

October 16, 2018

By Electronic Delivery

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

Re: *New York Independent System Operator, Inc.*, Docket No. ER11-4338-001, *et al.*;  
Compliance Filing to Establish an Effective Date for FERC Order No. 745 Tariff  
Revisions

Dear Secretary Bose:

In accordance with the requirements of the Federal Energy Regulatory Commission's ("Commission") January 30, 2017<sup>1</sup> order as modified by a May 12, 2017<sup>2</sup> Letter Order (together, the "2017 Orders") in this proceeding, the New York Independent System Operator, Inc. ("NYISO") submits this filing to provide notice of an expected effective date of October 31, 2018, for the tariff amendments to comply with Order No. 745.<sup>3</sup>

The May 12 Letter Order accepted the NYISO's proposal for a flexible effective date of no later than October 31, 2018. The NYISO intends to implement the new requirements in its software

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<sup>1</sup> *New York Indep. Sys. Operator, Inc.*, 158 FERC ¶ 61,081 (2017) at P98 ("[w]e grant NYISO's request for a flexible effective date for its compliance filing, but with the proposed tariff revisions to be effective on a date to be designated by NYISO in its filing to comply with the instant order to be made within 60 days of this order.").

<sup>2</sup> *New York Indep. Sys. Operator, Inc.*, Docket No. ER11-4338-003, Letter Order (May 12, 2017) at 1-2 (the NYISO requested "a flexible effective date for these tariff revisions of no later than October 31, 2018, and contend that NYISO is unable to propose a precise effective date for these revisions until it completes a full review, update and testing of the software necessary to implement these changes ... Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, ... your submittal is accepted for filing, as requested.").

<sup>3</sup> *Demand Response Compensation in Organized Wholesale Energy Markets*, Order No. 745, FERC Stats. & Regs. ¶ 31,322, *order on reh'g and clarification*, Order No. 745-A, 137 FERC ¶ 61,215 (2011), *reh'g denied*, Order No. 745-B, 138 FERC ¶ 61,148 (2012), *vacated sub nom. Elec. Power Supply Ass'n v. FERC*, 753 F.3d 216 (D.C. Cir. 2014), *rev'd & remanded sub nom. FERC v. Elec. Power Supply Ass'n*, 136 S.Ct. 760 (2016).

for October 31, 2018. Because these rules only affect the Day-Ahead Market, the first Day-Ahead Market day that will incorporate the new rules is November 1, 2018.

**I. Documents Submitted**

1. This filing letter;
2. A clean version of the accepted revisions to the Services Tariff (“Attachment I”); and
3. A clean version of the accepted revisions to the OATT (“Attachment II”).

**II. Notice of Effective Date**

In compliance with the 2017 Orders in this proceeding, the NYISO hereby provides notice to the Commission that it expects to implement the software by October 31, 2018 for the November 1, 2018 Day-Ahead Market day.

Attachments I and II provide clean versions of the relevant tariff revisions with an effective date of October 31, 2018.<sup>4</sup>

**III. Service**

The NYISO will send an electronic link to 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 to the New Jersey Board of Public Utilities. In addition, the complete filing will be posted on the NYISO’s website at [www.nyiso.com](http://www.nyiso.com).

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<sup>4</sup> Should the NYISO determine that it will be unable to implement the Order No. 745 compliance tariff revisions by October 31, 2018, it will promptly notify its Market Participants and the Commission.

**IV. Conclusion**

The New York Independent System Operator, Inc. respectfully requests that the Commission accept this compliance filing.

Respectfully submitted,

/s/ Gregory J. Campbell

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