

May 21, 2012

Hon. Jaclyn A. Brillling, Secretary
Public Service Commission of the State of New York
Three Empire State Plaza, 14th Floor
Albany, New York 12223-1350

Subject: Case 12-E-0174 – Verified Petition of AES Eastern Energy, L.P., AES Somerset, LLC, AES Cayuga, LLC and Somerset Cayuga Holding Company, Inc. For Expedited Approval Pursuant to Sections 69 and 70 of the New York Public Service Law and Related Approvals.

Dear Secretary Brillling:

Please find attached for filing in the above-entitled proceeding the Motion to Intervene of the New York Independent System Operator, Inc.

The NYISO is serving its motion on all parties, via electronic or surface mail, to the Active Party List established for this proceeding. A certificate of service is enclosed. Should you have any questions, please contact me by phone at (518) 356-8540 or by e-mail at kbluvas@nyiso.com.

Very truly yours,

/s/ Kristin A. Bluvas
Kristin A. Bluvas
Attorney

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Case 12-E-0174 Verified Petition of AES Eastern Energy, L.P., AES Somerset, LLC, AES Cayuga, LLC and Somerset Cayuga Holding Company, Inc. For Expedited Approval Pursuant to Sections 69 and 70 of the New York Public Service Law and Related Approvals.

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

The New York Independent System Operator, Inc. (“NYISO”) respectfully submits this Motion to Intervene in the above-captioned proceeding.

Background

On April 13, 2012, representatives of AES Eastern Energy, L.P., AES Somerset, LLC, and AES Cayuga, LLC (“AES Entities”) and Somerset Cayuga Holding Company, Inc. (“NewCo”), together the “Petitioners,” filed with the Secretary of the New York State Public Service Commission (“Commission”), a petition for the transfer of two coal-fired electric generation facilities from the AES Entities to NewCo (“Petition), as part of a bankruptcy settlement agreement filed on February 24, 2012 (“Settlement Agreement”).

The Petitioners requested that the Commission take expedited action via emergency action under the New York State Administrative Procedure Act in order to issue a ruling at its May 17, 2012 session, arguing that emergency action will enable timely transfer of ownership, improve financial condition and, in turn, ensure reliable operation of the generation facilities.

Motion to Intervene

The NYISO is a not-for-profit corporation responsible for providing open-access transmission service, administering open and competitive wholesale markets, and bringing

together buyers and sellers of electricity, capacity, and ancillary services, in New York State. The NYISO is also responsible for the reliable operation of the bulk electricity grid, and both short-term and long-term planning for the bulk power system in New York State. The NYISO manages the flow of power over nearly 11,000 circuit-miles of transmission lines and centrally dispatches over 300 generating units. The issue of reliability has been raised in this proceeding and, accordingly, it is in the NYISO's interest to be a party to this proceeding.

Conclusion

For the reason stated above, please add the following NYISO representatives to the list of active parties in this proceeding:

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Sincerely,

/s/ Kristin A. Bluvas

Kristin A. Bluvas

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Dated: May 21, 2012

CERTIFICATE OF SERVICE

I hereby certify that I am over the age of eighteen years and that pursuant to the rules for service in the above captioned proceedings established by the Secretary of the Commission, I served, on May 21, 2012, the Motion to Intervene of the New York Independent System Operator upon the parties on the service list established for the above-captioned proceeding by electronic mail.

/s/ Joy A. Zimmerlin

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NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE

METHOD OF SERVICE FORM

This form should be filed with all new petitions and applications that require action by the Commission. It will allow us to serve you with the Commission decision using the method you select.

Name:	<u>Joy A. Zimmerlin</u>
Your Company/Organization:	<u>New York Independent System Operator, Inc.</u>
Mailing Address:	<u>10 Krey Blvd., Rensselaer, NY 12144</u>
Company/Organization you represent, if different from above:	_____
E-Mail Address:	<u>jzimmerlin@nyiso.com</u>
Case/Matter # (if known)	<u>12-E-0174</u>

If you consent to receive Commission-issued orders electronically, you will receive all Commission-issued documents electronically. If you do not consent to receive Commission-issued orders electronically, you will receive all Commission-issued documents by mail.

Check the box(es) in A or B, below:

A.

I am authorized by the party I represent to grant consent to receive electronic-only service of Commission-issued orders, AND

I, on behalf of myself or the party I represent, knowingly waive the right specified in Public Service Law §23(1) to be served personally or by mail with orders that affect me or the party I represent and consent to receive service of Commission-issued orders by electronic means only. This consent remains in effect until revoked.

B

I do not consent to receive electronic service and instead request that the DPS mail Commission-issued document(s) to me.

Signature: <u>Joy A. Zimmerlin</u>	Date: <u>May 21, 2012</u>
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Please note that this form applies to this filing only.

To the extent possible, please file this form in .pdf format.