

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

D.C. Energy, LLC)	
)	
Complainant)	
)	
vs.)	Docket No. EL07-67-000
)	
H.Q. Energy Services (U.S.) Inc.)	
)	
Respondent)	

**MOTION TO INTERVENE AND
MOTION FOR EXTENSION OF TIME TO FILE COMMENTS
OF THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 and 214 of the Federal Energy Regulatory Commission’s (“Commission’s”) Rules of Practice and Procedure, 18 CFR §§ 385.212, 385.214 (2006), the New York Independent System Operator, Inc. (“NYISO”) hereby submits this Motion to Intervene and Motion for Extension of Time to File Comments (“Motion”) in response to both the “Complaint” that was filed by D.C. Energy LLC (“DC Energy”) in the above-captioned docket on June 10, 2007 and the “Amendment” to the Complaint that DC Energy filed on June 22, 2007.

DC Energy’s Complaint and Amendment allege that the Hydro-Quebec companies (collectively, “HQ”)¹ are the dominant producer, transmitter and consumer of electric energy within the HQ Control Area² and that HQ has leveraged its dominant

¹ The Hydro-Quebec companies include Hydro-Quebec, Hydro-Quebec Production, Hydro-Quebec Distribution, Hydro-Quebec TransEnergie and H.Q. Energy Services (U.S.) Inc.

² Capitalized terms not expressly defined herein shall have the meaning ascribed to them in the NYISO’s Market Administration and Control Area Services Tariff.

position in Quebec to (a) impede competition to import power to the New York Control Area (“NYCA”), and (b) influence energy prices and congestion revenues at the Chateaugay Interface, the NYISO’s primary Interface with the HQ Control Area.

I. Motion to Intervene

The NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale markets for electricity, capacity, and ancillary services in New York State. Pursuant to its Commission-accepted tariffs, the NYISO is responsible for administering its Transmission Congestion Contract (“TCC”) markets and auctions and determining the congestion and energy components of Locational Based Marginal Prices (“LBMPs”) at its external Proxy Generator Buses.

Because the DC Energy complaint specifically involve issues associated with the NYISO’s TCC market and the manner by which the NYISO determines the congestion and energy components of LBMPs at the Chateaugay Proxy Generator Bus, the NYISO has a direct and substantial interest that cannot be adequately represented by any other party. The NYISO requests permission to intervene with all of the rights of a party.

II. Correspondence

Copies of correspondence concerning this filing should be addressed to:

Robert E. Fernandez, General Counsel and Secretary
Elaine D. Robinson, Director of Regulatory Affairs
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*NYISO’s designated agent for service of process.

III. Motion for Extension of Time to File Comments

On June 27, 2007, the Commission issued a Notice of Amended Complaint in the above-captioned Docket that required interventions and comments to be filed by July 12, 2007. The NYISO respectfully request that it be granted an eleven day extension of time, until July 23, 2007, to file its comments (or, alternatively, that the comment deadline be extended to July 23, 2007), so that its comments may take into account and, if necessary, address and incorporate significant new information that became available to the NYISO on July 10, 2007.

The NYISO was preparing to timely file its comments in the above-captioned Docket on July 12, 2007, as required by the Commission's June 27, 2007 Notice of Amended Complaint, when, on July 10, 2007, it received new information regarding the operation of its Day-Ahead Market at the Chateauguay Interface. This new information impacts, and may substantially change, the comments that the NYISO will file in response to the Complaint and the Amendment. Before the NYISO can file informed comments incorporating the new information, additional expert analysis is required. For this reason, the NYISO hereby requests an eleven-day extension to file its comments in this Docket.

IV. Conclusion

WHEREFORE, for the foregoing reasons, the NYISO respectfully requests that the Commission grant its Motion to Intervene in the above-captioned proceeding and grant it an eleven day extension of time, from July 12, 2007 to and including July 23, 2007, to submit its comments on the Complaint and Amendment filed in the above-captioned docket by DC Energy.

Respectfully submitted,

/s/ Alex M. Schnell
Robert E. Fernandez
General Counsel and Secretary
Alex M. Schnell
New York Independent System Operator, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

Dated at Rensselaer, New York this 11th day of July, 2007.

/s/ Alex M. Schnell _____

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