

June 16, 2025

By Electronic Delivery

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

Re: *New York Independent System Operator, Inc., Compliance Filing, Docket Nos. ER24-1915-000, ER24-1915-001, ER24-1915-___ and ER24-342-000*

Dear Ms. Reese:

The New York Independent System Operator, Inc. (“NYISO”) hereby submits this compliance filing to fulfill the directives of the Federal Energy Regulatory Commission (“Commission”) in its April 17, 2025, *Order on Compliance* in the above-captioned proceedings (“April 2025 Order”).¹

On May 1, 2024, the NYISO submitted proposed revisions to its Open Access Transmission Tariff (“OATT”) and its Market Administration and Control Area Services Tariff (“Services Tariff”) (“Compliance Filing”)² to comply with the interconnection reforms included in the Commission’s Order Nos. 2023 and 2023-A (collectively, “Order No. 2023”).³ In particular, the NYISO proposed to establish a Cluster Study Process, which requirements were set forth in new Standard Interconnection Procedures located in Attachment HH to the NYISO OATT.⁴

The April 2025 Order largely accepted the NYISO’s proposed tariff revisions. The order directed the NYISO to make a limited number of additional tariff revisions to comply with Order No. 2023. For certain of these directives, the Commission permitted the NYISO as an alternative

¹ See *N.Y. Indep. Sys. Operator, Inc.*, Order on Compliance, 191 FERC ¶ 61,049 (2025).

² See *N.Y. Indep. Sys. Operator, Inc.*, Compliance Filing for Order No. 2023 and Order No. 2023-A; Conditional Request for Prospective Waivers; Docket No. ER24-1915-000 (May 1, 2025) (“Compliance Filing”). The NYISO subsequently submitted an errata filing on May 8, 2025. Separately, on November 3, 2023, in Docket No. ER24-342-000, the NYISO submitted proposed OATT revisions to partially comply with Order No. 2023 by establishing an interim transition mechanism that set the stage for the NYISO’s Order No. 2023 compliance. That filing was also accepted by the April 2025 Order.

³ See *Improvements to Generator Interconnection Procs. & Agreements*, Order No. 2023, 184 FERC ¶ 61,054, *order on reh’g*, 185 FERC ¶ 61,063 (2023), *order on reh’g*, Order No. 2023-A, 186 FERC ¶ 61,199, *errata notice*, 188 FERC ¶ 61,134 (2024).

⁴ Capitalized terms that are not otherwise defined in this filing shall have the meaning specified in Section 40.1 of Attachment HH to the NYISO OATT and, if not defined therein, in the NYISO OATT and NYISO Market Administration and Control Area Services Tariff.

to provide further clarification on how the NYISO's proposed revisions satisfy the Order No. 2023 requirements or to justify these revisions as an independent entity variation.

The NYISO submits this further compliance filing to address the directives in the April 2025 Order.⁵ The NYISO proposes tariff revisions to address certain of the directives, while providing additional clarifications or justifications to address the remaining directives as permitted by the order. The proposed tariff revisions included in this compliance filing are expressly required by the April 2025 Order's directives, are necessary to implement or clarify the existing tariff language to accommodate those directives, or are non-substantive organizational or clarifying adjustments.⁶ As described in Part III below, the NYISO requests that the tariff revisions included in this supplemental compliance filing have an effective date of the date of the Commission's order accepting the respective tariff revisions.

The NYISO respectfully submits that – with the proposed tariff revisions and the additional clarifications and justifications included in this supplemental compliance filing – it fully complies with the requirements in Order No. 2023 and the April 2025 Order.

I. Background

A. NYISO's Order No. 2023 Compliance Proceeding

On May 1, 2024, the NYISO submitted the Compliance Filing to address the directives and goals of Order No. 2023. The NYISO proposed to establish a Cluster Study Process that incorporated the NYISO's long-standing "first-ready, first-served" clustered Class Year Interconnection Facilities Study requirements within the process framework adopted by the Commission in Order No. 2023.

The NYISO's proposed tariff revisions adopted or otherwise addressed the Order No. 2023 requirements, while employing a number of independent entity variations to maximize the benefits of the reforms in light of the NYISO's distinct interconnection procedures, market structure and planning framework, and other New York-specific considerations. Consistent with the goals of Order No. 2023, the NYISO's proposed reforms were designed to collectively drive substantial efficiencies and improvements in the NYISO's interconnection process and were

⁵ The NYISO separately submitted on May 16, 2025, a request for rehearing regarding three of the Commission's determinations in the April 2025 Order. *N.Y. Indep. Sys. Operator, Inc.*, Request for Rehearing of the New York Independent System Operator, Inc., Docket No. ER24-1915-002 (May 19, 2025) ("NYISO Rehearing Request").

⁶ The Commission has previously authorized the NYISO to include these kinds of limited, but necessary, clarifications in compliance filings and should follow that precedent here. *See N.Y. Indep. Sys. Operator, Inc.*, 125 FERC ¶ 61,206 (2008), reh'g, 127 FERC ¶ 61,042 (2009) (accepting proposed additional tariff revisions that were necessary to implement the modifications directed by the Commission and to correct drafting errors or ambiguities in a compliance filing).

directly targeted at enabling the increasing number of projects seeking to interconnect in New York to do so in a reliable, efficient, transparent, and timely manner.

As part of these reforms, the NYISO consolidated the interconnection procedures and agreements then spread across multiple tariff attachments into new Standard Interconnection Procedures located in a single, new Attachment HH to the NYISO OATT. The NYISO requested a May 2, 2024, effective date to enable the NYISO to immediately begin implementing the reforms and opened the Application Window to commence its Transition Cluster Study Process on August 1, 2024.

On April 17, 2025, the Commission issued the April 2025 Order largely accepting the NYISO's proposed tariff revisions with a May 2, 2024, effective date. The Commission directed the NYISO to make certain limited tariff revisions. For certain of these directives, the Commission permitted the NYISO as an alternative to provide further clarification on how the NYISO's proposed revisions satisfy the Order No. 2023 requirements or to justify these revisions as an independent entity variation. The order directed the NYISO to submit its supplemental compliance filing within 60 days – that is, by June 16, 2025.

Following the April 2025 Order, the NYISO held several discussions with its stakeholders concerning the compliance obligations. The NYISO presented a summary of the compliance requirements to stakeholders at its May 6, 2025, Transmission Planning Advisory Subcommittee ("TPAS") meeting. The NYISO subsequently presented to stakeholders its proposed tariff revisions and information concerning its further clarifications or justifications at its May 21, 2025, and June 5, 2025, Electric System Planning Working Group ("ESPWG")/TPAS meetings.

B. NYISO's Cluster Study Process

In the April 2025 Order, the Commission accepted the overall framework, timeframes, and requirements for the NYISO's new Cluster Study Process included in Attachment HH of the NYISO OATT. The core elements of this process are summarized as follows and illustrated in Figure 1 below.

Prior to the commencement of a Cluster Study Process, Interconnection Customers may gain valuable information regarding proposed interconnections by requesting a Pre-Application Report and by reviewing the Heatmap.⁷ The NYISO will kick off each Cluster Study Process by opening the Application Window for that study cycle.⁸ To enter the study, an Interconnection Customer must submit during the 45-Calendar Day Application Window an Interconnection Request or CRIS-Only Request, the applicable Application Fee and Study Deposit, a demonstration of Site Control, and all other required application materials.⁹ If the

⁷ See OATT Attach. HH §§ 40.4.1, 40.4.2.

⁸ See *id.* § 40.5.3.

⁹ See *id.* § 40.5.5.

Interconnection Customer submits a valid request or timely cures any deficiencies, the request will be a Cluster Study Project included in the Cluster for that study process.¹⁰

The NYISO will then commence a 70-Calendar Day Customer Engagement Window.¹¹ Within 10 Business Days of the start of the Customer Engagement Window, the NYISO will publish the list of all of the Cluster Study Projects participating in that process.¹² Within 5 Business Days of the NYISO's publication of this list, an Interconnection Customer will have the opportunity to modify its Point of Interconnection of its project and may also withdraw its project up to this point without penalty.¹³ The applicable Transmission Owner will then conduct a physical infeasibility screening to identify whether any of the proposed interconnections are physically infeasible and unable to proceed, in which case the projects will be withdrawn without penalty.¹⁴ Finally, the NYISO shall conduct a group scoping meeting for the Cluster Study Projects.¹⁵ During the Application Window and Customer Engagement Window, the NYISO will develop the Existing System Representation and base cases required for the performance of the Cluster Study.¹⁶

Interconnection Customers will then have a 5-Business Day period – the Phase 1 Entry Decision Period – to elect whether their Cluster Study Projects will proceed to the Phase 1 Study.¹⁷ To move forward, the Interconnection Customer must post the Readiness Deposit 1.¹⁸

The NYISO will then commence the Phase 1 Study process.¹⁹ The process is a 190-Calendar Day period that runs from the Phase 1 Study Start Date to the NYISO's presentation to its Operating Committee for its approval of the Phase 1 Cost Estimates Summary Report.²⁰ At the start of the Phase 1 Study process, the NYISO will finalize the Existing System Representation and the required base cases.²¹ The Connecting Transmission Owners and Affected Transmission Owners will then assess the local impacts of the proposed interconnections of the Cluster Study Projects to identify the Connecting Transmission Owner's Attachment Facilities, Distribution Upgrades, and Local System Upgrade Facilities required to reliably interconnect the projects in accordance with Applicable Reliability Requirements, and to provide cost estimates for and a preliminary schedule to construct the facilities.²² The NYISO will incorporate this analysis into the Phase 1 Cost Estimates Summary Report and present it to

¹⁰ See *id.* § 40.5.7.

¹¹ See *id.* § 40.7.1.

¹² See *id.* § 40.7.2.

¹³ See *id.* §§ 40.7.2.2, 40.7.2.23.

¹⁴ See *id.* § 40.7.3.

¹⁵ See *id.* § 40.7.4.

¹⁶ See *id.* § 40.10.2.

