

99 FERC ¶ 61, 292
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 6, 2002

New York Independent System Operator, Inc.
Docket No. ER02-1507-000

Hunton & Williams
Attn: Ted J. Murphy, Esq.
Attorney for New York Independent System Operator, Inc.
1900 K Street, N.W.
Washington, D.C. 20006-1109

Dear Mr. Murphy:

By letter dated April 8, 2002, you submitted for filing with the Commission, on behalf of the New York Independent System Operator, Inc. (NYISO), revisions to NYISO's Market Administration and Control Area Services Tariff and its Open Access Transmission Tariff to implement queuing of pre-scheduled transactions for sales from NYISO's locality based marginal price market and wheels through. Your submittal is conditionally accepted for filing, subject to modifications discussed below, effective April 11, 2002, as requested. Waiver of the 60-day prior notice requirement is granted pursuant to Central Hudson Gas & Electric Corporation, 60 FERC ¶ 61,106, reh'g denied, 61 FERC ¶ 61,089 (1992).

Notice of the filing was published in the Federal Register, 67 Fed. Reg. 19,749 (2002) with protests or interventions due on or before April 28, 2001. Pursuant to 18 C.F.R. § 385.214 (2001), the filing of a timely motion to intervene makes the movant a party to the proceeding, provided that no answer in opposition is filed within 15 days. Members of the Transmission Owners Committee of the Energy Association of New York State (collectively, Member Systems) filed a timely, unopposed intervention in the above docket.

Member Systems note that under the proposed revisions a pre-scheduled transaction request can be accepted or withdrawn, but could also expire because the Day-Ahead for a day to which the request pertained has closed. Member Systems seek to clarify that the request will be evaluated until the close of the Day-Ahead market on the designated dispatch day. In addition, Member Systems seek to clarify that a request to modify a request for a pre-scheduled transaction should constitute a withdrawal of the original request and a submission of a new request. We find that Member Systems' clarifications have merit and will assist in the maintenance of an orderly market.

Therefore, we require NYISO to incorporate these clarifications in revised tariff sheets to be filed within thirty days of the date of this order.

By direction of the Commission.

Linwood A. Watson, Jr.,
Deputy Secretary.