

May 14, 2008

NOTICE EXTENDING THE PERIOD FOR THE SELECTION
OF THE MEMBER OF THE EXECUTIVE COMMITTEE OF
THE NEW YORK STATE RELIABILITY COUNCIL
REPRESENTING WHOLESALE SELLERS
FOR A TERM ENDING ON JULY 31, 2009

On April 3, 2008 notice was given for the selection of members of the Executive Committee of the New York State Reliability Council (“NYSRC”) representing Wholesale Sellers and Municipal Systems and Cooperatives to serve the remainder of a term to expire on July 31, 2009. The period for proposing candidates to fill those positions was to expire on May 5, 2008. Notice is hereby given that the NYSRC Executive Committee has extended the period for proposing candidates to serve as the representative of Wholesale Sellers to June 6, 2008. The process for selection of the representative of Wholesale Sellers is set forth below.

Process for the Selection of the Representative Wholesale Sellers

A Wholesale Seller is a party engaged principally in the business of selling electricity in the wholesale market in the New York Control Area (“NYCA”). Any Wholesale Seller willing to provide financial support for the annual dues of the NYSRC will be eligible to participate in a “Wholesale Sellers Steering Committee” for the NYSRC. The annual dues for the current NYSRC fiscal year payable by the representative of Wholesale Sellers is \$5,000. A New York State trade organization for generators and power marketers, the Independent Power Producers of New York (“IPPNY”) will facilitate the formation of the Steering Committee through the use of its membership roster and the list of parties who have been participating in the Generation Owners Sector or the Other Suppliers Sector of the NYISO committees. IPPNY may have a seat

on the Steering Committee. If IPPNY is unwilling or unable to effectively perform this function, the Executive Committee will facilitate the formation of the Wholesale Sellers Steering Committee.

Any member of the Wholesale Sellers Steering Committee is free to submit a candidate, either in-house or retained, for consideration. The final candidate will be selected by the Steering Committee on a one person-one vote basis. In order to be qualified to serve as a member of the NYSRC Executive Committee, the candidate must have substantial knowledge and/or experience in the reliable operation of bulk power electric systems.¹ Expenses related to participation in the NYSRC will be borne by the representative of Wholesale Sellers.

Any party that qualifies as a Wholesale Seller who wishes to participate in the selection of the Wholesale Sellers representative in the NYSRC should contact Timothy R. Bush, Independent Power Producers of New York, Inc. 19 Dove Street, Suite 302, Albany, NY 12033 Telephone: (518) 355-1732 or electronic mail tbush@IPPNY.org by no later than June 6, 2008.

Appointment by Executive Committee

The Executive Committee shall appoint the individual selected as the representative of Wholesale Sellers on the NYSRC Executive Committee, provided that: the foregoing election procedures were followed; the individual selected to serve as a member of the NYSRC Executive Committee meets the qualifications set forth in the NYSRC Agreement; and the individual selected has the financial ability to pay the applicable annual dues.

¹ New York State Reliability Council Agreement, Section 4.03.

Any questions concerning the selection process for the representative of Wholesale Sellers should be addressed to P. Donald Raymond, Executive Secretary to the NYSRC Executive Committee, by electronic mail at Raymond40@aol.com or by telephone at (315) 637-9002.

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