

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

Issued: March 19, 2004

To: New York Independent System Operator Docket No. ER03-766-001

Reference: July 21, 2003 Compliance Filing on Scarcity Pricing in ER03-766-001

Pursuant to authority delegated to the Director, OMTR/Division of Tariff and Market Development - East, under 18 C.F.R. 375.307, your submittal in the above referenced docket, setting out the minimum and maximum times that would constitute a persistent shortage of 10-minute reserve in the Market Administration and Control Area Services Tariff and the Open Access Transmission Tariff, and the related tariff sheets shown in the Appendix are accepted for filing effective June 23, 2003, as requested.

Notice of the filing was published in the Federal Register with comments, protests, or interventions due on or before August 11, 2003. Under 18 C.F.R. 385.210, interventions are timely if made within the time prescribed by the Secretary. Under 18 C.F.R. 385.214, the filing of a timely motion to intervene makes the movant a party to the proceeding, if no answer in opposition is filed within fifteen days. No comments or protests were filed.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against any of the applicant(s).

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
OMTR/Division of Tariff and Market
Development – East

APPENDIX

**New York Independent System Operator
Docket No. ER03-766-001**

Accepted Effective June 23, 2003

FERC Electric Tariff, Original Volume No. 1

Second Revised Sheet No. 22
Second Revised Sheet No. 30
Second Revised Sheet No. 44
First Revised Sheet No. 44A

FERC Electric Tariff, Original Volume No. 2

Second Revised Sheet No. 24
Third Revised Sheet No. 38
First Revised Sheet No. 38A
Third Revised Sheet No. 58
First Revised Sheet No. 58A
Fourth Revised Sheet No. 98
First Revised Sheet No. 98A
First Revised Sheet No. 98B
First Revised Sheet No. 98C

FERC Electric Tariff, Original Volume No. 1, Attachment J

Eighth Revised Sheet No. 452
First Revised Sheet No. 452.00
First Revised Sheet No. 452.00a
Fifth Revised Sheet No. 452.01
First Revised Sheet No. 452.01.00
First Revised Sheet No. 452.01.01
First Revised Sheet No. 452.01.02
First Revised Sheet No. 452.01.03
First Revised Sheet No. 452.01.04
First Revised Sheet No. 452.01.05
First Revised Sheet No. 452.01.06
Second Revised Sheet No. 455
Third Revised Sheet No. 456

FERC Electric Tariff, Original Volume No. 2, Attachment B

Eighth Revised Sheet No. 331

First Revised Sheet No. 331.00

First Revised Sheet No. 331.00a

Fifth Revised Sheet No. 331.01

First Revised Sheet No. 331.01.01

First Revised Sheet No. 331.01.02

First Revised Sheet No. 331.01.03

First Revised Sheet No. 331.01.04

First Revised Sheet No. 331.01.05

First Revised Sheet No. 331.01.06

First Revised Sheet No. 331.01.07

Second Revised Sheet No. 334

Fourth Revised Sheet No. 335