

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TC Ravenswood, LLC	)	
	)	
<i>Petitioner,</i>	)	
	)	
v.	)	
	)	Case No. 12-1008
Federal Energy Regulatory	)	
Commission,	)	
	)	
<i>Respondent.</i>	)	
	)	

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

Pursuant to Federal Rule of Appellate Procedure 15(d) and Rule 15(b) of the Circuit Rules of this Court, New York Independent System Operator, Inc. (“NYISO”) hereby moves to intervene in the above-captioned proceeding. In support of this motion, NYISO states:

1. NYISO is a New York not-for-profit corporation organized and existing under New York law. Although NYISO does not own or control any electric power generation facilities, it possesses operational control over the transmission facilities in New York State. NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in New York State.

NYISO fulfills these responsibilities pursuant to certain tariffs and orders of the respondent Federal Energy Regulatory Commission (“FERC”).

2. In this case, petitioner TC Ravenswood, LLC (“Petitioner”) seeks review of the following FERC orders:

- a. *New York Independent Sys. Operator, Inc.*, “Order Accepting Tariff Revisions Subject to Modification, Suspending for Five Months, and Directing Compliance Filing,” 134 FERC ¶ 61,058 (Jan. 28, 2011), amended by *New York Independent Sys. Operator, Inc.*, “Errata Notice” (Feb. 17, 2011);
- b. *New York Independent Sys. Operator, Inc.*, “Order on Requests for Expedited Clarification and Rehearing,” 134 FERC ¶ 61,178 (Mar. 9, 2011);
- c. *New York Independent Sys. Operator, Inc.*, 135 FERC ¶ 61,002 (Apr. 4, 2011);
- d. *New York Independent Sys. Operator, Inc.*, “Order on Rehearing,” 135 FERC ¶ 61,170 (May 19, 2011); and
- e. *New York Independent Sys. Operator, Inc.*, “Order on Rehearing,” 137 FERC ¶ 61,218 (Dec. 15, 2011).

3. The FERC orders at issue concern NYISO-proposed tariff revisions to update the demand curve rates for the Installed Capacity (“ICAP”) market that the

NYISO administers. Accordingly, NYISO has a direct and substantial interest in this proceeding that is distinct from those of all other parties and, therefore, cannot be adequately represented by any other party. Specifically, the proceedings directly affect NYISO because the outcome could impact the FERC-accepted ICAP demand curve rates and the NYISO's tariff provisions by which they are established and implemented. The orders setting those ICAP demand curve rates are being challenged by Petitioner. Because NYISO may thus be adversely affected by the Court's disposition of the petition in this proceeding, it should be permitted to intervene and participate.

WHEREFORE, New York Independent System Operator, Inc. respectfully requests that it be permitted to intervene in this proceeding and granted all the rights of a party thereto.

Respectfully submitted,

By: /s/ Joseph J. Saltarelli  
Joseph J. Saltarelli  
Hunton & Williams LLP  
200 Park Avenue  
New York, New York 10166  
(212) 309-1000

Attorney for Proposed Intervenor  
New York Independent System  
Operator, Inc.

Dated: January 27, 2012

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FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TC Ravenswood, LLC,	)	
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<i>Petitioner,</i>	)	Case No. 12-1008
	)	
v.	)	
Federal Energy Regulatory Commission,	)	
	)	
<i>Respondent.</i>	)	
	)	

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to 26.1 of the Federal Rules of Appellate Procedure and Rule 26.1 of this Court, New York Independent System Operator, Inc. (“NYISO”) states the following:

NYISO is a not-for-profit corporation organized and existing under the laws of New York. Although NYISO does not own or control any electric power generation facilities, it possesses operational control over the transmission facilities in New York State. NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale electricity markets in New York State.

NYISO is not a publicly-held company. It does not have a parent company, and no publicly held company has a 10% or greater ownership in it.

Respectfully submitted,

By: /s/ Joseph J. Saltarelli  
Joseph J. Saltarelli  
Hunton & Williams LLP  
200 Park Avenue  
New York, New York 10166  
(212) 309-1000

Attorney for Proposed Intervenor  
New York Independent System  
Operator, Inc.

Dated: January 27, 2012

## CERTIFICATE OF SERVICE

Pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure and Circuit Rule 15(b), I hereby certify that I have this day served a copy of the foregoing Motion of New York Independent System Operator, Inc. to Intervene and Corporate Disclosure Statement using the court's CM/ECF system. I have also caused the foregoing document to be served by hand delivery upon the Solicitor at the Federal Energy Regulatory Commission.

Dated at Washington, D.C. this 27th day of January 2012.

Respectfully submitted,

By: /s/ Joseph J. Saltarelli  
Joseph J. Saltarelli  
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200 Park Avenue  
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(212) 309-1000

Attorney for Proposed Intervenor  
New York Independent System  
Operator, Inc.

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