

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System
Operator, Inc.
Docket No. ER20-149-000

Issued: 12/13/19

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

Reference: Executed Engineering, Procurement, Construction, Operation, and
Maintenance Agreement – Service Agreement No. 2476

On October 21, 2019, the New York Independent System Operator, Inc. (NYISO) filed an executed Engineering, Procurement, Construction, Operation, and Maintenance Agreement (EPC Agreement) entered into by the NYISO, Alcoa Power Generating Inc.'s Long Sault Division (APGI), and H.Q. Energy Services (U.S.) Inc. (HQUS), designated as Service Agreement No. 2476 under the NYISO's Open Access Transmission Tariff (OATT).¹ The NYISO states that HQUS is developing a transmission project that predominantly involves upgrades to transmission facilities of Niagara Mohawk Power Corporation d/b/a National Grid. The NYISO asserts, however, that the facilities study for HQUS's transmission project determined that it will also have impacts on APGI's transmission system. The NYISO explains that the EPC Agreement governs the rates, terms, and conditions regarding the engineering, procurement, construction, operation, and maintenance of the portion of the transmission project and network upgrade facilities on APGI's system. The NYISO states that, consistent with Commission precedent and the NYISO practice, the EPC Agreement is based on the *pro forma* Large Generator Interconnection Agreement (Pro Forma LGIA) under Attachment X of the NYISO

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2476, EPC Agreement 2476 among NYISO, Alcoa, HQUS for Cedar Rapids, 0.0.0](#)

² Transmittal at 3 (citing *New York Independent System Operator, Inc., and New York State Electric & Gas Corporation, Letter Order*, Docket No. ER15-2079-000 (December 18, 2007)).

OATT, modified to address a transmission project and the unique circumstances of this interconnection.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 October 4, 2019, as requested.

The filing was noticed on October 21, 2019, with comments, interventions, and protests due on or before November 12, 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 the applicant.

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