

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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Commissioners



PETER McGOWAN
Acting General Counsel

JACLYN A. BRILLING
Secretary

May 7, 2008

SENT VIA ELECTRONIC FILING
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 1-A209
Washington, D.C. 20426

Re: Docket No. ER08-834-000 - New York Independent
System Operator, Inc.

Dear Secretary Bose:

For filing, please find the Notice of Intervention of the New York State Public Service Commission in the above-entitled proceeding. Should you have any questions, please feel free to contact me at (518) 473-8178.

Very truly yours,

David G. Drexler
Assistant Counsel

Attachment

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System) Docket No. ER08-834-000
Operator, Inc.)

NOTICE OF INTERVENTION OF
THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NEW YORK

NOTICE OF INTERVENTION

On April 16, 2008, the New York Independent System Operator, Inc. (NYISO) filed revisions to its tariffs to address identified market monitoring-related implementation issues.¹ The New York State Public Service Commission hereby submits its Notice of Intervention in the above-captioned proceeding pursuant to the Federal Energy Regulatory Commission's (FERC) Combined Notice of Filings #1, issued April 22, 2008, and Rule 214 of FERC's Rules of Practice and Procedure.

¹ According to the NYISO's filing, the proposed tariff amendments seek to: (1) clarify and revise the methodology set forth in the Market Power Mitigation Measures for determining certain categories of energy and "minimum generation" reference levels; (2) clarify the methodology for calculating "Constrained Hours" for purposes of determining the load pocket thresholds that are used to test for economic withholding in the NYISO's Real-Time Energy Market; and, (3) revise the definition of "Out-of-Merit Generation" to more accurately reflect how that term is used in practice.

Copies of all correspondence and pleadings should be

addressed to:

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Howard Tarler
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Respectfully submitted,



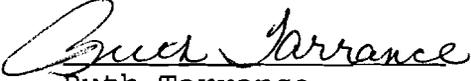
Peter McGowan
Acting General Counsel
Public Service Commission
of the State of New York

By: David G. Drexler
Assistant Counsel
3 Empire State Plaza
Albany, NY 12223-1305
(518) 473-8178

Dated: May 7, 2008
Albany, New York

CERTIFICATE OF SERVICE

I, Ruth Tarrance, do hereby certify that I will serve on May 7, 2008, the foregoing Notice of Intervention of the Public Service Commission of the State of New York upon each of the parties of record indicated on the official service list compiled by the Secretary in this proceeding.


Ruth Tarrance

Dated: May 7, 2008
Albany, New York
