

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKETS AND RELIABILITY

8/10/06

To: New York Independent System Operator, Inc. Docket Nos. ER06-1174-000

Ref: Revised Tariff Sheets Reinstating Sanction Determinants for ICAP Deficiencies  
And Compliance with Order No. 676 – See Attachment

Pursuant to authority delegated to the Director, Division of Tariffs and Market Development - East, under 18 C.F.R. 375.307, your submittal of revisions to New York Independent System Operator, Inc.'s (NYISO) Market Administration and Control Area Services Tariff (Services Tariff) and NYISO's Open Access Transmission Tariff (OATT) to comply with the Commission's Order No. 676<sup>1</sup> incorporating certain business practice standards developed by the North American Energy Standards Board's Wholesale Electric Quadrant (NAESB Standards) is accepted for filing effective July 1, 2006. The revised tariff sheets provide that upon issuance of a final Commission order on NYISO's request for waiver of certain NAESB Standards in Docket No. ER06-1094-004, NYISO will modify section 12A.0 of its OATT and section 5.1.1.6 of its Services Tariff to reflect the Commission's determination. Also, your submittal of revisions to the NYISO Services Tariff to implement a deficiency fee for energy suppliers that fail to meet minimum installed capacity requirements is accepted for filing effective August 22, 2006, as requested.

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. The filing of a timely notice of intervention makes a State Commission a party to the proceeding. No adverse comments or protests were received.

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

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<sup>1</sup> *Standards for Business Practices and Communications Protocols for Public Utilities*, Order No. 676, Docket No. RM05-5-000 (April 25, 2006).

by the Commission in any proceeding now pending or hereafter instituted by or against the applicant.

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 V. Cochrane, Director  
Division of Tariffs & Market  
Development – East

New York Independent System Operator, Inc.

Docket No. ER06-1174-000

Rate Schedule Designations

\*Effective August 22, 2006

\*\*Effective July 1, 2006

Services Tariff Sheets<sup>2</sup>

Second Revised Sheet No. 144A\*

Fourth Revised Sheet No. 145\*

Fourth Revised Sheet No. 8\*\*

Second Revised Sheet No. 112D\*\*

Original Sheet No. 112E\*\*

Original Sheet No. 112F\*\*

OATT Tariff Sheets<sup>3</sup>

Third Revised Sheet No. 9\*\*

First Revised Sheet No. 101\*\*

First Revised Sheet No. 102\*\*

Original Sheet Nos. 103 through 110\*\*

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<sup>2</sup> NYISO's revisions to its Market Services Tariff, FERC Electric Tariff Original Volume No. 2.

<sup>3</sup> NYISO's revisions to its Open Access Transmission Tariff, FERC Electric Tariff Original Volume No. 1.