

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
New York Independent System Operator, Inc.
Docket No. ER22-1702-000

Issued: June 23, 2022

National Grid USA Service Company, Inc.
40 Sylvan Road
Waltham, MA 02451-1120

Attention: Christopher J. Novak
Senior Counsel for National Grid USA Service Company, Inc.

Reference: Small Generator Interconnection Agreements

Dear Mr. Novak:

On April 28, 2022, Niagara Mohawk Power Corporation (Niagara Mohawk) filed, pursuant to section 205 of the Federal Power Act¹ and part 35 of the Commission's regulations,² five Small Generator Interconnection Agreements (SGIAs) with affiliated interconnection customers under New York Independent System Operator, Inc.'s Open Access Transmission Tariff: (1) an SGIA between Niagara Mohawk and Bayside Solar LLC, designated as Service Agreement No. 2704; (2) an SGIA between Niagara Mohawk and Beta Solar LLC, designated as Service Agreement No. 2705; (3) an SGIA between Niagara Mohawk and Central Solar LLC, designated as Service Agreement No. 2706; (4) an SGIA between Niagara Mohawk and Creek Solar LLC, designated as Service Agreement No. 2707; and (5) an SGIA between Niagara Mohawk and Helmet Solar LLC, designated as Service Agreement No. 2708.

Please be advised that the submittal is deficient and that additional information is required in order to process the filing. Please provide the information requested below. To the extent that some of the required information may contain confidential material, please submit a non-public version in addition to the public version for Commission review.

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.13 (2021).

1. In your filing, you state that Bayside Solar LLC, Beta Solar LLC, Central Solar LLC, Creek Solar LLC, and Helmet Solar LLC (collectively, the Solar Generators and each individually, a Solar Generator) each own a photovoltaic system. You state that the photovoltaic systems connect with Niagara Mohawk facilities located at the State University of New York at Buffalo (SUNY Buffalo). You explain that each SGIA states that the Solar Generator's interconnection facilities will be used to transmit power from the Solar Generator's photovoltaic system to the point of interconnection with Niagara Mohawk, to the extent that the power produced by the photovoltaic system is not consumed by load located at SUNY Buffalo. You state that Niagara Mohawk believes that the Solar Generators are qualifying facilities.³
 - a. Please clarify whether Niagara Mohawk will purchase any of the excess power from the Solar Generators that is not consumed by the load at SUNY Buffalo pursuant to the Public Utility Regulatory Policies Act of 1978 (PURPA).
 - b. Please clarify whether there will be any wholesale sales from the Solar Generators other than those made pursuant to PURPA.

This letter is issued pursuant to 18 C.F.R. § 375.307 (2021) and is interlocutory. This letter is not subject to rehearing under 18 C.F.R. § 385.713 (2021). A response to this letter must be filed with the Secretary of the Commission within 30 days of the date of this letter by making a deficiency filing in accordance with the Commission's electronic tariff requirements. For your response, use Type of Filing Code 170 if your company is registered under program code "M" (Electric Market Based Rate Public Utilities) or Type of Filing Code 180 if your company is registered under program code "E" (Electric Traditional Cost of Service and Market Based Rates Public Utilities).⁴

In addition, submit an electronic version of your response to Zachary Harris at Zachary.Harris@ferc.gov. The information requested in this letter order will constitute an amendment to your filing and a new filing date will be established.⁵ A notice will be

³ Transmittal at 2-3.

⁴ The filing must include at least one tariff record to restart the statutory timeframe for Commission action even though a tariff revision might not otherwise be needed. *See generally Electronic Tariff Filings*, 130 FERC ¶ 61,047, at PP 3-8 (2010) (explaining that the Commission uses the data elements resulting from the tariff filing process to establish statutory filing and other procedural dates).

⁵ *See Duke Power Co.*, 57 FERC ¶ 61,215, at 61,713 (1991) ("the Commission

issued upon receipt of your filing.

Pending receipt of the above information, a filing date will not be assigned to your filing. Failure to respond to this letter order within the time period specified may result in a further order rejecting your filing.

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

will consider any amendment or supplemental filing filed after a utility's initial filing . . . to establish a new filing date for the filing in question").