¹⁷ See *id.* § 40.7.5. If the Interconnection Customer instead elects to withdraw during this stage, it will be subject to a withdrawal penalty equal to 25% of its Study Deposit with limited exceptions. See *id.* § 40.7.6.

¹⁸ See *id.* § 40.7.5.3. The Readiness Deposit 1 is calculated as \$4,000 per MW for the project.

¹⁹ See *id.* § 40.10.1.

²⁰ See *id.* § 40.9.2.1.

²¹ See *id.* § 40.10.4.

²² See *id.* § 40.10.4.

its stakeholder Operating Committee.²³ The Phase 1 Study process will conclude for the Cluster of Cluster Study Projects with the NYISO's Operating Committee's approval of a summary of the Phase 1 Study cost estimates.²⁴ In parallel with the performance of the Phase 1 Study, the NYISO and Transmission Owners will perform preparatory work for the Phase 2 Study.²⁵

Interconnection Customers will then have a 10-Business Day period – the Phase 2 Entry Decision Period – to elect whether their Cluster Study Projects will proceed to the Phase 2 Study.²⁶ To move forward, the Interconnection Customer must post the Readiness Deposit 2.²⁷

The NYISO will then commence the 270-Calendar Day Phase 2 Study process.²⁸ The process is a 270-day period that runs from the Phase 2 Study Start Date to the NYISO's presentation of the draft Cluster Study Report to the Operating Committee for its approval.²⁹ The NYISO will perform assessments to identify any non-Local System Upgrade Facilities and Distribution Upgrades required for the reliable interconnection of Cluster Study Projects to address the non-local impacts of the proposed interconnections.³⁰ For Cluster Study Projects requesting Capacity Resource Interconnection Service ("CRIS"), the NYISO will also conduct a Cluster Study Deliverability Study to identify any required System Deliverability Upgrades.³¹ If the NYISO identifies a System Deliverability Upgrade that was not previously studied, Interconnection Customers may elect for the upgrade to be assessed through a separate parallel Additional SDU Study.³² The Connecting Transmission Owner, Affected Transmission Owner, or Affected System Operator will determine the cost estimates for and a preliminary schedule to construct the facilities.³³ They will also update, as needed, the identification of and cost estimates of the facilities identified in the Phase 1 Study.³⁴ The NYISO will allocate upgrade costs among Cluster Study Projects using a proportional impact method.³⁵ The NYISO will develop a draft Cluster Study Report with the results of Phase 2 Study and present the results to its stakeholder Operating Committee. The Phase 2 Study will conclude for the Cluster of Cluster Study Projects with the NYISO's Operating Committee's approval of the Cluster Study Report.³⁶

²³ See *id.* § 40.10.6.

²⁴ See *id.* § 40.10.1.

²⁵ See *id.* § 40.10.7.

²⁶ See *id.* § 40.10.8.

²⁷ The Readiness Deposit 2 replaces the Readiness Deposit 1 and is calculated as the greater of the Readiness Deposit 1 amount and 20% of the cost estimates determined in the Phase 1 Study for the project. See OATT Attach. HH 40.10.8. If the Interconnection Customer instead elects to withdraw during this stage, it will be subject to a withdrawal penalty equal to 50% of its Study Deposit and 10% of its Readiness Deposit 1 with limited exceptions. See *id.* § 40.10.9.

²⁸ See *id.* § 40.11.1.

²⁹ See *id.* § 40.9.2.1.

³⁰ See *id.* § 40.11.2.1.

³¹ See *id.* § 40.11.3.

³² See *id.* § 40.11.3.

³³ See *id.* § 40.11.4.

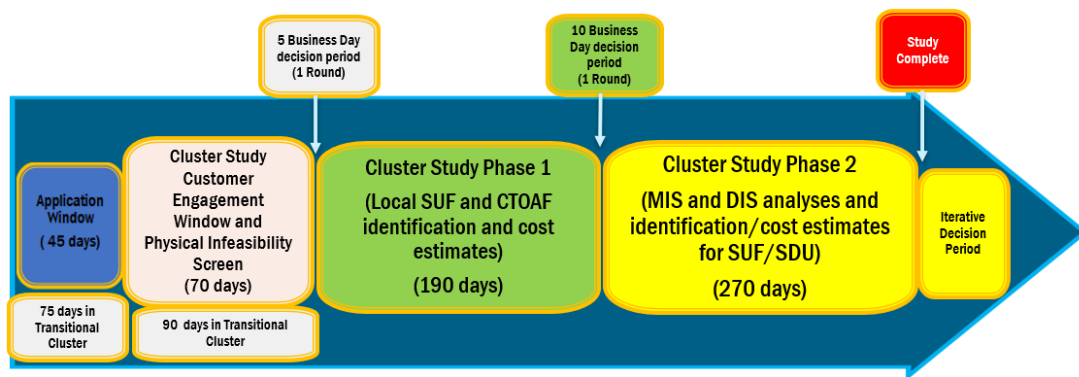
³⁴ See *id.* § 40.11.2.2.

³⁵ See *id.* § 40.12.2.

³⁶ See *id.* §§ 40.11.1, 40.11.7.

The NYISO will then commence the Final Decision Period. In the iterative decision rounds of this process, each Interconnection Customer will elect whether to accept the costs for the attachment facilities and upgrades identified for its project and to pay cash or post security for the allocated amount.³⁷ An Interconnection Customer that accepts its costs allocation and pays cash or posts security for its allocated costs will move forward to negotiate an interconnection agreement and any construction agreements for the project. The Interconnection Customer will only be responsible for additional costs in excess of its secured amount under tariff-prescribed circumstances.³⁸ Its security will be subject to forfeiture if the project withdraws, and other Interconnection Customers are relying on its attachment facilities or upgrades.³⁹

Figure 1 - Cluster Study Process



Total Timeline: 590 days (1.6 years)

II. Response to Commission Directives

A. Third-Party Consultants

In the Compliance Filing, the NYISO requested an independent entity variation to remove the Commission's *pro forma* requirement that an Interconnection Customer could require the NYISO or Transmission Owner to use a third-party consultant to perform study work.⁴⁰ In the April 2025 Order, the Commission denied the requested change and directed the NYISO either: (i) to adopt the *pro forma* requirements, which specify that interconnection customers may require that the transmission provider use third-party consultants reasonably acceptable to the interconnection customer and transmission provider to perform study work

³⁷ See OATT Attach. HH § 40.15. If, on the other hand, the Interconnection Customer does not accept its cost allocation or pay cash or post security for its project, the project will be withdrawn and will be subject to a withdrawal penalty equal to 100% of its Study Deposit and 20% of its Readiness Deposit 2. See *id.* § 40.15.5.

³⁸ See *id.* § 40.16.3.

³⁹ See *id.* § 40.16.1.

⁴⁰ See Compliance Filing at 53.

under the direction of the transmission provider, or (ii) to justify its proposal under the independent entity variation standard.⁴¹

As permitted by the order, the NYISO provides the following additional information in support of its requested independent entity variation to remove this requirement from the NYISO's interconnection procedures.

Pursuant to Section 13.4 of the Commission's *pro forma* Large Generator Interconnection Procedures ("LGIP"), an Interconnection Customer may require the Transmission Provider to use a third-party consultant to perform an interconnection study in the following instances:

(i) at the time of the signing of an Interconnection Study Agreement there is disagreement as to the estimated time to complete an Interconnection Study, (ii) Interconnection Customer receives notice pursuant to Sections 6.3, 7.4 or 8.3 that Transmission Provider will not complete an Interconnection Study within the applicable timeframe for such Interconnection Study, or (iii) Interconnection Customer receives neither the Interconnection Study nor a notice under Sections 6.3, 7.4 or 8.3 within the applicable timeframe for such Interconnection Study...."

Section 13.4 further states that the use of a third-party consultant shall be "limited to situations where Transmission Provider determines that doing so will help maintain or accelerate the study process for Interconnection Customer's pending Interconnection Request and not interfere with Transmission Provider's progress on Interconnection Studies for other pending Interconnection Requests."

The third-party consultant requirements are based on the Commission's *pro forma* study structure. As described below, these requirements are incompatible with the substantially different structure and requirements of the NYISO's interconnection procedures that were accepted in the April 2025 Order. Incorporating these requirements into the NYISO's Cluster Study Process would create process inefficiencies that will interfere with the NYISO's and Transmission Owners' progress on completing, as applicable, the Phase 1 Study and Phase 2 Study phases for the entire Cluster of participating projects. This would have the opposite effect of the Commission's stated intent for the third-party consultant requirement "to increase efficiency and provide greater certainty to interconnection customers regarding the timing of studies."⁴²

First, the study timeframes for the NYISO's Phase 1 Study and Phase 2 Study are established in the NYISO's tariff and are not subject to negotiation as part of the Cluster Study Agreement.⁴³ Accordingly, the first *pro forma* trigger for the use of a third-party consultant

⁴¹ See April 2025 Order at P 106.

⁴² See *id.*

⁴³ The NYISO's Cluster Study Agreement does not include study timeframes. See OATT Attach. HH Appx. 3. Section 3.0 of the agreement provides that the NYISO and Transmission Owner "shall perform their responsibilities for the Cluster Study consistent with the requirements in Attachment HH to the ISO OATT." In

concerning a disagreement during the execution of the study agreement as to the estimated time to complete the study is not applicable to the NYISO's process.

Second, the NYISO or Transmission Owner, as applicable, is required to perform the applicable study in line with the tariff-prescribed timeframes. If it is unable to complete a process step within the tariff-prescribed timeframe, the NYISO or Transmission Owner is required at that point in time to notify Interconnection Customers of the delay and to complete the process step as soon as practicable thereafter.⁴⁴ Requiring the NYISO or Transmission Owner in the middle of performing the Phase 1 or Phase 2 studies to incorporate a third-party consultant into the process at the point of time in which a delay is identified will further delay ongoing studies and will adversely impact all Interconnection Customers in the Cluster.

