

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

2/24/05

Docket Nos. ER03-690-003

New York Independent System Operator, Inc.

Reference: New York Independent System Operator Inc.'s Report on Market
Competitiveness at NYISO Proxy Busses

By letter dated November 26, 2003 you submitted for filing a report, prepared by the NYISO's Market Monitoring and Performance Department in response to the Commission's August 22, 2003 Order Conditionally Accepting Proposed Tariff Revisions¹, and investigating whether market power is a concern at NYISO's New England, Ontario and PJM proxy busses. Pursuant to authority delegated to the Director, OMTR/Tariffs and Rates - East, under 18 C.F.R. 375.307, your submittal in the above referenced docket(s) is accepted for filing on the effective date requested subject to the refiling of amended tariff sheets within thirty days of this order.

Notice of the filing was published in the Federal Register with comments, protests, or interventions due on or before December 26, 2003. KeySpan-Ravenswood, LLC filed a timely intervention in the above docket. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., LIPA, New York Power Authority, New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, Orange and Rockland Utilities, Inc. and Niagara Mohawk Power Corporation, a National Grid Company, (the New York Transmission Owners) individually and collectively filed a motion to intervene on December 29, 2003. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2000), the filing of a timely motion to intervene that has not been opposed makes the movant a party to the proceeding.

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 the New York Independent System Operator.

¹ New York Independent System Operator, Inc., 104 FERC ¶ 61,220 (2003).

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,

Anna Cochrane, Director
Division Tariffs and Rates - East