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April 19, 2012

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 1st Street
Washington, D.C. 20426

RE: Docket EL12-56-000

The U.S. Clean Heat & Power Association (USCHPA) hereby submits a motion to intervene and comment regarding the above referenced case.

The U.S. Clean Heat & Power Association (USCHPA) is the voice of combined heat and power in the USA. The organization is a 501(c)(6) trade association whose membership includes manufacturers, suppliers, and developers of combined heat and power (CHP) systems. USCHPA agrees with and supports the presentation of the Complainant, to allow base load cogeneration systems to participate in the NYISO Special Case Resource Installed Capacity market for the full load of their facilities this summer. As was noted in the complaint, base load DG is not addressed in the NYISO's Market Service Tariff and for the NYISO to suggest otherwise is incongruent. We agree that base load DG provides significant benefits to the local electric grid and should be able to continue to participate, as the NYISO has allowed for many years.

The TB217 is an obvious change of NYISO policy, and as such, demands due process. The NYISO has imposed this policy that is in direct contradiction to the eligibility practices of the NYISO to date. The reliability that is inherent in these systems is crucial to the grid and to the SCR program in particular. The NYISO move to impose this change without the associated voting process would cause irrevocable financial damages to these compliant resources.

We request that FERC rule expeditiously on this policy to allow base load cogeneration resources to participate this summer. Please keep us apprised of your progress with this case.

Sincerely,

Jessica H. Bridges, CAE IOM
Executive Director