Among other things, the NYISO or Transmission Owner would have to reassign resources from finalizing the study work and completing the study phase to instead review third-party contractors and negotiate agreements with them. In particular, Section 13.4 of the *pro forma* LGIP rules require the Interconnection Customer and Transmission Provider to "negotiate all of the pertinent terms and conditions, including reimbursement arrangements and the estimated study completion date and study review deadline. Transmission Provider shall convey all workpapers, data bases, study results and all other supporting documentation prepared to date with respect to the Interconnection Request as soon as soon as practicable upon Interconnection Customer's request"

Given the volume of projects participating in the NYISO's interconnection process, this additional step could require that the NYISO or a Transmission Owner substantially slow or pause its study work to negotiate agreements simultaneously with numerous contractors, to bring those contractors up to speed on the already underway studies, and to coordinate the study work being performed by the contractors with the other ongoing studies being performed by the NYISO or Transmission Owner. This time would be more efficiently spent by the NYISO or Transmission Owner completing the impacted study work, particularly since at the stage in the process in which a delay may be identified, the impacted study or studies will likely be near completion. Requiring the use of third-party consultants at that point in time is not only likely to increase the period of time required to complete the delayed study for particular Interconnection Customers, it would also adversely impact all Interconnection Customers in the Cluster as that Cluster of projects cannot proceed to the next study phase until all of the study work for that Cluster has been performed.

Third, parts of the NYISO's and Transmission Owners' study work cannot be reasonably broken up into discrete components for an Interconnection Customer's third-party consultant to step in to perform, particularly in the middle of an ongoing study. For example, for Phase 1 Studies concerning the local impacts of proposed interconnections, projects may be seeking to

addition, Section 5.0 provides that the "time for completion of the components of the Cluster Study is specified in Attachment HH to the ISO OATT."

⁴⁴ The third prong of *pro forma* Section 13.4 is not applicable to the NYISO's process as the NYISO or Transmission Owner, as applicable is required to provide notices of any study delays.

interconnect at the same substation or electrically nearby to one another. If these projects are studied in parallel by different consultants, it is likely that the consultants, which are not assessing the cumulative impacts of the multiple projects, would identify conflicting or inefficient (and more expensive) attachment facilities and upgrades for these projects.

The NYISO or Transmission Owner would then require additional time to reconcile these potentially conflicting study results and to confirm that the identified upgrades are the “least costly configuration of commercially available components of electrical equipment that can be used, consistent with Good Utility Practice and Applicable Reliability Requirements” as required by the OATT.⁴⁵ As the Transmission Owners are the responsible Transmission Provider for purposes of performing the Phase 1 Studies, they are separately submitting additional comments concerning the impact of using third-party consultants on this process.⁴⁶

Similarly, the NYISO performs the Phase 2 Study analysis to assess the non-local impacts of the full Cluster of projects. The Phase 2 Study will evaluate the cumulative thermal, voltage, short circuit and stability impacts of all of the proposed Cluster Study Projects on the system to figure out whether non-local upgrades would be required or not due to the collective Cluster of proposed projects. This assessment and the determination of the non-local upgrades impacting multiple projects cannot reasonably be assigned to a particular project and its consultant or to multiple projects, each with its own consultant.

Fourth, an individual Cluster Study Project may not independently move ahead to the next phase of the NYISO’s Cluster Study Process until all of the studies for the Cluster of projects in a particular phase have been completed. For example, the NYISO will not commence the decision period for Interconnection Customers to elect to enter the Phase 2 Study until the Phase 1 Cost Estimates Summary Report summarizing all of the analyses conducted in the Phase 1 Study process has been completed by the NYISO and approved by the NYISO’s stakeholder Operating Committee. Accordingly, an Interconnection Customer cannot use a third-party consultant to expedite its path through the Cluster Study Process or to jump ahead of other projects. The Interconnection Customer’s project will only proceed in concert with all other projects in the Cluster.

Finally, the NYISO notes that it does not oppose using contractors as a general matter to assist in expediting the performance of its interconnection procedures. As permitted by the existing requirements in the NYISO OATT,⁴⁷ the NYISO already makes use of numerous consultants to assist it in expediting its performance of its obligations under the Cluster Study Process. However, unlike potential one-off requests across numerous Interconnection Customers in the middle of the study process, the NYISO is able to incorporate contractors efficiently into

⁴⁵ See OATT Attach. HH § 40.1 (definition of System Upgrade Facilities).

⁴⁶ For the Transition Cluster Study Process, the NYISO is performing the Phase 1 Study on behalf of certain Transmission Owners. Beginning with the subsequent Cluster Study Process, all of the Transmission Owners will be performing the Phase 1 Studies. See *id.* § 40.10.4.1.

⁴⁷ See *id.* § 40.24.4.

its process by identifying the contactors, entering into the applicable agreements, and defining the scope of work for such contractors prior to the applicable stages of the process.

B. Allocation of Study Costs for Certain Interconnection Studies

In the Compliance Filing, the NYISO requested an independent entity variation to detail in its procedures the methodology for allocating the costs of certain interconnection-related studies other than the Cluster Study.⁴⁸ In the April 2025 Order, the Commission determined that the inclusion of the study cost allocation methodology for certain of these additional studies was outside the scope of this proceeding.⁴⁹ The Commission directed the NYISO to remove its proposed revisions detailing the study cost allocation methodologies for the Expedited Deliverability Study, the fast track supplemental review, and the facility modification request study.⁵⁰ As directed by the Commission, the NYISO proposes to remove the tariff provisions for the study cost allocation methodologies for these three studies.⁵¹

C. Cost Allocation for Local System Upgrade Facilities

Order No. 2023-A established that the costs of substation network upgrades shall be allocated first to interconnection facilities interconnecting to the substation at the same voltage level, and then per capita to each generating facility sharing the interconnection facility.⁵² In addition, Order No. 2023 established that interconnection customers may agree to share interconnection facilities and that the costs of such will be allocated on a per capita basis unless interconnection customer mutually agree to a different cost sharing arrangement.⁵³

In the April 2025 Order, the Commission stated that it was not clear under the NYISO's tariff requirements: (i) how the NYISO factors in voltage or multiple interconnection customers sharing an interconnection facility to reach the NYISO substation, or (ii) in cases in which interconnection customers agree to share such interconnection facilities, that the costs would be allocated on a per capita basis unless the parties agree to a different cost sharing arrangement.⁵⁴ The Commission, therefore, directed the NYISO to take one of the following actions concerning the allocation of substation network upgrade costs and the ability of interconnection customers to share interconnection facilities: (1) propose tariff language to fully implement the cluster network upgrade cost allocation requirements of Order Nos. 2023 and 2023-A; (2) clarify how its existing tariff language already meets these requirements; or (3) justify its existing tariff language under the independent entity variation standard.⁵⁵

⁴⁸ See Compliance Filing at 70.

⁴⁹ See April 2025 Order at P 119.

⁵⁰ See *id.*

⁵¹ See OATT Attach. HH §§ 40.6.3.2, 40.23.4.3, 40.24.3.2.2, 40.24.3.2.4, 40.24.3.2.5.

⁵² See Order No. 2023-A at PP 177-178.

⁵³ See *id.* at P 454.

⁵⁴ See April 2025 Order at PP 125-126.

⁵⁵ See *id.* at P 127.

The NYISO proposes to adopt the *pro forma* LGIP requirements concerning: (i) the allocation of the costs of substation network upgrades, which are known as Local System Upgrade Facilities in the NYISO's OATT, and (ii) the allocation of the costs of shared interconnection facilities. The *pro forma* requirements are consistent with the NYISO's existing practice for allocating these costs.

To implement this change, the NYISO proposes to revise Section 40.12.2.1 of Attachment HH to the OATT to incorporate the *pro forma* LGIP rules, as revised to accommodate the NYISO-specific defined terms. In particular, the NYISO proposes to insert a new Section 40.12.2.1.1 to establish, consistent with Section 4.2.1(1)(a) of the *pro forma* LGIP, that the NYISO: (i) will first allocate Local System Upgrade Facilities, including all switching stations, to interconnection facilities interconnecting to the substation at the same voltage level and (ii) will then allocate the costs per capita to each Facility sharing the interconnection facility.⁵⁶ In addition, the NYISO proposes to insert a new Section 40.12.2.1.2 to establish, consistent with Section 4.2.1(2) of the *pro forma* LGIP, that: (i) the costs of any needed Connecting Transmission Owner's Attachment Facilities and Distribution Upgrades identified in the Cluster Study Process will be directly assigned to Interconnection Customer(s) using such facilities and (ii) where Interconnection Customers in the same Cluster Study agree to share such facilities, the costs shall be allocated based on the number of Facilities sharing use of the facilities on a per capita basis unless the parties mutually agree to a different cost sharing arrangement.

D. Study Delay Penalty Structure

In the Compliance Filing, the NYISO proposed to adopt the *pro forma* study delay penalty requirements established in Order No. 2023, with certain independent entity variations that were required in light of the different structure of the NYISO's proposed Cluster Study process. Among other variations, the NYISO proposed to apply the penalty rules if the entire Cluster Study, including the Phase 1 Study and Phase 2 Study components, was not completed within the scheduled duration of the study. This duration is 460 Calendar Days from the commencement of the Phase 1 Study at the Phase 1 Study Start Date to the NYISO's provision at the end of the Phase 2 Study of the draft Cluster Study Report to its stakeholder Operating Committee for its approval (excluding the time for the Interconnection Customers' decision periods). If the NYISO's provision of the Cluster Study Report was delayed beyond this period of time, and did not fall within a tariff-prescribed grace period or stakeholder-approved extension, the NYISO and/or Transmission Owner, as applicable, would be responsible for a penalty in the amount of \$2,000 per day for each Business Day of the delay, with the penalty amount capped by the total study deposit amount for that Cluster Study.

⁵⁶ With these clarifications to the requirements for Local System Upgrade Facilities, the NYISO proposes conforming revisions to Sections 40.12.2.3 and 40.12.2.4 to clarify that these existing provisions apply to the cost allocation of non-Local System Upgrade Facilities.

The NYISO also proposed a process following the completion of the Cluster Study for determining the allocation of any penalties amounts among the NYISO and Transmission Owners, reporting any study delays to the Commission, and providing an opportunity for the NYISO or Transmission Owner to appeal any penalties at the Commission. An Interconnection Customer participating in the Cluster Study that accepted its project cost allocation and posted security at the conclusion of the study would receive a portion of the \$2,000 per Business Day penalty based on its portion of study costs for that Cluster Study.

