UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System Operator) Docket No. EL01-

REQUEST FOR ADDITIONAL LIMITED WAIVER FROM CERTAIN OASIS REQUIREMENTS

The New York Independent System Operator, Inc. ("NYISO") respectfully requests a waiver from the Federal Energy Regulatory Commission ("the Commission") of certain Open Access Same-time Information System ("OASIS") requirements in: (1) the Commission's August 1, 2000 Order on Business Practice Standards ("BPS") for OASIS Transactions, Version 1.2 in Docket No. RM95-9-013; (2) the Commission's August 1, 2000 Order Revising OASIS Standards and Communications Protocols ("S&CP") Document, Version 1.4 in Docket No. RM95-9-014; and, (3) Order No. 889 in Docket No. RM95-9-000, to the extent that the BPS and the S&CP were established pursuant to the underlying requirements of Order No. 889. In addition to the instant petition, the NYISO further supports its waiver request with the attached Affidavit of Dean J. Chapman, P.E.

I. COPIES OF CORRESPONDENCE

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II. BACKGROUND

1. The Present Configuration of the NYISO OASIS Reflects Prior Commission-Granted Waivers From a Limited Number of OASIS Information Posting Requirements.

The Commission approved the present operating characteristics and business model for the NYISO in its January 27, 1999 Order ("NYISO Order") in Docket Nos. ER97-1523-000, OA97-470-000, and ER97-4234-000.[1] The Commission subsequently approved the NYISO's Open Access Transmission Tariff ("OATT") in a July 29, 1999 Order in Docket Nos. ER97-1523-003 and –004, OA97-470-004 and –005, and ER97-4234-002 and -003.[2] Since its inception, the NYISO has operated and maintained an internet-based real-time OASIS information system in accordance with the Commission's approval for the NYISO to serve as the regional transmission operator for the New York Control Area ("NYCA").

The Member Systems of the New York Power Pool ("NYPP") and the NYISO previously have requested and have been granted, either in whole or in part, waivers of certain requirements of the OASIS regulations.

First, on February 26, 1999, the Member Systems of the NYPP, the predecessor to the NYISO, requested a waiver from the Commission's Phase 1A OASIS requirements. The NYPP requested that it be permitted to continue to operate its then-existing OASIS, which at that time conformed to the Commission's *pro forma* model for an OASIS, until such time as the NYISO became operational. The NYPP stated that when the NYISO became operational, it would implement and operate an OASIS specific to the NYISO system model. The Commission granted

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1 *Central Hudson Gas & Electric Corp., et al.*, 86 FERC ¶ 61,062 (1999)

2 *Central Hudson Gas & Electric Corp., et al.*, 88 FERC ¶ 61,138 (1999).

that waiver on April 29, 1999.[3]

Next, the NYISO submitted a waiver request to the Commission on July 9, 1999 in anticipation of its startup. In that filing, the NYISO sought specific waivers from 18 CFR § 37.6(c) and (d), and 18 CFR § 37.6(e)(1), which require posting information utilized to reserve transmission system capacity. The NYISO also requested a waiver from posting available transmission capacity ("ATC"). On September 17, 1999, the Commission issued an Order in Docket No. EL99-77-000 approving in part and denying in part the NYISO waiver request.[45] The Commission approved a waiver from the specific CFR sections listed above, agreeing and acknowledging that the NYISO operating model was inconsistent with some of the Commission's OASIS requirements.[6]

2. The Information Content and Format Requirements for OASIS Were Designed for the Reservation-Based System Model Reflected in the Commission's *pro forma* Open Access Tariff.

As envisioned in the Commission's *pro forma* tariff, transmission system users reserve amounts of capacity over specific time periods through specific service requests. Advanced reservations for transmission service establish the amount, time period, and duration for the requested service. Service reservations are prioritized on a first-come first-served basis. When the total of all requests for service exceed available capacity, additional requests are either denied or, in instances where an additional request is for a longer term, may preempt previous requests of shorter duration. When the total of all service granted results in constraints at specific

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3 *New York Power Pool*, 87 FERC ¶ 61,119 (1999).

4 *Central Hudson Gas & Electric Corp.*, 88 FERC ¶ 61,253 (1999).

5 The Commission denied the NYISO's request to forego posting ATC information, directing it to post both ATC and total transmission capacity information. *Id.* at page 6.

