

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
New York Independent System
Operator, Inc.
Docket No. ER21-2851-000

Issued: November 4, 2021

Hunton Andrews Kurth LLP
951 East Byrd Street
Richmond, VA 23219
Attention: Michael J. Messonnier, Jr.

Avangrid Networks, Inc.
180 South Clinton Avenue
Rochester, NY 14604
Attention: Amy A. Davis

Reference: Engineering, Procurement, and Construction Agreement – Service
Agreement No. 2642

On September 8, 2021, you filed, on behalf of New York Independent System Operator, Inc. (NYISO) and New York State Electric & Gas Corporation (NYSEG) (together, the Joint Filing Parties), an Engineering, Procurement, and Construction Agreement (EPC Agreement), designated as Service Agreement No. 2642 under NYISO's Open Access Transmission Tariff, among NYSEG, as affected transmission owner; Cassadaga Wind LLC, Arkwright Summit Wind Farm LLC, and Ball Hill Wind Energy, LLC, as developers; and NYISO (collectively, the Parties).¹ You state that the Parties have entered into the EPC Agreement to govern the rates, terms, and conditions regarding the engineering, procurement, and construction of certain System Upgrade Facilities on NYSEG's system. Joint Filing Parties requested that the EPC Agreement be accepted effective August 25, 2021.²

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2642, EPCA 2642 among NYISO, NYSEG, Cassadaga, Arkwright&BallHill, 0.0.0.](#)

Pursuant to authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307 (2020), the submittal is accepted for filing, effective August 25, 2021, as requested.

The filing was publicly noticed, with interventions and protests due on or before September 29, 2021. Pursuant to Rule 214 of the Commission’s regulations (18 C.F.R. § 385.214 (2020)), notices of intervention, timely-filed motions to intervene, and any unopposed motions to intervene out-of-time filed before the issuance date of this order are granted. Granting a late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed document(s); nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action 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(s).

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 (2020).

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

² See 18 C.F.R. § 35.3(a)(2) (2020).