



CPower, Inc.  
17 State Street, 19th Floor  
New York, NY 10004  
T. (212) 796-7100  
F. (212) 361-6385  
info@cpowered.com  
[www.cpowered.com](http://www.cpowered.com)

May 22, 2009

NYISO By-Law Subcommittee  
By-Laws Subcommittee Chairman  
Management Committee Chairman

Re: "Other Supplier Sector"

CPower, Inc. wishes to voice their concern, and supports the Price Response Load Coalitions (PRLC) recent letter to the NYISO By-Laws Subcommittee, regarding recent trends over the past several years within the "Other Supplier" sector of the NYISO Governance.

CPower also questions the growing trends associated with generators participation within the "Other Supplier" sector. While the "Other Supplier" sector does not preclude generator owners from participating within the sector, one would questions why these companies, which owner generating assets, would not participate within the "Generator" sector of the NYISO Governance Structure.

CPower views the "Other Supplier" as a sector for participants which are not Generators, Transmission Owners, Power Authorities, Municipalities and Co-ops, or End-Users., and agrees with the PRLC that the definition of "Other Supplier" has a clear intent to include companies that supply a product or service and are not suitable in other distinct sectors of the NYISO Governance Structure.

As noted in the May 18, 2004 NYISO Board of Directors Decision on Appeal of Management Committee Decisions Dated February 4, 2004 and March 2, 2004, the NYISO Board of Directors noted that the Federal Energy Regulatory Commission ("FERC") expressed the necessity to insure that demand response participants are well represented in the NYISO governance. CPower believes that additional clarification is needed, pertaining to the "Other Supplier" sector, in order for demand response participants to be well represented within the NYISO Governance structure.

Sincerely,

Nick Planson  
Director, Program Management  
CPower, Inc.  
[nick.planson@cpowered.com](mailto:nick.planson@cpowered.com)  
(212) 796-7126  
17 State St. Ste. 1910  
New York, NY 10004