6 *Id.* at page 6.

locations in the transmission system, non-firm service is curtailed first, followed by the proportional curtailment of firm transmission service.

The Commission's OASIS requirements are geared towards providing an Internet-based on-line vehicle for facilitating these kinds of transmission system reservation transactions.

3. In Contrast, the NYISO Does Not Offer Transmission Service Under a Capacity Reservation-Based Transmission Service Tariff.

The NYISO does not operate the NYCA transmission system in terms of the traditional capacity reservation model envisioned in the *pro forma* transmission tariff originally devised for transmission operators by the Commission. Instead, the NYISO closely links transmission operations in the NYCA, including imports into, exports out of, and wheeling transactions across the NYCA, with its operation of competitive wholesale markets.

Under these NYISO-supervised markets, entities who serve retail end-use electric loads or purchase for their own use acquire their wholesale energy supplies through one or any combination of three different avenues. Energy supplies can be acquired through traditional two-party – or bilateral – agreements, purchased through bids into the NYISO's Day-Ahead Market ("DAM"), or purchased as "spot market" supplies in the NYISO's real-time ("RT") hourly energy market. Energy prices in bilateral transactions are set by the contract between the two parties. Market prices for the DAM and the RT markets are determined according to the NYISO's Commission-approved locational-based marginal pricing ("LBMP") model.

While containing traditional embedded operating and capital cost components, the total cost to the transmission user to have energy delivered within, into or out of, or across the NYCA varies from hour to hour. This price variability results from the differences between the respective market-driven LBMPs at the points of energy delivery and energy receipt within the

NYCA created as a result of any transmission system constraints or congestion. Transmission users who wish to hedge themselves against price differences between points of injections and points of withdrawal can acquire transmission congestion contracts ("TCCs") in either the NYISO-operated TCCs auction market or in a non-regulated secondary market. TCCs are financial contracts which provide a hedge against price differences between grid locations, thus, providing a vehicle for obtaining transmission price certainty.

The allocation of finite or congested transmission capacity is the aspect of the NYISO model that differs most significantly from the Commission's *pro forma* model. Instead of prioritizing competing requests for service at constrained interfaces according to the *pro forma* reservation system, the NYISO deems transmission service requests to be financial-based rather than reservation based. Consequently, available transmission capacity is allocated among competing demands for its use through competing market financial bids. Moreover, as opposed to a reservations system under which service requests can encompass time durations from a single hour on up to weeks, months or years, the NYISO schedules transmission service in time blocks no longer than one hour at a time. As a result, transmission service is granted on an hourly basis by the hourly real-time market process.

For example, a transmission customer can schedule a bilateral transaction either within or into the NYCA, specifying a price below which the customer prefers that the specific transaction be curtailed in favor of purchasing that amount of energy in the NYISO LBMP market instead. A customer seeking to export energy may specify a minimum acceptable price at the point of withdrawal from the NYCA, below which the customer would request that the transaction be curtailed. Whatever the current mix of requested transmission transactions may be, if transmission constraints develop, the NYISO prioritizes the order of service curtailments

according to each customer's relative valuation of their service requests as reflected by their individual financial bids.

In short, any customer willing to pay for congestion costs will be scheduled up to the physical limits of the NYCA system. Those customers who do not wish to pay congestion costs will receive transmission service that is non-firm, and that service will be curtailed when congestion occurs. Traditional reservations for service, therefore, are meaningless because the NYISO provides transmission service only hourly and the curtailment priority is determined according to the financial bid, not according to the duration of service or the date of request.

III. REQUEST FOR ADDITIONAL WAIVER

Since one of the primary functions of OASIS is to provide the means for offering and obtaining transmission reservations, it follows that major portions of both the S&CP and BPS documents are designed for a reservation-based system. The NYISO, therefore, seeks a waiver from those sections of the S&CP and the BPS that are not applicable to the NYISO's system model. Accordingly, the NYISO requests the following two additional limited waivers from OASIS information posting and functional requirements:

1. 18 CFR §37.5(b)(2) requires that an OASIS comply with the Commission's subsequently developed S&CP. The NYISO is in compliance with Version 1.4 of the S&CP, with the exception of Section 4 – Interface Requirements and its first four of five subsections. The Commission's S&CP OASIS profiles, designed for a reservation-based prioritization operation, are not applicable to the NYISO's Commission-approved transmission service system. The NYISO, therefore, requests a waiver from the first four of five subsections of Section 4 – Interface Requirements.

