

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

**Enhancement of Electricity Market
Surveillance and Analysis Through Ongoing
Electronic Delivery of Data From Regional
Transmission Organizations and Independent
System Operators**

Docket No. RM11-17-001

**MOTION FOR EXTENSION OF TIME TO COMPLY AND
REQUEST FOR EXPEDITED COMMISSION ACTION OF THE
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 and 2008 of the Commission's Rules of Practice and Procedure,¹ the New York Independent System Operator, Inc. (the "NYISO") respectfully submits this *Motion for Extension of Time to Comply* ("Motion") with the Federal Energy Regulatory Commission's ("FERC" or "Commission") Order No. 760.² The NYISO requests an extension to commence ongoing electronic delivery of each of the four datasets described in the Order and proposes a schedule for compliance below.

Because the compliance filing is due on August 20, 2012, and the corresponding compliance obligations also begin on that date, the NYISO respectfully requests that the Commission act expeditiously on this Motion.

¹ 18 C.F.R. §§ 385.212 and 385.2008 (2011).

² *Enhancement of Electricity Market Surveillance and Analysis Through Ongoing Electronic Delivery of Data From Regional Transmission Organizations and Independent System Operators*, Order No. 760, 139 FERC ¶ 61,053 (2012) ("Order No. 760" or "the Order").

I. INTRODUCTION AND SUMMARY

Order No. 760 imposes new requirements on each regional transmission organization (“RTO”) and independent system operator (“ISO”, collectively “RTOs/ISOs”) to electronically deliver, on an ongoing basis, data related to the markets each RTO/ISO administers to the Commission. The amended regulations require ongoing, electronic delivery of data relating to physical and virtual offers and bids, market awards, resource outputs, marginal cost estimates, shift factors, financial transmission rights, internal bilateral contracts, uplift, and interchange pricing. According to the Commission:

“[s]uch data will facilitate the Commission’s development and evaluation of its policies and regulations and will enhance Commission efforts to detect anti-competitive or manipulative behavior, or ineffective market rules, thereby helping to ensure just and reasonable rates.”³

Order No. 760 specifies the implementation timeline for commencing ongoing electronic delivery to the Commission. The RTOs/ISOs are directed to implement the ongoing delivery of four datasets no later than August 20, October 4, December 3, 2012 and February 1, 2013, respectively.

For the reasons set forth below, the NYISO requests an extension of time to comply with each of these four deadlines as follows:

<u>Task</u>	<u>Implementation Deadline in Order No. 760</u>	<u>NYISO’s Requested Implementation Deadline</u>
Compliance Filing	August 20, 2012	August 20, 2012
Commence Ongoing Delivery of First Dataset	August 20, 2012	March 4, 2013
Commence Ongoing Delivery of Second Dataset	October 4, 2012	April 4, 2013

³ *Id.* at 1.

Commence Ongoing Delivery of Third Dataset	December 3, 2012	June 4, 2013
Commence Ongoing Delivery of Fourth and Final Dataset	February 1, 2013	September 4, 2013

II. BACKGROUND

On October 20, 2011, the Commission issued a notice of proposed rulemaking to revise its regulations to require each RTO/ISO to electronically deliver to the Commission, on an ongoing basis, data related to the markets that it administers (“NOPR”). Approximately one month later, the Commission sent a data request to each RTO/ISO seeking 26 months of historical data for the same market data that was contemplated in the NOPR (“26-Month Data Request”). In multiple discussions with FERC Staff and members of the RTOs/ISOs, the 26-Month Data Request was described as a method for FERC Staff to collect and begin to understand the data elements and format that the RTOs/ISOs would utilize in their efforts to comply with the NOPR when it became a final rule. FERC Staff issued a second, less extensive, data request mirroring the data elements discussed in the NOPR due to the length of time that the RTOs/ISOs required to produce the significant quantity of data requested in the 26-Month Data Request. The second request was for one day of market data (“1-Day Data Request”).

The NYISO responded fully to the 1-Day Data Request with five separate submissions on January 13, 2012, January 20, 2012, January 27, 2012, February 3, 2012, and March 2, 2012. The NYISO then responded fully to the 26-Month Data Request with four separate submissions on April 6, 2012, April 13, 2012, April 27, 2012, and May 31, 2012.⁴

⁴ The fourth and final submission was delivered to FERC Staff on May 31, 2012 and included the NYISO’s capacity market data. The timeline for this submission was agreed to with FERC Staff and was later than the other submissions due to the timing of the NYISO’s capacity market auctions.

