

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

Niagara Mohawk Power Corporation
Docket No. ER13-2060-000

Issued: 9/11/13

Alston & Bird LLP
The Atlantic Building
950 F Street, NW
Washington, DC 20004-1404

Attention: Sean Atkins, Esq.
Counsel for Niagara Mohawk Power Corporation

Reference: Notice of Cancellation

Dear Mr. Atkins:

On July 30, 2013, you filed, on behalf of Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk), a Notice of Cancellation of the Amended and Restated Agreement for the Retail Transmission of Expansion Power (Agreement) between Niagara Mohawk and the New York Power Authority (NYPA).¹ You state that the Agreement is being terminated in accordance with the conditions set forth in the Agreement Regarding Treatment of Allocations of New York Power Authority Expansion Power and Replacement Power (Phase-In-Agreement), which provides for a gradual transition from the retail transmission rates prescribed by the Agreement to those prescribed by the NYISO OATT.²

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307, your submittal is accepted for filing, effective June 30, 2013, as requested.

The filing was noticed on July 30, 2013, with comments, interventions and

¹ Service Agreement No. 1743, under the Open Access Transmission Tariff (OATT) of the New York Independent System Operator, Inc. (NYISO).

² See *Niagara Mohawk Power Corp.*, Docket Nos. ER12-331-000, *et al.*, (December 8, 2011) (unpublished letter order).

protests due on or before August 20, 2013. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2013)), to the extent that any timely filed motions to intervene and any motion to intervene out-of-time were filed before the issuance date of this order, such interventions are granted. Granting late interventions at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties.

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 orders which have been or 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