.7 before the NYISO proceeds to evaluate Public Policy Transmission Solutions for purposes of selection.

E. Other Proposed Revisions

As directed by the April Order,³⁸ the NYISO has revised the project information requirements for Other Public Policy Projects in OATT Section 31.4.5.2.1 to insert “as applicable” to the project information categories concerning the status of interconnection studies/agreement and equipment availability and procurement. The NYISO has also removed OATT Section 31.4.12.3.1.2 as directed by the April Order.³⁹

V. EFFECTIVE DATE

The NYISO respectfully requests that the Commission grant a February 19, 2016, effective date for the tariff revisions proposed in this compliance filing, which is the effective date the Commission accepted in the April Order for the tariff revisions proposed in the February Filing.

VI. SERVICE

The NYISO will send an electronic copy of 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 the New Jersey Board of Public Utilities. In addition, the complete public version of this filing will be posted on the NYISO’s website at www.nyiso.com.

³⁸ April Order at P 13.

³⁹ April Order at PP 17-18. In its March 2016 Compliance Filing, the NYISO proposed to re-locate some of the tariff language previously included in OATT Section 31.4.12.3.1.2 into a new OATT Section 31.4.12.3.1.3 with a requested April 1, 2016, effective date. As the NYISO is deleting the entirety of OATT Section 31.4.12.3.1.2 in this compliance filing with a February 19, 2016, effective date, the NYISO is deleting the same language from the subsequent April 1, 2016 versions of OATT Sections 31.4.12.3.1.2 and 31.4.12.3.1.3 that were filed as part of the March 2016 Compliance Filing. The NYISO is also making conforming revisions to the numbering within OATT Section 31.4.12.3. These changes are reflected in Attachment III to this filing letter.

Honorable Kimberly D. Bose

May 18, 2016

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VII. CONCLUSION

WHEREFORE, the New York Independent System Operator, Inc. respectfully requests that the Commission accept this compliance filing without requiring any modifications and determine that the NYISO has fully complied with the directives of the April Order.

Respectfully submitted,

NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.

By: /s/ Carl F. Patka

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