



Marc Richter
Vice President

April 13, 2012

PUBLIC VERSION

Submitted As An E-Filing

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

Re: *Consolidated Edison Company of New York, Inc.*
Docket No. ER12-____-000

Dear Secretary Bose:

Pursuant to Section 205 of the Federal Power Act, 16 U.S.C. §824d (1994) and Part 35 of the Commission's regulations (18 CFR Part 35), Consolidated Edison Company of New York, Inc. ("Con Edison") submits for filing an Amended and Restated Interconnection Agreement by and between Con Edison and Astoria Energy LLC ("Astoria Energy"), dated November 2, 2011 (the "Amended IA").¹ The Amended IA amends an Interconnection Agreement dated February 27, 2004 by and between Con Edison and Astoria Energy ("Original IA").²

The Original IA provided for the interconnection to Con Edison's Astoria East 138 kV substation of an electric generator that Astoria Energy constructed, owns, and operates at 17-10 Steinway Street in the Borough of Queens. The generating units encompassed by the Original

¹ The Amended IA has been designated Original Service Agreement No. 330 under the New York Independent System Operator, Inc. ("NYISO") FERC Open Access Transmission Tariff, Original Volume No. 1.

² The Original IA was filed with and accepted by the Commission. *Consolidated Edison Company of New York, Inc.*, 107 FERC ¶ 61,103 (2004).

IA consisted of two steam turbine units and four combustion turbines. The Original IA provided that Astoria Energy would construct the generating units in two power blocks each consisting of one steam turbine and two combustion turbines. Astoria Energy proceeded with the construction of the first power block and placed it in commercial operation in May 2006.

Subsequently, Astoria Energy transferred the development and ownership rights to the second power block to another legal entity, Astoria Energy II LLC ("AE II"). At the request of Con Edison, AE II elected to interconnect the second power block to a new substation (the Astoria Annex substation) that is owned by the New York Power Authority ("NYPA"), rather than to Con Edison's Astoria East substation. AE II executed a Large Generator Interconnection Agreement ("AE II IA") with the NYISO and NYPA for the second power block.³ The AE II IA is not affected by this filing.

These changes in the project call for certain amendments to the Original IA to reflect that only the first power block is subject to the Original IA. Those amendments involve the deletion or revision of provisions relating to the phases of the project, as follows:

- Provisions relating to the generator lead for the second power block were deleted (Sec. 1.01);
- The second power block milestone and construction provision was deleted (Sec. 3.04(a)(iii));
- The second power block generating units were excluded (Schedule 1.01(a));
- The Substation Modifications associated with the second power block were eliminated (Schedule 3.04(a)(i));
- System Upgrade Facilities associated with the second power block were eliminated (Schedule 3.04(a)(ii));
- The Point of Interconnection associated with the second power block was deleted (Schedule 3.04(b)(i));
- The revenue meter associated with the second power block was eliminated (Schedule 3.04(a)(i); and
- The one-line diagrams depicting the interconnection facilities were revised to reflect these changes (Schedule 3.04(b)(ii) and Annex II).

These changes are highlighted in the text of the attached red-lined version of the Amended IA, except that the revisions to the facility diagrams appended to the agreement could not be redlined because of software limitations. Enclosure No. 1 to this filing contains an executed copy of the Amended IA and Enclosure No. 2 contains a red-lined copy of the Amended IA indicating the revisions to the Original IA.

³ The AE II IA was filed with and accepted by the Commission. *New York Independent System Operator, Inc.*, Docket No. ER11-2654, Letter Order, dated February 9, 2011("AE II Letter Order").

The amendments to the Original IA conform that agreement to the modified interconnection arrangements for the second power block that were established by the AE II IA and approved by the AE II Letter Order. The amendments are limited to such conformance changes and would not create or alter any charges under the Original IA.⁴

Con Edison proposes that the Amended IA be effective as of June 16, 2012. The Original IA remains in effect and will be superseded by the Amended IA when that agreement becomes effective. Con Edison requests that the Commission waive the information filing requirements of Part 35 of its regulations, particularly of Section 35.13(a) (18 CFR 35.13(a)) because the amendments reflected in the Amended IA will not alter Con Edison's rates or revenues. Con Edison is authorized to state that Astoria Energy supports this filing.

Pursuant to the Commission's regulations at 18 CFR §388.112, Con Edison requests that Annex II and Schedule 3.04(b)(ii) to the Amended IA be protected from disclosure as Confidential Energy Infrastructure Information ("CEII"). Those documents are diagrams of electric transmission facilities that could be useful to a person in planning an attack on critical infrastructure. The annex and schedule have been omitted from the Amended IA that is included in the Public Version of this filing. They are included in the Amended IA in the CEII Version of the filing.

All communications relating to this filing should be directed to the following:

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⁴ The NYISO was not a party to the Original IA because that agreement predated the NYISO's adoption of its standardized Large Generator Interconnection Agreement. The NYISO is not a signatory to the Amended IA because the amendment relates to a non-major modification to facilities under the Original IA. See *Consolidated Edison Company of New York, Inc.*, 119 FERC ¶61,206 (2007).

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Copies of this filing have been served on Astoria Energy, AE II and the NYISO.

If any questions arise regarding this filing, please contact me at the above address or phone number.

Respectfully submitted,

By: _____/s/_____
Marc Richter
Vice President

Enclosures

cc: Leonard Singer
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