

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

**Wholesale Competition in Regions with) Docket Nos. RM07-19-000 and
Organized Electric Markets) AD07-7-000**

**MOTION FOR EXTENSION OF TIME
AND REQUEST FOR EXPEDITED ACTION OF
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 and 2008 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212 and 385.2008 (2008), the New York Independent System Operator, Inc. (“NYISO”) respectfully submits this motion for an extension of time, from April 28, 2009 until May 15, 2009, to submit the compliance filing required by the Commission’s final rule on *Wholesale Competition in Regions with Organized Electric Markets* (“Order No. 719”).¹ The requested extension would apply both to the NYISO’s compliance filing and the related reports that Order No. 719 requires the NYISO’s independent market advisor (Potomac Economics, Ltd.) to submit setting forth its views on: (i) any remaining barriers to the comparable treatment of demand response in the NYISO footprint; and (ii) the adequacy of the mitigation measures included in the NYISO’s shortage pricing compliance proposal.²

The NYISO is submitting this motion because a number of its stakeholders from several sectors have requested additional time to comment on the proposed compliance tariff revisions and the draft transmittal letter that the NYISO had intended to submit by the April 28th deadline. The NYISO has held a series of meetings over the course of several months to discuss each element of its compliance proposal with its stakeholders and to solicit their input. It was only

¹ Order No. 719, 73 Fed. Reg. 64,100 (Oct. 28, 2008), FERC Stats. & Regs. ¶ 31,281 (2008), 125 FERC ¶ 61,071 (2008).

² Order No. 719 at P 582.

last week, however, that it shared the actual filing documents with them. Although the NYISO is not required to obtain stakeholder approval before making a compliance filing, and does not normally invite pre-filing comments on its transmittal letters, it believes that additional stakeholder review of the letter and tariff sheets would be beneficial in this instance. An extension is likely to result in stronger stakeholder support for the entire compliance package, to resolve questions that some stakeholders have raised about the tariff provisions related to market monitoring, and to reduce the number of issues that are disputed before the Commission.

The requested extension enjoys broad stakeholder support and a number of parties have expressly authorized the NYISO to state that they endorse this motion.³ An extension should also not materially delay the NYISO's ultimate compliance with Order No. 719. The NYISO must complete certain preparations before it will be ready to implement its proposed compliance tariff revisions. If the NYISO were to make the compliance filing on April 28 it would ask that its proposed tariff revisions become effective fifteen days after the issuance of a Commission order accepting them but no earlier than sixty days from the date of the filing. If the extension were granted the NYISO would not stop its preparations and would request an effective date fifteen days after the issuance of an order but no earlier than forty days from the date of the filing.

³ These parties are the New York Transmission Owners (Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation), the Long Island Power Authority, the New York Power Authority, the Independent Power Producers of New York, Inc., Constellation Energy Resources, the NRG Companies, and Energy Curtailment Specialists, Inc..

The NYISO respectfully requests that the time for responding to this motion be waived to the extent necessary to allow the Commission to act expeditiously so that the NYISO will know whether it may take additional time for further stakeholder review or must file on April 28th.

Consequently, for the reasons set forth herein, the New York Independent System Operator, Inc. respectfully requests that the Commission grant an extension, from April 28, 2009 until May 15, 2009 for it to submit its Order No. 719 compliance filing (and for its independent market advisor to submit its related reports.).

Respectfully submitted,

/s/ Ted J. Murphy

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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 these proceedings in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Washington, D.C., this 27th day of April, 2009.

/s/Ted J. Murphy

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