

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

New York Public Service Commission)	
New York Power Authority)	
New York State Energy Research)	
And Development Authority)	Docket No. EL15-64-000
)	
v.)	
)	
New York Independent System Operator, Inc.)	
)	

**COMMENTS OF THE ELECTRIC POWER SUPPLY ASSOCIATION IN
SUPPORT OF MOTION FOR EXTENSION OF TIME TO FILE COMMENTS**

Pursuant to the notice issued by the Federal Energy Regulatory Commission (“FERC” or the “Commission”) on May 13, 2015,¹ the Electric Power Supply Association (“EPSA”)² respectfully submits these comments in support of the May 12, 2015 motion of the Independent Power Producers of New York, Inc. (“IPPNY”)³ requesting a 30-day extension for comments on the complaint filed by the New York Public Service Commission, New York Power Authority, and the New York State Energy Research and Development Authority (collectively,

¹ *New York Pub. Serv. Comm’n v. New York Indep. Sys. Operator, Inc.*, Docket No. EL15-64-000 (May 13, 2015) (unreported).

² EPSA is the national trade association representing leading competitive power supplies, including generators and marketers. Competitive suppliers, which collectively account for 40 percent of the installed generating capacity in the United States, provide reliable and competitively priced electricity from environmentally responsible facilities serving power markets. The comments contained in this filing represent the position of EPSA as an organization, but not necessarily the views of any particular member with respect to any issue. EPSA has separately filed a motion to intervene in this proceeding. See (doc-less) Motion to Intervene of the Electric Power Supply Association, Docket No. EL15-64-000 (filed May 13, 2015).

³ See Motion of Independent Power Producers of New York, Inc., For A 30-Day Extension of Comment Date and to Shorten Comment Period on This Motion, Docket No. EL15-64-000 (filed May 12, 2015) (“May 12 Motion”).

“Complainants”) in the above-captioned proceeding.⁴ EPSA respectfully requests that the Commission extend the deadline for submitting comments to June 29, 2015, as requested by IPPNY.

In their Complaint filed on May 8, 2015, Complainants allege that the buyer-side market power mitigation (“BSM”) measures set forth in the Market Administration and Control Area Services Tariff of the New York Independent System Operator are “currently imposed arbitrarily in an overbroad manner on all new entrants into the NYISO’s mitigated Installed Capacity (“ICAP”) market zones, regardless of whether the new entrant has the intention, incentive, and ability to exercise buyer-side market power to inappropriately depress market clearing prices.”⁵ Complainants therefore ask the Commission to “direct that the NYISO make the changes to BSM rules proposed in th[e] Complaint by revising its tariff.”⁶

IPPNY’s motion seeks a 30-day extension of the comment date in this proceeding. As IPPNY explains, “[t]he complexity and importance of the proposed tariff changes make it difficult to fully study and respond to the complaint by the currently effective Comment Date,” and extension is essential to ensure that interested parties have “sufficient time to fully address and provide an informed response to the significant and complex issues raised in the Complaint.”⁷ Indeed, by its terms, the Complaint “seeks a fundamental shift in

⁴ Complaint of the New York Public Service Commission, New York Power Authority, and New York State Energy Research and Development Authority, Docket No. EL15-64-000 (filed May 8, 2014) (the “Complaint”).

⁵ *Id.* at 2.

⁶ *Id.* at 4.

⁷ May 12 Motion at 2.

the design of the BSM program,”⁸ that has not been vetted in the NYISO stakeholder process.⁹ Under the circumstances, a 30-day extension of time is entirely reasonable and appropriate in order to ensure that stakeholders have adequate time to analyze, and comment on, Complainants’ proposals. To their credit, both Complainants and the NYISO appear to have recognized as much, having authorized IPPNY to represent that they do not oppose its motion.¹⁰

CONCLUSION

WHEREFORE, EPSA respectfully requests that the Commission grant IPPNY’s motion and extend the comment date for the Complaint, so that answers and comments would be due on June 29, 2015.

Respectfully submitted,

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⁸ Complaint at 3.

⁹ See *id.* at 3-4.

¹⁰ See May 12 Motion at 3.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of these comments upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., May 15, 2015.

Nancy Bagot, Sr. Vice President