

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Niagara Mohawk Power Corporation
Docket Nos. ER11-4140-000 and
ER11-4140-001

Issued: September 21, 2011

Daniel Galaburda, Assistant General Counsel
National Grid USA Service Company, Inc.
40 Sylvan Road
Waltham, MA 02451

Sean A. Atkins, Attorney
Alston & Bird, LLP
The Atlantic Building
950 F Street, NW
Washington, D.C. 20004-1404

Reference: Service Agreement No. 1164 with WM Renewable Energy, L.L.C.

Dear Mr. Galaburda and Mr. Atkins:

Niagara Mohawk Power Corporation's (Niagara Mohawk) submittal is accepted for filing effective June 23, 2011, as requested.¹

On July 29, 2011, as amended on August 1, 2011, you filed, on behalf of Niagara Mohawk, a Small Generator Interconnection Agreement (SGIA) between Niagara Mohawk and WM Renewable Energy, L.L.C., (WM Renewable). You state that the executed SGIA has a term of 10 years and maintains the existing interconnection between Niagara Mohawk and WM Renewable for the Monroe-Livingston Counties Landfill Generating Facility. You further state that the SGIA is generally in conformance with the *pro forma* Small Generator Interconnection Agreement under the New York Independent System Operator, Inc.'s Open Access Transmission Tariff with only minor modifications which include the elimination of the NYISO as a party to the agreement and revisions to

¹ Service Agreement No. 1164 under the New York Independent System Operator, Inc.'s, NYISO Agreements Tariff.

reflect the fact that the generating facility is an existing facility. Lastly, you state that there are no proposed increases in capacity or material modifications to the characteristics of the facility.

The filing in Docket No. ER11-4140-000 was noticed on August 1, 2011, and the filing in Docket No. ER11-4140-001 was noticed on August 2, 2011, with comments due on August 19, 2011, and August 22, 2011, respectively. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2011)), all timely filed motions to intervene and any motion to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

This action is taken pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or order which have been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Niagara Mohawk.

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,

Jignasa Gadani, Director
Division of Electric Power
Regulation – East