2. 18 CFR §37.5(b)(3) requires that an OASIS comply with the Commission's BPS. Consistent with the Commission's *pro forma* model, the BPS generally provides the process for obtaining transmission and ancillary services and transmission paths. Similar to its request for a waiver from Section 4 of the S&CP, the NYISO requests a waiver from Sections 4 through 6 of the BPS on the basis that these sections are not applicable to the NYISO system model.

IV. REQUEST FOR WAIVER OF CERTAIN S&CP REQUIREMENTS

1. The NYISO Requests a Waiver From Section 4 – Interface Requirements – of the Commission's OASIS Standards and Communications Protocols.

As stated above, the NYISO presently complies with Version 1.4 of the Commission's Standards and Communication Protocols (S&CP), with the exception of portions of Section 4. - Interface Requirements.

While the NYISO utilizes ASCII-based upload and download templates that are modeled after the S&CP standards, both the internal format and the functions of the template profiles in its OASIS differ from the Commission's standard formats. The NYISO OASIS supports several functions which differ significantly from the reservation system-based functions of the OASIS regulations. For example, Section 4.2.10.2 Status Values defines "CONFIRMED" as assigned by Customer in response to Provider or Seller posting "ACCEPTED" status, to confirm service. Once a request has been "CONFIRMED", a transmission service reservation exists. No such reservation option applies to the NYISO OASIS whose functions, instead, include Energy Supplier Bidding, Load Serving Entity load forecast and load bid functions, and transmission service requests for bilateral transaction scheduling.

For example, Section 4.3.4.3 Transmission Reservation Reduction provides a template for communicating specific information related to the reduction in a Transmission Customer's

rights to schedule the use of all or a portion of the capacity reserved for a given transmission reservation. In fact, Section 4.3 begins with the statement "The following practices are defined in order to enhance consistency of the reservation process across OASIS Phase 1A nodes." However, because the NYISO does not reserve system capacity, it cannot utilize the "ASSIGNMENT_REF Query Variable" which specifies the transmission reservation whose reductions in reserved capacity are to be returned.

Another example of a fundamental difference from the Commission's S&CP in the NYISO operating model is Section 4.3.9.1 Seller Ancillary Services Posting ("ancpost"). Entities seeking to provide bilateral ancillary services utilize ancpost to post information regarding the availability of their service offerings. In turn, this information would be utilized by customers seeking to directly procure their ancillary service requirements in the *pro forma* model. Contrary to this model, however, the NYISO tariff does not allow market participants to individually arrange for their ancillary service needs through bilateral agreements.[7] Instead, the NYISO currently oversees a centralized financial bid-based open market for ancillary services. Consequently, the NYISO does not post OASIS information regarding the bilateral sales of ancillary services as envisioned in Section 4.3.9.1. Rather, it posts the Day-Ahead Market and Real Time Market-determined hourly prices for all ancillary services delivered in the NYCA.

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[7] The NYISO recognizes that the Commission has directed the NYISO to devise, with its market participants, a plan that will permit its customers to self-supply operating reserves outside of the NYISO centralized ancillary services market. In devising such a plan, however, the Commission recognized that the NYISO may still require that the right to self-supply reserves comes with the obligation to self-supply reserve generating capacity that meets all applicable NYISO technical and locational requirements. As directed by the Commission, the NYISO is presently developing such a plan. Apart from any subsequent operating reserve self-supply process, however, the balance of ancillary services will still be procured according to the NYISO's tariff and its centralized ancillary services market. *See*, *New York Independent System Operator, Inc.*, 91 FERC ¶ 61,218 (1999), at page 26.

Ancpost's requirements will not result in useful or meaningful information on the NYISO OASIS.

Finally, Section 4.4 provides a series of examples of file requests and download procedures which include the language "BID_PRICE less than the CEILING_PRICE via the *transrequest* Template." The telling characteristic of these examples that makes NYISO compliance difficult is the reference to a customer submitting or withdrawing a transmission reservation request (i.e., *transrequest* Template). To the greatest extent possible, the NYISO has modeled its templates and some data elements after the S&CP standards. This modeling, however, reflects the NYISO's Commission-approved financial bid-based system. The S&CP templates, as defined and required by the Commission, will not yield meaningful results for the NYISO's market participants.

