

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

American National Power, Inc.)
)
 v.) **Docket No. EL02-4-000**
)
KeySpan Generation, Inc., et al.)

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

Pursuant to Rules 212 and 214 of the Commission’s Rules of Practice and Procedure,¹ and the Commission’s Notice of Complaint of October 12, 2001, the New York Independent System Operator, Inc. (“NYISO”) hereby moves to intervene in the above-captioned proceeding.

I. Copies of Correspondence

Communications regarding this proceeding should be addressed to:

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II. Motion To Intervene

The NYISO is the independent body responsible for providing open-access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in

¹ 18 C.F.R. §§ 385.212 and 385.214 (2001).

New York State, including Long Island. This proceeding involves a complaint by American National Power, Inc. (“ANP”) against KeySpan Generation, Inc. (“KeySpan”) and the Long Island Power Authority and the Long Island Lighting Company d/b/a LIPA (collectively referred to herein as “LIPA”). ANP complains that KeySpan, which ANP alleges holds a dominant position in markets for generation related services on Long Island, and LIPA, which ANP alleges holds an equally dominant position in markets for transmission and distribution services on Long Island, are engaging in anticompetitive conduct. ANP urges the Commission to direct its oversight to this matter and review the provisions of KeySpan’s Rate Schedule No. 1, including the Deliverability Requirement. This issue is of great interest to the NYISO because it has responsibility for maintaining the grid and for administering efficient wholesale markets in New York. Consequently, the NYISO has a direct and substantial interest in this proceeding which cannot adequately be represented by any other party, and should be permitted to intervene herein.

III. Conclusion

The NYISO respectfully asks that the Commission grant its motion to intervene in this proceeding.

Respectfully submitted,

NEW YORK INDEPENDENT
SYSTEM OPERATOR, INC.

By _____
Counsel

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Of Counsel
October 30, 2001

cc: Daniel L. Larcamp, Director Office of Markets, Tariffs and Rates, Room 8A-01,
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each party designated on the official service list compiled by the Secretary in Docket No. EL02-4-000, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2001).

Dated at Washington, DC this 30th day of October, 2001.

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