

**THIS FILING LETTER DOES NOT CONTAIN ANY CEIL. ATTACHMENTS I, II, AND IV DO NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. ATTACHMENT III INCLUDES A ONE-LINE SCHEMATIC FOR WHICH CEIL DESIGNATION IS REQUESTED IN PART III BELOW, AND IS SUBMITTED SEPARATELY.**

September 7, 2023

**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 Large Generator Interconnection Agreement for the Morris Ridge Solar Energy Center Project (Queue Position No. 717) Among the New York Independent System Operator, Inc., New York State Electric & Gas Corporation, and Morris Ridge Solar Energy Center, LLC; Request for Critical Energy Infrastructure Information Designation; and 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") and New York State Electric & Gas Corporation ("NYSEG") (together, the "Joint Filing Parties") hereby tender for filing an executed Large Generator Interconnection Agreement for the Morris Ridge Solar Energy Center project (NYISO Queue Position No. 717) entered into by the NYISO, NYSEG, as the Connecting Transmission Owner, and Morris Ridge Solar Energy Center, LLC ("Morris Ridge"), as the Developer (the "Interconnection Agreement").<sup>3</sup> The Interconnection Agreement is labeled as Service Agreement No. 2790 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing. With the limited exceptions described in Part I of this letter, the Interconnection Agreement conforms to the NYISO's *pro forma* Large Generator Interconnection Agreement ("Pro Forma LGIA") that is contained in Attachment X to the OATT. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a

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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 or X of the NYISO OATT, and if not defined therein, in the NYISO OATT and NYISO Market Administration and Control Area Services Tariff.

waiver of the Commission's prior notice requirements<sup>4</sup> to make the Interconnection Agreement effective as of August 24, 2023, which is the date of its full execution. Finally, as described in Part III of this letter, NYSEG requests that the one-line diagram included in the Interconnection Agreement be protected from disclosure as Critical Energy Infrastructure Information.

## **I. Discussion**

### **A. Background**

Morris Ridge is constructing a 177 MW solar generating facility located in Livingston County, New York (the "Facility"). Additional details regarding the Facility can be found in Appendix C of the Interconnection Agreement. The Facility will interconnect to certain facilities of NYSEG that are part of the New York State Transmission System. The Point of Interconnection will be at NYSEG's new 230 kV Frost Road Substation. Figure A-1 of Appendix A of the Interconnection Agreement provides a one-line diagram showing the Point of Interconnection.

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

The Interconnection Agreement was fully executed on August 24, 2023 by the NYISO, NYSEG, and Morris Ridge. The Interconnection Agreement largely conforms to the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT with the exceptions described below in this Part I.B. The Joint Filing Parties submit that the changes specified below satisfy the Commission's standard for variations from the Pro Forma LGIA, because unique circumstances exist that require a non-conforming agreement.<sup>5</sup> Therefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement with the non-conforming changes.

#### **1. Modifications Required to Reflect Joint Ownership and Use of Interconnection Facilities**

An affiliate of Morris Ridge, EDF Renewables Development, Inc. ("EDFRD"), has proposed an 83 MW energy storage facility (the "Morris Ridge Energy Storage Project" with NYISO Queue Position No. 929) that will use the same Point of Interconnection as the Facility. Specifically, the Morris Ridge Energy Storage Project will feed power through the same Attachment Facilities used by the Facility to the Point of Interconnection for the New York State Transmission System at NYSEG's adjacent Frost Road Substation. The interconnection of the Morris Ridge Energy Storage Project will be subject to a separate Standard Large Generator

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<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).

<sup>5</sup> See, e.g., *PJM Interconnection, LLC*, 111 FERC ¶ 61,163 at PP 10-11, *reh'g denied*, 112 FERC ¶ 61,282 (2005).

Interconnection Agreement among the NYISO, NYSEG, and EDFRD, which agreement is currently under negotiation.

