



HUNTON & WILLIAMS LLP
1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

WILLIAM F. YOUNG
DIRECT DIAL: 202-955-1684
EMAIL: byoung@hunton.com

FILE NO: 55430.000055

November 17, 2003

By Hand

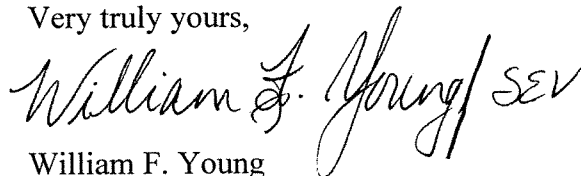
Mark J. Langer, Clerk
United States Court of Appeals
District of Columbia Circuit
United States Court House
333 Constitution Avenue, NW
Room 5423
Washington, D.C. 20001

Re: *Edison Mission Energy, Inc. and Edison Mission Marketing & Trade, Inc. v. Federal Energy Regulatory Commission*, Case No. 03-1228

Dear Mr. Langer:

Enclosed for filing in the above proceedings are the original and four copies of a joint response to the Court's October 17, 2003 Order on Briefing Proposals.

Very truly yours,



William F. Young

Enclosure
cc (w enc.): Service List

| | | |
|--|---|-------------|
| |) | |
| Edison Mission Energy Inc. and |) | |
| Edison Mission Marketing & Trade, Inc. |) | |
| |) | |
| Petitioners, |) | |
| |) | No. 03-1228 |
| v. |) | |
| |) | |
| Federal Energy Regulatory Commission, |) | |
| |) | |
| Respondent. |) | |
| |) | |

Intervenors

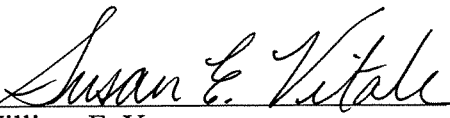
Central Hudson Gas & Electric Corp., Consolidated Edison Company of New York, Inc., LIPA, New York Independent System Operator, Inc., New York Power Authority, and Orange & Rockland Utilities, Inc. (“Combined Intervenors in Support of Respondent”),¹ in the above proceeding, submit the following joint response (“Response”) to the Court’s order of October 17, 2003, directing the submission of proposed formats for the briefs in this case.

¹ The New York State Public Service Commission is also an Intervenor in support of Respondent, but it is not included in this joint response because it has submitted a certification to the Court requesting to file a separate brief under D.C. Cir. Rule 28(e)(4). Morgan Stanley Capital Group Inc., by counsel, has informed the undersigned counsel that it does not intend to participate in the brief of the intervenors in support of the Respondent.

1. All Combined Intervenors in support of Respondent in this proceeding will submit a single joint principal brief. Combined Intervenors understand that their brief will be subject to a limit of 8,750 words, pursuant to D.C. Cir. Rule 32(a)(3)(B)(i).

2. The undersigned counsel for the New York Independent System Operator, Inc. ("NYISO") has been authorized to represent that counsel of record for the Combined Intervenors in support of Respondent agree to this proposed briefing format.

Respectfully submitted,

By: 
William F. Young

Susan E. Vitale
Hunton & Williams LLP
1900 K Street, NW
Washington, DC 20006
(202) 955-1500

Counsel for Intervenor
New York Independent System Operator, Inc.

Dated: November 17, 2003

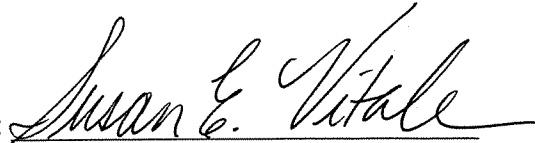
**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PROOF OF SERVICE

Pursuant to Rule 25(d) of the Federal Rules of Appellate Procedure, I hereby certify that I have this 17th day of November, 2003, served the foregoing document by first class mail, postage prepaid, upon all of the parties to this proceeding. Those parties are set forth on the attached list of parties served.

Respectfully submitted,

By:



William F. Young
Susan E. Vitale
Hunton & Williams LLP
1900 K Street, NW
Washington, DC 20006
(202) 955-1500

Attorneys for Intervenor
New York Independent System Operator, Inc.

Neil H. Butterklee, Esq.
Consolidated Edison Company of New York, Inc.
and for Orange & Rockland Utilities, Inc.
4 Irving Place
Room, 1815-S
New York, NY 10003

Dennis Lane, Solicitor
Robert H. Solomon, Esq.
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Peter W. Brown, Esq.
Brown, Olson & Wilson
2 Delta Drive
Suite 301
Concord, NH 03301-7426

Donald K. Danker, Esq.
Central Hudson Gas & Electric Corp.
Winston & Stawn LLP
1400 L Street, NW
Washington, DC 20005-3502

Doron Frank Ezickson, Esq.
Paul Joseph Pantano
Morgan Stanley Capital Group Inc.
McDermott, Will & Emery
600 13th Street, NW
Washington, DC 20005-3096

Edgar K. Byham, Esq.
New York Power Authority
123 Main Street
White Plains, NY 10601

David P. Yaffe, Esq.
LIPA
Van Ness Feldman
1050 Thomas Jefferson Street, NW, 7th Floor
Washington, DC 20007

Jonathan D. Feinberg, Esq.
Diane T. Dean, Esq.
Public Service Commission of New York
Three Empire State Plaza
Albany, NY 12223-1351