

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator,
Inc.
Niagara Mohawk Power Corporation
Docket No. ER20-37-000

Issued: 11/29/19

Christopher J. Novak, Esq.
National Grid USA Service
Company, Inc.
40 Sylvan Road
Waltham, MA 02451

Reference: Engineering and Procurement Agreement

On October 4, 2019, Niagara Mohawk Power Corporation (Niagara Mohawk) filed an Engineering and Procurement Agreement (E&P Agreement) between Niagara Mohawk and Invenergy Wind Development LLC (Invenergy) (together, the Parties), designated as Service Agreement No. 2477¹ under the New York Independent System Operator, Inc.'s Open Access Transmission Tariff. You state that the E&P Agreement facilitates Niagara Mohawk's performance of engineering and procurement work for certain long-lead items in connection with an interconnection project prior to the Parties entering into a Large Generator Interconnection Agreement.

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 August 12, 2019, as requested.²

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2477, NMPC & Invenergy Wind - Engineering & Procurement Agreement, 0.0.0.](#)

² It appears that contrary to the requirements of section 35.15 of the Commission's regulations (18 C.F.R. § 35.15 (2019)), Niagara Mohawk failed to file

The filing was noticed on October 4, 2019, with comments, interventions, and protests due on or before October 25, 2019. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2019)), 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.

Issued by: Kurt M. Longo, Director, Division of Electric Power Regulation – East

the Agreement 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.