



SUBMITTED VIA E-TARIFF FILING

June 6, 2022

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

**Re: NextEra Energy Transmission New York, Inc.
Second Amendment to Formula Rate Revisions
Docket No. ER22-1571-002**

Dear Secretary Bose:

On April 4, 2022, the New York Independent System Operator, Inc. (“NYISO”), solely in its role as administrator of the NYISO Open Access Transmission Tariff (“OATT” or “Tariff”), submitted a filing on behalf of NextEra Energy Transmission New York, Inc. (“NEET New York”) pursuant to Section 205 of the Federal Power Act (“FPA”),¹ and Part 35 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) regulations,² to revise NEET NY’s formula rate (“Formula Rate”) contained in Section 6.10.9.2.1 of Attachment 3 to Rate Schedule 10 of the NYISO OATT (“April 4 Filing”).³ Among other proposed revisions to the Formula Rate, the April 4 Filing included revised calculations for Accumulated Deferred Income Taxes (“ADIT”) to utilize prorated balances, consistent with IRS Normalization rules, and added a new tab 6f for ADIT True-up Proration.

On May 20, 2022, NEET New York filed an amendment to the April 4 Filing to address several ministerial errors in the Formula Rate and add greater clarity to several of the line references (“May 20 Amendment”).

Since the May 20 Amendment, it has come to NEET New York’s attention that additional changes to the Formula Rate may be necessary. In this second amendment to the April 4 Filing, NEET New York has deleted Attachment 9 from the Formula Rate and all internal cross-references to Attachment 9, which previously included a placeholder for excess and deficient ADIT resulting from changes to the corporate income tax rates. NEET New York does not have any excess or deficient ADIT because it did not own any assets at the time the Tax Cuts and Jobs Act went into effect, and will not be required to comply with Order No. 864 until it submits its first informational filing. This second amendment also makes certain ministerial changes to Attachments 6a, 6ee, and 6b of the Formula Rate.

¹ 16 U.S.C. §§ 824d and 824s (2012).

² 18 C.F.R. Part 35 (2018).

³ The burden of demonstrating that the proposed tariff amendments are just and reasonable rests with NEET New York, the sponsoring party. The NYISO takes no position on any substantive aspect of this filing at this time. Capitalized terms not otherwise defined herein shall have the meaning specified in the NYISO OATT.

I. CONTENTS OF FILING

Applicant submits the following documents:

- a. This Transmittal Letter;
- b. Redline version of the proposed changes to the OATT, including changes included with this Amendment;
- c. Clean version of the proposed changes to the OATT; and
- d. The clean and redline versions of the formula rate template in native MS-Excel format.

II. PROPOSED EFFECTIVE DATE AND REQUEST FOR WAIVERS

For the reasons described in the April 4 Filing, NEET New York continues to request that the changes proposed in this docket be effective June 1, 2022. NEET New York respectfully requests waiver of the Commission's prior notice requirements to allow the proposed revisions to the NEET New York Formula Rate to be effective on June 1, 2022. Good cause exists for granting this waiver and allowing an effective date of June 1, 2022 because NEET New York has completed and fully energized the Empire State Line Project as of May 26, 2022, which includes assets booked to transmission and general/intangible plant accounts for which depreciation rates were requested in the April 4 Filing but which have not yet been approved by the Commission for ratemaking purposes.

III. CONCLUSION

For the foregoing reasons, NEET New York respectfully requests the Commission accept the revisions to the NYISO OATT proposed in the April 4 Filing, including the ministerial amendments proposed in the May 20 Amendment and those proposed herein, with an effective date of June 1, 2022.

Respectfully submitted,

/s/ Justin Moeller

Justin Moeller

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Attachments

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the forgoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC this 6th day of June, 2022.

Respectfully submitted,

/s/ Justin P. Moeller

Justin P. Moeller