V. REQUEST FOR WAIVER OF CERTAIN BPS REQUIREMENTS

1. The NYISO Requests a Waiver From Sections 4 Through 6 of the Commission's Business Practice Standards for OASIS Reporting.

For the identical reasons supporting its waiver request from certain of the S&CP requirements, the NYISO requests a waiver from certain of the BPS requirements described below. The NYISO recognizes the benefits of implementing uniform business practices across all OASIS nodes and control areas. In that regard, the NYISO has implemented those sections of BPS for which it has been able to develop applications to the NYISO OATT approved by the Commission.

Certain requirements of the Commission's BPS, however, will not provide market participants with any useful or meaningful information if the NYISO attempts strict compliance through its OASIS. For example, Section 4 and Section 5 of the BPS set forth a process for

customers and transmission providers to obtain transmission and ancillary services, as well as determine a transmission path suitable for the reservation request. The diagram contained in Section 4.2 defines the allowable steps for requesting, negotiating, approving and confirming a transmission service request.

While the NYISO does schedule the results of private contractual arrangements between buyers and sellers of energy (bilateral transactions), it does not maintain a reservation system that allows for the pre-selection of time periods or contractual paths for any related transmission service. Instead, the NYISO oversees the financial bidding process described above, which operates to clear the markets for energy and certain ancillary services and determines the price at which electricity will be bought and sold. Indeed, any customer willing to pay the market-derived charges related to transmission congestion will be scheduled up to the physical limits of the transmission system. When physical limits are reached, priority among the conflicting service schedule requests is determined by the financial bids of the parties requesting service.

Similarly, Section 5 - Transmission Provider Requirements covers the procurement of ancillary services. In contrast to the system contemplated in Section 5, the NYISO's tariff provides for an ancillary services market that is administered by the NYISO.

Finally, Section 6 - Pathnaming Standards, requires that the Data Element Dictionary of the OASIS S&CP Document, Version 1.3 be used when defining paths and that paths be named in terms of a 50-character alphanumeric string. Standard 6.1 states that a transmission provider shall use the path naming conventions defined in the S&CP Data Dictionary for the naming of all reservable paths posted on OASIS. As previously stated, the NYISO does not reserve transmission service paths. Thus, Section 6 has no meaningful application for the NYISO and its market participants.

VI. CONCLUSION

Based on the foregoing and on the attached Affidavit of Dean J. Chapman, PE, the NYISO respectfully requests that the Commission grant it a waiver from Subsections 4.0 through 4.4 of Section 4 of its S&CP, the authority for which was established by the Commission under18 CFR §37.5(b)(2), and from Sections 4 through 6 of its BPS, the authority for which was established by the Commission under 18 CFR §37.5(b)(3).

Respectfully submitted,

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UNITED STATES OF AMERICA
BEFORE THE
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New York Independent System Operator) Docket No. EL01-

Affidavit of Dean J. Chapman P.E.

I, Dean J. Chapman, having been duly sworn, hereby state as follows:

I am an employee of the New York Independent System Operator ("NYISO"), 3890 Carmen Road, Schenectady, New York 12303. My office is located at that same address. I am presently employed by the NYISO as a consultant.

I received a Bachelor of Electrical Engineering from Rensselaer Polytechnic Institute in 1961 and a Master of Science in Electrical Engineering from Syracuse University in 1967. I am a licensed Professional Engineer in the State of New York. I began my career with General Electric in Utica, NY in 1961 as a Radar Systems Engineer. In 1970, I moved to Syracuse Research Corporation as a Radar Systems Engineer. In 1977, I moved to Niagara Mohawk Power Corporation as an Energy Management Computer Systems Engineer in the Power Control Department. In 1987, I became Manager of Energy Management Systems. In 1996, I transferred to the New York Power Pool ("NYPP"). I was a charter member of the Open Access Same-time Information System ("OASIS") "How" Group formed under the auspices of the National Electric Reliability Council ("NERC") and EPRI. In 1998, I was appointed Director of Information Systems at the NYPP. In 1999, I continued in that position, as the NYPP became the NYISO. In May of 2000, I retired from full-time employment and have continued in the employ of the NYISO as a part-time consultant.

