

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

Niagara Mohawk Power Corporation
Docket No. ER13-1320-000

Issued: 5/22/13

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

Attention: Sean A. Atkins
Attorney for National Grid USA

Reference: Small Generator Interconnection Agreement

Dear Mr. Atkins:

On April 23, 2013, National Grid USA, on behalf of its affiliate Niagara Mohawk Power Corporation (Niagara Mohawk), submitted for filing a Small Generator Interconnection Agreement (SGIA) entered into on September 8, 2008, between Niagara Mohawk and WM Renewable Energy, L.L.C. (WMRE) under New York ISO Incorporated's Open Access Transmission Tariff (OATT).¹ You state that the SGIA provides for the construction and operation of facilities interconnecting WMRE with Niagara Mohawk's 13.2 Kv distribution facilities, as well as terms governing metering and cost responsibility. You also state that no charges have been assessed by Niagara Mohawk during the period when Commission jurisdiction was attached, and that no refunds are due.

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 23, 2013, as requested.

¹ Designated as Service Agreement No. 1988 under NYISO's OATT. It appears that contrary to the requirements of section 35.3 of the Commission's regulations, 18 C.F.R. § 35.3 (2012), Niagara Mohawk failed to file the SGIA in a timely manner. Niagara Mohawk is reminded that it must submit required filings on a timely basis, or face possible sanctions by the Commission.

The filing was noticed on April 23, 2013, with comments, interventions, and protests due on or before May 14, 2013. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2012)), 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