

March 31, 2022

**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 ELP Stillwater Solar Project Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and ELP Stillwater Solar LLC; and Request for Waiver of the 60-Day Notice Period; Docket No. ER22-\_\_\_\_-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 ELP Stillwater Solar Project (Queue No. 735) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and ELP Stillwater Solar LLC ("ELP Stillwater"), as the Interconnection Customer (the "Amended Agreement").<sup>3</sup> The Amended Agreement is labeled as Service Agreement No. 2550 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 non-conforming exceptions previously accepted by the Commission for the prior version of this 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 March 21, 2022, 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 (2021).

<sup>3</sup> Capitalized terms that are not otherwise defined in this filing letter shall have the meaning specified in Attachment 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 ELP Stillwater that was filed in the Commission’s Docket No. ER20-2822-000 on September 4, 2020,<sup>5</sup> and was accepted by the Commission on November 2, 2020 (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.

ELP Stillwater is constructing a 20 MW solar generation facility located in Stillwater, New York (the “Facility”). Details concerning the Facility are located in Attachment 2 of the Amended Agreement. Subsequent to the effective date of the Original Agreement, ELP Stillwater requested a change in the Facility’s inverter types. The NYISO determined that the change was not material, and ELP Stillwater elected to move forward with the change.

Accordingly, the NYISO, National Grid, and ELP Stillwater have revised Attachment 2 of the Original Agreement to reflect the updated inverters. In addition, the NYISO, National Grid, and ELP Stillwater have made the following modifications to the Original Agreement:

- revisions to reflect that this an “Amended and Restated” agreement;
- revisions to the one-line diagram in Attachment 3;
- revisions to the milestone dates set forth in Attached 4;
- revisions to reflect that the Interconnection Customer complied with the deliverability requirements pursuant to Attachment S of the ISO OATT; and
- revisions to National Grid’s contact information in Article 13.

The Amended Agreement was fully executed on March 21, 2022, by the NYISO, National Grid, and ELP Stillwater. The Amended Agreement does not include variations from the Pro Forma SGIA other than those already accepted by the Commission for the Original Agreement. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement.

## **II. PROPOSED EFFECTIVE DATE AND REQUEST FOR WAIVER OF THE 60-DAY NOTICE PERIOD**

The Joint Filing Parties request an effective date of March 21, 2022, 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.

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<sup>5</sup> *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Docket No. ER20-2822-000 (September 4, 2020).

<sup>6</sup> *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Docket No. ER20-2822-000 (November 2, 2020).

The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>7</sup>

### **III. COMMUNICATIONS AND CORRESPONDENCE**

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

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

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

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<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).

<sup>8</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2021) to permit service on counsel in both Washington, D.C. and Richmond, VA.

\*Designated to receive service.

#### **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); and
- the signature pages for the Amended Agreement (Attachment III).

#### **V. SERVICE**

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

#### **VI. CONCLUSION**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing with an effective date of March 21, 2022.

Respectfully submitted,

*/s/ Sara B. Keegan*

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

*/s/ Christopher J. Novak*

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