

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. ER09-971-000

Issued: 5/15/09

Andrew S. Antinori
Senior Counsel
New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144

Reference: Tariff Revisions Regarding the Allocation of Operating Costs

Dear Mr. Antinori:

Pursuant to authority delegated to the Director, Division of Tariff and Market Development - East, under 18 C.F.R. 375.307, your submittal of revised tariff sheets¹ in the above referenced docket is accepted for filing effective June 7th, 2009, as requested.

The New York Independent System Operator (NYISO) filed revisions to its Open-Access Transmission Tariff and its Market Administration and Control Area Services Tariff to maintain the 80/20 cost allocation of NYISO's operating costs between withdrawals and injections of energy, for an additional period of at least two more years. In addition, the proposed revisions also establish a stakeholder process and timeline for review and, if warranted by the results of a future study, modify the 80/20 cost allocation on a going-forward basis.

Notice of the filing was published in the Federal Register with comments, protests, or interventions due on or before April 10, 2009. Notices of interventions and unopposed

¹ See Appendix.

timely filed motions to intervene are granted pursuant to Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any unopposed or untimely filed motion to intervene is governed by the provisions of Rule 214. No adverse comments or protests were filed.

This action shall not be construed as constituting approval of any service, rate, charge, classification, or any rule, regulation, contract, 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 action 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: All Parties
Public File

APPENDIX

New York ISO, Inc.
FERC Electric Tariff

Accepted Effective June 8, 2009

Original Volume No. 1, Schedule 1

Seventh Revised Sheet No. 232A

Original Sheet No. 232A.01

Original Sheet No. 232A.02

Original Sheet No. 232A.03

Original Volume No. 2, Schedule 1

Fifth Revised Sheet No. 232

Original Sheet No. 252.01

Original Sheet No. 252.02

Original Sheet No. 252.03