

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

**New York Independent System Operator, Inc.           )           Docket No. ER03-647-000**

**MOTION OF  
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.  
FOR EXTENSION OF TIME TO SUBMIT REPORT  
ON IMPLEMENTATION OF ICAP DEMAND CURVES**

Pursuant to Rules 212 and 2008 of the Commission’s Rules of Practice and Procedure,<sup>1</sup> the New York Independent System Operator, Inc. (“NYISO”) hereby respectfully requests an extension of time until January 3, 2006, to submit its report on the implementation of its Installed Capacity (ICAP) Demand Curves, in compliance with ordering paragraph “C” of the Commission’s May 20, 2003 Order in the above-captioned proceeding.<sup>2</sup>

**I. Copies of Correspondence**

Communications regarding this proceeding should be served on:

Robert Fernandez, General Counsel and Secretary	William F. Young
Elaine Robinson, Director of Regulatory Affairs	Susan E. Dove
New York Independent System Operator, Inc.	Hunton & Williams LLP
3890 Carman Road	1900 K Street, NW
Schenectady, NY 12303	Washington, DC 20006-1109
(518) 3560-6000	(202) 955-1500
rfernandez@nyiso.com	wyoung@hunton.com
erobinson@nyiso.com	sdove@hunton.com

---

<sup>1</sup> 18 C.F.R. §§ 385.212 and 385.2008.

<sup>2</sup> *New York Independent System Operator, Inc.*, 103 FERC ¶ 61,201 (2003). Ordering paragraph C directed the NYISO “to make an annual filing by December 1, 2003 and annually for two years thereafter that reports on the implementation of the ICAP Demand Curve, as discussed in the body of this order.”

## **II. Statement of Issues**

The only issue raised in this motion is the need for a brief extension of time for the NYISO to prepare its final annual report on the implementation of its ICAP Demand Curves.

## **III. Motion for Extension of Time to Submit Report**

In accordance with ordering paragraph C of the Commission's May 20, 2003 Order approving the use of Demand Curves in the NYISO's Installed Capacity auctions, the third of three annual reports on the implementation of the ICAP Demand Curves is due on December 1, 2005.<sup>3</sup> Significant work on the necessary data gathering and analysis has been undertaken by the NYISO staff for the completion of this report. As a result of recent administrative restructuring actions in connection with the matters reported in the NYISO's November 8, 2005 filing in Docket No. ER06-185-000, however, it has been necessary for certain responsibilities for these efforts to be reassigned. The newly responsible NYISO staff members will need additional time to complete their familiarization with the underlying issues, and to complete the collection and analysis of the required information and the preparation of the report. In addition, the NYISO would like to include in the report the analysis and views of its independent Market Advisor, Dr. David B. Patton, who also has several other annual reporting requirements for the NYISO and other entities in the current year-end period. For all these reasons, additional time is needed to permit the submission of a complete and fully considered final annual ICAP Demand Curves implementation report.

---

<sup>3</sup> Unless otherwise specified, capitalized terms have the meanings specified in the NYISO's Market Administration and Control Area Services Tariff ("Services Tariff").

In addition to the foregoing considerations, the NYISO is not aware of any pending decisions or determinations that are awaiting submission of the third annual Demand Curves report. Revised Demand Curves for the current and next two years were recently approved by the Commission,<sup>4</sup> with no further revisions anticipated prior to the implementation of the curves for the 2008/2009 Capability Year. Thus, the NYISO respectfully submits that the preparation of a complete and fully considered report should take precedence over the December 1 deadline set in the Commission's May 20, 2003 Order.

#### **IV. Request for Expedited Consideration**

Because the compliance report is currently due on December 1, 2005, the NYISO respectfully requests that the Commission act on this motion expeditiously.

#### **V. Conclusion**

WHEREFORE, for the foregoing reasons, the New York Independent System Operator, Inc. requests that the Commission grant its request for an extension of time of 30 days, or until

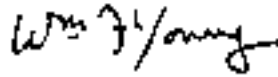
---

<sup>4</sup> *New York Independent System Operator, Inc.*, 111 FERC ¶ 61,117, *reh'g denied*, 112 FERC ¶ 61,283 (2005).

January 3, 2006 with the intervening New Year's holiday, to submit its third annual report on the implementation of its ICAP Demand Curves.

Respectfully submitted,  
NEW YORK INDEPENDENT  
SYSTEM OPERATOR, INC.

By:



---

Counsel

William F. Young  
Susan E. Dove  
Hunton & Williams LLP  
1900 K Street, NW  
Washington, DC 20006-1109  
(202) 955-1500

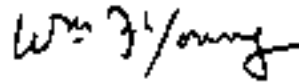
Counsel to New York Independent System Operator, Inc.

November 28, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 2010.

Dated at Washington, DC this 28th day of November 2005.



---

Hunton & Williams LLP  
1900 K Street, NW  
Washington, D.C. 20006-1109  
(202) 955-1500

Submission Contents

MtnExtofTimeICAPimplem.doc..... 1-5