On April 19, 2012, the Commission issued Order No. 760 based on the NOPR from October 2011.⁵ NYISO immediately began work to comply with the Order based on its responses to the 1-Day Data Request and 26-Month Data Request consistent with FERC Staff discussions. The NYISO's expectation was to deliver data pursuant to the Order in a format consistent with the data request responses. FERC Staff indicated to the NYISO, for the first time, on June 1, 2012, that the format the NYISO used for its data request responses was *not* the desired format for ongoing Order No. 760 compliance.

On June 12, 2012, FERC Staff issued *File Submission Guidelines for FERC Order 760* ("Submission Guidelines") providing detailed instructions to the RTOs/ISOs regarding how to format and submit the ongoing electronic data deliveries to the Commission. After issuing the Submission Guidelines, FERC Staff emphasized that the NYISO should not take any further steps to provide data in response to the Order in the format that was utilized to prepare NYISO's responses to the 1-Day and 26-Month Data Requests. Accordingly, since June 12, 2012, the NYISO has been diligently developing a project plan to comply with Order No. 760 and the modified expectations announced by FERC Staff. The NYISO supports the approach outlined in FERC Staff's Submission Guidelines and agrees that this approach is more technically sound given the NYISO's understanding of the Commission's long term objectives.

III. DOCUMENTS SUBMITTED

1. This Motion; and
2. The Affidavit of Mr. Richard Dewey, the NYISO's Senior Vice President and Chief Information Officer (Attachment A).

⁵ Order No. 760 was published in the *Federal Register* on May 7, 2012. This date defines the timelines specified in Order No. 760 discussed throughout this pleading.

IV. COPIES OF CORRESPONDENCE

Correspondence concerning this filing should be served on:

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V. MOTION FOR EXTENSION OF TIME TO COMPLY WITH ORDER NO. 760 AND THE CORRESPONDING SUBMISSION GUIDELINES

The Commission published Order No. 760 in the *Federal Register* on May 7, 2012 triggering RTO/ISO compliance obligations on August 20, October 4, December 3, 2012 and February 1, 2013.⁶ The NYISO respectfully requests an extension of time to comply with these four deadlines in order to develop and test the software necessary to facilitate the sustainable ongoing electronic delivery of market data to the Commission in accordance with Order No. 760 and the Submission Guidelines. The NYISO believes that the software development and testing schedule proposed in this Motion is critical to ensure the successful implementation of ongoing electronic delivery of market data in a method that is beneficial to the Commission and satisfies Order No. 760 and all the requirements detailed in the subsequently issued Submission

⁶ 77 Fed. Reg. 26,674 (May 7, 2012).

Guidelines. The NYISO requires an extension of time to comply for the reasons discussed below.

A. The NYISO Must Largely Start from Scratch to Satisfy the Requirements of FERC’s Submission Guidelines

Order No. 760 states that the Commission “will allow data to be electronically delivered to the Commission in a format consistent with how the data is collected in each RTO and ISO system.”⁷ Further, the Commission “will direct that such data be delivered in one of two file types; namely, Comma Separated Value (i.e., CSV) or Tab Delimited. ... they are commonly used file types and provide sufficient flexibility to allow for divergent formatting schemes among the RTOs and ISOs.”⁸ Based on this language the NYISO began developing a system to commence ongoing electronic data delivery to the Commission in the same flat CSV format that was utilized in its responses to the 1-Day and 26-Month Data Requests.

The *File Submission Guidelines for FERC Order 760* were then issued by FERC Staff on June 12, 2012 providing significantly more detail on how the Commission expects the data provided by the RTOs/ISOs to be formatted and delivered on an ongoing basis. The Submission Guidelines require the RTO/ISO data be formatted into Fact and Dimension tables for submission to FERC.⁹ This formatting obligation drastically reduces the flexibility of formatting schemes contemplated by the Order. The Commission’s Order specifies that RTO/ISO data be delivered in CSV file types intended to “provide sufficient flexibility to allow for divergent

⁷ Order No. 760, P. 40.

⁸ Order No. 760, P. 42.

