

**THIS FILING LETTER DOES NOT CONTAIN ANY CEII. ATTACHMENTS I, II, and IV DO NOT CONTAIN ANY PRIVILEGED OR CONFIDENTIAL INFORMATION. ATTACHMENT III INCLUDES DIAGRAMS FOR WHICH CEII DESIGNATION IS REQUESTED IN PART IV BELOW, AND IS SUBMITTED SEPARATELY.**

**March 7, 2025**

**By Electronic Delivery**

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

Re: Joint Filing of an Executed Amended and Restated Standard Large Generator Interconnection Agreement for the Cider Solar Project (Queue Position No. 811) Among the New York Independent System Operator, Inc., the New York Power Authority, and Hecate Energy Cider Solar LLC; Request for Critical Energy Infrastructure Information Designation; Request for Waiver of the 60-Day Notice Period; Docket No. ER25-\_\_\_\_-000

Dear Ms. Reese:

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 the New York Power Authority ("NYPA") (together, the "Joint Filing Parties") hereby tender for filing an executed Amended and Restated Standard Large Generator Interconnection Agreement for the Cider Solar project (NYISO Queue Position No. 811) among the NYISO, NYPA, as the Connecting Transmission Owner, and Hecate Energy Cider Solar LLC ("Hecate"), as the Developer (the "Amended Agreement").<sup>3</sup> The Amended Agreement is labeled as Service Agreement No. 2773 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request 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 Joint Filing

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> 18 C.F.R. § 35.13 (2024).

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

Parties respectfully request a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Amended Agreement effective as of February 21, 2025, which is the date of its execution. Finally, as described in Part III of this letter, NYPA requests that the diagrams included in the Amended Agreement be protected from disclosure as Critical Energy Infrastructure Information.

## **I. Discussion**

Hecate is constructing a 500 MW photovoltaic solar powered facility to be located in Genesee County, New York (the "Facility"). The Facility will interconnect to certain facilities of NYPA that are part of the New York State Transmission System. The Amended Agreement supersedes the Large Generator Interconnection Agreement among the NYISO, NYPA, and Hecate that was filed in the Commission's Docket No. ER23-2583-000 on August 8, 2023, and was accepted by the Commission on October 3, 2023 (the "Original Agreement").<sup>5</sup> The Original Agreement was based on and is consistent with the Pro Forma LGIA, but included certain non-conforming modifications, which the Commission accepted.

Subsequent to the effective date of the Original Agreement, Hecate proposed to update its Commercial Operation Date ("COD"), which the NYISO determined was not material, and made related updates to the milestone dates set forth in Appendix B of the Original Agreement.

Accordingly, the NYISO, NYPA, and Hecate have revised Appendix B of the Original Agreement to reflect the revised COD and the related updates to milestone dates. The parties also revised certain information included in the appendices of the Amended Agreement, including updating:

- the description of certain System Upgrade Facilities in Appendix A;
- the description in Appendix A of the responsibilities between NYPA and Hecate concerning the Attachment Facilities and System Upgrade Facilities;
- the description of the required Affected System Upgrades in Appendix A and the related diagrams to reflect a change in one of the remote ends for the Facility;
- certain NYPA operating requirements, which were incorporated into Appendix C; and
- the parties' contact information in Appendices E and F.

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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> *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER23-2583-000 (Oct. 3, 2023).

Finally, the parties revised the Original Agreement to indicate that this is an “Amended and Restated” version and to correct the inadvertent removal of “Standard Large Generator” from the cover page of the Original Agreement.

The Amended Agreement does not include variations from the Pro Forma LGIA other than those already accepted by the Commission. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement.

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

The Joint Filing Parties request an effective date of February 21, 2025, for the Amended 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>6</sup>

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

Pursuant to Sections 388.112 and 388.113 of the Commission’s regulations,<sup>7</sup> NYPA requests that the diagrams included in Appendix A of the Amended Agreement and labeled as Figures A-1, A-2, A-3, and A-4 be protected from disclosure as Critical Energy Infrastructure Information (“CEII”).<sup>8</sup> The diagrams contain detailed, schematics of NYPA’s facilities that, if disclosed, could pose a threat to the security and the reliability of the New York State bulk power system. The diagrams provide more than simply the general location of critical infrastructure. Unlike publicly available maps of power transmission lines and generation and substation

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<sup>6</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 as requested by the parties); *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>7</sup> 18 C.F.R. §§ 388.112 and 388.113 (2024).

<sup>8</sup> As required by Section 388.113(d)(1)(i) of the Commission’s regulations, NYPA has described in the filing letter how the diagrams in Appendix A satisfy 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 pages of the Agreement that contain critical energy infrastructure information are labelled as including CEII and marked DO NOT RELEASE, and a Public and CEII version of the 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), NYPA requests that the Commission designate the CEII material submitted on March 7, 2025, 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.

facilities, the schematics show the exact nature and specific location of facilities used to maintain the reliability of the New York State bulk power system.

The diagrams, in NYPA's assessment, reveal 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 diagrams 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 these schematics reveal CEII, which the Commission has determined to be exempt from mandatory disclosure under 5 U.S.C. § 552(b)(7)(F). The diagrams have been omitted from the Public version of the Amended Agreement included in this filing.

The Joint Filing Parties are electronically submitting a non-public version of this filing. The diagrams are included only in the non-public version of the Amended Agreement in the filing. The non-public diagrams are marked: "**FIGURE CONTAINS CEII – DO NOT RELEASE PURSUANT TO 18 C.F.R. §§ 388.112 and 388.113.**" The non-public diagrams 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>9</sup> Placeholders have been included in place of the non-public diagrams in the public version of the Amended Agreement.

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

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<sup>9</sup> See Notice of Document Labelling Guidance for Documents Submitted to or Filed with the Commission or Commission Staff (Apr. 14, 2017) (unreported).

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**IV. Communications and Correspondence**

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

**For the NYISO<sup>10</sup>**

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\*Designated to receive service.

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<sup>10</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2024) to permit service on counsel in both Washington, D.C. and Richmond, VA.

**V. Documents Submitted**

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

- A clean Public version of the Amended Agreement (Attachment I);
- A blacklined Public version of the Amended Agreement showing the changes from the Original Agreement (Attachment II);
- A clean CEII version of the Amended Agreement (Attachment III); and
- The signature pages for the Amended 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 Agreement for filing with an effective date of February 21, 2025.

Respectfully submitted,

*s/ Sara B. Keegan*

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Sara B. Keegan

*Counsel for the*

*New York Independent System Operator, Inc.*

*s/ Nathan D. Markey*

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Nathan D. Markey

*Counsel for*

*New York Power Authority*

cc: Janel Burdick                      Leanne Khammal      Jason Rhee  
Emily Chen                              Jaime Knepper        Douglas Roe  
Jignasa Gadani                        Kurt Longo            Eric Vandenberg  
Jette Gebhart                          David Morenoff