

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator, Inc.
Docket No. ER21-1221-000

Issued: April 16, 2021

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

Reference: Amended and Restated Engineering, Procurement, Construction, Operation,
and Maintenance Agreement

On February 26, 2021, New York Independent System Operator, Inc. (NYISO) submitted an executed Amended and Restated Engineering, Procurement, Construction, Operation, and Maintenance Agreement entered into by NYISO, H.Q. Energy Services (U.S.) Inc. (HQUS), and Alcoa Power Generating Inc. (Amended EPC Agreement), designated as Service Agreement No. 2476 under NYISO's Open Access Transmission Tariff (OATT).¹ NYISO states that the Amended EPC Agreement largely conforms to the *pro forma* Large Generator Interconnection Agreement in Attachment X of NYISO's OATT, with non-conforming revisions to address the unique circumstances of the Cedar Rapids Transmission Intertie Expansion Project and to reflect the different purpose of the agreement as an EPC Agreement. NYISO requests that the Amended EPC Agreement be accepted effective February 11, 2021.

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 February 11, 2021, as requested.²

The filing was noticed on February 26, 2021, with comments, interventions, and protests due on or before March 19, 2021. Pursuant to Rule 214 (18 C.F.R. § 385.214),

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2476, EPC Agreement 2476 among NYISO, Alcoa, HQUS for Cedar Rapids, 1.0.0.](#)

² See 18 C.F.R. § 35.3(a)(2) (2020).

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 NYISO.

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