

135 FERC ¶ 61,256
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Marc Spitzer, Philip D. Moeller,
John R. Norris, and Cheryl A. LaFleur.

New York Independent System Operator, Inc.
New York Independent System Operator, Inc.

Docket No. ER11-2454-000
Docket No. ER11-2547-000
(not consolidated)

ORDER GRANTING DEFERRAL OF EFFECTIVE DATES
AND WAIVERS

(Issued June 20, 2011)

1. On May 9, 2011, the New York Independent System Operator, Inc. (NYISO) submitted motions in the above-captioned proceedings seeking a deferral of the effective dates of previously-accepted tariff revisions to May 18, 2011, and any related waivers as applicable. For the reasons discussed below we grant the requested deferrals and waivers.

Background

2. In a letter order issued February 4, 2011, in Docket No. ER11-2454-000, the Commission accepted NYISO's proposed revisions to its Market Administration and Control Area Services Tariff (Services Tariff) and Open Access Transmission Tariff (OATT) to modify the existing demand curves applicable in its regulation and operating reserves markets, to be effective March 15, 2011.¹ In an order issued April 25, 2011, granting a motion by NYISO, the effective date of the revisions was extended to May 10, 2011, because of problems NYISO was having in implementing the computer software needed to implement the tariff revisions.²

¹ *New York Independent System Operator, Inc.*, Docket No. ER11-2454-000 (Feb. 4, 2011) (delegated letter order).

² *New York Independent System Operator, Inc.*, 135 FERC ¶ 61,072 (2011).

3. In an order issued March 14, 2011, in Docket No. ER11-2547-000, *et al.*, the Commission accepted NYISO's proposed revisions to its Services Tariff and OATT to implement intra-hour transaction scheduling at the borders of the New York Control Area, to be effective March 15, 2011, subject to conditions. However, in light of problems implementing needed computer software, the Commission granted NYISO's separate request for waiver to permit it to defer implementation of the accepted tariff revisions until the earlier of May 10, 2011, or two weeks after the date by which NYISO notifies the Commission that it is ready to implement the tariff revisions.³

Requests for Deferral and Waiver

4. In the motions now before us in these dockets, NYISO states that, due to the complexity of the required changes to its internal systems and processes associated with the implementation of its tariff revisions in both proceedings, additional time was required to fully test and prepare its related software. Accordingly, NYISO requests that the Commission defer the effective dates of the previously-accepted tariff revisions to May 18, 2011, and grant waiver of Part 35 of the Commission's regulations, as applicable.⁴ NYISO adds that, given the exigencies presented by its filings, it was not able to present its requests to NYISO's stakeholder Management Committee and/or receive the Management Committee's support in sufficient time to satisfy the Commission's prior notice requirement.

5. No answers in response to NYISO's motions were submitted.

Commission Determination

6. For the reasons cited by NYISO in its motions, we find good cause to grant the instant requests for deferrals of effective dates and waivers. Accordingly, we hereby modify the effective dates of the subject tariff revisions to be May 18, 2011, as requested.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

³ *New York Independent System Operator, Inc.*, 134 FERC ¶ 61,186 (2011).

⁴ 18 C.F.R. Part 35 (2011).