

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:  
Niagara Mohawk Power Corporation  
Docket No. ER25-312-000

Issued: December 30, 2024

Niagara Mohawk Power Corporation  
170 Data Drive Piedmont Row Drive  
Waltham, MA 02451-1120

Attention: Christopher J. Novak  
Senior Council National Grid

Reference: Large Generator Interconnection Agreement with Sterling Power Partners,  
L.P.

Dear Mr. Novak:

On October 31, 2024, pursuant to section 205 of the Federal Power Act (FPA)<sup>1</sup> and Part 35 of the Commission's regulations,<sup>2</sup> Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk) filed an unexecuted amended and restated Large Generator Interconnection Agreement (Amended LGIA) between Niagara Mohawk and Sterling Power Partners L.P. (Sterling) (together, the Parties) to supersede the LGIA currently on file with the Commission that is designated as the Third Revised Service Agreement No. 1144 (Sterling LGIA) under the NYISO Open Access Transmission Tariff (OATT).

Please be advised that the filing is deficient and that additional information is

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> 18 C.F.R. pt. 35 (2024).

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. 18 CFR section 35.13 (c) (3)<sup>3</sup> specifies that if any assignable facilities have been or will be installed or modified in order to supply service under the rate change, a utility must file an appropriate map or sketch and single line diagram showing the additions or changes to be made. Although Niagara Mohawk provided this diagram in its answer, the Amended LGIA eTariff record does not reflect the diagram. Please submit the diagram so that it is reflected with the rate on file in eTariff.
2. Niagara Mohawk notes that the Sterling LGIA is a grandfathered interconnection agreement previously agreed to by the two parties.<sup>4</sup> The Sterling LGIA currently includes Appendix H, which identifies certain terms from NYISO's *pro forma* LGIA that do not apply to the Sterling LGIA. According to Niagara Mohawk, Appendix H in the Sterling LGIA enumerates and renders inapplicable these provisions of the NYISO *pro forma* LGIA because, at the time of the negotiation of the Sterling IA, the Parties agreed to omit terms that would not be applicable to a generation facility already in commercial operation.<sup>5</sup> Niagara Mohawk states that, in the Amended LGIA, it proposes to remove Article 11.5 Provision of Security from Appendix H's list of excluded terms.<sup>6</sup>

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<sup>3</sup> 18 C.F.R § 35.13(c) (3) (2024).

<sup>4</sup> Transmittal at 4.

<sup>5</sup> See October 2007 Order, 121 FERC ¶ 61,104; *Niagara Mohawk*, Docket No. ER07-1019-005, et al.; *Niagara Mohawk*, Docket No. ER07-1019-002, et al.

<sup>6</sup> Article 11.5 states:

At least thirty (30) Calendar Days prior to the commencement of the procurement, installation, or construction of a discrete portion of a Connecting Transmission Owner's Attachment Facilities, Developer shall provide Connecting Transmission Owner, at Developer's option, a guarantee, a surety bond, letter of credit or other form of security that is reasonably acceptable to Connecting Transmission Owner . . . .

Please explain the basis for instating certain terms that were specifically excluded from the Sterling LGIA to conform to NYISO's *pro forma* LGIA when the Sterling LGIA is characterized by Niagara Mohawk as a grandfathered interconnection agreement.

3. Niagara Mohawk states that the Sterling Attachment Facilities were installed adjacent to other Niagara Mohawk electrical facilities that are geographically in close proximity to the generating facility.<sup>7</sup> Please identify the point of interconnection, including whether the Sterling Attachment Facilities are on the generator side of the point of interconnection.
4. In *Niagara Mohawk Power Corp.*, 121 FERC ¶ 61,104 (2007), the Commission stated that the interconnection agreement between Niagara Mohawk and Sterling is “not the type of new generator interconnection [agreement] envisioned by Order No. 2003; rather [it] is more like after-the-fact interconnection operating agreements that govern the terms, conditions, and rates associated with the continuing operation and maintenance of previously constructed facilities built to accommodate the interconnection of the [generators] to Niagara Mohawk’s transmission system.” Accordingly, the Commission did not require NYISO to be a signatory to the interconnection agreement. However, the Commission stated that any interconnections involving the interconnection of a new generating facility or involving increases in capacity or material modifications to the operating characteristics of existing generating facilities interconnected to Niagara Mohawk’s or any other NYISO member’s transmission system will require NYISO to be a signatory to that interconnection agreement. Please explain what triggered the proposed replacement and reconfiguration of the Attachment Facilities. In addition, please explain whether such replacement and reconfiguration is triggered by, or results in, a material modification to the operating characteristics of the Sterling Facility. Please fully support your conclusion.

This letter is issued pursuant to 18 C.F.R. § 375.307 (2024) and is interlocutory. This letter is not subject to rehearing under 18 C.F.R. § 385.713. Responses 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 responses, use Type of Filing Code 170 if your company is

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NiMo, Alliance Energy, Sterling Power, art. 11.5 (1.0.0).

<sup>7</sup> Answer at 11.

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).<sup>8</sup>

In addition, submit an electronic version of your responses to Adria Woods at [Adria.Woods@ferc.gov](mailto:Adria.Woods@ferc.gov). The information requested in this letter order will constitute an amendment to your filings and a new filing date will be established.<sup>9</sup> A notice will be issued upon receipt of your filings.

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

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

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<sup>8</sup> 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).

<sup>9</sup> *See Duke Power Co.*, 57 FERC ¶ 61,215, at 61,713 (1991) (“[T]he Commission 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.”).