

March 23, 2023

**By Electronic Delivery**

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

Re: Filing of an Executed Amended and Restated Large Generator Interconnection Agreement for the Calverton Solar Energy Center (Queue No. 638) Among the New York Independent System Operator, Inc., Long Island Lighting Company d/b/a LIPA, and LI Solar Generation, LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER23-\_\_\_\_-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") hereby tenders for filing an executed Amended and Restated Large Generator Interconnection Agreement for the Calverton Solar Energy Center project (NYISO Queue No. 638) entered into by the NYISO, Long Island Lighting Company d/b/a LIPA ("LIPA"), as the Connecting Transmission Owner, and LI Solar Generation, LLC ("LI Solar"), as the Developer (the "Amended Agreement").<sup>3</sup> The Amended Agreement is labeled as Service Agreement No. 2709 under the NYISO's Open Access Transmission Tariff ("OATT").

The NYISO respectfully requests that the Commission accept the Amended Agreement for filing. The Amended Agreement conforms to the NYISO's *pro forma* Large Generator Interconnection Agreement ("Pro Forma LGIA") that is contained in Attachment X 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 NYISO respectfully requests a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Amended Agreement effective as of March 9, 2023, 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 (2022).

<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**

### **A. Background**

The Amended Agreement supersedes the Large Generator Interconnection Agreement among the NYISO, LIPA, and LI Solar that was filed in the Commission’s Docket No. ER22-1887-000 on May 17, 2022,<sup>5</sup> and was accepted by the Commission on July 14, 2022 (the “Original Agreement”).<sup>6</sup> The Original Agreement was based on and is consistent with the Pro Forma LGIA, but included certain non-conforming modifications, which were accepted by the Commission.

LI Solar has constructed a 22.9 MW solar electricity generation facility located in the town of Calverton in Suffolk County, New York (the “Facility”). The Facility is interconnected to certain facilities of LIPA that are part of the New York State Transmission System. Additional details regarding the Facility can be found in Appendix C of the Amended Agreement.

Subsequent to the effective date of the Original Agreement, LI Solar proposed changes to the inverter equipment for the Facility set forth in Appendix C of the Original Agreement. LI Solar also proposed updates to the milestone dates set forth in Appendix B of the Original Agreement. The NYISO determined that the changes proposed by LI Solar were non-material, and LI Solar elected to move forward with amending the Original Agreement.

Accordingly, the NYISO, LIPA, and LI Solar have revised Figure A-1 in Appendix A and Appendix C of the Original Agreement to reflect the change in equipment, and revised Appendix B of the Original Agreement to reflect the updated milestone dates. In addition, the NYISO, LIPA and LI Solar have revised the Original Agreement to reflect that this is an “Amended and Restated” agreement.

### **B. The Interconnection Agreement Closely Conforms to the Pro Forma LGIA Contained in Attachment X of the NYISO OATT**

The Amended Agreement was fully executed on March 9, 2023, by the NYISO, LIPA, and LI Solar. The Amended Agreement largely conforms to the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT and does not include non-conforming variations from the Pro Forma LGIA other than those already accepted by the Commission for

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<sup>5</sup> *New York Independent System Operator*, Docket No. ER22-1887-000 (May 17, 2022).

<sup>6</sup> *New York Independent System Operator*, Letter Order, Docket No. ER22-1887-000 (July 14, 2022).

the Original Agreement. Therefore, the NYISO respectfully requests that the Commission accept the Amended Agreement.

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

The NYISO requests an effective date of March 9, 2023, for the Amended Agreement, which is the date of its full execution. The NYISO respectfully requests 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>

## 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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<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) (2022) to permit service on counsel in both Washington, D.C. and Richmond, VA.