In the April 2025 Order, the Commission accepted most of the NYISO's requested independent entity variations concerning study delay penalties, but rejected the NYISO's proposal to apply penalties only for delays in the entire Cluster Study and not separately for delays in the Phase 1 Study component of the process.⁵⁷ The Commission directed the NYISO to revise its tariff requirements to apply study delay penalties to the NYISO and the relevant Transmission Owners at each distinct study phase of its cluster study process.⁵⁸

The NYISO, therefore, submits proposed tariff revisions to comply with the Commission's directive in the April 2025 Order.⁵⁹ In particular, the NYISO requests an independent entity variation from the *pro forma* penalty requirements to establish separate study delay penalty processes for the Phase 1 Study and Phase 2 Study components of the Cluster Study. The NYISO proposes a penalty approach for the two study components that mirrors its prior proposal for the entire Cluster Study, which approach would work as follows.⁶⁰

The NYISO and/or applicable Transmission Owners would be subject to a study delay penalty if either the Phase 1 Study process or the Phase 2 Study process is not completed within its tariff-prescribed scheduled duration and does not fall within a grace period or stakeholder-approved extension.⁶¹ The scheduled duration of the Phase 1 Study process for the Cluster as accepted in the April 2025 Order is a 190-Calendar Day period between the Phase 1 Study Start Date and the NYISO's presentation of the Phase 1 Cost Estimate Summary Report to its

⁵⁷ See April 2025 Order at P 248.

⁵⁸ See *id.*

⁵⁹ The NYISO has separately requested rehearing concerning this directive. NYISO Rehearing Request at 8-13. The NYISO's submission of revised tariff provisions in this filing to comply with the directive in the April 2025 Order should not be interpreted as changing its position in its request for rehearing. In addition, the NYISO continues to object to Order No. 2023's study delay penalty regime and is one of many parties challenging it in the consolidated appeals before the United States Court of Appeals for the District of Columbia Circuit. See *Adv. Energy United, et al. v. FERC*, D.C. Cir. Nos. 23-1282, et al.

⁶⁰ The NYISO only proposes in this compliance filing to modify the study delay penalty provisions required to satisfy the Commission's directive in the April 2025 Order and not to revise any of the other independent entity variations concerning study delay penalties accepted in that order.

⁶¹ See OATT Attach. HH § 40.9.3.2.2. Any penalty could be appealed to the Commission and excused by the Commission on a finding of good cause. See *id.* § 40.9.3.2.7.

stakeholder Operating Committee for its approval.⁶² The scheduled duration of the Phase 2 Study process for the Cluster as accepted in the April 2025 Order is a 270-Calendar Day period between the Phase 2 Study Start Date and the NYISO's presentation of the draft Cluster Study Report to its stakeholder Operating Committee for its approval.⁶³

A penalty in the amount of \$2,000 per day for each Business Day would apply if: (i) the NYISO's presentation of the Phase 1 Cost Estimate Summary Report for the Cluster to its Operating Committee at the conclusion of the Phase 1 Study process is delayed, or (ii) the NYISO's presentation of the draft Cluster Study Report for the Cluster to its Operating Committee at the conclusion of the Phase 2 Study process is delayed.⁶⁴ The penalties would only be applicable for delays that go beyond the grace period or stakeholder-approved extension and would be subject to the appeals process accepted in the April 2025 Order.

The NYISO proposes that the total amount of any penalties assessed across a given Cluster Study – *i.e.*, the combined total amounts of any penalties for a delayed Phase 1 Study process and any penalties for a delayed Phase 2 Study process – be capped at 100% of the initial Study Deposits received for all of the Interconnection Requests and CRIS-Only Requests in the Cluster for that Cluster Study.⁶⁵ The Study Deposit that Interconnection Customers provide during the Application Window concerns the entire Cluster Study, and the NYISO OATT does not break the deposit amount into individual Phase 1 and Phase 2 components.

The NYISO also proposes the following additional related changes to its study delay penalty process accepted in the April 2025 Order to implement the revised approach.

First, the NYISO proposes to apply the same process accepted by the Commission in the April 2025 Order for administering the allocation of study delay penalties among the NYISO and Transmission Owners for both any penalties assessed for Phase 1 Study process delays and any penalties assessed for Phase 2 Study process delays. Specifically, the NYISO proposes to revise the existing tariff requirements to enable it to conduct this penalty allocation process, when

⁶² See *id.* § 40.9.2.1(i).

⁶³ See *id.* § 40.9.2.2(ii).

⁶⁴ See *id.* § 40.9.3.2.6. An Interconnection Customer may not advance to the next phase of the Cluster Study Process until, as applicable, the Phase 1 Study process or the Phase 2 Study process has been completed on a Cluster-wide basis. In particular, the NYISO will only commence the Phase 2 Entry Decision Period for the Cluster during which an Interconnection Customer must elect whether to enter the Phase 2 Study and to post its Readiness Deposit 2 after the Phase 1 Cost Estimate Summary is approved by the Operating Committee to complete the Phase 1 Study process. Similarly, the NYISO will only commence the Final Decision Period for the Cluster during which an Interconnection Customer must elect whether to proceed with its project by accepting the Project Cost Allocation for its Connecting Transmission Owner's Attachment Facilities, Distribution Upgrades, and System Upgrade Facilities and posting the related Security after the Cluster Study Report is approved by the Operating Committee to complete the Phase 2 Study process.

⁶⁵ See *id.* § 40.9.3.2.6.

applicable, after the end of the Phase 1 Study process for any penalties resulting from that study component and after the end of the Cluster Study for any penalties resulting from the Phase 2 Study component. To implement this change, the NYISO proposes conforming revisions to include timeframes tied to the conclusion of both the Phase 1 Study process and the Phase 2 Study process for performing the penalty allocation process, for informing the Commission of any study delays, for appealing to the Commission any study penalties, and for making any penalty payments.⁶⁶

Second, in the April 2025 Order, the Commission accepted the NYISO's proposed requirement that only those Interconnection Customers that accepted their project cost allocation determined in the Cluster Study and that posted the required security would be eligible to receive any distributions for study delay penalties.⁶⁷ The NYISO proposes to retain this requirement for an Interconnection Customer's eligibility to receive any distributions for penalties resulting from Phase 2 Study process delays, and to adopt an analogous requirement for an Interconnection Customer's eligibility for penalties resulting from Phase 1 Study process delays.⁶⁸ Specifically, the NYISO proposes that, to be eligible to receive a Phase 1 Study delay penalty payment, the Interconnection Customer must have satisfied the requirements in the Phase 2 Entry Decision Period to enter the Phase 2 Study process.⁶⁹ These requirements include the Interconnection Customer making an election to proceed to the Phase 2 Study and providing its Readiness Deposit 2.⁷⁰

Third, in the April 2025 Order, the Commission accepted, as consistent with Order No. 2023, the NYISO's allocation of study delay penalties to Interconnection Customers on a pro rata basis proportionate to each Interconnection Customer's final study cost in the relevant study.⁷¹ The NYISO proposes to make conforming changes to this penalty allocation requirement to account for separate Phase 1 and Phase 2 penalties.

For a Phase 1 Study penalty, an Interconnection Customer participating in the Phase 1 Study that satisfied the requirements to enter the Phase 2 Study would receive a portion of the \$2,000 per Business Day penalty on a pro rata basis based on its portion of study costs for that Phase 1 Study.⁷² Similarly, for a Phase 2 Study penalty, an Interconnection Customer

⁶⁶ See *id.* §§ 40.9.3.1.3, 40.9.3.2.2.1, 40.9.3.2.5, 40.9.3.2.7.

⁶⁷ See April 2025 Order at P 250.

⁶⁸ See OATT Attach. HH §§ 40.9.3.2.3.1, 40.9.3.2.3.2.

⁶⁹ See *id.* § 40.9.3.2.3.1.

⁷⁰ See *id.* § 40.10.8.3. In addition, if the Interconnection Customer satisfied its Site Control requirements to enter the Cluster Study by providing a Side Control Deposit due to a Regulatory Limitation, it is also required during the Phase 2 Entry Decision Period to demonstrate that it is taking identifiable steps to satisfy the necessary regulatory requirements.

⁷¹ See April 2025 Order at P 250.

⁷² See OATT Attach. HH § 40.9.3.2.3.1.

participating in the Phase 2 Study that accepted its project cost allocation and posted security at the conclusion of the Cluster Study would receive a portion of the \$2,000 per Business Day penalty on a pro rata basis based on its portion of study costs for the Phase 2 Study process.⁷³

Finally, the NYISO proposes limited, conforming changes to the study delay penalty requirements for Affected System Studies that are needed to align the language with the updates to the penalty requirements for the Phase 1 and Phase 2 studies.⁷⁴

E. Interaction of Cluster Study Process and Affected System Study Process

In the Compliance Filing, the NYISO requested an independent entity variation from the Affected System Study requirements in the *pro forma* LGIP to address the coordination of its unique Cluster Study Process with Affected System Studies.⁷⁵ In particular, the NYISO proposed that, during an Affected System Study, the NYISO would refine and update the description of any Affected System Network Upgrades based on changes in the base case that occur during the study.⁷⁶

In the April 2025 Order, the Commission denied the requested independent entity variation.⁷⁷ The Commission indicated that the variation fails to provide affected system interconnection customers with certainty around study assumptions and cost allocation.⁷⁸ The Commission, therefore, directed the NYISO to either: (1) adopt the Order No. 2023 requirement that an affected system study agreement will be higher-queued than the interconnection requests of those host system interconnection customers that have not yet received their cluster study results, and lower-queued than those interconnection customers that have already received their cluster study results, or (ii) justify its proposal under the independent entity variation standard.⁷⁹

As permitted by the order, the NYISO provides the following additional information in support of its requested independent entity variation.

