

161 FERC ¶ 61,216
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

November 21, 2017

In Reply Refer To:
New York Independent System
Operator, Inc.
Docket Nos. ER17-1010-001
EL17-67-000

New York Power Authority
123 Main Street
11th Floor
White Plains, NY 10601

Attn: Gary D. Levenson
Principal Attorney for the New York Power Authority

New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144

Attn: Robert E. Fernandez
Counsel for the New York Independent System Operator, Inc.

Dear Mr. Levenson and Mr. Fernandez:

1. On August 15, 2017, and August 17, 2017, the New York Power Authority (NYPA) filed an Offer of Settlement (Settlement) in the above-referenced dockets. NYPA states that the Settling Parties¹ indicated to it that they either support or do not

¹ Settling Parties include the City of New York, Municipal Electric Utilities Association of New York State, and New York Association of Public Power. NYPA also states that the New York Independent System Operator, Inc.'s (NYISO) role in this proceeding is limited solely to its role as tariff administrator, and that NYISO takes no position with respect to the Settlement.

oppose the Settlement. On September 5, 2017, Commission Trial Staff submitted initial comments in support of the Settlement. No other comments were filed. On September 18, 2017, the Settlement Judge certified the Settlement to the Commission as uncontested.²

2. The Settlement concerns the depreciation rates to be used in calculating transmission charges in NYPA's formula rate under NYISO's Open Access Transmission Tariff.

3. Article 6 of the Settlement provides that "[t]he standard of review for any modifications to this Settlement requested by a non-Party, or initiated by the Commission acting *sua sponte* will be the ordinary just and reasonable standard of review."

4. The Settlement resolves all issues in dispute in the above-referenced proceedings. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. Commission approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

5. This letter order terminates Docket Nos. ER17-1010-001 and EL17-67-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² *N.Y. Indep. Sys. Operator, Inc.*, 160 FERC ¶ 63,022 (2017).