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May 2, 2001

FILE NO: 55430.000005

BYHAND

The Honorable David P. Boergers, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

New York Independent System Operator, Inc.
Filing of Revisions to Attachment F to Open Access Transmission Tariff

Dear Mr. Boergers:

Pursuant to Section 205 of the Federal Power Act (“FPA”), the New York Independent System Operator, Inc. (“NYISO”), by counsel, hereby submits a revision to Attachment F to its Open Access Transmission Tariff (“OATT”), which sets forth the NYISO’s Code of Conduct, to the Federal Energy Regulatory Commission (“FERC” or “Commission”). The purpose of the revision is to outline the NYISO’s handling of requests for confidential information from the Commission, a court, or other appropriate regulatory body.

I. List of Documents Submitted

The NYISO submits the following documents:

1. this filing letter;
2. a clean version of the revisions to Attachment F to the OATT (Attachment I);
3. a redlined version of the revisions to Attachment F of the OATT (Attachment II); and
4. a form of *Federal Register* Notice (Attachment III).

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II. Copies of Correspondence

Copies of correspondence concerning this filing should be served on:

Robert E. Fernandez, General Counsel and Secretary	Arnold H. Quint
John P. Buechler, Director of Regulatory Affairs	Ted J. Murphy
Gerald R. Deaver, Senior Attorney	Edwin G. Kichline
New York Independent System Operator, Inc.	Hunton & Williams
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III. Proposed Effective Date

The NYISO requests waiver of the Commission's notice requirements to allow this filing to become effective as of the date it is filed, May 2, 2001. The revisions will allow the NYISO to comply as quickly as possible with information requests from the Commission.

IV. Service List

The NYISO has mailed a copy of this filing to all parties who have executed Service Agreements under the NYISO's OATT or its Market Administration and Control Area Services Tariff, and to the electric utility regulatory agencies in New York, New Jersey, and Pennsylvania.

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V. Description of and Purpose for Revisions to Schedule F

In compliance with Commission requirements, the NYISO maintains a code of conduct (“Code of Conduct”), filed as Attachment F to the OATT. The Code of Conduct applies to the NYISO’s directors, officers, and employees (collectively, “NYISO Employees”), and provides policies, rules and procedures to be followed in carrying out the responsibilities of the NYISO.

Section 4 of Attachment F describes the types of information in the possession of the NYISO that are to be considered confidential or commercially sensitive (“Confidential Information”), and prescribes the limited circumstances under which such confidential information may be disclosed to third parties. Attachment F currently provides that the NYISO will seek to obtain an appropriate protective order from a court or regulatory body when Confidential Information is required to be divulged in compliance with an order or a subpoena of a court or a regulatory authority.

The proposed revision to Attachment F is intended to facilitate this Commission and its Staff’s regulatory oversight of the NYISO-administered markets. The revisions streamline the process for responding to FERC information requests that may involve Confidential Information in the NYISO’s possession while, at the same time, maintaining the NYISO’s right to request confidential treatment under the Commission’s regulations.

VI. Requisite Stakeholder Approval

The NYISO’s Management Committee approved the revision to Attachment F to the OATT proposed herein at April 18, 2001 meeting.

VII. No Costs Relating to Discriminatory Employment Practices

The NYISO has no expenses or costs that have been alleged or judged to be illegal, duplicate, or unnecessary costs that are demonstrably the product of discriminatory employment practices.

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VIII. Federal Register Notice

A form of *Federal Register* Notice is provided as Attachment B hereto. A diskette of the Notice is also provided in WordPerfect format.

Respectfully submitted,

Counsel for
New York Independent System Operator, Inc.

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Gerald R. Deaver*, Senior Attorney
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*Admitted in State of Washington

May 2, 2001

cc: Mr. Daniel L. Larcamp, Director, Office of Markets, Tariffs and Rates, Room 8A-01,
Tel. (202) 208-2088

Ms. Alice M. Fernandez, Director Office of Markets, Tariffs and Rates - East Division,
Room 82-15, Tel. (202) 208-0089

Ms. Andrea Wolfman, Office of the General Counsel, Room 101-29,
Tel. (202) 208-2097

Mr. Stanley Wolf, Office of the General Counsel, Room 102-37,
Tel. (202) 208-0891

Mr. Michael Bardee, Office of the General Counsel, Room 101-09

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Tel. (202) 202-2068

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System Operator, Inc.) Docket No. _____

NOTICE OF FILING

Take notice that on April 23, 2001, the New York Independent System Operator, Inc. (“NYISO”) filed revisions to Attachment F of its Open Access Transmission Tariff in order to specify its treatment of requests for confidential information from a court or regulatory body with appropriate jurisdiction. The NYISO has requested an effective date of May 2, 2001 for the filing.

The NYISO has served a copy of this filing upon all parties that have executed service agreements under the NYISO’s OATT and Services Tariff.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 C.F.R. §§ 385.211 and 385-214). All such motions or protests should be filed on or before _____. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this application are on file with the Commission and are available for public inspection.

David P. Boergers
Secretary

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person that has executed a Service Agreement under the NYISO's Open Access Transmission Tariff or Market Administration and Control Area Services Tariff, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 2010 (1999).

Dated at Washington, D.C. this 2nd day of May, 2001.

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