

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

New York Independent System Operator, Inc.)

Docket No. ER01-3001-_____

**MOTION OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.
FOR LEAVE TO ACCEPT STATUS REPORT COMPLIANCE FILING
ONE DAY OUT OF TIME**

Pursuant to Rule 212 of the Commission's Rules of Practice and Procedure,¹ the New York Independent System Operator, Inc. ("NYISO") hereby seeks leave of the Commission to accept one day out of time its electronically-submitted compliance status report pursuant to the Commission's October 25, 2001, Order ("October 2001 Order") in the above-captioned proceeding.²

The Commission's October 2001 Order, which extended the effectiveness of the NYISO's then-applicable Temporary Extraordinary Procedures Authority and a \$1,000 MWh bid cap on certain types of bids into the NYISO-administered energy markets, also directed the NYISO to file bi-annual reports, beginning December 1, 2001, on the status of demand response programs and the addition of new generating resources in New York. All past bi-annual reports have been submitted to the Commission in compliance with the October 2001 Order.

¹ 18 C.F.R. §§ 385.212 (2003).

² *New York Independent System Operator, Inc.*, 97 FERC ¶ 61,095 (2001).

The NYISO's next scheduled bi-annual compliance report was due on December 15, 2005. Due to technical difficulties in attempting to electronically submit this compliance report, however, the NYISO did not complete the submission until December 16, 2004. The NYISO, therefore, respectfully requests that electronically-submitted compliance filing described above be accepted one day out of time. For the foregoing reasons, the New York Independent System Operator, Inc. respectfully requests that the Commission grant its request that the NYISO's electronically-submitted compliance filing in the above referenced docket be accepted one day out of time.

Respectfully submitted,

/s/ Mollie Lampi

Mollie Lampi

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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 Docket Nos. ER01-3001-000 in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 2010 (2003).

Dated this 16th day of December, 2005.

/s/ Mollie Lampi
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Submission Contents

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