

ORIGINAL

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Consolidated Edison Company of New York Inc.

**Docket No. EL02-23-003
(Phase II)**

v.

**Public Service Electric and Gas Company,
PJM Interconnection, L.L.C., and
New York Independent System Operator, Inc.**

**JOINT MOTION FOR FURTHER EXTENSION OF TIME OF
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.,
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.,
PJM INTERCONNECTION, L.L.C., AND
PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

Pursuant to Rule 212 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.212 (2004), the Consolidated Edison Company of New York, Inc. ("ConEd"), New York Independent System Operator, Inc. ("NYISO"), PJM Interconnection, L.L.C. ("PJM"), and Public Service Electric and Gas Company ("PSE&G") (together, the "Parties") respectfully request a one month extension of time, from January 17, to and including February 18, 2005, to submit a compliance filing in this proceeding.

Ordering Paragraph "C", and P 216, of the Commission's August 2, 2004 Order,¹ required the Parties to file an operating protocol to implement the power transfers that are at issue in this case within ninety days. On November 1, 2004, the Commission issued a notice extending the filing deadline until January 17, 2005.

¹ *Consolidated Edison of New York v. Public Service Electric & Gas Company, et al.*, 108 FERC ¶ 61,120 (2004).

Since November 1, the Parties have worked diligently to develop a mutually acceptable operating protocol. The NYISO and PJM have produced a number of protocol drafts and made extensive revisions to reflect feedback from ConEd and PSE&G. On January 6, 2004, all four Parties participated in a conference with the Presiding Judge for the purpose of narrowing differences. The Presiding Judge made a number of recommendations. It was agreed that further discussions were warranted,² and the Presiding Judge has scheduled another conference for January 19, 2005.

In addition, the Parties agreed to ask the Commission to extend the filing deadline until February 18, 2005. This brief extension will allow the Parties to hold additional meetings and to consider any recommendations that the Presiding Judge may offer on January 19. The requested extension will also accommodate the NYISO, which will be implementing its new "Real-Time Scheduling" software on February 1.³ That effort will command the attention of the same NYISO personnel that are working on the protocol during the week immediately before and immediately after February 1. No Party or stakeholder would be prejudiced if the requested extension were granted.

² All of these discussions are subject to certain Parties' reservation of rights concerning issues that are currently pending on rehearing or appeal.

³ The NYISO will soon file a notice of its implementation plans in Docket No. ER04-230.

Wherefore, for the foregoing reasons, the Parties respectfully request that the Commission grant their motion for an extension of time to and including February 18, 2005, to file an operating protocol.

Respectfully submitted,

Richard R. Bonnifield, Esq./cak
Richard P. Bonnifield, Esq.
Kenneth R. Carretta, Esq.
PSEG Services Corporation
80 Park Plaza, T5G
Newark, NJ 07102

Counsel for Public Service
Electric and Gas Company

Ted J. Murphy
Ted J. Murphy
Hunton & Williams LLP
1900 K Street, N.W.
Suite 1200
Washington, D.C. 20006

Counsel for New York Independent
System Operator, Inc.

Donald J. Stauber/cak
Donald J. Stauber
Assistant General Counsel
Brent Brandenburg
Assistant General Counsel
Consolidated Edison Company of
New York, Inc.
4 Irving Place, Room 1815S
New York, NY 10003

Barry S. Spector/cak
Barry S. Spector
Wright & Talisman, P.C.
1200 G Street, N.W.
Suite 600
Washington, D.C. 20005

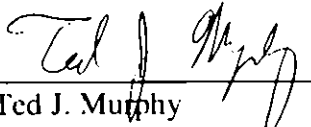
Counsel for
PJM Interconnection L.L.C.

January 13, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2004).

Dated at Washington, DC this 13th day of January, 2005.

By: 
Ted J. Murphy
Hunton & Williams LLP
1900 K Street, NW
Suite 1200
Washington, DC 20006-1109
(202) 955-1500