



HUNTON & WILLIAMS LLP
2200 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20037-1701

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

TED J. MURPHY
DIRECT DIAL: 202 • 955 • 1588
EMAIL: tmurphy@hunton.com

FILE NO: 55430.000065

August 17, 2011

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.*, Filing to Waive Right to Commission
Action within Sixty Days of Filing and to Modify Proposed Effective Date, Docket No.
ER11-3881-000

Dear Ms. Bose:

The New York Independent System Operator, Inc. (“NYISO”) submits this filing to formalize its August 10, 2011 notice that it is no longer requesting, and expressly waives any right under Section 205 of the Federal Power Act that would otherwise compel,¹ Commission issuance, by August 23, 2011, of an order on its June 24, 2011 filing in this proceeding.² The NYISO also 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 21, 2011), the maximum notice period for tariff filings normally allowed under 18 C.F.R. § 35.3 (2011).

Therefore, in order to extend the date by which the Commission may act on its ATC Definition Filing, the NYISO is hereby refiling the relevant tariff section and amending its requested effective date for the changes proposed in the June 24 filing.

I. DOCUMENTS SUBMITTED

1. This filing letter;

¹ 16 U.S.C. § 824d(d) (2006).

² *Proposed Tariff Revisions to Clarify the Definition of Available Transfer Capability and to Update List of Applicable North American Energy Standards Board WEQ Standards*, Docket No. ER11-3881-000 (filed June 24, 2011) (“ATC Definition Filing”).

2. A clean version of the proposed revisions to the NYISO's OATT Section 1.1 ("Attachment I").³

II. EFFECTIVE DATE

The NYISO is changing its requested effective date for the proposed modification to the definition of Available Transfer Capability from June 24, 2011 to October 24, 2011. The NYISO is not changing its requested effective date of April 1, 2011 for the revisions to update the list of applicable North American Energy Standards Board ("NAESB") standards.⁴

III. SERVICE

The NYISO will e-mail an electronic link to this filing to the official representative of each party to this proceeding, to 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, this filing will be posted on the NYISO's website at www.nyiso.com.

IV. CONCLUSION

Wherefore, the NYISO respectfully requests that the Commission take action as requested herein and accept: (i) the NYISO's notice of waiver and request for Commission action by October 21, 2011; (ii) the proposed revisions to the definition of ATC effective

³ The NYISO is not including in this filing blacklined tariff sections reflecting the changes proposed in the ATC Definition Filing to OATT Section 1.1 because the NYISO proposed additional changes to Section 1.1 in its August 10, 2011 filing on *Proposed Tariff Revisions Related To Grandfathered Rights and Grandfathered TCCs*, in Docket No. ER11-4272-000. Therefore, consistent with eTariff procedures, the most recently filed Section 1.1 reflects the changes proposed to the ATC definition as clean text and thus there are no blacklined sections to submit with this filing. For ease of reference, the proposed changes that were reflected as blacklines to Section 1.1 of the OATT in the ATC Definition filing are as follows:

Available Transfer Capability ("ATC"): ~~A measure~~ An advisory projection of the ~~Transfer Capability remaining in the physical transmission network for further commercial activity over and above already committed uses. ATC is defined as the Total Transfer Capability, less Transmission Reliability Margin, less the sum of existing transmission commitments, (which includes retail customer service) less the Capacity Benefit Margin. The amount reserved to support existing transmission commitments is defined in the Existing Transmission Agreements and Existing Transmission Capacity for Native Load in Attachment L on Internal and External Interfaces and on Scheduled Lines calculated using the methodology described in Attachment C to the OATT.~~

⁴ The NAESB related revisions were submitted in compliance with Commission Order No. 676-E, rather than pursuant to section 205 of the FPA. Therefore, the NYISO is not refiling those tariff sections as they are not subject to the sixty day notice requirement.

Ms. Kimberly D. Bose
August 17, 2011
Page 2

October 24, 2011; and (iii) the proposed updates to the list of applicable NAESB standards effective April 1, 2011.

Respectfully submitted,

/s/ *Ted J. Murphy*

Counsel to

New York Independent System Operator, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 17th day of August, 2011.

/s/ Mohsana Akter

New York Independent System Operator, Inc.
10 Krey Blvd.
Rensselaer, NY 12114
(518) 356-7560