

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF MARKETS, TARIFFS AND RATES

In Reply Refer To:
New York Independent System
Operator, Inc.
Docket Nos. ER01-3001-007 and
ER01-3001-008

Issued: May 14, 2004

New York Independent System Operator, Inc.
3890 Carman Road
Schenectady, NY 12303

Attention: Gerald R. Deaver, Senior Attorney

Reference: Demand Response Compliance Reports

Dear Mr. Deaver:

New York Independent System Operator, Inc.'s (NYISO) submittals are accepted for informational purposes. However, in the future, NYISO is directed to include in its analyses contained in the demand response program compliance reports the impact on wholesale prices on a dollars per megawatt-hour (\$/MWH) basis resulting from the operations of each of the demand response programs.

On November 24, 2003, in Docket No. ER01-3001-0007, you submitted, on behalf of NYISO, a supplemental compliance report pursuant to Ordering Paragraph (B) of the Commission's October 24, 2003 order (October 24 Order)¹ in this proceeding. This supplemental compliance report provides further information on the status of the demand response programs as of June 1, 2003. On December 1, 2003, in Docket No. ER01-3001-008, as revised on December 23, 2003,² you submitted, on behalf of NYISO, the semi-annual demand response program compliance report for 2003 pursuant to Ordering

¹ New York Independent System Operator, Inc. 105 FERC ¶ 61,115 (2003).

² NYISO's December 23, 2003 revision makes a correction to the transmittal letter to the December 1, 2003 submittal.

Paragraph (B) of the Commission's October 25, 2001 order³, Ordering Paragraph (C) of the Commission's July 19, 2002 order⁴, Paragraph 5 of the Commission's September 3, 2002 Letter Order⁵, and Paragraph 7 of the October 24, 2003 Order⁶ in this proceeding.

Notice of the filing in Docket No. ER01-3001-007 was issued on December 1, 2003, with comments due on December 11, 2003. Notice of the filings in Docket No. ER01-3001-008 were issued on December 11, 2003, and January 2, 2004, with comments due on December 22, 2003, and January 13, 2004, respectively. No protests or adverse comments were filed.

This action is taken pursuant to the authority delegated to the Director, Division of Tariffs and Market Development – East under 18 C.F.R. § 375.307.

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Alice Fernandez, Director
Division of Tariffs and Market
Development- East

³ New York Independent System Operator, Inc. 97 FERC ¶ 61,095 (2001).

⁴ New York Independent System Operator, Inc. 100 FERC ¶ 61,081 (2002).

⁵ New York Independent System Operator, Inc. 100 FERC ¶ 61, 243 (2002).

⁶ New York Independent System Operator, Inc. 105 FERC ¶ 61, 115 (2003).