

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Office of Markets, Tariffs and Rates

New York Independent System Operator, Inc.  
Docket No. ER03-836-003

Issued: March 3, 2004

New York Independent System Operator, Inc.  
290 Washington Avenue Extension  
Albany, New York 12203

Attention: Alex M. Schnell  
Senior Attorney

Reference: Second Quarterly Report on the NYISO's 10 Minute Non-Synchronous  
Reserve Market

Dear Mr. Schnell:

New York Independent System Operator, Inc.'s (NYISO) submittal satisfactorily complies with the Commission's July 1, 2003 Order<sup>1</sup>, and is accepted for informational purposes.

On January 8, 2004, you filed, on behalf of the NYISO, the second quarterly report on the current status of the NYISO's 10 Minute Non-Synchronous Reserve Market (NSR Market). The July 1 Order accepted changes to the NSR Market mitigation measures, and required the NYISO to submit quarterly reports on the competitiveness of the NSR Market. The second quarterly report concludes that the market was workably competitive during the period from July 8, 2003, through December 31, 2003.

This filing was noticed on January 13, 2004, with comments due on January 29, 2004. No protests or adverse comments were filed.

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<sup>1</sup> New York Independent System Operator, Inc., 104 FERC ¶ 61,002 (2003) (July 1 Order).

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

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification or any rule, regulation or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against your company.

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

Sincerely,

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