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October 1, 2012

By Electronic Filing

Hon. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Subject: **Midwest Independent Transmission System Operator, Inc. and International Transmission Company d/b/a ITC*Transmission*, Docket No. ER11-1844-000; Objection of The New York Independent System Operator, Inc. to Proposed Transcript Corrections of PJM Interconnection, L.L.C. and Agreement Resolving Transcript Correction Differences Between The New York Independent System Operator, Inc. and the Joint Applicants**

Dear Ms. Bose:

Attached please find the Objection of New York Independent System Operator, Inc. to the Proposed Transcript Corrections of PJM Interconnection, L.L.C. and Agreement Resolving Transcript Correction Differences Between New York Independent System Operator, Inc. and the Joint Applicants.

Very truly yours,

/s/ Howard H. Shafferman

Howard H. Shafferman
Counsel for New York Independent System Operator, Inc.

cc: Parties of Record

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Midwest Independent Transmission System Operator, Inc. and International Transmission Company d/b/a ITC*Transmission*

Docket No. ER11-1844-000

OBJECTIONS OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. TO THE PROPOSED TRANSCRIPT CORRECTIONS OF PJM INTERCONNECTION, L.L.C. AND AGREEMENT RESOLVING TRANSCRIPT CORRECTION DIFFERENCES BETWEEN THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. AND THE JOINT APPLICANTS

To: Honorable Steven L. Sterner
Presiding Administrative Law Judge

I. NYISO Objection to Transcript Corrections Proposed by PJM

Pursuant to Rule 510(b) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.510(b) (2012), and the Presiding Administrative Law Judge's August 29, 2012, Order Revising Procedural Schedule, the New York Independent System Operator, Inc. ("NYISO") hereby objects to the following proposed transcript corrections of PJM Interconnection, L.L.C. ("PJM"):

Page 758, Line 3: Replace "under your" with "on NYISO;" and

Page 758, Line 4: Replace the word "then" with the word "a."

The relevant transcript language is a question by Mr. Spector on cross-examination of Dr. Shavel. The transcript currently reads as follows:

Q And scheduled transactions are a far, far smaller portion of the loop flow that PJM places under your then generation to load; correct?

A Of PJM, correct.

As proposed to be corrected by PJM, this question would read as follows:

Q And scheduled transactions are a far, far smaller portion of the loop flow that PJM places ~~under your~~ on NYISO ~~then~~ a generation to load; correct?

A Of PJM, correct.

The NYISO agrees with PJM that a correction is appropriate. The NYISO proposes the following alternative correction to this portion of the transcript:

Page 758, Line 3: Add the words “on NYISO” after the word “places.” Add the word "calculation" after the word "your"; and

Page 758, Line 4: Replace the word “then” with the word “than.”

Under NYISO's proposed alternative correction, the relevant language would read as follows:

Q And scheduled transactions are a far, far smaller portion of the loop flow that PJM places on NYISO under your calculation ~~then~~ than generation to load; correct?

A Of PJM, correct.

PJM’s question is asked while discussing Dr. Shavel’s calculation of the impact that implementing the buy-through of congestion proposal would have on PJM. The NYISO believes the question was referring to the calculation Dr. Shavel performed, as opposed to a general

statement that scheduled transactions are a far smaller portion of loop flow that PJM places on NYISO. The NYISO's position is consistent with a response that Dr. Shavel provides later on the same page of the transcript:

> Q You haven't analyzed the impact of scheduled transactions of flows on the New York system?
>
> A That is correct.

NYISO submits that it is unlikely that the court reporter included in the transcript two words that were never uttered. NYISO believes its proposed correction is more faithful to the context and more in conformance with the evidence presented and the truth as required by Rule 510(b)(1). For the foregoing reasons, NYISO proposes a slightly different alternative correction which captures PJM's correction and "conforms the transcript to the evidence presented at the hearing and to the truth."[1]

II. NYISO Agreement with MISO and ITC Regarding Transcript Corrections

NYISO has reached an agreement with the Midwest Independent Transmission System Operator, Inc. ("MISO") and the International Transmission Company d/b/a ITC*Transmission* ("ITC") (together, "Joint Applicants") regarding the differences between their proposed transcript corrections.

NYISO has been authorized, by counsel for the Joint Applicants, to state that Joint Applicants have agreed to support transcript corrections Nos. 82 and 89 proposed by NYISO to replace transcript correction Nos. 36 and 41 proposed by the Joint Applicants.

NYISO's proposed transcript corrections Nos. 82 and 89 are the following:

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[1] *See* Rule 510(b)(1), 18 C.F.R. § 385.510(b)(1) (2012).

No.	Date	Page Number Range	Line Number Range	Current Text	Proposed Revised Text
82	9/11/2012	803	4	no disagree	no reason to disagree
89	9/11/2012	841	24	your knowledge	my knowledge

These replace the following Joint Applicants' proposed transcript corrections:

No.	Date	Page Number Range	Line Number Range	Current Text	Proposed Revised Text
36	9/11/2012	803	4	Disagree	Disagreement
41	9/11/2012	841	24	your knowledge	Our

Further, NYISO has agreed to support transcript correction No. 48 proposed by the Joint Applicants to replace correction No. 161 proposed by NYISO.

Joint Applicants' proposed transcript correction No. 48 is the following:

No.	Date	Page Number Range	Line Number Range	Current Text	Proposed Revised Text
48	9/12/2012	1029	7	Cell	Control

This replaces the following NYISO proposed transcript correction:

No.	Date	Page Number Range	Line Number Range	Current Text	Proposed Revised Text
161	9/12/2012	1029	7	cell of	removal of

These agreements resolve the transcript correction differences between NYISO and Joint Applicants.

Respectfully submitted,

/s/ Howard H. Shafferman

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Dated: October 1, 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 these proceedings.

Dated at Washington, D.C. this 1st day of October, 2012.

/s/ Jack Semrani
Jack Semrani
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