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February 25, 2010

VIA ELECTRONIC FILING

The Honorable Kimberly D. Bose, Secretary
The Honorable Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Pittsfield Generating Company, L.P. et al., Docket No. ER10-722-000

Dear Secretary Bose and Deputy Secretary Davis:

Attached for electronic filing in the above-referenced docket is the *Motion to Intervene, Request for Expedited Consideration, and Comments of ISO New England Inc.* A copy of the foregoing has been served upon all parties included on the Commission's service list.

The ISO asks that the Commission issue a determination in this proceeding **no later than March 19, 2010**. If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance in this matter.

Respectfully submitted,

/s/ Sherry A. Quirk
Sherry A. Quirk, Esq.

Counsel for ISO New England Inc.

Attachment

cc: Official Service List

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

Pittsfield Generating Company, L.P., et al.

Docket No. ER10-722-000

**MOTION TO INTERVENE,
REQUEST FOR EXPEDITED CONSIDERATION,
AND COMMENTS OF ISO NEW ENGLAND INC.**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the “Commission”),¹ ISO New England Inc. (the “ISO”)² moves to intervene and submit comments in the above-captioned proceeding regarding the “Requests for Limited Waiver of ISO New England Inc. Forward Capacity Auction Qualification Rules, Shortened Notice Period, And Expedited Decision” (the “Waiver Request”) filed on February 4, 2010 by Pittsfield Generating Company, L.P. (“Pittsfield”) and Pawtucket Power Associates, L.P. (“Pawtucket”) (collectively, the “Applicants”). As explained in further detail below, the ISO does not oppose the Applicants’ Waiver Request. If the Commission grants the Waiver Request, the ISO can qualify the Applicants’ resources for the fourth Forward Capacity Auction (“FCA”) at the requested values.

¹ 18 C.F.R. §§ 385.212 and 385.214 (2009).

² Capitalized terms used but not defined are intended to have the same meaning given to such terms in the ISO’s Transmission, Markets and Services Tariff (“Tariff”).

I. COMMUNICATIONS

Correspondence and communications regarding this filing should be addressed to the undersigned as follows:

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II. IDENTITY OF THE ISO

The ISO is a private, non-profit entity that serves as the regional transmission organization (“RTO”) for New England. The ISO administers the New England energy markets and operates the New England bulk power system pursuant to the ISO New England Inc. Transmission, Markets and Services Tariff and the Transmission Operating Agreement with the New England Transmission Owners. In its capacity as the RTO for New England, the ISO has the responsibility to protect the short term reliability of the control area as well as to provide oversight and fair administration of the New England markets.

III. BACKGROUND

The Applicants are Market Participants with Existing Generating Capacity Resources that have previously qualified to participate in the Forward Capacity Market (“FCM”). Pittsfield owns and operates Altresco, a three-unit combined cycle unit in Pittsfield, Massachusetts. Pawtucket owns Pawtucket Power, a combined cycle unit in Pawtucket, Rhode Island. The ISO provided the Applicants with their Existing Generating Capacity Resources’ Qualified Capacity values for the 2013-2014 Capacity Commitment Period on November 5, 2009. Shortly thereafter, the Applicants notified the ISO that they believed their Qualified Capacity values were understated – Altresco by 11 MW and Pawtucket Power by 7 MW. The ISO explained that the difference is due to a discrepancy between the Proposed Plan Application (“PPA”)³ approved amounts for the generators and the higher values approved by the Interconnection Agreements for each facility.

The Applicants addressed this discrepancy by submitting requests under Section I.3.9 of the ISO Tariff to update the PPA levels to be consistent with the Interconnection Agreements. The requests were reviewed by the New England Power Pool Reliability Committee on January 19, 2010 and approved by the ISO.

On February 4, 2010, the Applicants filed the Waiver Request with the Commission. The Applicants request that the Commission grant a limited waiver of the deadline under Section III.13.1.2.2.5 of the Tariff. Section III.13.1.2.2.5 allows Market Participants to request that the ISO process an increase in the Qualified Capacity of an Existing Generating Capacity Resource. In this case, the requested increases were the amounts involved in addressing the discrepancy between the PPA amounts for the generators and the higher values in the Interconnection Agreements. Requests pursuant to Section III.13.1.2.2.5 must be made ten business days prior to

³ PPAs are governed by Section I.3.9 of the Tariff.

the Existing Capacity Qualification Deadline. For the fourth FCA, such requests were due by November 13, 2009.

IV. REQUEST TO INTERVENE

As the entity charged with administering the FCA to which the Waiver Request pertains, the ISO has an interest that may be directly affected by the outcome of these proceedings. The ISO is concerned with the fair and efficient operation of the markets in New England in general, and the FCA in particular. The Applicants' Waiver Request directly affects the ISO's interests in operating the FCM market. Accordingly, the ISO respectfully requests that the Commission grant the ISO's Motion to Intervene in this docket.

V. COMMENTS

The ISO does not oppose the Applicants' Waiver Request. The ISO believes that the Applicants acted in good faith. Because the Applicants corrected the discrepancy between the PPA levels and the Interconnection Agreement amounts, if the Commission grants the Waiver Request, the ISO can qualify Altresco and Pawtucket for the fourth FCA at the higher values requested. Since the ISO needs to provide Market Participants with their Qualification Determination Notifications by March 26, 2010, the ISO asks that the Commission rule on this request by March 19, 2010.

While the ISO does not oppose the Waiver Request, the ISO asks that any Order granting the Waiver Request explicitly provide that the waiver is limited to the specific and unique facts presented here and does not constitute established precedent that would allow Market Participants to avoid these or other terms and conditions set forth in the ISO Tariff. Strict

enforcement of the FCM deadlines is critical to the orderly administration of the FCM. While the ISO does not oppose the Waiver Request, the ISO reserves the right to oppose future requests to waive the FCM rules.

VI. CONCLUSION

Wherefore, for the foregoing reasons, the ISO respectfully requests that it be permitted to intervene in, and be made a party to, the subject proceeding, with all the rights thereto. In addition, the ISO respectfully requests that the Commission rule on the Waiver Request on or before March 19, 2010, and that it accept and consider the ISO's comments as discussed above.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §385.2010 (2009), upon each person designated on the official service list in this proceeding as compiled by the Secretary of the Federal Energy Regulatory Commission.

Dated at Washington, D.C., this 25th day of February 2010.

/s/ Sherry A. Quirk
Sherry A. Quirk