Since coming to the NYPP/NYISO, I have been closely involved with the specification, design, and implementation of the software and systems being configured to support the formation and operation of the New York Independent System Operator ("NYISO"). This system is based upon the principles of Locational-Based Marginal Pricing ("LBMP"). Information Systems staff at the NYPP has developed much of the software that comprises that system.

The purpose of my affidavit is to accompany and explain the basis for the NYISO's *Request for Additional Limited Waiver from Certain OASIS Requirements* from the Federal Energy Regulatory Commission (the "Commission").

Background

In December 1999, the NYISO took over the coordinated operation of the electric transmission system in the State of New York pursuant to agreements with the eight different utilities that owned transmission assets – also referred to as "transmission owners" ("TOs") in the state. Under those agreements and on behalf of those TO's, the NYISO placed into operation at that time an OASIS that serves as the single point of contact for obtaining transmission services in New York. The NYISO's business and operating models are somewhat unique when compared to other regional transmission operators. Consequently, its OASIS currently operates under a limited waiver from certain of the Commission's OASIS regulations. This waiver allows the NYISO to operate an OASIS that is consistent with its operating model while, at the same time, still fulfilling the Commission's intent that the OASIS provide equal and comparable service to all current and future transmission customers.

In this affidavit, I will first briefly review the fundamental differences between the NYISO model and the pro-forma model that required the NYISO to request the original waiver. I will then discuss the current request in light of this information.

Original Waiver Request

The pro-forma transmission service model, around which the current OASIS requirements have been designed, is based upon a "contract path" method of specifying transmission service rights. In addition, it also establishes the priority of a given transmission service right request based upon a "first come – first served" rule. Accordingly, in order to establish a place in the "queue," or list of relative service priorities, a transmission customer purchases a reservation for the particular transmission service requested. This reservation establishes the type of service requested and also documents the time and date of the request for the purpose of establishing the priority of that request. The OASIS provides the place to conduct that transaction while satisfying the Commission's requirement that everyone in the transmission services marketplace has access to the same information at the same time and is given an equal opportunity to participate in that market.

The NYISO Open Access Transmission Tariff ("OATT"), in contrast, is based upon a flow-based model that utilizes financial bids to establish transmission service priorities.. These bids are evaluated in one of two markets: the Day-Ahead Market ("DAM") and the Real Time ("RT") Market. Day-ahead bids are evaluated for service requests for the following operating day and result in forward contracts for energy and associated transmission service for that next twenty-four hour period. Throughout that subsequent twenty-four hour operating period, the NYISO also conducts continuous hour-ahead evaluations which establish hourly prices in the RT Market, where an after-the-fact settlement is then made based upon those actual hourly operating

parameters. In both cases, priorities for transmission resources are determined primarily by financial bid information. Accordingly, traditional transmission service reservations, as presumed in the Commission's Pro-Forma Model, do not apply to either the operation of the NYISO or the transactions of its market participants.

Since much of the detail associated with the function of OASIS is devoted to the process of obtaining and managing transmission reservations, the original NYISO waiver request focused on those aspects of OASIS that specifically dealt with the reservation process. In its original request, the NYISO sought a waiver from certain sections of 18 CFR 37.6 that specifically refer to the transmission reservation process. Under the NYISO OATT, ancillary services are procured by the NYISO on behalf of its customers. Accordingly, those sections referring to ancillary services were also included in the original request. The following table is a brief summary of those sections for which a waiver was granted:

Section of 18 CFR 37	Summary of Content
18 CFR 37.6 (c) (1)	…. Post price and summary of terms and conditions associated with transmission [reservation] products…
18 CFR 37.6 (c) (3)	… [post] discount for transmission [reservation] service…
18 CFR 37.6 (c) (4)	…[post] transaction for transmission [reservation] service…
18 CFR 37.6 (c) (5)	[post reservations] for resale…
18 CFR 37.6 (d) (1)	[post] ancillary service prices…
18 CFR 37.6 (d) (3)	[post] ancillary service transactions…
18 CFR 37.6 (d) (5)	[3rd party] service postings…
18 CFR 37.6 (e) (1)	[post] all requests for transmission and ancillary services…

