

ARNOLD H. QUINT  
DIRECT DIAL: 202-955-1542  
EMAIL: aquint@hunton.com

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May 10, 2002

By Hand

Mark J. Langer, Clerk  
United States Court of Appeals  
District of Columbia Circuit  
United States Court House  
333 Constitution Avenue, NW  
Room 5423  
Washington, D.C. 20001

Re: *KeySpan-Ravenswood, Inc., v. Federal Energy Regulatory Commission*,  
Case No. 02-1115 and *Orion Power New York GP, Inc. v. Federal Energy*  
*Regulatory Commission*, Case No. 02-1125 (consolidated)

Dear Mr. Langer:

Enclosed for filing by the New York Independent System Operator, Inc. ("NYISO") are the original and four (4) copies of: (1) NYISO's Motion to Intervene, and (2) a Corporate Disclosure Statement required by Rule 26.1 of the Federal Rules of Appellate Procedure and Rule 26.1 of the United States Court of Appeals for the District of Columbia Circuit.

Respectfully submitted,

Arnold H. Quint

Enclosures

cc (w enc.): Solicitor, Federal Energy Regulatory Commission  
Service List

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

KeySpan-Ravenswood, Inc.,	)	
Petitioner,	)	
v.	)	
	)	Case No. 02-1115
Federal Energy Regulatory Commission,	)	
Respondent.	)	
	)	
and	)	
	)	
Orion Power New York GP, Inc.,	)	
Petitioner,	)	
	)	
v.	)	
	)	Case No. 02-1125
Federal Energy Regulatory Commission,	)	(consolidated)
Respondent.	)	
	)	
	)	

MOTION TO INTERVENE OF  
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.

Pursuant to Rule 15(b) of the Circuit Rules of this Court and Rule 15(d) of the Federal Rules of Appellate Procedure, the New York Independent System Operator, Inc. (“NYISO”), by counsel, hereby moves to intervene in the above-captioned proceedings. In support of this motion, the NYISO states:

1. The NYISO is a New York not-for-profit corporation formed under New York law. Although it does not own or control any electric power generation facilities, it possesses operational control over the transmission facilities in New York State. The NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in New York State.

2. In these cases, KeySpan-Ravenswood, Inc. and Orion Power New York GP, Inc.

seek review of the following FERC orders, issued on February 15, 2002 and September 4, 2001, pertaining to the Unforced Capacity translation of the \$105 bid cap applicable to certain generators located in New York City:

*New York Independent System Operator, Inc.*, Order on Rehearing, Docket No. ER01-2536-002, 98 FERC (CCH) ¶ 61,180 (February 15, 2002); and

*New York Independent System Operator, Inc.*, Order Accepting Tariff Revisions and Directing Translation of the In-City Price Cap, Docket No. ER01-2536-000, 96 FERC (CCH) ¶ 61,251 (September 4, 2001).

3. Those orders relate to a filing NYISO submitted to FERC on July 6, 2001. As a result of the Court's review of the petitions, the NYISO may have to implement changes in the way it administers its tariffs and markets. The NYISO has a substantial direct interest in this proceeding that cannot be adequately represented by any other party and may be adversely affected by a resolution in this proceeding unless it is permitted to participate. Consequently, the NYISO seeks to intervene herein.

WHEREFORE, the New York Independent System Operator, Inc. respectfully requests that it be permitted to intervene in this proceeding and granted all rights as a party hereto.

Respectfully submitted,

By: \_\_\_\_\_

Arnold H. Quint\*  
Hunton & Williams  
1900 K Street, NW  
Washington, DC 20006  
(202) 955-1500

Kathy Robb  
Hunton & Williams  
200 Park Avenue, 43rd Fl.  
New York, NY 10166-0136  
(212) 309-1000

Attorneys for Petitioner  
New York Independent System Operator, Inc.

Dated: May 10, 2002

\*Member of the Bar of this Court

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

KeySpan-Ravenswood, Inc.,	)	
	)	
Petitioner,	)	
v.	)	
	)	Case No. 02-1115
Federal Energy Regulatory Commission,	)	
	)	
Respondent.	)	
	)	
and	)	
	)	
Orion Power New York GP, Inc.,	)	
	)	
Petitioner,	)	
v.	)	
	)	Case No. 02-1125
Federal Energy Regulatory Commission,	)	(consolidated)
	)	
Respondent.	)	
	)	
	)	

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to 26.1 of the Federal Rules of Appellate Procedure and Rule 26.1 of this Court, the New York Independent System Operator, Inc. (“NYISO”) states the following:

The NYISO is a New York not-for-profit corporation formed under New York law. Although it does not own or control any electric power generation facilities, it possesses operational control over the transmission facilities in New York State. The NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in New York State. The

NYISO is not a publicly-held company. Nor does it have a parent company or publicly held company that has a 10% or greater ownership in it.

Respectfully submitted,

By: \_\_\_\_\_

Arnold H. Quint\*  
Hunton & Williams  
1900 K Street, N.W.  
Washington, DC 20006  
(202) 955-1500

Kathy Robb  
Hunton & Williams  
200 Park Avenue, 43rd Floor  
New York, NY 10163  
(212) 309-1000

Attorneys for Petitioner  
New York Independent System Operator, Inc.

Dated: May 10, 2002

\*Member of the Bar of this Court



list. I have also served the foregoing document by hand delivery on the Solicitor at the Federal Energy Regulatory Commission.

Dated at Washington, D.C. this 10th day of May 2002.

By: \_\_\_\_\_

Arnold H. Quint  
Hunton & Williams  
1900 K Street, NW  
Washington, DC 20006

Kathy Robb  
Hunton & Williams  
200 Park Avenue, 43rd Floor  
New York, NY 10163

Attorneys for Petitioner  
New York Independent System Operator, Inc.