⁹ Submission Guidelines, P11-12. The Fact Tables must contain the actual data facts and the Dimension Tables, companion tables to the Fact Tables, must contain the descriptive attributes necessary for query constraining/filtering and query result set labeling.

formatting schemes consistent with how the data is collected in each RTO/ISO.”¹⁰ The Order considers “format to include the structure of the data (*i.e.*, the data tables, columns, rows, and fields), as well as details relating to the data specifications for each field (*i.e.*, string, numeric, etc.).”¹¹

The data formatting and delivery requirements in the Submission Guidelines differ significantly from the approach the NYISO was developing to comply with Order No. 760. The NYISO’s responses to the 1-Day and 26-Month Data Requests were not formatted as Fact and Dimension tables; the NYISO’s data was formatted into a group of flattened CSV files pursuant to its understanding of the NOPR. The use of Fact and Dimension tables requires the NYISO to design software that will pull its market data and separate the data into Fact or Dimension tables and to design an entity relationship model (*a.k.a.* “Entity Relationship Diagram” or “ERD”) that will link the Fact tables to, any number of, applicable Dimension tables. The new software will require two stages of design. The first stage will identify the location of the market data elements in the NYISO’s source files and extract the necessary market data from its source files. The second stage of the design will separate the market data into Fact and Dimension tables. Both stages are necessary to generate the data tables required in Order No. 760 in the format requested by FERC Staff in the Submission Guidelines. The Fact and Dimension tables must be specifically designed in a manner that allows the FERC to comprehend and query the data. The Submission Guidelines’ requirements introduce substantial new and additional work that the NYISO must undertake to comply with the Order.

¹⁰ Order No. 760, P. 42; *See also*, Order No. 760, P. 40.

¹¹ Order No. 760, FN 72.

The Commission's expectations regarding the data dictionary and data format required to comply with the Order only became clear to the NYISO after the Submission Guidelines were received on June 12, 2012. As a result of these additional requirements, the NYISO cannot use the data dictionary, ERD or data format that the NYISO created in order to respond to the 1-Day and 26-Month Data Requests. The NYISO now must develop new data collection and formatting software, a new data dictionary and new ERDs, resulting in a significant new software development effort that was not anticipated.

B. The Critical NYISO Resources are Fully Committed to Other Regulatory Compliance Projects

The NYISO employs a limited number of software developers with the knowledge of the internal market data and the technical skills required to develop the software necessary for ongoing collection and delivery of the data requested in Order No. 760. These scarce resources are currently fully committed to other regulatory compliance projects requiring the same extensive understanding of the software and hardware used to run the NYISO's markets and retain the market data.¹² For example, experienced NYISO software developers, whose participation in the Order No. 760 project is absolutely necessary, must continue their full-time work on the current Commission-mandated projects to comply with FERC Order No. 755¹³ and to timely complete and implement the Market-to-Market Coordination project ("M2M Coordination Project") with PJM Interconnection, LLC ("PJM").¹⁴ If the NYISO's experienced software developers are pulled from those other Commission-mandated projects in order to

¹² These necessary resources were available to assist with the 1-Day and 26-Month Data Requests.

¹³ *Frequency Regulation Compensation in the Organized Wholesale Power Markets*, Order No. 755, 137 FERC ¶ 61,054 (2011) ("Order No. 755").

¹⁴ *See, New York Independent System Operator, Inc.*, 133 FERC ¶ 61,276 (2010) and *New York Independent System Operator, Inc.*, 136 FERC ¶ 61,011 (2011).

comply with Order No. 760, the NYISO will not be able to meet the deadlines associated with those compliance projects.

The FERC Order No. 755 compliance project and the M2M Coordination Project have been combined into a single software development effort due to the timing, complexity and substantial overlap of software systems. The software associated with this massive combined project is slated for deployment in October 2012. It will be the largest single deployment by the NYISO since the NYISO's Standardized Market Design II software was deployed in February of 2005. The NYISO believes it is critical to complete these ongoing projects prior to beginning the Order No. 760 compliance project. The NYISO IT team has been fully engaged in the M2M Coordination Project since February 2012 and the Order No. 755 compliance project since April 2012. A continued tight focus on these combined projects is necessary to achieve the October 2012 deployment and overall compliance timelines.¹⁵

C. The NYISO's Internal Market Data and Data Retention would be subject to Substantial Risk by Starting the Order No. 760 Compliance Project Now

The NYISO must develop new software to implement the data collection and delivery requirements of Order No. 760. The new software is expected to follow industry standard data extraction processes. Therefore, the data extraction process will rely on the NYISO's internal market data retention structure which is in flux as part of the October deployment for the M2M Coordination Project and Order No. 755 compliance project. The projects for the October 2012

¹⁵ The software necessary to complete the NYISO's Order No. 755 compliance project and M2M Coordination Project will be deployed in October 2012, however, the projects will not be fully implemented until later in October 2012 and January 15, 2013, respectively. The NYISO needs until early January 2013 to appropriately train its system operators on the new tools that will be installed for Market-to-Market with PJM. The system operator training sessions will begin around the time of the software deployment and continue through early January 2013, approximately 12 weeks.

deployment impact over 80% of the IT systems employed by the NYISO, which is a much wider impact than the NYISO typically undertakes in a single deployment. If the additional software code necessary for Order No. 760 is started in parallel with these projects, there would be significant added risk to the extraction code which could result in failed data collection or inaccurate data submission to the Commission. Furthermore, the NYISO cannot undertake the additional software code necessary for Order No. 760 in parallel with current projects due to the significant risk that such development could interfere with existing software.

