

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Consolidated Edison Company)	Docket No. EL15-18-000
of New York, Inc. v.)	
PJM Interconnection, L.L.C.)	
)	
Linden VFT, L.L.C. v.)	Docket No. EL15-67-000
PJM Interconnection, L.L.C.)	

**NOTICE OF WITHDRAWAL OF THE
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

In accordance with Rule 216 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.216 (2022), the New York Independent System Operator, Inc. (“NYISO”), hereby respectfully submits this notice of withdrawal of its: (i) December 1, 2014 doc-less motion to intervene in Docket No. EL15-18-000; and (ii) its June 10, 2015 doc-less motion to intervene in Docket No. EL15-67-000. Once these withdrawals become effective, the NYISO would no longer be a party to either proceeding.

The two referenced dockets involve long-running disputes over the PJM Interconnection, LLC’s (“PJM’s”) allocation of Regional Transmission Expansion Project (“RTEP”) costs for transmission projects within PJM to entities that either are, or that once were, PJM transmission customers. The two referenced dockets are associated with other RTEP-related dockets, namely Docket Nos. EL17-68-000, and ER17-950-000 through -003, to which the NYISO has never been a party. For convenience, this filing refers to Docket Nos. EL15-18-000, EL15-67-000, EL17-68-000, and ER17-950-000 through -003 as the “RTEP Proceedings.”

The RTEP Proceedings were recently remanded to the Commission by the United States Court of Appeals for the District of Columbia Circuit in *Consolidated Edison Company of New*

York, Inc. v. FERC, 45 F.4th 265 (D.C. Cir. 2022). The active parties to the RTEP Proceedings have since submitted multiple filings concerning remand procedures.¹

The NYISO has no interest in the issues to be considered on remand in the RTEP Proceedings. The NYISO plays no role in the PJM RTEP cost allocation process, is not subject to RTEP cost allocations itself, and has no say in whether, or how much, entities pay for PJM RTEP costs. The NYISO has never taken a substantive position in Docket Nos. EL15-18 and EL15-67 in the more than seven years since those dockets were initiated. The NYISO is not a party to the other RTEP Proceedings that were remanded. The NYISO did not participate in the D.C. Circuit appeal regarding the RTEP Proceedings.² Other than its doc-less interventions in 2014 and 2015, the only action that the NYISO has taken involving any of the RTEP Proceedings was a 2018 filing that successfully opposed the consolidation of various RTEP cases with a since-terminated complaint proceeding, Docket No. EL18-54-000, in which the NYISO was a respondent.³ That 2018 filing also emphasized the NYISO's lack of interest in PJM RTEP cost allocation issues.⁴

¹ See, e.g., *Motion to Govern Procedures on Remand of Consolidated Edison Company of New York, Inc., Linden VFT, LLC, Hudson Transmission Partners, LLC and New York Power Authority*, Docket Nos. EL15-18, EL15-67, EL17-68-000, and ER17-950-000 through -003 (Sept. 30, 2022).

² The NYISO participated as an intervenor supporting the Commission in the separate appeal by the New Jersey Board of Public Utilities of the Commission's decision in Docket No. EL18-54. That case has not been remanded to the Commission.

³ See *Answer of the New York Independent System Operator, Inc., Opposing Motion to Consolidated of the New Jersey Board of Public Utilities and the New Jersey Division of Rate Counsel*, Docket Nos. EL15-67-003, *et. al.* (Sept. 28, 2018) ("2018 Answer").

⁴ See, e.g., 2018 Answer at 7 ("If the [motion to consolidate] were granted, the NYISO would be compelled to become involved in discussions of PJM RTEP Settlement Proceeding issues that are, otherwise, of no interest to it.")

Withdrawing the doc-less interventions in Docket Nos. EL15-18 and EL15-67 would therefore conserve the NYISO's resources by removing it from contested proceedings in which it has no interest and has never actively participated.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 21st day of November 2022.

/s/ Elizabeth Rilling

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