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File No: 554320.000044

August 30, 2002

BY HAND

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

New York Independent System Operator, Inc.
Filing of Revision to Modify Attachment F of the
Open Access Transmission Tariff - Compliance with Insider Trading Rules

Dear Ms. Salas:

Pursuant to Section 205 of the Federal Power Act ("FPA"), the New York Independent System Operator, Inc. ("NYISO"), by counsel, hereby submits a revision to Attachment F ("Code of Conduct") of its Open Access Transmission Tariff ("OATT") to (1) specifically address compliance with federal securities laws and insider trading rules and (2) make several non-substantive corrections to the Code of Conduct (to correct spelling and similar errors).

I. List of Documents Submitted

The NYISO submits the following documents:

1. this filing letter;
2. a clean version of the revised sheets to the OATT (Attachment I);
3. a redlined version of the revised sheets to the OATT (Attachment II); and
4. a form of *Federal Register* Notice (Attachment III).

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II. Copies of Correspondence

Copies of correspondence concerning this filing should be served on:

Robert E. Fernandez, General Counsel and Secretary
Belinda F. Thornton, Director of Regulatory Affairs
New York Independent System Operator, Inc.
3890 Carman Road
Schenectady, NY 12303
Tel: (518) 356-7661
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1900 K Street, NW
Washington, DC 20006
Tel: (202) 955-1500
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III. Proposed Effective Date

The NYISO requests an effective date of October 30, 2002, *i.e.*, sixty days from the date of this filing.

IV. Service List

The NYISO has mailed a copy of this filing to all parties who have executed service agreements under the NYISO's OATT or the Market Administration and Control Area Services Tariff and to the New York State Public Service Commission.

V. Description of and Purpose for Modification of Attachment F to the Open Access Transmission Tariff

The NYISO is proposing to modify Attachment F to its OATT to (1) specifically address compliance with federal securities laws and insider trading rules and (2) make several non-substantive corrections to the Code of Conduct (to correct spelling and similar errors). The current NYISO Code of Conduct sets forth policies, rules and procedures to be followed in carrying out the NYISO's responsibilities, including rules intended to ensure that NYISO employees comply with all applicable laws, including securities laws. In connection with determining creditworthiness of Market Participants, some of whom are public companies, it became apparent that NYISO employees might come into possession of inside information about those companies. The purposes of the present filing are (1) to make clear to employees that violations of securities laws are prohibited, defining such violations; and (2) to protect the

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NYISO and its participants against vicarious liability for violations by errant employees. In the latter connection, the NYISO is also undertaking an education program for employees and rigorously enforcing the provisions of the Code of Conduct.

VI. Requisite Stakeholder Approval

The NYISO's Management Committee and the NYISO's Board of Directors have approved the revision to the OATT proposed herein.

VII. No Costs Relating to Discriminatory Employment Practices

The NYISO has no expenses or costs that have been alleged or judged to be illegal, duplicate, or unnecessary costs that are demonstrably the product of discriminatory employment practices.

VIII. Federal Register Notice

A form of *Federal Register* Notice is provided herewith. A diskette of the Notice is also provided in WordPerfect format.

Respectfully submitted,

Counsel for
New York Independent System Operator, Inc.

cc: Daniel L. Larcamp, Director Office of Markets, Tariffs and Rates, Room 8A-01,
Tel. (202) 502-6700
Alice M. Fernandez, Director Office of Markets, Tariffs and Rates -- East
Division, Room 71-31, Tel. (202) 502-8284
Andrea C. Wolfman, Lead Counsel for Market Oversight and Enforcement,
Room 9E-01, Tel. (202) 502-6097
Michael A. Bardee, Lead Counsel for Markets, Tariffs and Rates, Room 101-09,
Tel. (202) 502-8068
Stanley P. Wolf, Office of the General Counsel, Room 101-03,
Tel. (202) 502-8891

ATTACHMENT I

ATTACHMENT II

ATTACHMENT III

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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

NOTICE OF FILING

Take notice that on August 30, 2002, the New York Independent System Operator, Inc. (“NYISO”) filed revisions to Attachment F of its Open Access Transmission Tariff (“OATT”) to deal with “Insider Trading.” The NYISO has requested an effective date of October 30, 2002 for the filing.

The NYISO has served a copy of this filing upon all parties that have executed service agreements under the NYISO’s Open Access Transmission Tariff or the Market Administration and Control Area Services Tariff and upon the New York State Public Service Commission.

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 CFR §§ 385.211 and 385.214). Protests will be considered by the Commission to determine 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designed on the official service list. This filing is available for review at the Commission or may be viewed on the Commission’s website at www.ferc.gov, using the FERRIS link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 208-1659. Protests and interventions may be filed electronically via the Internet in lieu of paper. *See*, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission’s website under the “e-filing” link. The Commission strongly encourages electronic filings.

Comment Date:

Magalie R. Salas
Secretary

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person that has executed a Service Agreement under the NYISO's Open Access Transmission Tariff or Market Administration and Control Area Services Tariff and upon the New York State Public Service Commission, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2002).

Dated at Washington, D.C. this 30th day of August, 2002.

Arnold H. Quint
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