The limitations imposed by the market data knowledge and software development skill required to develop software to comply with Order No. 760 and the risk that additional software development would introduce to all NYISO projects make it impractical to utilize additional software developers to speed the delivery of an Order No. 760 compliance project.

VI. PROPOSED PLAN AND SCHEDULE FOR IMPLEMENTING ORDER NO. 760

The NYISO has developed an aggressive proposed Order No. 760 implementation schedule. The implementation schedule relies on NYISO staff resources currently committed to the other regulatory compliance projects discussed above.

A. NYISO Resources

The NYISO must utilize internal software developers with extensive knowledge of the NYISO's market systems and market data to develop the software necessary to comply with Order No. 760 and the requirements of the Submission Guidelines. The NYISO's primary software developers needed for Order No. 760 are currently fully committed to the NYISO's M2M Coordination and Order No. 755 compliance projects and are not available to begin work

on Order No. 760 compliance until mid-August 2012.¹⁶ Software developers will begin working fulltime on the Order No. 760 compliance project in August 2012 and will continue, almost fulltime, through June 2013. Additional software developers will be added to this compliance project in September 2012 and January 2013, and be engaged, almost fulltime, through June 2013. The software developers will work in parallel to achieve the most aggressive schedule possible; however, not all of the work necessary to complete this compliance project can be accomplished simultaneously. The software necessary to deliver the first and second datasets will be developed almost in parallel. Software development will be followed by quality assurance testing for each dataset in-series, *i.e.*, the quality assurance testing cannot be completed simultaneously for multiple datasets. The NYISO must perform quality assurance testing individually for each dataset in order to isolate and identify any issues with the software; otherwise it would be very difficult to determine which dataset each software issue related to or if each issue impacted more than one dataset.

The NYISO proposes the following project schedule to develop and deliver a product that will satisfy the requirements of Order No. 760 and the Submission Guidelines. The proposed Order No. 760 compliance project implementation schedule is aggressive, but feasible, and the NYISO respectfully requests that the Commission adopt the implementation schedule proposed below. The proposed schedule takes into account the efforts that will be necessary to enhance the

¹⁶ Between the ISO/RTO Council's ("IRC") submission of comments in response to the NOPR and the issuance of the final order, the NYISO's 2012 project obligations increased substantially with the issuance of FERC Order 755. During the time the NYISO was working with the IRC to draft comments on the NOPR, the NYISO was not aware of the extent of the staff commitments that would be required for the Order No. 755 compliance project. In April 2012, NYISO IT, including the software developer who worked on the 1-Day and 26-Month Data Requests and is imperative to the Order No. 760 compliance project, began working fulltime to develop the Order No. 755 software slated for the October 2012 deployment.

NYISO's software capabilities and operating procedures to successfully administer the ongoing electronic delivery of market data necessary to properly comply with Order No. 760 and the Submission Guidelines.

B. NYISO's Requested Implementation Schedule

1. Commencement of the Ongoing Delivery of the First Dataset as Described in Order No. 760

The NYISO is in the process of identifying the project requirements for the first dataset and should have a complete set of requirements developed by the end of July. Once the project requirements are clearly defined qualified software developers will begin software development in August 2012. Software development for the first dataset is expected to be complete in December 2012. Quality assurance testing will begin immediately after completion of the software and is expected to be complete by early March 2013. The NYISO proposes to commence ongoing electronic delivery of the first dataset to the FERC on March 4, 2013.

2. Commencement of the Ongoing Delivery of the Second Dataset as Described in Order No. 760

The NYISO will identify the project requirements for the second dataset during the month of August 2012. However, qualified software developers will not be available to program the software until part way through October 2012 when the NYISO is able to redirect staff from the ongoing, combined M2M Coordination and Order No. 755 compliance projects to the Order No. 760 compliance project. Software development for the second dataset is expected to be complete in January 2013. Quality assurance testing will begin immediately after completion of the software and is expected to be complete by early April 2013. The NYISO proposes to commence ongoing electronic delivery of the second dataset to the FERC on April 4, 2013.

