

July 9, 1999

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

Re: Central Hudson Gas & Electric Corp., et al.
Docket Nos. ER97-1523-000, OA97-470-000, and
ER97-4234-000 (not consolidated)

Dear Secretary Boergers:

Pursuant to Section 205 of the Federal Power Act ("FPA") and Part 35 of the Commission's Regulations, the Member Systems of the New York Power Pool ("Member Systems")¹ hereby submit errata to the Member Systems' compliance filing on April 30, 1999 in the above-

¹ The Member Systems include Central Hudson Gas & Electric Corporation ("Central Hudson"), Consolidated Edison Company of New York, Inc. ("Con Edison"), LIPA, New York State Electric & Gas Corporation ("NYSEG"), Niagara Mohawk Power Corporation ("Niagara Mohawk"), Orange and Rockland Utilities, Inc. ("O&R"), Power Authority of the State of New York ("NYPA"), and Rochester Gas and Electric Corporation ("RG&E").

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captioned proceedings.² The Member Systems respectfully submit for filing the revised tariff sheets included in Appendix A hereto. The Member Systems propose that these tariff sheets be made effective September 1, 1999.

I. Background

The Member Systems' April 30 Filing was submitted in compliance with the Commission's January 27, 1999 Order in the above-captioned dockets.³ In the January 27 Order, the Commission conditionally accepted the proposed New York Independent System Operator ("ISO") Tariff and the proposed ISO market rules. The Commission however directed the Member Systems to make a compliance filing within 90 days.

By this filing, the Member Systems seek to correct certain tariff sheets which were submitted as part of the ISO OATT, and in one instance, a specific section of the Agreement between the New York Independent System Operator and Transmission Owners ("ISO/TO Agreement"), in the April 30 Filing.

² "Filing in Compliance with the Commission's Order of January 27, 1999 Regarding the Comprehensive Proposal to Restructure the New York Wholesale Electric Market" ("April 30 Filing" or "Compliance Filing").

³ Central Hudson Gas & Electric Corp., et al., 86 FERC ¶ 61,062 (1999) ("January 27 Order").

II. Proposed Errata Changes

The Member Systems have made the following specific errata changes to the OATT:

1. The first sentence of Paragraph 1.1, which defines "Eligible Customer", has been changed to provide that an entity which falls under this definition is an electric utility, a federal power marketing agency, or a generator of Energy "for sale for resale". The language from the April 30 Filing erroneously referred to "for sale or resale".
2. Paragraph 7B.4(iv) of the ISO OATT has been corrected to clarify that the New York Power Authority ("NYPA") is not exempt from paying the NYPA Transmission Adjustment Charge ("NTAC") associated with its bundled retail load.
3. Rate Schedule 4, "Energy Imbalance Service", has been corrected in three separate places.

The first sentence has been rewritten to more accurately state when Energy Imbalance Service will be provided. In addition, the last sentence in the opening paragraph has been clarified to remove following language: "which for purposes of this Rate Schedule is the LSE." Lastly, Section 1.0 of Rate Schedule 4 has been modified to correctly state that penalties will apply during the hours "when the Transmission Customer's Actual Energy Withdrawals are greater than that customer's scheduled Energy delivery..."

4. Rate Schedule 8, "Non-Firm Point-to-Point Transmission Service", has been amended to clarify that marginal losses are settled in real-time for all non-firm transactions. All references to day-ahead marginal losses cost have been removed, as well as the language providing that non-firm transmission customers shall be credited for such losses in the event of an interruption.

5. Attachment N, entitled "Allocation of TCC Sales Revenues, Excess Congestion Rents and Congestion Rent Shortfall" has been modified to reflect provisions requiring congestion payments be made to primary holders of TCCs. The added language, contained in the Member Systems December 19, 1997 filing,⁴ was inadvertently omitted from the April 30 Filing.

The Member Systems have made the following errata change to the ISO/TO Agreement:

1. Article 19.01c.(ii) has been amended to set forth the rights of parties under Section 206 of the FPA. The pre-existing reference to this specific statutory provision was inadvertently omitted from the Member Systems' April 30 Filing.

III. Effective Date

The tariff sheets included in Appendix A are to become effective on September 1, 1999, as specified in the April 30 Filing. The Member Systems respectfully request the Commission grant any and all waivers of its Regulations that it deems necessary to allow the tariff sheets to be effective on that date.

IV. Contents of the Filing

In accordance with Section 35.7 of the Commission's Regulations, the Member Systems are submitting the following, including an original and five (5) copies of items 1-4:

- (1) This transmittal letter;

⁴ "Supplemental Filing to the Comprehensive Proposal to Restructure the New York Wholesale Electric Market" ("December 1997 Filing").

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- (2) The revised tariff sheets (Appendix A);
- (3) A highlighted/strikeout version of the revised tariff sheets (Appendix B);
- (4) A form of notice suitable for publication in the Federal Register;
- (5) A computer diskette containing the proposed Federal Register Notice; and
- (6) A computer diskette containing the revised tariff sheets.

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V. Company Contacts

The names, titles, mailing addresses, and telephone numbers of those persons to whom correspondence and communications concerning this filing should be addressed are as follows:⁵

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⁵ The Member Systems request waiver of Rule 2010(c), 18 C.F.R. Section 385.2010(c), in order to permit designation of more than one additional parties on the service list. The Member Systems submit that waiver is appropriate in this case due to the joint nature of this filing.

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VI. Certificate of Service

A copy hereof, together with all enclosures except for the computer diskettes, is being served upon each person on the official service list for this proceeding.

Please confirm receipt of this filing by so indicating on the enclosed copy of this filing and returning it to me in the envelope provided.

Respectfully Submitted,

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Of Counsel to the Member Systems of
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Enclosures