

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Niagara Mohawk Power Corporation
Docket No. ER11-3058-000

Issued: 4/29/11

Daniel Galaburda
Assistant General Counsel
National Grid USA Service Company, Inc.
40 Sylvan Road
Waltham, MA 02451

Reference: Engineering, Procurement and Construction Services Agreement

Dear Mr. Galaburda:

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation - East, under 18 C.F.R. § 375.307, your submittal filed in the above referenced docket is accepted for filing, effective March 8, 2011, as requested.

On March 11, 2011, Niagara Mohawk Power Corporation, d/b/a National Grid (Niagara Mohawk) submitted for filing an Engineering, Procurement and Construction Services Agreement (EPC Agreement) between Niagara Mohawk and Nine Mile Point Nuclear Station, LLC (Nine Mile).¹ You state that the EPC Agreement governs certain terms and conditions for work performed by Niagara Mohawk in connection with the planned uprate of Nine Mile's Unit 2 nuclear generating facility.

Notice of the filing was published in the *Federal Register*, with comments, protests, or interventions due on or before April 1, 2011. No interventions, protests or comments were filed.

This acceptance for filing shall not be construed as constituting approval of any service, rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as

¹ Service Agreement No. 1711, under the New York Independent System Operator, Inc.'s Open Access Transmission Tariff, FERC Electric Tariff, Original Volume No. 1.

recognition of any claimed contractual right or obligation affecting or relating to such service or rate; 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 Niagara Mohawk.

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.

Sincerely,

Jignasa Gadani, Director
Division of Electric Power
Regulation – East