

April 19, 2024

By Electronic Delivery

Honorable Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Notice of Cancellation of Service Agreement No. 2672 to the New York Independent System Operator, Inc.'s Open Access Transmission Tariff, Docket No. ER24-_____

Dear Ms. Reese:

Pursuant to Section 205(d) of the Federal Power Act¹ and Sections 35.9 and 35.15 of the Commission's regulations,² the New York Independent System Operator, Inc. ("NYISO") hereby tenders for filing and acceptance a Notice of Cancellation of the Large Generator Interconnection Agreement ("Interconnection Agreement") for the Peconic River Energy Storage project (NYISO Queue Position No. 746) among the NYISO, Long Island Lighting Company d/b/a LIPA ("LIPA"),³ as the Connecting Transmission Owner, and Peconic River Energy Storage d/b/a North Street Energy Storage ("Peconic") as the Developer. The Interconnection Agreement is designated as Service Agreement No. 2672 of the NYISO's Open Access Transmission Tariff ("OATT"). LIPA and Peconic have indicated to the NYISO that neither party opposes this filing.

I. Background

The Interconnection Agreement was fully executed by the Parties on December 31, 2021. The Interconnection Agreement addressed the interconnection of Peconic's proposed 150 MW battery storage project to LIPA's transmission system. The executed Interconnection Agreement included certain non-conforming revisions to the NYISO's *pro forma* Large Generator Interconnection Agreement located in Attachment X of the NYISO OATT and was filed with, and accepted by, the Commission.⁴

II. Notice of Cancellation

Article 2.3.1 of the Interconnection Agreement provides that the agreement "may be terminated by the Developer after giving the NYISO and Connecting Transmission Owner ninety

¹ 16 U.S.C. § 824d.

² 18 C.F.R. §§ 35.9, 35.15 (2023).

³ Long Island Lighting Company d/b/a LIPA is a subsidiary of the Long Island Power Authority, which is an instrumentality and political subdivision of the State of New York, and is a non-jurisdictional utility pursuant to Section 201(f) of the Federal Power Act.

⁴ *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER22-813-000 (Mar. 10, 2022).

(90) Calendar Days advance written notice.” Article 2.3.3 further provides that the termination of the agreement will not be effective: “until the Parties have complied with all Applicable Laws and Regulations applicable to such termination, including the filing with FERC of a notice of termination of this Agreement, which notice has been accepted for filing by FERC.”

On May 16, 2023, Peconic provided written notice to the NYISO and LIPA that it was acting pursuant to Article 2.3.1 to terminate the Interconnection Agreement (“Termination Notice”). This ninety-day period was completed on August 14, 2023. The parties have confirmed that there are no remaining obligations under the Interconnection Agreement.⁵

Therefore, pursuant to Articles 2.3.1 and 2.3.3 of the Interconnection Agreement, the Interconnection Agreement is terminated, subject to the Commission accepting this notice terminating the agreement. Accordingly, the NYISO hereby submits this Notice of Cancellation of Service Agreement No. 2672 of the NYISO OATT for the Commission’s acceptance.

III. Requested Effective Date

The NYISO respectfully requests that the proposed cancellation become effective on June 19, 2024 (*i.e.*, the day after the end of the statutory 60-day notice period).

IV. Documents Submitted

The NYISO submits the following document with this filing letter:

- Peconic’s May 16, 2023 Termination Notice (Attachment I).

V. Communications and Correspondence

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

For the NYISO

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President, Chief Compliance Officer &
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⁵ LIPA and Peconic have addressed between themselves the allocation of the equipment purchased and the costs incurred prior to the termination of the agreement in accordance with the requirements in Article 2.4 of the Interconnection Agreement and the final reconciliation and refund of payments pursuant to the agreement. Arrangements are being made for the cancellation of the Letter of Credit..

Honorable Debbie-Anne A. Reese

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VI. Service

A complete copy of this filing will be posted on the NYISO's website at 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 NYISO respectfully requests that the Commission accept this Notice of Cancellation.

Respectfully submitted,

/s/ Sara B. Keegan

Sara B. Keegan, Assistant General Counsel

New York Independent System Operator, Inc.

cc: Janel Burdick
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