The NYISO's Cluster Study Process structure and requirements are substantially different from the Commission's *pro forma* rules. As described below, if the NYISO were required to adopt the Commission's *pro forma* approach, which grants priority to Interconnection Customers and Affected System Interconnection Customers based on their Queue Position, the NYISO's Cluster Study and Affected System Studies could regularly be subject to substantial re-study work and delays. This would constitute a fundamental change to the NYISO's long-standing first ready-first served approach and would necessitate process changes that could substantially

⁷³ See *id.* § 40.9.3.2.3.2.

⁷⁴ See *id.* §§ 40.9.3.2.2, 40.9.3.2.2.1, 40.9.3.2.2.2, 40.9.3.2.5, 40.9.3.2.6, 40.9.3.2.7.

⁷⁵ See Compliance Filing at 95-96.

⁷⁶ See *id.*

⁷⁷ See April 2025 Order at P 284.

⁷⁸ See *id.*

⁷⁹ See *id.*

reduce or eliminate the key benefits and protections of the NYISO's existing process afforded to both Interconnection Customers and Affected System Interconnection Customers, including the enhanced certainty that the process provides concerning their required upgrades and the related costs.

The NYISO, therefore, has requested an independent entity variation to specify how it will coordinate the parallel Cluster Study and Affected System Studies within the NYISO's unique study framework. In particular, the NYISO proposes to establish that as part of an Affected System Study it will update and refine the description of any Affected System Network Upgrades and identify any additional Affected System Network Upgrades based on changes in the base case since the study commenced. This flexibility is necessary as the Affected System Interconnection Customers would not yet have satisfied the requirements for any identified Affected System Network Upgrades to be considered firm and included in the base cases of subsequent interconnection studies.⁸⁰ However, once the Affected System Interconnection Customer has accepted its cost allocation for any identified Affected System Network Upgrades and posted the required Security, its secured upgrades will be considered firm in the base cases for subsequent interconnection studies and its upgrades and related cost estimates will be set.

In particular, the NYISO's requested variation is necessary for its process for the following reasons.

First, the Commission's *pro forma* rules if applied to the NYISO's different study framework would in nearly all instances grant priority to an Affected System Interconnection Customer over the hundreds of participants in the NYISO's Cluster Study.

The Commission's *pro forma* process establishes three successive studies for a Cluster of projects – a Cluster Study, Cluster Re-Study, and Interconnection Facilities Study.⁸¹ Pursuant to the *pro forma* rules, an Affected System Interconnection Customer that executes a study agreement will be considered higher queued than any Cluster in the host transmission region that has not yet received its Cluster Study Report, and lower queued than any Cluster that has already received its Cluster Study Report.⁸² That is, if an Affected System Interconnection Customer executes its study agreement prior to the Transmission Provider's completion of the first study for the Cluster, the Affected System Interconnection Customer's Interconnection Request and

⁸⁰ See OATT Attach. HH § 40.8.3.6.3 ("During the Affected System Study, the ISO shall update and refine the description of Affected System Network Upgrades identified pursuant to Section 40.8.3.6.2, including the equipment, work and related cost and time estimates necessary to construct the required Affected System Network Upgrades, and identify any additional Affected System Network Upgrades that are necessary in accordance with the NYISO Transmission Interconnection Standard (as defined in described in Attachment P) based on, among other things, changes in the Base Case since the ISO's determination pursuant to Section 40.8.3.6.2.")

⁸¹ The Interconnection Facilities Study may also be subject to additional re-studies if higher or equally queue projects withdraw or are modified. See FERC *pro forma* LGIP 8.5.

⁸² See FERC *pro forma* LGIP 9.3.

any Network Upgrades will be considered to have priority over the participants in the Cluster subject to that Cluster Study.

However, the NYISO's Cluster Study is fundamentally different from the *pro forma* Cluster Study, despite sharing a study name. The *pro forma* Cluster Study is a stand-alone clustered system impact study at the start of the interconnection study process. The NYISO's process, on the other hand, does not include stand-alone clustered system impact studies, clustered re-studies, and facilities studies. Instead, the NYISO's "Cluster Study" constitutes the single, consolidated interconnection study that incorporates elements of both a system impact and facilities study, and the Cluster Study Report is the final report for this entire interconnection study process.⁸³

If the NYISO were required to apply the *pro forma* approach, the Affected System Interconnection Customer would in nearly all cases execute a study agreement before the completion of the NYISO's single Cluster Study and would have priority over the Cluster of Cluster Study Projects, no matter how late in the Cluster Study Process that the Affected System Interconnection Customer executed its study agreement. This would have the unreasonable effect of prioritizing in almost all cases one-off Affected System Studies concerning at most a handful of projects proposing to interconnect in neighboring regions over the several hundred projects participating in the Cluster Study.

Further, this would be inconsistent with the application of the *pro forma* rules, which only provide the Affected System Interconnection Customer with Queue priority based on its execution of its study agreement prior to the completion of an early study in the parallel *pro forma* interconnection process. The Commission, for example, indicated that it was reasonable for Affected System Interconnection Customer to have higher priority than customers that had not yet received the results of their initial clustered system impact study because they had not yet received network upgrade estimates.⁸⁴ However, that is not the case in the NYISO's process where customers obtain estimates of most of their System Upgrade Facilities during the Phase 1 Study process and well before the completion of the entire Cluster Study.

Second, the *pro forma* rules establish that the Transmission Provider will include in the base cases for its interconnection studies a pending higher-queued Interconnection Request and any Network Upgrades associated with that Interconnection Request. However, a fundamental, long-standing component of the NYISO's "first-ready, first served" interconnection process is that the NYISO does not include a project and any associated upgrades in the base case of an interconnection study simply based on its Queue position (i.e., whether it is higher or lower queued than the project or Cluster being studied).

⁸³ Within the Cluster Study, the Phase 1 Study evaluates local impacts and the Phase 2 Study evaluates broader system impacts of proposed interconnections.

⁸⁴ See Order 2023 at P 1141.

Rather, the NYISO will only include a project in the base case of an interconnection study if the project has accepted the cost allocation for any upgrades determined for that project in its interconnection study and has posted the related security to the associated Transmission Owner on which system the upgrades will be located. The project and its upgrades are then considered firm and part of the system relied upon for future interconnection studies. If the project later withdraws, its security is then subject to forfeiture, so that the Transmission Owner can construct any of its upgrades being relied upon by future projects. This approach is a core component of the NYISO's interconnection process that eliminates the need for the NYISO or Transmission Owner to conduct time intensive restudies to reevaluate the impact of withdrawn or modified projects and the identification of upgrades and to reallocate costs of any upgrades. This key element of the NYISO's process provides Interconnection Customers with certainty concerning their required upgrades and estimated costs, which certainty should not be disrupted based on an Affected System Interconnection Customer's election to execute a study agreement.

If the NYISO were required to account for Affected System Interconnection Customers in the base cases for its Cluster Study based solely on when they executed their study agreements and before they accepted their cost allocation and posted security for any upgrades, the NYISO would have to fundamentally rework its overall interconnection process to minimize the adverse impacts that this would have on parallel and subsequent study participants. This is made more complicated by the fact that the Affected System Study can be commenced at any time based on actions in neighboring regions and the study is performed and completed independent of the timeframes for the ongoing and overlapping Cluster Study Processes. As described below, the NYISO would likely have to introduce re-study work or revise existing studies for the Cluster Study to account for the impact of Affected System Interconnection Customers interconnecting in other regions to the detriment of the participants in the Cluster Study seeking to interconnect in New York. This would replace the NYISO's definitive decision period process at the conclusion of the Cluster Study Process with continued uncertainty concerning the Interconnection Customer's required upgrades and cost responsibility.

Third, once the NYISO completes the base cases for the Cluster Study Process and the NYISO or Transmission Owners commence study work, opening and rebuilding these cases to add Affected System Interconnection Customers and Affected System Network Upgrades would require restudies or rework for analysis already underway. As required by Order No. 2023, both the NYISO and Transmission Owners are required to perform their respective elements of the Phase 1 Study and Phase 2 Study within tightly-prescribed timeframes established in the OATT, rather than by using Reasonable Efforts. This can only be accomplished if the base cases for these studies are not subject to change during the study work. Otherwise, the ongoing study work for the Cluster would be disrupted, and the NYISO or Transmission Owners would have to re-start study work, potentially substantially delaying the completion of the study. If the NYISO or Transmission Owner is unable to complete these components within these timeframes, they will be subject to study delay penalties. Even if the Commission were to excuse such study penalties on the NYISO and Transmission Owner resulting from such delays, Interconnection Customers participating in the Cluster Study would be harmed.

Further, depending on the timeframe for the parallel Affected System Studies and Cluster Study, the NYISO could be required to add a re-study process to account for the impacts of the Affected System Study. As described above, this would fundamentally alter the NYISO's longstanding approach in which once an Interconnection Customer has accepted its cost allocation and posted security for its identified upgrades, its cost allocation is not subject to change absent certain limited, tariff-prescribed circumstances.

For all of the above reasons, the NYISO proposes to account for any misalignments that could arise between the parallel Cluster Study and Affected System Studies by making any necessary updates to the Affected System Study base case during that study. This is consistent with the NYISO's longstanding approach for aligning Affected System Studies with the NYISO's clustered study process.

This approach will continue to provide Affected System Interconnection Customers with certainty concerning their study results and their allocation of any related costs. As with the Cluster Study rules, once an Affected System Study has been completed, the Affected System Interconnection Customer will have a decision period in which it may elect to accept the cost allocation for the Affected System Network Upgrades required for its project and to post the related security.⁸⁵ If it elects to do so, its upgrades will be incorporated into the base case of future interconnection studies and its cost responsibility for the upgrades will be set for these upgrades, subject to the same limitations for cost changes that apply for Cluster Study Projects. As with Cluster Study Projects, the Affected System Interconnection Customer would not be subject at that point to re-study concerning its required upgrades.

F. Time Period for Affected System Studies

In the Compliance Filing, the NYISO requested an independent entity variation to establish a 300-Calendar Day time period for its performance of an Affected System Study.⁸⁶ In the April 2025 Order, the Commission denied the requested variation and directed the NYISO to either: (i) adopt the Order No. 2023 requirement that an affected system study timeline not exceed 150 calendar days or (ii) further justify its proposed 300-Calendar Day timeline for such studies.⁸⁷

As permitted by the order, the NYISO provides the following additional information in support of its requested independent entity variation.

