

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

New York State Electric & Gas Corporation

Docket No. EL09-26-000

ORDER OF CHIEF JUDGE GRANTING
MOTIONS TO INTERVENE OUT-OF-TIME

(Issued December 2, 2009)

1. Motions to Intervene Out-of-Time were filed by the NRG Companies¹, the PSEG Companies², the National Energy Marketers Association and NYSEG Solutions, Inc. (collectively, Intervenors). In their motions, the Intervenors expressed that they have direct and/or substantial interests in this proceeding that cannot be adequately represented by any other party. No objections to the Intervenors' motions were filed.

2. The Chief Judge finds no undue prejudice or delay will result from the granting of Intervenors' late-filed motions to intervene. For good cause shown, the Intervenors' late-filed motions to intervene, which demonstrated an interest in this proceeding that cannot be adequately protected or represented by any other party, are hereby granted subject to the Commission's Rules and Regulations. The Intervenors' participation shall be limited to matters affecting asserted rights and interests specifically set forth in its motion to intervene. The interventions granted herein shall not be the basis for broadening the issues nor for delaying or deferring any matters in this proceeding. Further, the Intervenors will accept the record as it stands.

3. The Chief Judge strongly encourages electronic filings. See 18 C.F.R. § 385.2001(a)(1)(iii) and the instructions on the Commission's website under the "Documents & Filing" tab.

Curtis L. Wagner, Jr.
Chief Administrative Law Judge

¹ The NRG Companies are NRG Power Marketing, LLC, Arthur Kill Power LLC, Astoria Gas Turbine Power LLC, Dunkirk Power LLC, Huntley Power LLC and Oswego Harbor Power LLC.

² The PSEG Companies are PSEG Energy Resources & Trade LLC and PSEG Power New York Inc.

Document Content(s)

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