

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
New York Independent System Operator, Inc.
Docket No. ER09-972-000
5/20/09

New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144

Attention: Mollie Lampi,
Assistant General Counsel

Reference: Notification of Tariff Implementation Errors and Request for Tariff
Waivers

Dear Ms. Lampi:

On April 8, 2009, the New York Independent System Operator, Inc. (NYISO) reported four errors in the implementation of its Market Administration and Control Area Services Tariff (Services Tariff), and requested limited waivers of its Services Tariff for the time periods affected by each error. NYISO states that two errors involve real-time settlements, the third involves NYISO's real-time price setting software, and the fourth involves the inadvertent misapplication of a formula for calculating the Equivalent Demand Forced Outage Rate of two generating units. In this filing, NYISO describes the errors and how they occurred, states when and how NYISO discovered the errors, when NYISO first informed the Commission, how NYISO has corrected the errors, and describes the improvements NYISO has made to prevent their recurrence. The requested waivers are granted, and NYISO's filing is accepted.

Public notice of NYISO's filing was issued on April 10, 2009, with Interventions and protests due on or before April 29, 2009. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2008), all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. The New York Transmission Owners¹ filed a timely notice to

¹ The New York Transmission Owners in this proceeding are: Central Hudson

intervene. New York Municipal Power Agency² filed a motion to intervene out-of-time. No protests or adverse comments were filed.

This acceptance for filing shall not be construed as constituting approval of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or 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,

Larry Gasteiger, Director
Division of Tariffs and Market
Development - East

cc: Public File
All Parties

Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., Long Island Power Authority, New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation.

² New York Municipal Power Agency is a joint action agency comprised of thirty-six municipally-owned electric utilities in New York State.