

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator, Inc.  
Docket No. ER23-2476-000

Issued: September 21, 2023

On July 24, 2023, New York Independent System Operator, Inc. (NYISO) and Rochester Gas and Electric Corporation (RG&E) (together, Filing Parties) filed an Engineering, Procurement, and Construction Agreement in connection with the Excelsior Energy Center solar project entered into by NYISO, RG&E, as the Affected System Operator, and Excelsior Energy Center, LLC, as the Developer (Agreement).<sup>1</sup> Filing Parties requested that the Agreement be accepted effective July 10, 2023. Pursuant to authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307, the submittal is accepted for filing, effective July 10, 2023, as requested.<sup>2</sup>

The filing was publicly noticed. No protests or adverse comments were filed. Pursuant to Rule 214 of the Commission’s regulations (18 C.F.R. § 385.214), 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.

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.

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

---

<sup>1</sup> New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2774, EPCA among NYISO RG&E Excelsior for Excelsior Energy Center \(0.0.0\)](#).

<sup>2</sup> See 18 C.F.R. § 35.3(a)(2).