

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

FILE NO: 554320.000042

March 29, 2002

BY HAND

The Honorable Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, D.C. 20426

Compliance Filing of
New York Independent System Operator, Inc.
in Docket No. ER02-638-000

Dear Ms. Salas:

Pursuant to the Commission's February 26, 2002 order in the Docket No. ER02-638-000 ("February 26th Order"),¹ the New York Independent System Operator, Inc. ("NYISO") hereby respectfully submits its compliance filing. The purpose of this filing is to eliminate tariff provisions pertaining to the NYISO's three proposed pre-scheduling enhancements which the February 26th Order rejected without prejudice. Consistent with the February 26th Order, the NYISO intends to make a separate tariff filing in the near future to implement the three enhancements.

In addition, this filing incorporates language into Section 4.5a of the NYISO's Market Administration and Control Area Services Tariff ("Services Tariff") that was inadvertently excluded from its original December 28, 2001 filing. The NYISO previously alerted the Commission that it would use a compliance filing to re-insert this language, which more clearly specifies the relative scheduling priority to be afforded to certain Pre-Scheduled Transactions.

¹ *New York Independent System Operator, Inc.*, 98 FERC ¶61,189 (2002).

The NYISO therefore believes that it is appropriate to include this language in this compliance filing.²

I. Documents Submitted

1. This filing letter;
2. Clean revised compliance Services Tariff sheets (including the language that was inadvertently excluded from Section 4.5a) (“Attachment I”);
3. Redlined revised compliance Services Tariff sheets (including the language that was inadvertently excluded from Section 4.5a) (“Attachment II”);
4. Clean revised compliance Open-Access Transmission Tariff sheets (“Attachment III”);
5. Redlined revised compliance Open-Access Transmission Tariff sheets (“Attachment IV”); and
6. A form of *Federal Register Notice* (“Attachment V”).

II. Copies of Correspondence

All notices and communications in this proceeding should be served on:

Robert E. Fernandez, General Counsel and Secretary
Mollie Lampi, Associate General Counsel
Belinda Thornton, Director of Regulatory Affairs
3890 Carman Road
Schenectady, NY 12303
Tel: (518) 356-6000
Fax: (518) 356-4702
rfernandez@nyiso.com
mlampi@nyiso.com

Arnold H. Quint
Ted J. Murphy
Hunton & Williams
1900 K Street, N.W.
Washington, DC 20006
Tel: (202) 955-1500
Fax: (202) 778-2201
aquint@hunton.com
tmurphy@hunton.com

² See *New York Independent System Operator, Inc.’s Request for Leave to Submit Clarification Out-of-Time, Request for Expedited Consideration and Clarification*, Docket No. ER02-638-000 (February 8, 2002) at 8.

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bthornton@nyiso.com

III. Effective Date

The NYISO proposes to make the revisions in this compliance filing effective on April 11, 2001, the same date that the NYISO now proposes to make the pre-scheduling program effective.³

IV. Service List

The NYISO has mailed a copy of this compliance filing to all persons that have filed interconnection applications or executed Service Agreements under the NYISO Open Access Transmission Tariff, to the New York State Public Service Commission, and to the electric utility regulatory agencies in New Jersey and Pennsylvania. The NYISO has also mailed a copy to each person designated on the official service list maintained by the Commission for the above-captioned proceeding.

Respectfully submitted,

Arnold H. Quint
Counsel for
New York Independent System Operator, Inc.

cc: Daniel L. Larcamp, Director Office of Markets, Tariffs and Rates, Room 8A-01,
Tel. (202) 208-2088
Alice M. Fernandez, Director Office of Markets, Tariffs and Rates -- East Division,
Room 71-31, Tel. (202) 208-0089
Andrea C. Wolfman, Lead Counsel for Market Oversight and Enforcement,
Room 9E-01, Tel. (202) 208-2097

³ The NYISO is concurrently submitting a motion requesting that the Commission make the pre-scheduling related tariff revisions effective on April 11, 2002.

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Michael A. Bardee, Lead Counsel for Markets, Tariffs and Rates, Room 101-09,

Tel. (202) 208-2068

Stanley P. Wolf, Office of the General Counsel, Room 101-03,

Tel. (202) 208-0891

Attachment I

Attachment II

Attachment III

Attachment IV

Attachment V

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

New York Independent System Operator, Inc.) Docket No. ER02-638-000

NOTICE OF FILING

Take notice that on March 29, 2002, the New York System Operator, Inc. ("NYISO") filed revisions to its Open Access Transmission Tariff and Services Tariff pursuant to the Commission's February 26, 2002 order. The purpose of this filing is to eliminate tariff provisions pertaining to the NYISO's three proposed pre-scheduling enhancements which the February 26 Order rejected without prejudice. The NYISO has requested an effective date of April 11, 2002, for the compliance filing.

The NYISO has mailed a copy of this compliance filing to all persons that have filed interconnection applications or executed Service Agreements under the NYISO Open Access Transmission Tariff, to the New York State Public Service Commission, and to the electric utility regulatory agencies in New Jersey and Pennsylvania. The NYISO has also mailed a copy to each person designated on the official service list maintained by the Commission for the above-captioned proceeding.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. §§ 385.211 and 385.214). All such motions or protests should be filed on or before _____. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this compliance filing are on file with the Commission and are available for public inspection in the Commission's Public Reference Room. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm>

Magalie R. Salas
Secretary

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person that has filed interconnection applications or executed Service Agreements under the NYISO Open Access Transmission Tariff, to the New York State Public Service Commission, and to the electric utility regulatory agencies in New Jersey and Pennsylvania and also served a copy on each person designated on the official service list compiled by the Secretary in Docket No. ER02-638-000, in accordance with the requirements of Rule 210 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 2010 (2001).

Dated at Washington, D.C., this 29th day of March 2002.

Arnold H. Quint
Hunton & Williams
1900 K Street, N.W.
Washington, D.C. 20006-1109
(202) 955-1500