

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator, Inc.
New York Power Authority
Docket No. ER21-2197-000

Issued: August 20, 2021

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Reference: Engineering, Procurement, and Construction Agreement – Service
Agreement No. 2622

On June 24, 2021, the New York Independent System Operator, Inc. (NYISO) and New York Power Authority (NYPA) (together, Joint Filing Parties) filed an executed Engineering, Procurement, and Construction Agreement (EPC Agreement), entered into by NYISO, NYPA, and New York Transco, LLC (NY Transco), designated as Service Agreement No. 2622 under NYISO's Open Access Transmission Tariff (OATT).¹ Joint Filing Parties state that the EPC Agreement governs the rates, terms, and conditions regarding the engineering, procurement, and construction of certain required Network Upgrade Facilities on NYPA's system for the New York Energy Solution Project (Transmission Project). Joint Filing Parties explain that the EPC Agreement is based on the NYISO's *pro forma* Standard Large Generator Interconnection Agreement contained in Attachment X to the OATT, as modified to address the engineering, procurement, and construction of the Network Upgrade Facilities on the Affected System for the Transmission Project. Joint Filing Parties request that the EPC Agreement be accepted effective June 11, 2021.

Pursuant to the authority delegated to the Director, Division of Electric Power

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2622, Joint EPC Agreement among NYISO, NYPA, and NY Transco, 0.0.0.](#)

Regulation – East, under 18 C.F.R. § 375.307, your submittal is accepted for filing, effective June 11, 2021, as requested.²

The filing was noticed on June 24, 2021, with comments, interventions, and protests due on or before July 15, 2021. Pursuant to Rule 214 (18 C.F.R. § 385.214), 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 Joint Filing Parties.

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

² See 18 C.F.R. § 35.3(a)(2) (2020).