

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

PATRICIA L. ACAMPORA

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CHERYL A. BULEY



PETER MCGOWAN
Acting General Counsel

JACLYN A. BRILLING
Secretary

July 10, 2007

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 Nos. ER06-1271-001 et al. - PJM
Interconnection, L.L.C.

Dear Secretary Bose:

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

Very truly yours,

A handwritten signature in cursive script that reads 'David G. Drexler'.

David G. Drexler
Assistant Counsel

Attachment

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PJM Interconnection, L.L.C.	)	Docket Nos.	ER06-1271-001
	)		ER06-954-002
	)		ER06-456-006
	)		ER07-424-000
)		
	)	Docket No.	EL07-57-000
)		
	)	Docket No.	ER06-880-003
	)	(Consolidated)	

MOTION TO INTERVENE OF
THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NEW YORK

BACKGROUND

On April 19, 2007, the Commission instituted a proceeding to determine an appropriate methodology for allocating cost responsibility for transmission upgrades within the PJM Interconnection (PJM), consistent with a "beneficiary pays" principle.¹ In an Order dated June 6, 2007, the Presiding Judge established a deadline of June 18, 2007, for filing interventions.²

¹ PJM Interconnection, L.L.C., Order Granting Rehearing, Directing Resumption of Hearing, and Instituting Section 206 Proceeding, Docket Nos. ER06-1271-003 et al. (issued April 19, 2007) (April 19 Order).

² PJM Interconnection, L.L.C., Order Setting Intervention Deadline, Docket Nos. ER06-1271-003 et al. (issued June 6, 2007).

MOTION TO INTERVENE

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's (FERC or Commission) Rules of Practice and Procedure, the New York State Public Service Commission (NYPSC) hereby submits its Motion to Intervene. Rule 214 requires State Commissions seeking to intervene after an established deadline to demonstrate good cause why such time period should be waived.

Good cause exists to allow the NYPSC's intervention, given that this proceeding may involve the allocation of costs for transmission projects within PJM to New York consumers.³ The NYPSC's responsibility and interest in ensuring that New York consumers are provided safe and adequate service at just and reasonable charges would not be adequately represented by other parties to this proceeding.⁴ Therefore, the NYPSC's participation would benefit the public interest.

Furthermore, Motions to Intervene out-of-time have been granted during the early stage of proceedings where there

³ Although the Commission's April 19 Order did not expressly contemplate an allocation of costs to New York consumers, the possibility of such an allocation was raised in the New York Independent System Operator, Inc's Motion to Intervene, dated June 18, 2007.

⁴ N.Y. Pub. Serv. Law § 65 (McKinney 2000).

will not be undue delay, prejudice or burden to the parties.⁵ Because of the early stage of this proceeding and the fact that neither the Presiding Judge nor the Commission has yet issued a procedural schedule or made a final determination, the NYPSC's intervention will not prejudice or burden other parties, or result in undue delay. Thus, the NYPSC's intervention will not disrupt this proceeding.

In the event the NYPSC's Motion to Intervene is granted, copies of all correspondence and pleadings should be addressed to:

David Drexler
Assistant Counsel
New York State Department
of Public Service
Three Empire State Plaza
Albany, New York 12223-1350
david_drexler@dps.state.ny.us

Raj Addepalli
Manager, Staff ISO Team
New York State Department
of Public Service
Three Empire State Plaza
Albany, New York 12223-1350
rajendra_addepalli@dps.state.ny.us

⁵ See, PJM Interconnection, LLC, 112 FERC ¶61,276 (2005) (granting late intervention because the proceedings "will not be delayed and as a result no party will be prejudiced"); see also, Southern California Edison Company, 112 FERC ¶61,014 (2005) (citing the "early stage of th[e] proceeding, and the absence of any undue delay, prejudice or burden to the parties" in granting a motion for late intervention.

CONCLUSION

For the above reasons, the Commission should grant the NYPSC's Motion to Intervene.

Respectfully submitted,

A handwritten signature in black ink that reads "Peter McGowan". The signature is written in a cursive style with a large initial "P" and "M".

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

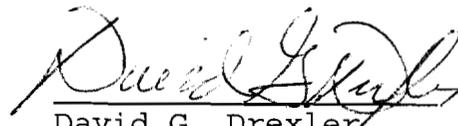
By: David G. Drexler
Assistant Counsel
3 Empire State Plaza
Albany, NY 12223-1305
(518) 473-8178

Dated: July 10, 2007
Albany, New York

CERTIFICATE OF SERVICE

I, David G. Drexler, do hereby certify that I will serve on July 10, 2007, the foregoing Motion to Intervene 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.

Date: July 10, 2007
Albany, New York


David G. Drexler