3. Commencement of the Ongoing Delivery of the Third Dataset as Described in Order No. 760

The NYISO will identify the project requirements for the third dataset during the month of January 2013. However, the qualified software developers will not be available to program this software until part way through February 2013 when the second dataset software testing is at least partially complete. Software development for the third dataset is expected to be complete in April 2013. Quality assurance testing will begin shortly after completion of the software, there may be a slight delay while testing is completed on the second dataset. Quality assurance testing is expected to be complete by early June 2013. The NYISO proposes to commence ongoing electronic delivery of the third dataset to the FERC on June 4, 2013.

4. Commencement of the Ongoing Delivery of the Fourth Dataset as Described in Order No. 760

The NYISO will identify the project requirements for the fourth dataset during the month of January 2013. However, the qualified software developers will not be available to program this software until part way through February 2013 when the first dataset software testing is at least partially complete and the NYISO is able to redirect additional staff from the ongoing, combined M2M Coordination and Order No. 755 compliance projects to the Order No. 760 compliance project. Software development for the fourth dataset is expected to be complete in June 2013. The software development for this phase of the Order No. 760 compliance project is projected to take longer than the other phases because the data is not currently retained in a centralized database. The NYISO must develop a software system to collect and store the data in one central NYISO database before the data can be formatted and delivered to the FERC in accordance with the Submission Guidelines. Quality assurance testing will begin shortly after completion of the software, there may be a slight delay while testing is completed on the third dataset. Quality assurance testing is expected to be complete by early September 2013. The

NYISO proposes to commence ongoing electronic delivery of the fourth dataset to the FERC on September 4, 2013.

C. Schedule for Delivery of Data Dictionary, Entity Relationship Model and File Transfer Record Layout

The Order requires submission of the following documentation prior to commencing ongoing data delivery: (i) a data dictionary; (ii) an entity relationship model; and (iii) a file transfer record layout.¹⁷ This documentation will provide details about the market data such as meaning, relationships to other data, origin, usage, and format, as well as details defining the method for identifying new record submissions and record corrections (*i.e.*, an addition to, change in, or deletion of previously delivered data).¹⁸ FERC Staff has requested that the NYISO consider providing the data dictionary, ERDs, and file transfer layout documentation more than 30 days prior to the first day of the ongoing delivery of each dataset.¹⁹ In order to comply with the data dictionary requirements specified in the Order and the additional requirements contained in the Submission Guidelines, the NYISO must re-evaluate all its data source file identification and design new data collection and formatting software for each dataset prior to generating the documentation required by the Commission prior to each phase of delivery. The NYISO must complete the majority of its data collection and logical data formatting process to understand the number and content of each Fact and Dimension table before it can accurately produce the documentation FERC Staff is requesting. Therefore, although aggressive, it is feasible for the NYISO to provide the data dictionary, ERDs and file transfer layout documentation 90 days

¹⁷ Order No. 760, P. 43 and FN 75.

¹⁸ *Id.*

¹⁹ As a result of the NYISO's request for extension, FERC Staff requested that NYISO provide its data dictionary, entity relationship model, and file transfer record layout documentation more than 30 days prior to the first day of ongoing delivery, as required by paragraph 43 of the Order.

prior to the first day of the ongoing delivery of each dataset. Minor additional changes *may* be required up to 30 days prior to the first day of delivery to accommodate issues that are identified during the NYISO's internal quality assurance and system testing. The NYISO cannot commit to a longer advance period, *i.e.*, 120+ days, due to the amount of design work necessary on the software system that will collect and deliver the market data prior to compiling the data dictionary, ERDs and file transfer layout documentation. Providing this documentation 90 days prior to commencement of ongoing data delivery will provide FERC Staff substantially more time to utilize these documents than the 30 days that are required by the Order.²⁰

VII. REQUEST FOR EXPEDITED ACTION

Finally, the NYISO requests expedited action on this Motion by August 6, 2012. The compliance filing and ongoing data delivery obligations are due in less than one month, and the NYISO requests a determination at the earliest possible date so that it may have sufficient time to develop alternative plans should the Commission reject the NYISO's Motion.

VIII. CONCLUSION

The NYISO respectfully requests, for the reasons set forth herein, that the Commission grant this *Motion for Extension of Time to Comply* on an expedited basis and accept the schedule for implementing Order No. 760 proposed in this Motion.