The Present Waiver Request

While 18 CFR 37 contains the broad requirements of OASIS, much of the detailed design specification is contained in the Commission's OASIS Standards and Communications Protocol ("S&CP") document. Similarly, much of the detail regarding the associated OASIS business

practices requirements is contained in the Commission's Business Practice Standards for Open Access Same-time Information System (OASIS) Transactions ("BPS") document. For example, 18 CFR 37.5 (b) (2) states:

> (2) [*A responsible party*] shall operate the OASIS in compliance with the standardized procedures and protocols found in OASIS Standards and Communication Protocols, which can be obtained . . ..

and 18 CFR 37.5 (b) (3) states:

> (3) [*A responsible party*] shall operate the OASIS in compliance with the Business Practice Standards for Open Access Same-time Information System (OASIS) Transactions which can be obtained . . ..

Since the principal purpose of OASIS is to conduct a market for providing and obtaining transmission reservations, it follows that major portions of both the S&CP and BPS documents are devoted to the reservation process. The NYISO does not utilize the transmission reservation process and has obtained a waiver from the applicable sections of 18 CFR 37 dealing directly with that process. However, 18 CFR 37.5 (b) (2) and (3) incorporate into the Commission's overall regulations the specific requirements detailed in the S&CP and BPS documents. The NYISO has determined, therefore, that it should specifically obtain a waiver from those sections of the S&CP and the BPS that parallel the previously waived paragraphs of the Commission's regulations.

With respect to 18 CFR 37.6(b)(2) and the S&CP document, Section 4.0 of that document contains the detailed specifications of upload and download templates for the transmission reservation process. The NYISO OASIS employs ASCII Comma-delimited templates that are similar in design to the templates specified in the S&CP. The specific data content in the NYISO OASIS, however, does differ from the Commission's templates in that it has been designed to

support the NYISO electronic scheduling function as defined in the NYISO OATT. In order to be consistent with the existing waivers of 18 CFR 37.6, therefore, the NYISO is seeking a waiver of the requirements from subsections 4.0 – 4.4 of Section 4 of the S&CP, as incorporated by 18 CFR 37.5(b)(2).

Similarly, Sections 4, 5, and 6 of the BPS, as incorporated by 18 CFR 37.5(b)(3), do not have a meaningful application to the NYISO's operation. Section 4 treats the on-line negotiation and confirmation process for obtaining transmission reservations. Since the transmission reservation process is not utilized in New York, this section does not apply to the NYISO system. Section 5 covers the procurement of ancillary services. Again, in contrast, the NYISO OATT provides for a competitive ancillary services market that is administered by the NYISO on behalf of all transmission customers. The specific contents of Section 5, therefore, do not apply, as well. Finally, Section 6 deals with the path-naming standards applicable to the traditional reservation-based system and likewise has no meaningful application for the NYISO or its market participants. Accordingly, the NYISO is seeking a waiver of Sections 4, 5, and 6 of the BPS as incorporated by 18 CFR 37.5(b)(3).

Summary

I have shown that, by virtue of the unique nature of certain features of the NYISO OATT, certain portions of the Commission's regulations contained in 18 CFR 37.6 do not match the business process specified in that tariff. Accordingly, the Commission has previously granted the NYISO a waiver from those requirements. However, certain sections of 18 CFR 37.5 incorporate the contents of the OASIS S&CP document and the OASIS BPS document into the regulations. The S&CP and the BPS in turn also contain major sections paralleling those of 18 CFR 37.6 and, thus, are also inconsistent with the NYISO's operating and business processes.

Accordingly, the NYISO is seeking a specific waiver of these requirements in order to be consistent with the previously granted waiver and to ensure complete compliance with the remaining portions of 18 CFR 37.

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System Operator, Inc.) Docket No. EL01-

NOTICE OF FILING

Take notice that on December 22, 2000, the New York Independent System Operator, Inc. ("NYISO") filed a Request for Additional Limited Waiver from Certain OASIS Requirements.

Copies of this filing were served on the Commission's Service List in Docket Nos. ER97-1523-000 *et al.*, and on the respective electric utility regulatory agencies in New York, New Jersey and Pennsylvania.

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, NE, Washington, DC 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 application are on file with the Commission and are available for public inspection.

David P. Boergers
Secretary

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 this proceeding.

Dated at Washington, D.C. this 22nd day of December 2000.

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