

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

Docket No. ER05-371-000  
1/21/05

Paul L. Gioia  
LeBoeuf, Lamb, Greene & MacRae, L.L.P.  
99 Washington Avenue  
Suite 2020  
Albany, NY 12210-2820

Re: New York State Reliability Council Informational Filing Regarding the 2005-2006  
Installed Capacity Requirement for the New York Control Area

Dear Mr. Gioia:

On December 22, 2004, you submitted a filing informing the Commission that the current Installed Reserve Margin (IRM) of 18.0% and resultant Installed Capacity Requirement (ICR) for the New York Control Area should be retained for the Capability Year beginning on May 1, 2005 and ending on April 30, 2006. Your filing is accepted for informational purposes and is in compliance with the Commission's orders.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, 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 action 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 your company.

This action is taken pursuant to the authority delegated to the Director, Division Tariffs and Rates - East, under 18 C.F.R. § 375.307.

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,

Anna V. Cochrane, Director  
Division of Tariffs and Market Development-  
East