## UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

## New York Independent System Operator, Inc. ) Docket No. ER11-2224-000 MOTION TO RESCIND NOTICE OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.

Pursuant to Rule 212 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.212 (2010), the New York Independent System Operator, Inc. ("NYISO") hereby submits this motion to rescind the notice issued February 18, 2011 in the above captioned proceeding. Granting this request will not harm any party. The interim compliance filing for which the notice was issued was submitted inadvertently and the NYISO made a filing to withdraw it almost immediately. Because the NYISO is not asking the Commission to accept the interim compliance filing there is no reason for other parties to expend resources commenting on it. In order to avoid any possible confusion the NYISO respectfully requests that the Commission rescind the notice as soon as possible.

To the extent necessary, the NYISO requests waiver of the Commission's service requirements applicable to the interim compliance filing,<sup>1</sup> renews its request for a waiver of the service requirements with respect to its request to withdraw that filing,<sup>2</sup> and asks that the Commission waive any notice and comment periods that might be applicable to this motion.

Respectfully Submitted,

<u>/s/Ted J. Murphy</u> Ted J. Murphy Counsel to the New York Independent System Operator, Inc.

<sup>&</sup>lt;sup>1</sup> The NYISO has not served the interim compliance filing because it was made inadvertently and because the NYISO is seeking to withdraw it.

<sup>&</sup>lt;sup>2</sup> 18 C.F.R.§ 35.2(e).

## **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 18th day of February, 2011.

/s/Ted J. Murphy

Ted J. Murphy Hunton & Williams LLP 1900 K Street, NW Washington, DC 20426 (202) 955-1500