Morris Ridge will enter into a Shared Facilities Agreement with EDFRD and establish a single point of contact – the Morris Ridge Parties - for purposes of operating and maintaining the Developer’s Attachment Facilities, using the Connecting Transmission Owner’s Attachment Facilities, interfacing with the NYISO and NYSEG concerning the projects’ interconnections, and making required payments under the projects’ interconnection agreements. Accordingly, the parties inserted in Section 6 of Appendix A the details concerning how this Shared Facilities Agreement will interact with the requirements in the Interconnection Agreement. The parties also modified the notice provisions in Article 15 of the Interconnection Agreement to reference the use of the Morris Ridge Parties as the point of contact for the NYISO and NYSEG concerning the Facility and the Morris Ridge Energy Storage Project.

In addition, the parties modified the metering requirements in Article 7.1 of the Interconnection Agreement and inserted certain metering requirements in Section 3 of Appendix C to account for both the Facility and the Morris Ridge Energy Storage Project feeding power into the Morris Ridge Solar Collector Station and interconnecting to the New York State Transmission System at NYSEG’s adjacent Frost Road Substation. The metering for the Facility will be arranged to separately measure the generation from the Morris Ridge Energy Storage Project and the generation from the Facility.

The Commission has previously accepted similar changes to NYISO interconnection agreements to reflect such shared facility arrangements.<sup>6</sup>

## **2. Modification to Address Phasor Measurement Unit Requirements**

Article 9.10 of the Pro Forma LGIA requires Developers to install, at their expense, a phasor measurement unit (“PMU”) on the low side of the step-up transformer, along with related PMU equipment, and to collect and transmit PMU data to the NYISO and to the Connecting Transmission Owner. The NYISO introduced the PMU requirements in the Pro Forma LGIA in 2017 to enhance the NYISO’s ability to monitor the transmission grid for the New York Control Area and to determine real-time grid stability margins.<sup>7</sup>

The PMU requirements require a Developer to install a PMU on the low side of the transformer and then transmit the PMU data via the Connecting Transmission Owner’s system. NYSEG, however, does not currently possess the capability to obtain the data from Morris Ridge or to transmit the data to the NYISO, and the NYISO is unable at this time to accept PMU data directly from Morris Ridge. The parties therefore agreed to reserve Article 9.10 and not apply

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<sup>6</sup> See, e.g., *New York Independent System Operator, Inc., et al.*, Letter Order, Docket No. ER21-361-000 (Jan. 7, 2021) (accepting non-conforming revisions to address shared facilities arrangement with other project).

<sup>7</sup> See *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER18-80-000 (Dec. 7, 2017) (accepting NYISO’s tariff revisions to improve its interconnection process, including the insertion of PMU requirements in Article 9.10 of the Pro Forma LGIA).

the PMU requirements to the Interconnection Agreement. The Commission has previously accepted this change to NYISO's interconnection agreements.<sup>8</sup>

### **3. Modifications for Billing Arrangements**

NYSEG and Morris Ridge have agreed to an alternative billing arrangement for Morris Ridge to make advanced payments to NYSEG for NYSEG's oversight costs. Accordingly, the parties have agreed to modify Article 12.1 of the Interconnection Agreement to reference the details of the alternative billing arrangement, which is set forth in Section 3(b) of Appendix B of the Interconnection Agreement. The Commission has previously accepted this change to NYISO's interconnection agreements.<sup>9</sup>

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

The Joint Filing Parties request an effective date of August 24, 2023, for the Interconnection 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. The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>10</sup>

## **III. Request for CEII Treatment**

Pursuant to Sections 388.112 and 388.113 of the Commission's regulations,<sup>11</sup> NYSEG requests that the one-line diagram included as the figure in Appendix A of the Interconnection Agreement be protected from disclosure as Critical Energy Infrastructure Information ("CEII").<sup>12</sup>

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<sup>8</sup> See, e.g., *New York Independent System Operator, Inc., et al.*, Letter Order, Docket No. ER23-78-000 (Dec. 6, 2022) (accepting non-conforming revisions to reserve phasor measurement unit requirements).