²⁰ Order No. 760, P. 43.

Respectfully submitted,

NEW YORK INDEPENDENT SYSTEM
OPERATOR, INC.

/s/ James H. Sweeney

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Dated: July 20, 2012

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 20th day of July, 2012.

By: /s/ John C. Cutting

John C. Cutting
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ATTACHMENT A

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

)
New York Independent System Operator, Inc.) Docket No. RM11-17-
)

Affidavit of Richard Dewey

I. Qualifications and Purpose

1. My name is Richard Dewey. I am the New York Independent System Operator, Inc.'s ("NYISO's") Senior Vice President and Chief Information Officer. I joined the NYISO in 2000 and have been its Chief Information Officer since 2008.
2. As the NYISO's Senior Vice President and Chief Information Officer, I am responsible for overseeing the Information Technology ("IT") Department at the NYISO.
3. The IT Department is responsible for designing and developing most¹ software systems utilized by the NYISO, including the proposed solutions to comply with the Federal Energy Regulatory Commission's ("FERC" or "Commission") Order No. 760.² The IT Department is working with many other NYISO departments, including the Market

¹ The NYISO relies on its IT Department to develop and support the majority, approximately 75%, of the software utilized to run the New York electric power markets and the business of the NYISO. Approximately 25% of software is developed by outside contractors or purchased from other companies.

²*Enhancement of Electricity Market Surveillance and Analysis Through Ongoing Electronic Delivery of Data From Regional Transmission Organizations and Independent System Operators*, Order No. 760, 139 FERC ¶ 61,053 (2012) ("Order No. 760" or "the Order").

Structures and Operations Departments to develop solutions to comply with Order No. 760, and to determine a feasible schedule for completion.

4. The IT Department is also responsible for developing the software necessary to implement the NYISO's Market-to-Market Coordination project³ and the FERC Order No. 755⁴ compliance project.
5. I have reviewed and I am familiar with the *Motion for Extension of Time to Comply* ("Motion") that this Affidavit is being submitted to support. IT Department personnel provided much of the factual information that is included in the Motion. I worked with members of the NYISO's Management, Market Structures Department personnel and other IT Department personnel to develop the Order No. 760 compliance project implementation schedule that is proposed in the Motion.
6. The facts asserted in the Motion that address the effort, time and resources necessary to complete the Order No. 760 compliance project are true and correct to the best of my information, knowledge and belief.
7. The NYISO must utilize internal software developers with extensive knowledge of the NYISO's internal market data to develop the software necessary to comply with Order No. 760 and the requirements of the *File Submission Guidelines for FERC Order 760* issued on June 12, 2012 ("Submission Guidelines").

³ See, *New York Independent System Operator, Inc.*, 133 FERC ¶ 61,276 (2010) and *New York Independent System Operator, Inc.*, 136 FERC ¶ 61,011 (2011).

⁴ *Frequency Regulation Compensation in the Organized Wholesale Power Markets*, Order No. 755, 137 FERC ¶ 61,054 (2011) ("Order No. 755").

8. The NYISO employs a limited number of experienced software developers who possess both sufficient knowledge of the NYISO's internal market data and the technical skills required to develop the software that FERC Staff has indicated it requires for the ongoing collection and delivery of market data as required by Order No. 760 and the requirements of the Submission Guidelines.
9. The discussion of other regulatory compliance projects that must be completed prior to commencing work on the Order No. 760 compliance project, and the possible consequences of stopping work on those projects, are true and correct to the best of my information, knowledge and belief.
10. It is not possible for the NYISO to complete any phases of the Order No. 760 compliance project in 2012 without jeopardizing the delivery of other project commitments. The limited IT Department resources that are capable of performing the work necessary to comply with Order No. 760 must continue developing IT solutions for the Market-to-Market Coordination project and the FERC Order No. 755 compliance project in order to deliver those projects on time.
11. This concludes my affidavit.

Dated: July 19, 2012

ATTESTATION


I am the witness identified in the foregoing Affidavit of Richard Dewey dated July 19, 2012 (the "Affidavit"). I have read the Affidavit and am familiar with its contents. The facts set forth therein are true to the best of my knowledge, information, and belief.


Richard Dewey

July 19, 2012

Subscribed and sworn to before me

this 19th day of July, 2012


Linda Sloan
Notary Public

LINDA SLOAN
Notary Public - State of New York
No. 01SL6198599
Qualified in Schenectady County
My Commission Expires December 29, 2012

My commission expires: 12/29/2012