

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To
New York Independent System Operator, Inc
Docket No. ER22-1007-000

Issued: April 8, 2022

New York Independent System Operator, Inc
10 Krey Boulevard
Rensselaer, NY 12144

Attention: Sara B. Keegan

Reference: Engineering, Procurement and Construction, Service Agreement No. 2670

On February 9, 2022, the New York Independent System Operator (NYISO), Inc filed an Executed Engineering, Procurement and Construction Agreement (EPC Agreement) among NYISO, Holcim as the Affected System Operator, and Hectate Energy Albany 1 and Hectate Energy Albany 2, as the Interconnection Customers.¹ NYISO states that the EPC Agreement is labeled as Service Agreement No. 2670 under the NYISO's Open Access Transmission Tariff (OATT) and governs the rates, terms, and conditions regarding the engineering, procurement, and construction of the Affected System Upgrade Facilities on Holcim's facilities. Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307 (2021), your submittal is accepted for filing, effective of January 26, 2022, as requested.²

The filing was publicly noticed on February 9, 2022, with interventions and protests due on or before March 2, 2022. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2021)), 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

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2670, EPC Agreement among NYISO, Holcim, Hecate Energy Albany Cnty \(0.0.0\)](#).

² See 18 C.F.R. § 35.11 (2021); *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).

are granted. Granting late interventions 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 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 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 (2021).

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