

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
May 22, 2002

Docket No. ER02-638-002

New York Independent System Operator, Inc.

Reference: Revised Tariff Effective Dates

By letter dated March 29, 2002 you submitted for filing a motion requesting a deferred effective date for the compliance to the Commission's February 26, 2002 Order directing NYISO to remove from its tariff sheets three proposed pre-scheduling enhancements which the February 26th Order rejected without prejudice. Pursuant to authority delegated to the Director, OMTR/Tariffs and Rates - East, under 18 C.F.R. 375.307, your submittal in the above referenced docket(s) is accepted for filing and the effective date requested is granted.

Notice of the filing was published in the Federal Register with comments, protests, or interventions due on or before April 24, 2002. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2000), the filing of a timely motion to intervene that has not been opposed makes the movant a party to the proceeding.

While we have granted NYISO's motion and accepted NYISO's proposal to defer the effective date in this docket, in the future public utilities should file such proposed effective date deferrals as rate changes pursuant to section 205 of the Federal Power Act, 16 U.S.C. § 824d (1994), and Part 35 of the Commission's regulations, 18 C.F.R. Part 35 (2001), and thus in new dockets, rather than as motions in the original dockets in which the Commission accepted the original effective dates.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the New Independent System Operator.

This order constitutes final agency action. Requests for rehearing by the

Commission may be filed within 30 days of the date of issuance of this order pursuant to 18 C.F.R. § 385.713.

Sincerely,

Alice M. Fernandez, Director
Division Tariffs and Rates - East