

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

North American Electric Reliability Corporation)	Docket No. RC09-3-000
)	
)	
Northeast Power Coordinating Council, Inc.)	

**MOTION TO INTERVENE
OF THE NEW YORK STATE RELIABILITY COUNCIL**

Pursuant to Rules 212 and 214 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure, 18 C.F.R. §§ 385.212 and 385.214 (2008), the New York State Reliability Council, L.L.C. (“NYSRC”) moves to intervene in response to the February 20, 2009 submission of the North American Electric Reliability Corporation (“NERC”) and Northeast Power Coordinating Council, Inc. (“NPCC”) in the above-captioned proceeding (“Joint Compliance Filing”).

I. BACKGROUND

On February 20, 2009, in compliance with the Commission’s December 18, 2008 Order (“December 18 Order”), NERC and NPCC submitted the Joint Compliance Filing containing a comprehensive list of Bulk Electric System (“BES”) facilities within the United States portion of the NPCC Region and responses to the set of questions and data requests of the Commission in the December 18 Order. The filing includes the following: (1) the existing NPCC list of BES facilities currently being used for the application of NERC Reliability Standards; (2) the NPCC list of Bulk Power System (“BPS”) busses within the United States portion of the NPCC region; (3) the NPCC Task Force on System Studies documentation related to the NPCC BPS list; (4) NPCC spreadsheets detailing a comprehensive list of transmission facilities rated at 100kV and above within the United States portion of the NPCC Region; (5) the NPCC spreadsheet listing

Balancing Authority program data related to load shedding; and (6) an NPCC document listing and describing NPCC Special Protection System relay information in the United States.

II. COMMUNICATIONS

The names, titles, mailing addresses, and telephone numbers of those persons to whom correspondence and communications concerning this filing should be addressed are as follows:

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III. MOTION TO INTERVENE

The NYSRC was approved by an order issued by the Commission in 1998,¹ and subsequent Commission orders,² as part of the restructuring of the electricity market in New York State and the formation of the New York Independent System Operator, Inc. (“NYISO”). In its orders, the Commission approved the NYSRC Agreement among the members of the New York Power Pool, which established the NYSRC and described its responsibilities, and the NYISO/NYSRC Agreement between the NYISO and the NYSRC, which established the

¹ *Cent. Hudson Gas & Elec. Corp.*, 83 FERC ¶ 61,352 (1998), *order on reh'g*, 87 FERC ¶ 61,135 (1999).

² *Cent. Hudson Gas & Elec. Corp.*, 86 FERC ¶ 61,062 (1999); *Cent. Hudson Gas & Elec. Corp.*, 87 FERC ¶ 61,135 (1999); *Cent. Hudson Gas & Elec. Corp.*, 88 FERC ¶ 61,138 (1999).

relationship between the NYISO and the NYSRC and their respective responsibilities. The NYSRC's responsibilities include the development of reliability rules that are more stringent or more specific than NPCC and NERC standards and criteria that are necessary to meet the special requirements of New York's bulk electricity grid; the assessment of NYISO and market participant compliance with those reliability rules; and the adoption of the annual statewide installed capacity requirement. Given the NYSRC's responsibilities related to electricity reliability within a significant portion of the NPCC region, it is in the public interest to approve this motion to intervene.

IV. CONCLUSION

WHEREFORE, in view of the foregoing, the New York State Reliability Council respectfully requests that it be permitted to intervene with all the rights that attend to such status.

Respectfully submitted,

/s/ George C. Loehr

George C. Loehr

Chairman

New York State Reliability Council, LLC

Dated: March 27, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list in this proceeding in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure.

Dated at Washington, D.C. this 27th day of March 2009.

/s/ Claire M. Brennan

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