

August 10, 2021

**By Electronic Delivery**

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Joint Filing of an Executed Amended and Restated Small Generator Interconnection Agreement for the Watkins Road Solar Project Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and SunEast Watkins Road Solar LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER21-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.13 of the Commission's regulations,<sup>2</sup> the New York Independent System Operator, Inc. ("NYISO") and Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") (together, the "Joint Filing Parties") hereby tender for filing an executed Amended and Restated Small Generator Interconnection Agreement for the Watkins Road Solar Project (NYISO Queue No. 586) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and SunEast Watkins Road Solar LLC ("SunEast"), as the Interconnection Customer (the "Amended Agreement").<sup>3</sup> The Amended Agreement is labeled as Service Agreement No. 2591 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing. The Amended Agreement conforms to the NYISO's *pro forma* Small Generator Interconnection Agreement ("Pro Forma SGIA") that is contained in Attachment Z to the OATT, with limited exceptions previously accepted by the Commission for this interconnection agreement. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Amended Agreement effective as of July 30, 2021, which is the date of its full execution.

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> 18 C.F.R. § 35.13 (2019).

<sup>3</sup> Capitalized terms that are not otherwise defined in this filing letter shall have the meaning specified in Attachments S, X, or Z of the NYISO OATT, and if not defined therein, in the NYISO OATT and NYISO Market Administration and Control Area Services Tariff.

<sup>4</sup> See *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, clarified, 65 FERC ¶ 61,081 (1993).

## **I. Discussion**

The Amended Agreement supersedes the Small Generator Interconnection Agreement among the NYISO, National Grid, and SunEast that was filed in the Commission's Docket No. ER21-1088-000 on February 10, 2021,<sup>5</sup> and was accepted by the Commission on April 7, 2021 (the "Original Agreement").<sup>6</sup> The Original Agreement was based on and is consistent with the Pro Forma SGIA, but included certain non-conforming modifications, which were accepted by the Commission.

SunEast is constructing a 20 MW solar electricity generating facility to be located in Herkimer County, New York (the "Facility"). Subsequent to the effective date of the Original Agreement, SunEast proposed updates to the milestone dates set forth in Attachment 4 of the Original Agreement. The NYISO determined the changes were non-material, and SunEast elected to move forward with amending the Original Agreement.

Accordingly, the NYISO, National Grid, and SunEast have revised Attachment 4 of the Original Agreement to reflect the updated milestone dates. In addition, the NYISO, National Grid, and SunEast have made revisions to the Original Agreement to reflect that this is an "Amended and Restated" agreement.

The Amended Agreement does not include non-conforming variations from the Pro Forma SGIA other than those already accepted by the Commission for the Original Agreement.

## **II. Proposed Effective Date and Request for Waiver of the 60-Day Notice Period**

The Joint Filing Parties request an effective date of July 30, 2021 for the Amended Agreement, which is the date of its full execution. The Joint Filing Parties respectfully request that the Commission waive its prior notice requirement to permit the requested effective date. The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>7</sup>

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<sup>5</sup> *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Docket No. ER21-1088-000 (February 10, 2021).

<sup>6</sup> *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER21-1088-000 (April 7, 2021).

<sup>7</sup> *See, e.g., New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER11-2953-000 (April 7, 2011) (accepting interconnection agreement effective as of date of execution); *see also New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER08-985-000 (June 26, 2008) (same); *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER08-861-000 (May 27, 2008) (same); *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER08-699-000 (May 16, 2008) (same).

### **III. Communications and Correspondence**

All communications and service in this proceeding should be directed to:

#### **For the NYISO<sup>8</sup>**

Robert E. Fernandez, Executive Vice  
President & General Counsel  
Karen Georgenson Gach, Deputy General  
Counsel  
\*Sara B. Keegan, Senior Attorney  
New York Independent System Operator, Inc.  
10 Krey Boulevard  
Rensselaer, NY 12144  
Tel: (518) 356-6000  
Fax: (518) 356-4702  
skeegan@nyiso.com

\*Ted J. Murphy  
Hunton Andrews Kurth LLP  
2200 Pennsylvania Avenue, NW  
Washington, D.C. 20037  
Tel: (202) 955-1500  
Fax: (202) 778-2201  
tmurphy@huntonak.com

\*Michael J. Messonnier Jr.  
Sevren R. Gourley  
Hunton Andrews Kurth LLP  
951 East Byrd Street  
Richmond, VA 23219  
Tel: (804) 788-8200  
Fax: (804) 344-7999  
mmessonnier@huntonak.com  
sgourley@huntonak.com

#### **For Niagara Mohawk Power Corporation d/b/a National Grid**

\*Christopher J. Novak  
Senior Counsel  
National Grid  
40 Sylvan Road  
Waltham, MA 02451  
Tel: 781-907-2112  
Fax: 781-296-8091  
[Chris.Novak@nationalgrid.com](mailto:Chris.Novak@nationalgrid.com)

\*Designated to receive service.

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<sup>8</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2019) to permit service on counsel in both Washington, D.C. and Richmond, VA.

**IV. Documents Submitted**

The Joint Filing Parties submit the following documents with this filing letter:

- A clean version of the Amended Agreement (Attachment I);
- A blacklined version of the Amended Agreement showing the changes from the Original Agreement (Attachment II);
- The signature pages for the Amended Agreement (Attachment III).

**V. Service**

On behalf of the Joint Filing Parties, the NYISO will send an electronic link to this filing to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the New Jersey Board of Public Utilities. In addition, a complete copy of the documents included with this filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com).

**VI. Conclusion**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing with an effective date of July 30, 2021.

Respectfully submitted,

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Sara B. Keegan  
*Counsel for the  
New York Independent System Operator, Inc.*

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/s/ Christopher J. Novak  
Christopher J. Novak  
*Counsel for  
Niagara Mohawk Power Corporation d/b/a  
National Grid*

cc: Janel Burdick  
Matthew Christiansen  
Jignasa Gadani  
Jette Gebhart  
Leanne Khammal  
Kurt Longo

John C. Miller  
David Morenoff  
Douglas Roe  
Frank Swigonski  
Eric Vandenberg  
Gary Will