

Exhibit \_\_\_ (JPB-5)

April 1, 2008 letter - soliciting any remaining alternative regulated solutions

STATE OF NEW YORK  
DEPT. OF PUBLIC SERVICE  
DATE 8/31/09  
CASE NO. 06-T-0650  
278



Building the Energy Markets of Tomorrow . . . Today

10 Krey Boulevard, Rensselaer, NY 12144

April 1, 2008

Mr. Steven V. Lant  
Chairman of the Board  
Central Hudson Gas and Electric Corp.  
284 South Avenue  
Poughkeepsie, New York 12601

Mr. William Edwards  
President of New York Distribution  
National Grid  
300 Erie Boulevard West  
Syracuse, New York 13202

Mr. Kevin Burke  
President & CEO  
Consolidated Edison Co. of New York, Inc.  
4 Irving Place  
New York, New York 10003

Mr. Roger Kelly  
President & CEO  
New York Power Authority  
30 South Pearl Street  
Albany, New York 12207

Mr. Kevin Law  
President & CEO  
Long Island Power Authority  
333 Earle Ovington Boulevard  
Suite 403  
Uniondale, NY 11553

Mr. James P. Laurito  
President & CEO  
Energy East  
89 East Avenue  
Rochester, New York 14649

Mr. John McMahon  
President & CEO  
Orange & Rockland Utilities, Inc.  
1 Blue Hill Plaza  
Pearl River, New York 10965

Dear NYISO Transmission Owners and other Customers and Interested Parties:

On December 10, 2007, the Board of Directors of the New York Independent System Operator (NYISO) approved the draft 2008 Reliability Needs Assessment (RNA) submitted to it by the NYISO Management Committee. The RNA has been sent to all ISO customers and it has been posted on the NYISO website accessible at [www.nyiso.com](http://www.nyiso.com).

On December 12, 2007, the NYISO solicited market-based and regulated backstop solutions to the reliability needs identified in the 2007 RNA pursuant to Section 6.1 of the NYISO Comprehensive Reliability Planning Process contained in Attachment Y to the NYISO Open Access Transmission Tariff. The NYISO established March 1, 2008 as the requested due date for responses to be submitted to the NYISO.

Responses from the responsible transmission owners identified in the RNA and certain market-based and alternative regulated responses were received by the NYISO on or before March 1, 2008. The NYISO is continuing to evaluate the responses and to work with respondents to evaluate whether the solutions proposed meet the reliability needs identified in the RNA. Section 6.4(a) of the Comprehensive Planning Process for Reliability Needs states that:

[i]n the event that no market-based solutions qualified under section 6.3 is proposed, the NYISO will initiate the second step of the solicitation process by requesting alternative regulated responses to the Reliability Needs. Such proposals may include reasonable alternatives that would effectively address the identified Reliability Need.

Given the information received to date, the NYISO cannot determine with certainty that, at this time, sufficient market-based solutions will qualify to meet the Reliability Needs identified in the RNA. The NYISO encourages additional market solutions to be submitted, and emphasizes that such solutions can be submitted at any

time and that the NYISO will evaluate all proposed market solutions it receives. Concurrently, the NYISO seeks to fulfill the requirements of Section 6.4(a) and to ensure that all of the options for meeting the Reliability Needs have been identified and evaluated in time for the NYISO Board of Directors to consider and approve a Comprehensive Reliability Plan this summer. Accordingly, the NYISO hereby solicits additional Alternative Regulated Responses to meet the Reliability Needs identified in the RNA. Interested parties are encouraged to submit any remaining alternative regulated responses to the NYISO no later than April 21, 2008. Early submissions will allow the NYISO to evaluate the submitted proposals with sufficient time.

Proposed alternative regulated solutions may take the form of large generation projects, small generation projects including distributed generation, demand-side programs, transmission projects, market rule changes, operating procedure changes, and other actions and projects that meet the identified reliability needs. Section 6.4(b) of the Comprehensive Planning Process for Reliability Needs states that:

[i]n response to the NYISO's request, Other Developers may develop alternative regulated proposals for generation, demand side alternatives, and/or other solutions to address a Reliability Need and submit such proposals for regulated solutions to the NYISO. Transmission Owners, at their option, may submit additional proposals for regulated solutions to the NYISO. Transmission Owners and Other Developers may submit such proposals to the NYDS for review at any time.

Proposed solutions should be fully documented to provide for verification and evaluation, and should provide sufficient technical information to model the proposed solutions in the network modeling and resource adequacy modeling.

Section 2.3 of the Comprehensive Reliability Planning Process Manual sets forth the criteria for the NYISO's evaluation of the viability of proposed alternative regulated responses and of whether those solutions satisfy the identified Reliability Needs in whole or in part. NYISO Customers and other Interested Parties are reminded that Section 6.4(b) of the Comprehensive Planning Process for Reliability Needs states that:

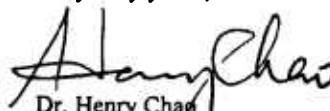
[s]ubject to the execution of appropriately drawn confidentiality agreements and FERC's standards of conduct, the NYISO and the appropriate Transmission Owner or Transmission Owners shall provide Other Developers access to the data that is necessary to develop their proposals. Such data shall be used only for the purposes of preparing an alternative regulated proposal in response to a Reliability Need.

An original and two copies of each alternative regulated response should be sent to me at the following address:

New York Independent System Operator  
10 Krey Boulevard  
Rensselaer, New York 12144

In addition to paper copies, proposals may be sent via e-mail to William Lamanna, Manager of Longer Term Planning, at [wlamanna@nyiso.com](mailto:wlamanna@nyiso.com). All persons interested in submitting market-based or regulated backstop solutions are encouraged to contact Mr. Lamanna (518-356-6206) with any questions or comments regarding this solicitation of responses to the Reliability Needs identified in the RNA, or about the Comprehensive Reliability Planning Process generally.

Very truly yours,

  
Dr. Henry Chao  
Director of Planning

cc. Paul Gioia, counsel to the Transmission Owners

