

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Transco, LLC
New York Independent System Operator, Inc.
Docket No. ER21-1641-000

Issued: June 3, 2021

Evan C. Reese III
Day Pitney LLP
555 11th Street NW
Washington, DC 20004

Reference: Engineering, Procurement, and Construction Agreement – Service
Agreement No. 2615

On April 8, 2021, New York Transco, LLC (NY Transco) submitted for filing an executed Engineering, Procurement, and Construction Agreement (EPC Agreement), entered into by NY Transco, Castleton Power, LLC, and New York Independent System Operator, Inc. (NYISO), designated as Service Agreement No. 2615 under NYISO's Open Access Transmission Tariff.¹ You state that the EPC Agreement is entered into to facilitate the necessary modifications to the Fort Orange substation in order to accommodate NY Transco's development of the New York Energy Solution Project. You explain that the EPC Agreement governs the rates, terms, and conditions regarding the engineering, procurement, and construction for the modifications to the Fort Orange substation. You request that the EPC Agreement be accepted effective March 1, 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 March 1, 2021, as requested.²

The filing was noticed on April 8, 2021, with comments, interventions, and protests due on or before April 29, 2021. Pursuant to Rule 214 (18 C.F.R. § 385.214), to

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2615, EPCA among NY Transco, Castleton and NYISO, 0.0.0](#).

² See 18 C.F.R. § 35.11 (2020); *Cent. Hudson Gas & Elec. Corp.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992); *but see Sunflower Elec. Power Corp.*, 173 FERC ¶ 61,054 (2020) (Danly, Comm'r, dissenting).

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 NY Transco.

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