

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

**New York Independent System Operator, Inc. )      Docket No. ER01-2967-000**

**MOTION OF  
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.  
FOR EXTENSION OF TIME TO SUBMIT COMPLIANCE FILING**

Pursuant to Rules 212 and 2008 of the Commission’s Rules of Practice and Procedure,<sup>1</sup> the New York Independent System Operator, Inc. (“NYISO”) hereby respectfully requests an extension of time, until January 25, 2002, to submit its compliance filing pursuant to the Commission’s October 26, 2001, Order (“October 26 Order”) in the above-captioned proceeding.<sup>2</sup>

**I.      Copies of Correspondence**

Communications regarding this proceeding should be served on:

Robert Fernandez, General Counsel and Secretary	J. Kennerly Davis, Jr. Hunton & Williams
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<sup>1</sup> 18 C.F.R. §§ 385.212 and 385.2008 (2001).

<sup>2</sup> *New York Independent System Operator, Inc.*, 97 FERC ¶ 61,118 (2001).

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## **II. Motion for Extension of Time to Submit Compliance Filing**

On August 29, 2001, the NYISO filed a proposed new Attachment S to its Open Access Transmission Tariff setting forth detailed rules to allocate responsibility for the cost of new interconnection facilities (“August 29 Filing”). In its October 26 Order, the Commission accepted the August 29 Filing, subject to the NYISO making a number of modifications to the new Attachment S and submitting those modifications to the Commission in a compliance filing.

Several of the modifications that the NYISO is directed to make require a substantial amount of careful work to ensure effective compliance with the October 26 Order. In one case, for example, the NYISO is directed to clarify the cost allocation rules to spell out more specifically a part of the mechanism used for allocating costs among project Developers.<sup>4</sup> As another example, the NYISO is directed either to eliminate a provision in the rules concerning posted security, or to modify the provision to provide greater certainty to project Developers.<sup>5</sup>

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<sup>3</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) to permit service on these counsel for the NYISO in both Washington, D.C. and Richmond, Virginia.

<sup>4</sup> 97 FERC at 61,576.

<sup>5</sup> *Id.* at 61,580.

As a final example, the NYISO is directed to revise the rules and delete the material impact standard that was proposed for allocation of costs among project Developers.<sup>6</sup>

The NYISO and its advisors have been working diligently on these and other modifications to prepare the compliance filing required by the October 26 Order. The NYISO staff has also held a series of meetings and telephone conference calls with the Market Participants who provided input for the August 29 Filing to discuss with them the changes required by the October 26 Order. This work continues on a daily basis, and has produced much progress thus far.

Nevertheless, the NYISO has concluded, given the number and nature of the items that must be addressed, that more time is required to ensure effective compliance with the October 26 Order. Accordingly, the NYISO respectfully requests an extension of time until January 25, 2002 to complete its compliance filing. While pressing on to complete its compliance filing, the NYISO will continue to work diligently to process interconnection applications and conduct Systems Reliability Impact Studies in accordance with existing tariff provisions to ensure ongoing support for the development of the new sources of power supply needed in New York State and the Northeast.

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<sup>6</sup> 97 FERC at 61,577.

### III. Conclusion

WHEREFORE, for the foregoing reasons, the New York Independent System Operator, Inc. respectfully requests that the Commission grant its request for an extension of time, until January 25, 2002, to submit its compliance filing.

Respectfully submitted,

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November 20, 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 person designated on the official service list compiled by the Secretary in Docket No. ER01-2967-000, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 2010 (2001).

Dated at Washington, D.C., this 20<sup>th</sup> day of November 2001.

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