

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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MAUREEN F. HARRIS

ROBERT E. CURRY JR.

CHERYL A. BULEY



PETER McGOWAN
Acting General Counsel

JACLYN A. BRILLING
Secretary

September 21, 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 No. ER07-1334-000 - 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. ER07-1334-000
Operator, Inc.)

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

NOTICE OF INTERVENTION

On August 31, 2007, the New York Independent System Operator, Inc. filed proposed amendments to clarify and revise the procedures for implementing the NYISO's real-time Bid Production Cost Guarantee (BPCG) mitigation test.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 September 5, 2007, and Rule 214 of FERC's Rules of Practice and Procedure.

¹ Absent mitigation, a BPCG payment is made if a given generator's total as-bid costs exceed its locational-based marginal price plus ancillary service revenues for the operating day.

Copies of all correspondence and pleadings should be

addressed to:

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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: September 21, 2007
Albany, New York

CERTIFICATE OF SERVICE

I, David G. Drexler, do hereby certify that I will serve on September 21, 2007, 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.

Date: September 21, 2007
Albany, New York


David G. Drexler