⁸⁵ The Affected System Study report will identify required Affected System Network Upgrades assuming the Cluster Study Projects in a Cluster Study conducted in parallel with the Affected System Study are in the base case and alternatively identify required upgrades without the impact of the Cluster Study Projects. The Affected System Interconnection Customer will be required to accept the higher cost allocation amount among these upgrades and to pay the related cash or post the related Security. If actual costs ultimately are less than the accepted and secured cost estimate due to the results of the parallel Cluster Study, the Affected System Interconnection Customer would only be responsible for the actual costs.

⁸⁶ See Compliance Filing at 97.

⁸⁷ See April 2025 Order at P 285.

As described in the affidavit of Thinh Nguyen, Sr. Manager, Interconnection Projects for the NYISO included as Attachment II to this filing (“Nguyen Affidavit”), the NYISO relied on its extensive experience in conducting Affected System Studies and in performing the system impact and facilities study elements of other interconnection studies to determine that it will reasonably require up to 300 Calendar Days to perform an Affected System Study that provides results concerning required upgrades and their costs estimates that are equivalent to the related results in its Cluster Study.⁸⁸

As described below, the Affected System Study performed by the NYISO essentially has two separate components – a system impact and a facilities study component. An Affected System Interconnection Customer will know within 120 Calendar Days based on the system impact component whether its project will have an impact in New York that requires Affected System Network Upgrades and will have an initial identification of the required upgrades. The additional 180 Calendar Days provide the Affected System Interconnection Customer based on the facilities study component with the cost estimates and a design and construction schedule for any upgrades.

The additional, more detailed information provided in the final 180 Calendar Days is necessary as the Affected System Interconnection Customer will be required, as with a Cluster Study Project, to elect at the end of the study whether to accept its cost allocation for such upgrades and to post the related security to the Transmission Owner whose facilities are impacted by the upgrade.⁸⁹ The secured cost allocation represents the Affected System Interconnection Customer’s cost responsibility for these upgrades, subject to limited tariff-prescribed circumstances.⁹⁰ The secured amount could be subject to forfeiture to the Transmission Owner in the event the Transmission Owner has to construct the facilities if the Affected System Interconnection Customer’s project is not completed and subsequent projects are relying on the upgrades.⁹¹

The Commission notes in the April 2025 Order that the *pro forma* LGIP rules for Affected System Study that establish a standard 150-day period permit the study to consist of a system impact study, a facilities study, or some combination thereof.⁹² However, these *pro forma* rules do not include a breakdown of these study elements within the 150-day period or indicate how the Transmission Provider should perform both study elements within this period. This 150-day period for the performance of both study elements differs from the timeframes established by the *pro forma* LGIP for the stand-alone system impact and facilities studies with

⁸⁸ The NYISO notes that it is not required to take the full 300 Calendar Days. For example, if the system impact component of the Affected System Study determines that Affected System Network Upgrades are not required, the facilities study component would not be required for that particular study.

⁸⁹ See OATT Attach. HH § 40.8.3.10.

⁹⁰ See *id.* § 40.16.3.

⁹¹ See *id.* § 40.16.1.

⁹² See Pro Forma LGIP 9.6.

the *pro forma* rules providing for 150 calendar days for a system impact study and, as applicable, 90 or 180 days for a facilities study.

As detailed in the Nguyen Affidavit, the NYISO estimates that the system impact study related elements of the Affected System Study to evaluate the impact of the Affected System Interconnection Customer's project on the New York State Transmission System and to identify any Affected System Network Upgrades will require up to 120 Calendar Days. During this time period, the NYISO will evaluate the cumulative thermal, voltage, short circuit and stability impacts of Affected System Interconnection Customers' projects on the New York State Transmission System, and the applicable Transmission Owner(s) will review the study results. This time period is consistent with the duration that the NYISO and Transmission Owners require to perform the same type of analysis in its Cluster Study.

As further detailed in the Nguyen Affidavit, the NYISO estimates that the facilities study-related elements of the Affected System Study to determine the cost estimate and preliminary schedule for and to cost allocate any required Affected System Network Upgrades will require up to 180 Calendar Days. During this time period, the NYISO will evaluate which upgrade solutions could be a least cost feasible solution consistent with Good Utility Practice and Applicable Reliability Requirements. The Transmission Owner will then perform the preliminary engineering and design and the estimated cost and construction timeline of the upgrade solution(s). This time period is consistent with the duration that the NYISO and Transmission Owners require to perform the same type of analysis in the Cluster Study.

In the April 2025 Order, the Commission stated that the NYISO failed "to explain its need for 180 days to conduct interconnection facilities studies for projects that do not interconnect with NYISO." The NYISO clarifies that the fact that the Affected System Interconnection Customer's project is not proposing to interconnect directly to the New York State Transmission System does not impact the scope of the NYISO's required evaluation of the impacts of the project on the reliability of its system or the upgrades required to address those impacts. Moreover, the NYISO's evaluation of these Affected System impacts of external projects is consistent with its evaluation in the Cluster Study Process of the impact on a New York Transmission Owner's system of a project connecting to a separate New York Transmission Owner's system.

Finally, as described above, this time period is required to ensure that the cost estimate for any Affected System Network Upgrades is sufficiently developed for the important role it plays in the NYISO's process. If the NYISO were required to shorten the Affected System Study or to limit the study to only the system impact component, then it will not be able to provide the same level of information to Affected System Interconnection Customers as to Cluster Study Projects and will have to consider whether this uncertainty could necessitate re-studies or other process changes that could adversely impact Affected System Interconnection Customers. The additional time that would be required for such re-studies would eliminate any benefits gained from shortening the Affected System Study and has the potential to result in an even longer process than a single 300-Calendar Day study.

For the above stated reasons, the NYISO requests that the Commission accept the requested independent entity variation for a 300-Calendar Day period for the Affected System Study.

G. Interconnection Requests for Co-Located Generating Facilities

Order No. 2023 required transmission providers to allow more than one generating facility to co-locate on a shared site behind a single point of interconnection and share a single interconnection request.⁹³ In the Compliance Filing, the NYISO requested an independent entity variation to permit it to continue to apply its existing Co-located Storage Resource ("CSR") requirements.⁹⁴

In the April 2025 Order, the Commission determined that the NYISO had not justified its proposed independent entity variation to require that co-located generating facilities participating as CSRs submit a single or consolidated interconnection request.⁹⁵ In particular, the Commission stated that Order No. 2023 provided interconnection customers with the choice as to whether to structure their interconnection request as either a shared or separate request and indicated that the NYISO did not explain why it proposes to limit their choice to a shared interconnection request.⁹⁶ In addition, the Commission stated that Order No. 2023 did not limit interconnection customers' choice between submitting two separate or one combined interconnection request to only specific configurations of co-located generating facilities and indicated that the NYISO did not explain limiting such provisions to only CSRs.⁹⁷

The Commission, therefore, directed the NYISO to either: (1) propose tariff revisions, or (2) to provide further justification under the independent entity variation standard to clarify (a) whether if in addition to "single or consolidated interconnection request," CSRs also have the choice to submit separate interconnection requests, and (b) whether such choices to submit interconnection requests apply to co-located generating facility interconnection for other co-located generating facilities that are not participating as CSRs in NYISO.⁹⁸

As permitted by the Commission, the NYISO provides the following additional information in support of its requested independent entity variation.

The rules proposed in this filing are consistent with the explanations that the NYISO provided and the Commission accepted when it proposed its CSR rules to the Commission in 2021.⁹⁹ The NYISO explained that the two resources that participate together as CSR share the

⁹³ See generally Order No. 2023 at PP 1346-1357.

⁹⁴ See Compliance Filing at 116-117.

⁹⁵ See April 2025 Order at P 301.

⁹⁶ See *id.*.

⁹⁷ See *id.*

⁹⁸ See *id.* at P 302.

⁹⁹ See *N.Y. Indep. Sys. Operator, Inc. Proposed Tariff Revisions to Implement Co-located Storage Resources*, Docket No. ER21-1001-000 at pp. 7-8, 11-12 (January 29, 2021).

injection capability at their common Point of Injection that is represented in the NYISO's markets as the "CSR injection Scheduling Limit." The NYISO must, necessarily, commit and dispatch the two resources that participate together as CSR in a manner that respects their shared CSR injection Scheduling Limit. The NYISO's interconnection rules are consistent with and support the manner in which CSR Generators participate in the NYISO's Energy and Ancillary Services Markets. As explained below, and in the NYISO's 2021 CSR filing, the rules were developed to provide enhanced operating flexibility to CSR Generators, while respecting the shared CSR injection Scheduling Limit.

An Interconnection Customer may submit separate Interconnection Requests in the NYISO's interconnection procedures to interconnect multiple standalone facilities that will be located behind the same Point of Interconnection ("POI") and Point of Injection and use shared facilities. These projects, however, may not use the CSR or Hybrid Storage Resource ("HSR") participation models to participate in the ISO Administered Markets.

An Interconnection Customer that intends to participate in the ISO Administered Markets through the CSR participation model is required under the NYISO's tariffs to submit a single Interconnection Request for the resources that make up that CSR. In 2021, the NYISO first deployed its CSR rules, allowing an Energy Storage Resource to pair with a wind or solar Intermittent Power Resource ("IPR") behind the same Point of Injection and share a set of CSR Scheduling Limits while participating in the ISO Administered Markets as two distinct Generators. In its Order accepting the NYISO's CSR rules, the Commission accepted tariff revisions to the NYISO's Large Facility Interconnection Procedures in Attachments S and X of the OATT governing how multi-unit projects – whether CSR or not – are evaluated in the NYISO's interconnection process.¹⁰⁰ Among these tariff revisions was the option – but not requirement – that any Facility proposing to interconnect as a single multi-unit facility behind the same Point of Injection submit a single Interconnection Request.