<sup>9</sup> See, e.g., *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER22-1887-000 (July 14, 2022) (accepting non-conforming revisions for alternative billing arrangement with other project).

<sup>10</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>11</sup> 18 C.F.R. §§ 388.112 and 388.113 (2022).

<sup>12</sup> As required by Section 388.113(d)(1)(i) of the Commission's regulations, NYSEG has described in the filing letter how the one-line diagram in Appendix A satisfies the definition of critical energy infrastructure information as that term is defined in Section 388.113(c)(1). In addition, as required by Section 388.113(d)(1)(ii) the cover page of the filing letter and the relevant page of the Interconnection Agreement that contains critical energy infrastructure information is labelled as including CEII and marked DO NOT RELEASE, and a Public and CEII version of the Interconnection Agreement are being filed with this letter. The CEII material is redacted in the Public version. Finally, as required by Section 388.113(d)(1)(i), NYSEG requests that the Commission designate the CEII material submitted on September 7, 2023, with the full five-year CEII designation provided for in Section 388.113(e)(1) as the information provided in the one-line diagrams will continue to satisfy the definition of critical energy infrastructure information for this entire period.

The diagram contains detailed, one-line schematics of NYSEG's facilities that, if disclosed, could pose a threat to the security and the reliability of the New York State bulk power system. The diagram provides more than simply the general location of critical infrastructure. Unlike publicly available maps of power transmission lines and generation and substation facilities, the schematic shows the exact nature and specific location of facilities used to maintain the reliability of the New York State bulk power system.

The diagram, in NYSEG's assessment, reveals such critical information related to the facilities depicted therein that, if disclosed, could be useful to a person seeking to disable the power grid. Therefore, the disclosure of the CEII diagram would pose a threat to the reliability of the New York State bulk power system and the health and safety of New York residents. Moreover, the information revealed in this schematic reveals CEII, which the Commission has determined to be exempt from mandatory disclosure under 5 U.S.C. § 552(b)(7)(F). The diagram has been omitted from the Public version of the Interconnection Agreement included in this filing.

The Joint Filing Parties are electronically submitting a non-public version of this filing. The diagram is included only in the non-public version of the Interconnection Agreement in the filing. The non-public diagram is marked: "**FIGURE CONTAINS CEII – DO NOT RELEASE PURSUANT TO 18 C.F.R. §§ 388.112 and 388.113.**" The non-public diagram should be treated as CEII reviewable by Commission Staff. In accordance with the Commission's April 14, 2017 notice on labeling of non-public information, each page of the non-public version of the filing is marked "**CUI//CEII.**"<sup>13</sup> A placeholder has been included in place of the non-public diagram in the public version of the Interconnection Agreement.

All communications relating to this request for privileged and confidential treatment should be addressed to NYSEG's Counsel listed below.

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<sup>13</sup> See Notice of Document Labelling Guidance for Documents Submitted to or Filed with the Commission or Commission Staff (Apr. 14, 2017) (unreported).

**IV. Communications and Correspondence**

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

**For the NYISO<sup>14</sup>**

Robert E. Fernandez, Executive Vice  
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\*Designated to receive service.

**V. Documents Submitted**

The Joint Filing Parties submit the following documents with this filing letter:

- A clean Public version of the Interconnection Agreement (Attachment I);
- A blacklined Public version of the Interconnection Agreement showing the changes

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<sup>14</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.

from the Pro Forma LGIA (Attachment II);

- A clean CEII version of the Interconnection Agreement (Attachment III); and
- The signature pages for the Interconnection Agreement (Attachment IV).

## VI. 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.

## VII. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing with an effective date of August 24, 2023.

Respectfully submitted,

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

/s/ Danielle Mechling  
Danielle Mechling  
*Counsel for New York State Electric & Gas  
Corporation*

cc: Janel Burdick  
Emily Chen  
Matthew Christiansen  
Robert Fares  
Jignasa Gadani  
Jette Gebhart  
Leanne Khammal  
Jaime Knepper  
Kurt Longo  
David Morenoff  
Douglas Roe  
Eric Vandenberg