

November 17, 2014

Gina McCarthy
Administrator

Janet McCabe
Acting Assistant Administrator
Office of Air and Radiation

Environmental Protection Agency
U.S. EPA Headquarters – William J. Clinton Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy and Assistant Administrator McCabe:

The New York Independent System Operator (NYISO) is writing to request that the Environmental Protection Agency (EPA) provide a 16 day extension of the comment period for the rate to mass conversion component of the “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Generating Units” proposed rule in Docket ID: EPA-HQ-OAR-2013-0602. The NYISO is a not-for-profit company that is charged with reliable operation of New York’s bulk electricity grid, administration of wholesale electric markets and planning for the future of New York’s power system. The outcome of this proposed rule will have significant impacts for New York’s power system and the NYISO’s future operations.

The NYISO appreciates the EPA granting an initial 120 day comment period as the complexity and scale of the proposed rule require a significant investment of time and resources to analyze, assess and prepare comments on the proposed rule. It is important that stakeholders be given adequate time to fully analyze and assess the far-reaching impacts that the proposal will have on our nation’s energy system, so that they can provide the most detailed assessments on how to meet the targets while maintaining reliability on the electric grid.

Notably, the rate to mass conversion is dependent upon analysis and assessment of the rest of the proposed rule and EPA has just recently provided valuable advice concerning appropriate methodology for this conversion in the Technical Support Document on the Translation of the Clean Power Plan Emission Rate-Based CO₂ Goals to Mass-Based Equivalents issued in November 2014. Stakeholders input would be more informed and useful if they were to have an additional 16 days within which to develop and communicate their reaction and provide justification for their commentary on the rate to mass conversion as it applies to their state or region. Given the complexity of both the proposed rule and the rate to mass conversion, and the conversion’s dependence on the rest of the proposed rule, the NYISO believes an additional 16 days is appropriate and would be beneficial. Therefore, the NYISO requests an additional 16 days to comment on the rate to mass component of the proposed rule.

In addition, the NYISO also requests that the EPA provide a decision on this request on or before November 24, 2014 to allow stakeholders sufficient time to respond to the EPA’s decision.

Thank you for your consideration of this request.

Sincerely,

Nathan Markey
Attorney
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