

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
New York Independent System Operator, Inc.
Docket Nos. ER09-1612-000 and
ER09-1612-001

Issued: 11/4/2009

Hunton & Williams LLP
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109

Attention: Ted J. Murphy, Counsel
Counsel for New York Independent System Operator, Inc.

Reference: Tariff Revisions to Enhance Customer Creditworthiness Standards

Dear Mr. Murphy:

On August 20, 2009, you submitted on behalf of the New York System Operator, Inc. (NYISO) revised tariff sheets¹ to its Open Access Transmission Tariff and its Market Administration and Control Area Services Tariff. On October 19, 2009, you submitted several substitute tariff sheets² in response to the Commission's October 16, 2009 deficiency letter. Pursuant to authority delegated to the Director, Division of Tariffs and Market Development - East, under 18 C.F.R. 375.307 (2009), your submittals in the above referenced dockets, except for the tariff sheets rejected as moot by the substitute sheets, are accepted for filing effective October 20, 2009, and November 12, 2009, as requested.

These tariff revisions are intended to improve NYISO's ability to identify and appropriately respond to early signs of a market participant's financial distress. In these filing, NYISO proposes to (i) revise its methodology for assessing market participant

¹ See Appendix for a list of revised tariff sheets for ER09-1612-000.

² See Appendix for a list of the substitute tariff sheets for ER09-1612-001.

creditworthiness, (ii) require on-time payments for six months as a prerequisite to qualifying for unsecured credit, (iii) set a fixed cap on the amount of unsecured credit that may be granted to a market participant, (iv) provide an alternative mechanism for public power entities to obtain unsecured credit, (v) eliminate the use of unsecured credit in the TCC market, (vi) reduce default cure periods, and (vii) provide NYISO with additional tariff authority to efficiently and effectively address creditworthiness concerns.

Public notice of the August 20, 2009 filing was issued on August 24, 2009, with comments due on or before September 21, 2009. Public notice of the October 19, 2009 filing was issued on October 19, 2009, with comments due on or before October 26, 2009. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2009)), all timely filed motions to intervene and any motion to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

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 (2009).

Sincerely,

Daniel Nowak, Acting Director
Division of Tariffs and Market
Development - East

cc: Public File
All Parties

APPENDIX

New York Independent System Operator, Inc.
FERC Electric Tariff, Original Volume No. 1

Docket No. ER09-1612-000

Rejected as Moot:

Original Sheet No. 83C

Docket No. ER09-1612-000

Tariff Sheets Accepted Effective October 20, 2009:

Seventh Revised Sheet Nos. 9, 26, 41-42

Second Revised Sheet No. 10

Sixth Revised Sheet Nos. 23, 29, 54A

Fifth Revised Sheet Nos. 28A, 52, 54

Ninth Revised Sheet No. 34

Fourth Revised Sheet Nos. 55, 83A, 84

Original Sheet No. 83B

Docket No. ER09-1612-001

Tariff Sheets Accepted Effective November 12, 2009:

Substitute Original Sheet No. 83C

New York Independent System Operator, Inc.
FERC Electric Tariff, Original Volume No. 1, Attachment W

Docket No. ER09-1612-000

Tariff Sheets Accepted Effective October 20, 2009:

Third Revised Sheet Nos. 717-722, 725, 727A, 729, 730, 732A, 734A, 735B, 735D

Fifth Revised Sheet Nos. 723-724

Fourth Revised Sheet Nos. 725A, 728, 735.01, 735C

Sixth Revised Sheet No. 726

Eighth Revised Sheet No. 727

First Revised Sheet Nos. 727.00A-727.00D, 727.02-727.04, 729A, 732C, 735.02-735.03,
735A, 739-740

Second Revised Sheet Nos. 727.01, 727A.01, 729B, 731-732, 732B, 736-738

Ninth Revised Sheet No. 733

Seventh Revised Sheet No. 735

New York Independent System Operator, Inc.
FERC Electric Tariff, Original Volume No. 2

Docket No. ER09-1612-000

Rejected as moot:

Original Sheet No. 193B

Docket No. ER09-1612-000

Tariff Sheets Accepted Effective October 20, 2009:

Seventh Revised Sheet No. 2A

Ninth Revised Sheet No. 4

Tenth Revised Sheet Nos. 5A, 61

Sixth Revised Sheet Nos. 36A, 74

Third Revised Sheet No. 50A

Original Sheet Nos. 61.01, 193A

Fourth Revised Sheet Nos. 73A, 194

First Revised Sheet No. 191A

Second Revised Sheet No. 192

Fifth Revised Sheet No. 193

Docket No. ER09-1612-001

Tariff Sheets Accepted Effective November 12, 2009:

Substitute Original Sheet No. 193B

New York Independent System Operator, Inc.
FERC Electric Tariff, Original Volume No. 2, Attachment K

Docket No. ER09-1612-000

Rejected as moot:

Fourth Revised Sheet No. 500

Third Revised Sheet No. 502

Docket No. ER09-1612-000

Tariff Sheets Accepted Effective October 20, 2009:

Original Sheet Nos. 500A, 501.01-501.03, 501C

Third Revised Sheet No. 501

Second Revised Sheet No. 501A

First Revised Sheet No. 501B

Docket No. ER09-1612-001

Tariff Sheets Accepted Effective November 12, 2009:

Substitute Fourth Revised Sheet No. 500

Substitute Third Revised Sheet No. 502