On May 29, 2024, shortly after the NYISO submitted its Compliance Filing, the NYISO proposed tariff revisions to enhance its CSR rules and provide for an HSR participation model.¹⁰¹ As part of the 2024 initiative, the NYISO proposed tariff revisions to specify the required parameters for a valid Interconnection Request and the permissible interconnection service levels that CSRs and other multi-Generator Facilities (collectively, "multi-unit Facilities") that intend to operate as a single Facility may request. These tariff revisions were accepted by the Commission on July 23, 2024, while the Compliance Filing was pending before the Commission.¹⁰²

Among the 2024 tariff revisions accepted by the Commission were revisions to establish rules applicable to Interconnection Requests submitted by multi-unit Facilities in the NYISO's

¹⁰⁰See *N.Y. Indep. Sys. Operator, Inc.*, 174 FERC ¶ 61,242 at PP 18-20, 25-26 (2021).

¹⁰¹See *New York Indep. Sys. Operator, Inc.*, Proposed Tariff Revisions to Implement Hybrid Storage Resources, Expand Co-located Storage Resource Participation Options and Enhance Fast-Start Resources, Docket No. ER24-2133-000 (May 29, 2024).

¹⁰²See *New York Indep. Sys. Operator, Inc.*, Letter Order, Docket No. ER24-2133-000 (July 23, 2024).

interconnection process. These rules included the requirement that an Interconnection Request for a Facility comprised of multiple Generators behind a single Point of Injection must be submitted by a single Interconnection Customer. A key rational for this rule is to limit the maximum permissible Energy Resource Interconnection Service (“ERIS”) and Capacity Resource Interconnection Service (“CRIS”) that can be requested by multi-unit Facilities.

Generators participating in a CSR that the NYISO studies together as a single Project submit a single Interconnection Agreement; however, ERIS rights and CRIS rights are allocated to each Generator in the CSR separately. The ERIS and CRIS which Generators participating in a CSR may request are capped according to the physical limitation of the CSR. For example, ERIS rights awarded to the wind or solar Intermittent Power Resource (“IPR”) within a CSR may **exceed** the registered CSR injection Scheduling Limit in order to permit the IPR’s Energy to be both injected onto the New York State Transmission System, and (simultaneously) used to charge the co-located ESR, consistent with the NYISO’s dispatch instructions.¹⁰³ The sum of the CRIS rights awarded to Generators in a CSR is capped at the CSR injection Scheduling Limit. A single interconnection request is necessary to permit the developer to make, and the NYISO to evaluate, ERIS and CRIS elections for its resources that provide a degree of operating flexibility, while respecting the shared CSR injection Scheduling Limit.

A multi-unit Facility needs to be studied in the interconnection process as a single Facility evaluated at a single ERIS MW value and CRIS MW value (if requesting CRIS). The ERIS and CRIS limits are determined based on the characteristics of the multi-unit Facility as a whole.

The requested allocation for ERIS of the individual Generators is subject to the following limitations: (1) the requested ERIS for the Energy Storage Resource in a CSR or HSR cannot exceed the lesser of the Point of Injection limit or its nameplate; and (2) the requested ERIS for each Resource in a CSR or HSR, other than the Energy Storage Resource, cannot exceed the lesser of (a) the Point of Injection limit plus the full withdrawal capability of the Energy Storage Resource or (b) the relevant Resource’s nameplate. In other words, the total ERIS for a Facility may be less than the sum of the ERIS for the individual Generators due to the withdrawals of the Energy Storage Resource.

The maximum CRIS that can be requested by a multi-unit Facility must be requested at the Facility level, allocated among the multiple Generators as requested by Interconnection Customer. However, the requested MW level of CRIS cannot exceed the minimum of the following:

- 1) the expected maximum injection capability in MW for the Facility as described in the Interconnection Request or CRIS-Only Request, as applicable, including all co-

¹⁰³ Both the ESR and the IPR that participate in a CSR are expected to follow the schedules and dispatch instructions that the NYISO issues. The NYISO’s economic Bidding construct is flexible enough to permit the resources in a CSR to indicate when the IPR’s Energy output should be used to charge the co-located ESR.

- located Generators sharing the same injection limit (*e.g.*, the entire CSR, entire HSR, or entire multi-unit single technology resource); provided, however, if the Project includes a Resource with Energy Duration Limitation, its expected maximum injection capability in MW is limited by the Interconnection Customer-selected duration; and
- 2) the nameplate capacity of the Facility (*i.e.*, collective injection capability of all units within the proposed Facility expressed in MW); or the sum of the Facility's requested and existing ERIS, as applicable.

To determine whether a proposed Facility's requested ERIS and/or CRIS is within the permissible level, it is therefore necessary to look at the composition of the Facility as a whole as part of a single Interconnection Request.

The Commission, having accepted the requirement that multi-unit Facilities submit a single Interconnection Request, further accepted tariff requirements as just and reasonable that build on the use of a single Interconnection Request for such resources.¹⁰⁴ The NYISO requires an independent entity variation to continue to apply these requirements accepted by the Commission. The alternative would unravel the accepted interconnection rules governing the evaluation of CSRs and other multi-unit facilities that are critical to ensuring such facilities do not obtain more ERIS or CRIS than the market rules allow.

H. Technological Change Requests

In its Compliance Filing, the NYISO revised its modification rules to establish that an Interconnection Customer cannot modify its proposed project during the Cluster Study Process, with the limited exception that an Interconnection Customer may modify its Point of Interconnection up to 5 Business Days after the NYISO posts the Cluster Study Project List during the Customer Engagement Window. This restriction on modifications is necessary as such changes during the Cluster Study Process would require the NYISO to be constantly updating the project models and base cases, which would substantially extend the duration of the interconnection studies.

In line with these revisions, the NYISO proposed to update its technological change procedures to remove the requirement that an Interconnection Customer could propose a technological change between the draft System Reliability Impact Study and returning an executed Interconnection Facilities Study Agreement as these process steps no longer existed in the new Cluster Study Process. As revised, an Interconnection Customer could only request a technological change to its project after the Cluster Study was completed.

In the April 2025 Order, the Commission acknowledged that the NYISO's revised interconnection study process eliminated the process steps that established the window of time

¹⁰⁴ See *New York Indep. Sys. Operator, Inc., Letter Order, Docket No. ER24-2133-000 (July 23, 2024)*.

for an Interconnection Customer to propose a technological change.¹⁰⁵ The Commission, however, directed the NYISO to provide a cut-off point for Interconnection Customers to request a technological change that is consistent with the requirements in Order No. 845 and otherwise clarifies when interconnection customers may request such a change under NYISO's revised interconnection process.¹⁰⁶

The NYISO, therefore, proposes to revise its technological change rules to permit an Interconnection Customer in an ongoing Cluster Study Process to submit to the NYISO a technological change for a Cluster Study Project with a validated Interconnection Request up to 5 Business Days after the NYISO posts the Cluster Study Project List during the Customer Engagement Window.¹⁰⁷ This approach aligns with the NYISO's existing modification rules that permit certain limited modifications up to the completion of this 5-Business Day window in the Customer Engagement Window. Following this point in time, any modifications to the Cluster Study Projects may delay the creation of, or necessitate updates to, the project models and base cases required for the Phase 1 Study that the NYISO is developing during the Customer Engagement Window and would, therefore, endanger the NYISO's and Transmission Owner's ability to meet the tariff-prescribed timeframes for the Phase 1 Study.

In addition, the NYISO proposes to clarify that an Interconnection Customer's technological change request must satisfy the submission requirements for its requested change no later than the completion of this 5-Business Day timeframe.¹⁰⁸ That is, the Interconnection Customer must fully satisfy the requirements for this modification no later than the conclusion of that 5-Business Day period, as otherwise the status of the proposed modification would be uncertain when the NYISO was developing the base cases.

This approach is consistent with the Order No. 845 requirements. In Order No. 845, the Commission noted that its proposed timeframe that technological changes not be permitted after the execution of a facilities study agreement was needed as subsequent changes requested during the facilities study could result in delays to other projects.¹⁰⁹ The Commission, therefore, afforded transmission providers an opportunity to establish a rule that permits such technological advancements at a designated point in time during the interconnection process. As described above, the NYISO's proposed cut-off date permits Interconnection Customers to make use of its technological change procedures while also minimizing the potential delays associated with such changes that could impact other Cluster Study Projects.¹¹⁰ In addition, an Interconnection

¹⁰⁵ See April 2025 Order at P 324.

¹⁰⁶ See *id.*

¹⁰⁷ See OATT Attach. HH 40.6.3.7.

¹⁰⁸ See *id.* 40.6.3.7.

¹⁰⁹ See Order No. 845 at P 536,

¹¹⁰ The NYISO's proposed approach is consistent with the NYISO's prior Class Year Study rules, which were accepted as consistent with Order No. 845. Under the NYISO's prior rules, a Developer was not permitted to request a technological change following its execution of its Interconnection Facilities Study Agreement until the completion of the Class Year Study. That is, the Developer could not request such changes for the duration of the NYISO's clustered interconnection study.

Customer retains the ability to request such technological changes following the completion of the Cluster Study.

Finally, to enable the NYISO to accommodate such modifications in the limited timeframe described above, the NYISO proposes to revise its definition of Permissible Technological Advancement to remove the ability of a permissible technological change to increase the capability of the Facility “by more than two (2) megawatts.”¹¹¹ This *de minimis* exception was a NYISO-specific variation from the Commission’s requirements in Order No. 845. Removing this language is necessary as changes to the project size at this stage in the Cluster Study Process would require additional updates to the information submitted by the Interconnection Customer, which would interfere with the NYISO completing the required project modeling and base cases. An Interconnection Customer could request a modification to its project size following the completion of the Cluster Study in accordance with the NYISO’s existing tariff rules concerning permissible changes to both the project’s Energy Resource Interconnection Service and Capacity Resource Interconnection Service.

