

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF MARKETS, TARIFFS AND RATES

In Reply Refer To:
New York Independent System
Operator, Inc.
Docket No. ER00-1969-005

Issued: July 28, 2004

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006

Attention: Ted J. Murphy, Counsel

Reference: Alternative Compliance Filing

Dear Mr. Murphy:

The compliance filing submitted by New York Independent System Operator, Inc. (NYISO) on November 30, 2000, is rejected as moot.

On November 30, 2000, NYISO submitted a Request for Partial Rehearing and Request for Extension of Time to Comply (Rehearing Request) in Docket No. ER00-3591-000, et al. In addition to the Rehearing Request, NYISO submitted an alternative compliance filing to the Commission's November 8, 2000 Order¹ (November 8 Order) in the event that the Commission denied the Rehearing Request.

On April 2, 2001, the Commission issued an order² (April 2 Order) and among other things, partially granted NYISO's Rehearing Request. In the April 2 Order, the Commission rejected as moot NYISO's alternative compliance filing to the November 8 Order.³ However, on issuance of the April 2 Order, Docket No. ER00-1969-005 was inadvertently omitted.

¹ 93 FERC ¶ 61,142 (2000).

² 95 FERC ¶ 61,010 (2000).

³ Id. at 61,016.

The instant filing was noticed on December 5, 2000, with comments due on December 26, 2000. No protests or adverse comments were filed.

This action is taken pursuant to the authority delegated to the Director, Division of Tariffs and Market Development – East under 18 C.F.R. § 375.307.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification or any rule, regulation or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against your company.

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Alice Fernandez, Director
Division of Tariffs and Market
Development – East