

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Key-Span Ravenswood, LLC

Docket No. EL05-17-003

v.

New York Independent System Operator, Inc.

**Motion to Chief Judge to Revise the Consent Scheduling Order
of the New York Independent System Operator, Inc.**

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the “Commission”),¹ the New York Independent System Operator, Inc. (“NYISO”), by counsel, hereby requests the Chief Administrative Law Judge to revise the Consent Scheduling Order entered by the Presiding Judge on August 11, 2008 as shown on the Consent Scheduling Order (“Revised Consent Scheduling Order”) attached hereto as Appendix A. The Revised Consent Scheduling Order represents an agreement of the suppliers seeking remedies² and the New York Transmission Owners, the New York Power Authority and the other, non-transmission owner load serving entities active in this case, as well as the NYISO, and the FERC Trial Staff.

The NYISO has circulated this motion to counsel for the foregoing parties and understands that the parties consent to this motion and agree that the answer period to this motion specified in Rule 213 of the Rules of Practice and Procedure³ should be waived, and the NYISO respectfully moves for such waiver.

These revisions are being submitted in order to permit the parties to participate in a meeting in New York City on November 17, 2008, and any subsequent negotiations, to discuss possible resolution of the issues pending in this docket. The proposed revisions to the procedural schedule move the remaining dates by two weeks, with adjustments because of holidays, and are requested in order to permit the parties to focus on

¹ 18 C.F.R. § 385.212.

² Dynegy Power Marketing, Inc. and Dynegy Northeast Generation, Inc., NRG Power Marketing, Inc., Arthur Kill Power LLC, Astoria Gas Turbine Power LLC, Dunkirk Power LLC, Huntley Power LLC, and Oswego Harbor Power LLC, and Reliant Energy, Inc.

³ 18 C.F.R. § 385.213(d)(1).

settlement discussions rather than the otherwise pending deadlines for testimony and any related discovery.

Respectfully submitted,

NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.

By:  _____

Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each party designated on the office service list compiled by the Secretary in the above referenced dockets, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

Dated at Washington, DC this 14th day of November, 2008.

 /s/ William F. Young
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APPENDIX A

REVISED CONSENT SCHEDULING ORDER

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

KeySpan-Ravenswood, LLC,)	
)	
v.)	Docket No. EL05-17-003
)	
New York Independent System Operator, Inc.)	
)	

CONSENT SCHEDULING ORDER

THIS MATTER came before the Chief Administrative Law Judge for entry of this Consent Order establishing a procedural schedule in respect of Docket Number ER05-17-003; and

IT APPEARING that the parties agree to the entry of this Consent Order, and that such Order should be entered; it is, hereby

ORDERED that the following procedural schedule shall be used in this proceeding:

Procedural Schedule

Proposed Procedural Schedule Due	August 8, 2008
Prehearing Conference	August 11, 2008
Suppliers (seeking refunds) Testimony Due	October 24, 2008
NYISO/LSE Answering Testimony Due	December 5, 2008
FERC Staff Answering Testimony Due	January 7, 2009
NYISO/LSE Cross Answering Testimony Due	January 26, 2009
Supplier Rebuttal Testimony Due	February 17, 2009
Consolidated Issues List	March 2, 2009
Joint Witness List	March 9, 2009
HEARING Commences	March 16, 2009

ENTERED: / /

Curtis L. Wagner, Jr.
Chief Administrative Law Judge