

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

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LAWRENCE G. MALONE
General Counsel

JANET HAND DEIXLER
Secretary

January 8, 2002

Honorable David Boergers
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 1-A209
Washington, D.C. 20426

Re: Docket Nos. ER01-3009-002, ER01-3153-
002, EL00-90-002 - New York Independent
System Operator, Inc.

Dear Secretary Boergers:

For filing please find the Motion of the New York State
Public Service Commission in the above-entitled proceedings.
Should you have any questions, please feel free to contact
me at (518) 486-2652.

Very truly yours,

Saul A. Rigberg
Assistant Counsel

Enclosure

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System Operator) Docket Nos. ER01-3009-002,
Inc.) ER01-3153-002, EL00-90-002

**MOTION FOR LATE INTERVENTION OF THE
PUBLIC SERVICE COMMISSION OF THE STATE OF NEW YORK**

Pursuant to Rule 214(d)(1) of the Commission's Rules of Practice and Procedure (18 C.F.R. §385.214), the Public Service Commission of the State of New York (NYPSC) hereby submits its motion for intervention out of time in the above-captioned proceeding. Copies of all documents and correspondence should be sent to:

Saul A. Rigberg	Ronald Liberty
Assistant Counsel	Director Fed. En. Interv.
Public Service Commission	Public Service Commission
of the State of New York	of the State of New York
3 Empire State Plaza 18 th Fl.	3 Empire State Plaza
Albany, NY 12223	Albany, NY 12223
saul_rigberg@dps.state.ny.us	ronald_liberty@dps.state.ny.us

The NYPSC regulates electric service in New York State.

Accordingly, the NYPSC's participation in this proceeding is in the public interest and cannot be protected adequately by any other party. The NYPSC's intervention will not prejudice any party or disrupt any proceedings.

Thus, our motion should be granted.

Respectfully submitted,

Lawrence G. Malone
General Counsel
By Saul A. Rigberg
Assistant Counsel
Public Service Commission of
the State of New York
3 Empire State Plaza
Albany, New York 12223

Dated: January 8, 2002
Albany, New York

CERTIFICATE OF SERVICE

I, Karen Houle, do hereby certify that I will serve on January 8, 2002, the foregoing Motion of the Public Service Commission of the State of New York by depositing a copy thereof, first class postage prepaid, in the United States mail, properly addressed to each of the parties of record, indicated on the official service list compiled by the Secretary in this proceeding.

Date: January 8, 2002
Albany, New York

Karen Houle