

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:  
Letter Order Pursuant to § 375.307  
ISO New England Inc. and  
New England Power Pool  
Docket No. ER10-419-000

February 12, 2010

Raymond W. Hepper, Esq.  
ISO New England Inc.  
One Sullivan Road  
Holyoke, MA 01040-2841

David T. Doot, Esq.  
Counsel for the New England Power Pool Participants Committee  
Day Pitney LLP  
242 Trumbull Street  
Hartford, CT 06103-1212

Reference: Revisions to Forward Capacity Market Rules

Dear Mr. Hepper and Mr. Doot:

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation-East, under 18 C.F.R. § 375.307, your submittal filed in the above referenced docket is accepted for filing, effective February 16, 2010, as requested.

On December 14, 2009, you filed, on behalf of ISO New England Inc. (ISO-NE) and the New England Power Pool Participants Committee (NEPOOL), revisions to the Forward Capacity Market (FCM) rules.<sup>1</sup> The revisions address several inconsistencies and include certain sections that clarify other issues related to the rules of the FCM. Specifically, these rule changes include (1) modifying the definition of site control to include the filing of siting permits; (2) adjusting the excess winter capacity supply obligation (CSO) for intermittent power and intermittent settlement only resources; (3)

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<sup>1</sup> See Appendix.

allowing a non-commercial resource with a negative CSO to submit a supply offer in a monthly reconfiguration auction or enter into a capacity supply obligation bilateral; (4) changing the deadline for submitting a supplemental availability bilateral; (5) revising the formula used to determine the net regional clearing price; and, (6) including the calculation of monthly payments for demand resources that enter into bilateral transaction into the Tariff.

Notice of the filing was published in the Federal Register with comments, protests or interventions due on or before January 4, 2010. No protests or adverse comments were filed. Mirant Parties<sup>2</sup> and Northeast Utilities Service Company filed timely motions to intervene. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214 (2009)). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

This acceptance for filing shall not be construed as constituting approval of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against ISO-NE and NEPOOL.

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Daniel Nowak, Acting Director  
Division of Electric Power Regulation-  
East

cc: Public File  
All Parties

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<sup>2</sup>The Mirant Parties are comprised of Mirant Energy Trading, LLC, Mirant Canal, LLC, and Mirant Kendall, LLC.

Appendix

ISO New England, Inc.  
FERC Electric Tariff No. 3

Tariff Sheets Accepted Effective February 16, 2010

Second Revised Sheet No. 7308O  
Second Revised Sheet No. 7308P  
Third Revised Sheet No. 7315Z.04  
Original Sheet No. 7315Z.04a  
Second Revised Sheet No. 7315Z.08  
Second Revised Sheet No. 7316H.02  
First Revised Sheet No. 7316N.03  
Second Revised Sheet No. 7318H.01  
Second Revised Sheet No. 7318J  
Fourth Revised Sheet No. 7318K  
Third Revised Sheet No. 7319A