

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
New York Independent System
Operator, Inc.
Docket No. ER20-2051-003

October 7, 2022

Niagara Mohawk Power Corporation
40 Sylvan Road
Waltham, MA 02451
Attention: Patrick J. Tarmey

Reference: Order No. 864 Compliance Filing

On May 27, 2022, Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk) submitted revisions to section 14.2.1 of Attachment H in the New York Independent System Operator's Open Access Transmission Tariff to provide for the return of excess accumulated deferred income taxes to customers¹ in compliance with the directives in a March 31, 2022, Commission order² and the requirements of Order No. 864.³ Pursuant to authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307 (2021), the submittal is accepted for filing, effective January 27, 2020, as requested.

The filing was publicly noticed, with interventions and protests due on or before June 17, 2022. Pursuant to Rule 214 of the Commission's regulations (18 C.F.R. § 385.214 (2022)), 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

¹ New York Independent System Operator, Inc., NYISO Tariffs, [NYISO OATT, 14.2-14.2.1 OATT Att H Attachment 1 to Attachment H \(23.0.0\)](#).

² *New York Indep. Sys. Operator, Inc.*, 178 FERC ¶ 61,248 (2022).

³ *Pub. Util. Transmission Rate Changes to Address Accumulated Deferred Income Taxes*, Order No. 864, 169 FERC ¶ 61,139 (2019), *order on reh'g & clarification*, Order No. 864-A, 171 FERC ¶ 61,033 (2020).

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; 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.

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 (2022).

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