I. Incorporating the Alternative Transmission Technologies

In the Compliance Filing, the NYISO proposed to comply with Order No. 2023’s requirements to evaluate certain enumerated alternative transmission technologies by performing this evaluation during the Phase 2 Study component of the Cluster Study as part of the identification of any required non-Local System Upgrade Facilities or System Deliverability Upgrades.¹¹²

In the April 2025 Order, the Commission stated that the NYISO’s proposal excludes an evaluation of alternative transmission technologies associated with Local System Upgrade Facilities in the NYISO’s Phase 1 Study.¹¹³ By limiting this evaluation to only Phase 2 of the Cluster Study, the Commission stated that the NYISO does not comply with Order No. 2023’s requirement to evaluate alternative transmission technologies in the cluster study.¹¹⁴ The Commission, therefore, directed the NYISO to either: (1) provide that it will evaluate whether the enumerated alternative transmission technologies are sufficient alternatives to both non-Local System Upgrade Facilities and Local System Upgrade Facilities during its cluster study process, or (2) justify its proposal under the independent entity variation standard.¹¹⁵

The NYISO proposes to insert in Section 40.10.4.2 of Attachment HH to the OATT that the Connecting Transmission Owner or Affected Transmission Owner, as applicable, that is performing the Phase 1 Study will evaluate the enumerated alternative transmission technologies, determine whether any of the technologies should be used in determining the Local System Upgrade Facilities, and include the results of the evaluation in the Phase 1 Study Report. The

¹¹¹ See OATT Attach. § HH 40.1 (definition of Permissible Technological Advancement).

¹¹² See Compliance Filing at 125-126.

¹¹³ See April 2025 Order at P 370.

¹¹⁴ See *id.*

¹¹⁵ See *id.* at P 372.

proposed tariff language mirrors the *pro forma* LGIP tariff language, as modified to include the NYISO's applicable Attachment HH defined terms. As provided in the Compliance Filing, the NYISO will also perform this evaluation as part of its assessments during the Phase 2 Study.¹¹⁶

J. Expedited Deliverability Study Requirements

In the April 2025 Order, the Commission found that the NYISO's proposed revisions to its existing Expedited Deliverability Study rules are outside the scope of this proceeding.¹¹⁷ The Commission, therefore, directed the NYISO to remove these proposed revisions.¹¹⁸

The NYISO has requested rehearing challenging the Commission's determination that certain of the proposed conforming tariff revisions that are required to implement the Expedited Deliverability Study in light of the NYISO's new Cluster Study Process are outside of the scope of this proceeding.¹¹⁹ However, to comply with the directives in the April 2025 Order pending the Commission's determination on the rehearing request, the NYISO has included tariff revisions that back out the proposed insertions and deletions of Expedited Deliverability Study requirements included with its Compliance Filing.¹²⁰

K. Tariff Revisions to Address August 2024 Errata Notice

After the NYISO submitted its Compliance Filing, the Commission issued an Errata Notice on August 20, 2024, containing additional revisions to the Commission's *pro forma* LGIP, *pro forma* Large Generator Interconnection Agreement, and *pro forma* Small Generator Interconnection Agreement.¹²¹ In the April 2025 Order, the Commission directed the NYISO to incorporate the revisions in the Errata Notice.¹²²

As detailed in the attached table included in Attachment I, the NYISO has incorporated the revisions identified in the Errata Notice, except for those revisions that have been already included in the NYISO's tariff language or that modify *pro forma* language that is not part of the NYISO's current tariff language as accepted by the Commission in the April 2025 Order. The

¹¹⁶ See OATT Attach. HH § 40.11.5.1.

¹¹⁷ See April 2025 Order at P 387.

¹¹⁸ See *id.*

¹¹⁹ See NYISO Rehearing Request at 4-8.

¹²⁰ See OATT Attach. HH §§ 40.13.1, 40.13.7.1., 40.13.8.2.1.3, 40.19.1, 40.19.2, 40.19.3.2, 40.19.3.3, 40.19.3.4, 40.19.5, 40.24.3.1.2, 40.25.8. The NYISO understands the Commission's directive to concern the NYISO's proposed changes described in the Compliance Filing to the existing Expedited Deliverability Study requirements other than the non substantive changes to relocate these rules from Attachment S of the OATT into Attachment HH and to update the provisions to the new defined terms in Attachment HH. As the Expedited Deliverability Study rules are intertwined within the rest of the NYISO's interconnection procedures and Attachment S of the OATT is not applicable going forward, the NYISO does not understand the Commission's directive to require the NYISO to remove the Expedited Deliverability Study rules from Attachment HH.

¹²¹ See *Improvements to Generator Interconnection Procs. & Agreements*, Errata Notice, 188 FERC ¶ 61,134 (2024).

¹²² See April 2025 Order at P 400.

NYISO requests an independent entity variation not to adopt the corrections that apply to tariff language that is not a part of the NYISO's accepted Standard Interconnection Procedures.

L. Miscellaneous

The NYISO proposes to include at the start of Attachment HH a table of contents for Attachment HH. In addition, the NYISO proposes the following, non-substantive clean-ups to the tariff revisions included in its Compliance Filing.

OATT Provision	Clean-Up
40	Added a Table of Contents to the cover sheet for Attachment HH
40.1	Deleted extra period at the end of the definition of Confidential Information.
40.1	Added period at the end of the definition of Material Modification.
40.25.15 (Standard Interconnection Agreement)	For Table of Contents Article 11.4 – Changed “System” to “Systems” to conform to heading in body of the agreement.
40.25.15 (Standard Interconnection Agreement)	For Table of Contents Article 23 – Changed “Notice” to “Notices” to conform to heading in body of the agreement.
40.25.15 (Standard Interconnection Agreement)	Article 1, definition of Retired – Corrected spacing and romanettes in definition.
40.25.15 (Standard Interconnection Agreement)	Article 5.10, updated old term “Developer’s Attachment Facilities” to the new term “Interconnection Customer’s Attachment Facilities”
40.25.15 (Standard Interconnection Agreement)	Article 5.10.3, updated old term “Developer’s Attachment Facilities” to the new term “Interconnection Customer’s Attachment Facilities”
40.25.15 (Standard Interconnection Agreement)	In Appendix A, changed in tax liability provision, “section” to “Article” 5.17.4.
40.25.15 (Standard Interconnection Agreement)	In Appendix B, changed in security provision, “section” to “Article” 11.5.

OATT Provision	Clean-Up
40.25.16 (Standard Upgrade Construction Agreement)	For Table of Contents Article 5, changed “Obligation” to “Obligations” to conform to heading in body of the agreement.
40.25.16 (Standard Upgrade Construction Agreement)	For Table of Contents, added “Article 12.1 Assignment” to conform to heading in body of agreement.
40.25.16 (Standard Upgrade Construction Agreement)	For Table of Contents Article 5, changed “Notice” to “Notices” to conform to heading in body of the agreement.
40.25.16 (Standard Upgrade Construction Agreement)	Recitals, corrected defined term “Standard Interconnection Agreement” to “Interconnection Agreement”
40.25.16 (Standard Upgrade Construction Agreement)	For Article 2.1, corrected defined term “Affected Transmission Owner” to “System Owner”
40.25.16 (Standard Upgrade Construction Agreement)	For Article 2.3.2, corrected defined terms “Standard Interconnection Agreement” to “Interconnection Agreement”
40.25.16 (Standard Upgrade Construction Agreement)	For Article 2.4, corrected defined term “Interconnection Customer”.
40.25.16 (Standard Upgrade Construction Agreement)	For Article 3.2, changed “Section” to “Article” 3.1.
40.25.16 (Standard Upgrade)	For Article 7.1, added period at to end of heading.

OATT Provision	Clean-Up
Construction Agreement)	
40.25.16 (Standard Upgrade Construction Agreement)	For Article 12.1, removed bolding of part of first sentence.
40.25.16 (Standard Upgrade Construction Agreement)	For Articles 17.1, 17.2, 17.3, and 17.4, added period to end of headings.
40.25.16 (Standard Upgrade Construction Agreement)	In Appendix A header, corrected “Consruction” to “Construction”
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Table of Contents Article 5, changed “Obligation” to “Obligations” to conform to heading in body of the agreement.
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Table of Contents Article 5, changed “Notice” to “Notices” to conform to heading in body of the agreement.
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	Recitals, corrected defined term “Standard Interconnection Agreement” to “Interconnection Agreement”
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Article 2.1, corrected defined term “Affected Transmission Owner” to “System Owner”
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Article 3.2, changed “Section” to “Article” 3.1.

OATT Provision	Clean-Up
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Article 7.1, added period at to end of heading.
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Article 12.1, removed bolding of part of first sentence.
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	For Articles 17.1, 17.2, 17.3, and 17.4, added period to end of headings.
40.25.17 (Standard Multiparty Upgrade Construction Agreement)	In Appendix A header, corrected “Consruction” to “Construction”

III. Effective Date

The NYISO requests that the tariff revisions submitted in this compliance filing become effective on the date the Commission accepts the respective tariff revisions.

IV. Documents Submitted

The NYISO submits the following documents with this filing letter:

- 1) Table of Tariff Revisions to Address Pro Forma Changes in FERC August 20, 2024 Errata Filing (188 FERC ¶ 61,134) (Attachment I);
- 2) An Affidavit of Thinh Nguyen (Attachment II);
- 3) A blacklined version of NYISO OATT Attachment HH containing the proposed compliance modifications (Attachment III); and
- 4) A clean version of NYISO OATT Attachment HH containing the proposed compliance modifications (Attachment IV).

V. Service

The NYISO will send an electronic link to this filing to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the New Jersey Board of Public Utilities. In addition, a complete copy of the documents included with this filing will be posted on the NYISO's website at www.nyiso.com.

VI. Communications

All communications and service with regard to this filing should be directed to:

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VII. Conclusion

Wherefore, the NYISO respectfully requests that the Commission accept the tariff revisions proposed in this compliance filing without modification, accept the additional justifications concerning its proposed revisions, and determine that the NYISO fully complies with the requirements of Order No. 2023 and the April 2025 Order.

Respectfully submitted,
/s/ Sara B. Keegan
Sara B. Keegan

/s/ Michael J. Messonnier, Jr.
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June 16, 2025

cc: Janel Burdick
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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 16th day of June 2025.

/s/ Alexander Morse

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