

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

**Dover Plains Energy Properties LLC**

)  
)  
)

**Docket No. ER25-2010-000**

**MOTION TO INTERVENE AND OPPOSITION TO REQUEST FOR  
SHORTENED COMMENT PERIOD OF  
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rule 213 of the Rules of Practice and Procedure<sup>1</sup> of the Federal Energy Regulatory Commission (“Commission” or “FERC”), the New York Independent System Operator, Inc. (“NYISO”) hereby submits this motion to intervene and opposition to the request for a shortened comment period of five days that Dover Plains Energy Properties LLC (“Petitioner”) submitted on Friday, April 18, 2025, to the Commission along with a petition for waiver of provisions of the NYISO’s Open Access Transmission Tariff (“OATT”) and a request for expedited action (“Waiver Request”).<sup>2</sup> As explained below, the NYISO opposes the request for a shortened comment period as the NYISO requires sufficient time to review the multiple arguments and factual statements included in the Waiver Request and to prepare comments.

**I. MOTION TO INTERVENE**

The NYISO is the independent body responsible for providing open access transmission service, maintaining reliability, and administering competitive wholesale markets for electricity, capacity, and ancillary services in New York State. Additionally, the NYISO administers the interconnection process pursuant to its Commission-approved tariffs. The NYISO, therefore, has a unique interest in this proceeding that cannot be adequately represented by any other entity

---

<sup>1</sup> 18 C.F.R. §§ 385.212 and 385.213 (2022).

<sup>2</sup> *Dover Plains Energy Properties LLC*, Petition for Limited, Prospective Tariff Waiver and Expedited Commission Action, Docket No. ER23-2559-000 (Aug. 3, 2023).

and requests that the Commission permit the NYISO to intervene with all the rights of a party. The Commission should grant the NYISO's motion to intervene because the NYISO has an interest that may be directly affected by the outcome of this proceeding.

## **II. OPPOSITION TO REQUEST FOR SHORTENED COMMENT PERIOD**

As Petitioner explains, the NYISO withdrew Petitioner's project from the NYISO's interconnection queue for failure to satisfy the requirements to enter the Phase 1 Study of the Transition Cluster Study Process by the tariff-defined deadline of February 25, 2025. After receiving notice of this withdrawal, Petitioner did not avail itself of the dispute resolution process provided under the NYISO's interconnection process. Petitioner filed its Waiver Request on Friday, April 18, 2025, nearly two months after the deadline for which they now seek a waiver. The request for shortened comment period is for five days, which includes a holiday weekend. Therefore, if the Commission grants the shortened comment period, the NYISO and other interested parties would have less than three Business Days to review the Waiver Request and draft and file a response. Three Business Days is insufficient time for the NYISO to review the multiple arguments and numerous factual statements that Petitioner advanced and to prepare comments.

Additional impacted parties should have the opportunity to review the Waiver Request and submit comments. In particular, there are 238 Interconnection Customers with projects currently being studied in the Transition Cluster Study after meeting all the applicable requirements to enter the Phase 1 Study. There are also two Transmission Owners that would be responsible for performing studies for the Petitioner's project should the waiver be granted and the project reinstated to the NYISO's interconnection queue. These Transmission Owners are currently performing Phase 1 Studies for other Interconnection Customers in the Transition Cluster Study. The Commission should afford any such interested party the opportunity to

submit comments for its consideration. Thus, the Commission should deny Petitioner's request for a shortened comment period of five days.

### **III. CONCLUSION**

For the foregoing reasons, the NYISO respectfully requests that the Commission deny Petitioner's request for a shortened comment period of five days and set the standard comment period of 21 days.

Respectfully submitted,

/s/ Sara B. Keegan

Sara B. Keegan  
Raquel M. Parks

/s/ Michael J. Messonnier, Jr.

Michael J. Messonnier, Jr.  
Hunton Andrews Kurth LLP

*Counsel for the  
New York Independent System Operator, Inc.*

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

## **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 21<sup>st</sup> day of April 2025.

/s/ Elizabeth Rilling

Elizabeth Rilling  
New York Independent System Operator, Inc.  
10 Krey Blvd.  
Rensselaer, NY 12144  
(518) 356-6177