

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

PSEG Power In-City I, LLC Complainant,)	
)	
v.)	Docket No. EL04-126-000
)	
Consolidated Edison Co. of New York, Inc Respondent.)	
)	

**MOTION TO INTERVENE OF THE
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rules 212 and 214 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure¹ (“Rules”) and the Commission’s August 23, 2004 Notice of Complaint Requesting Fast Track Processing, the New York Independent System Operator, Inc. (“NYISO”) hereby moves to intervene in this proceeding. In support hereof, the NYISO states the following.

I. Copies of Correspondence

Communications regarding this proceeding should be addressed to:

Robert E. Fernandez, General Counsel and Secretary
Elaine Robinson, Acting Director, Regulatory Affairs
Elizabeth Grisaru, Senior Attorney
New York Independent System Operator, Inc.
290 Washington Ave. Extension
Albany, NY 12203
Tel: (518) 356-7607
Fax: (518) 356-8825
rfernandez@nyiso.com
erobinson@nyiso.com
egrisar@nyiso.com

¹ 18 C.F.R. §§ 385.212 and 214 (2004).

II. Motion To Intervene

The NYISO is the independent body responsible for providing open-access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in the state of New York.

On August 23, 2004, PSEG Power In-City I, LLC (“In-City”) filed a complaint under section 206 of the Federal Power Act against Consolidated Edison Co. of New York, Inc. (“ConEd”). In-City requests that the Commission extend by 18 months the Interconnection Date of In-City’s Interconnection Agreement with ConEd. In-City intends to interconnect its Bergen 2 plant to ConEd’s West 49th Street Substation in New York City in order to supply wholesale energy and capacity to New York City and other NYISO Loads.

The NYISO anticipates the interconnection of several new generation facilities in the New York City region over the next few years. The NYISO is managing the integration of these new facilities, and this integration process may be impacted by the timing of the interconnection of the In-City project. The NYISO, therefore, has a direct and substantial interest in this proceeding. This interest cannot be adequately represented by any other party, and the NYISO should thus be permitted to intervene herein.

III. Conclusion

The NYISO respectfully requests that the Commission grant the NYISO's motion to intervene in this proceeding and afford it all the rights of a party to this proceeding.

Respectfully submitted,

/s/ Karen Georgenson Gach

Robert E. Fernandez

Elizabeth Grisaru

Karen Georgenson Gach

New York Independent System Operator, Inc.

290 Washington Ave. Extension

Albany, New York 12203

Tel: 518-356-8875

Fax: 518-356-8825

Dated: September 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document on the applicant in this proceeding in accordance with the Notice of Complaint Requesting Fast Track Processing issued in Docket No. EL04-126-000 on August 23, 2004.

Dated at Albany, New York this 13th day of September, 2004.

/s/ Karen Georgenson Gach
Karen Georgenson Gach

Submission Contents

Motion to Intervene of the NYISO in Docket No. EL04-126	
MIEL04_126_000.doc.....	1-4