

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

July 7, 2025

By Electronic Delivery

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

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

Dear Ms. Reese:

Pursuant to Section 205 of the Federal Power Act¹ and Section 35.13 of the Commission's regulations,² the New York Independent System Operator, Inc. ("NYISO") and the New York Power Authority ("NYPA") (together, the "Joint Filing Parties") hereby tender for filing an executed Second Amended and Restated Standard Large Generator Interconnection Agreement for the Cider Solar project (NYISO Queue Position No. 811) among the NYISO, NYPA, as the Connecting Transmission Owner, and Hecate Energy Cider Solar LLC ("Hecate"), as the Developer (the "Second Amended Agreement").³ The Second Amended Agreement is labeled as Service Agreement No. 2773 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Second Amended Agreement for filing. The Second Amended Agreement conforms to the NYISO's *pro forma* Large Generator Interconnection Agreement ("Pro Forma LGIA") that is contained in Attachment X to the OATT with limited non-conforming exceptions previously accepted by the

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.13 (2025).

³ Capitalized terms that are not otherwise defined in this filing letter shall have the meaning specified in Attachments S, X, or HH of the OATT, and if not defined therein, in the OATT and NYISO Market Administration and Control Area Services Tariff.

Commission for the prior version of this agreement.⁴ Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements⁵ to make the Second Amended Agreement effective as of June 20, 2025, which is the date of its execution. Finally, as described in Part III of this letter, NYPA requests that the diagrams included in the Second Amended Agreement be protected from disclosure as Critical Energy Infrastructure Information.

I. Discussion

A. Background

The Second Amended Agreement supersedes (i) the Large Generator Interconnection Agreement among the NYISO, NYPA, and Hecate that was filed in the Commission's Docket No. ER23-2583-000 on August 8, 2023, and was accepted by the Commission on October 3, 2023 (the "Original Agreement"),⁶ and (ii) the Amended and Restated Large Generator Interconnection Agreement among the NYISO, NYPA, and Hecate that was filed in the Commission's Docket No. ER25-1534-000 on March 7, 2025, and was accepted by the Commission on May 5, 2025 (the "Amended Agreement").⁷ Both the Original Agreement and Amended Agreement were based on and were consistent with the Pro Forma LGIA, but included certain non-conforming modifications, which the Commission accepted.

Hecate is constructing a 500 MW photovoltaic solar powered facility to be located in Genesee County, New York (the "Facility"). Details regarding the Facility can be found in Appendix C of the Second Amended Agreement.

⁴ This agreement conforms to the Pro Forma LGIA in Attachment X of the NYISO OATT that was in effect at the time the Original Agreement was executed, along with the limited variations from that Pro Forma LGIA previously accepted by the Commission. This amendment to the Amended Agreement addresses non-material modifications to the project accepted by the NYISO and were not the result of Hecate submitting a new Interconnection Request to the NYISO to modify its project. Accordingly, the parties have not updated the agreement to the current pro forma version of the agreement in Attachment X of the NYISO OATT or the new Standard Interconnection Agreement in Attachment HH of the NYISO OATT. *See, e.g., Midwest Independent Transmission System Operator, Inc.*, 124 FERC ¶ 61,277 at P 11 (2008) (accepting the use of a new interconnection agreement that conforms with the transmission provider's current pro forma agreement because the developer submitted a new interconnection request to increase its project's generating capacity and was therefore required to comply with the current pro forma procedures and agreement).

⁵ *See Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, *clarified*, 65 FERC ¶ 61,081 (1993).

⁶ *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER23-2583-000 (Oct. 3, 2023).

⁷ *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER25-1534-000 (May 5, 2025).

Subsequent to the effective date of the Amended Agreement, Hecate requested updates to the inverter models for its Facility and associated equipment. The NYISO determined that the changes requested by Hecate were not material, and Hecate elected to proceed with the changes.

Accordingly, the NYISO, NYPA, and Hecate agreed to revise the Amended Agreement to address the changes to the Facility. In particular, the parties revised Appendix C of the Amended Agreement to reflect the updated equipment changes. In addition, the parties revised the Amended Agreement to indicate that this is a “Second Amended and Restated” agreement.

B. The Second Amended Agreement Closely Conforms to the Pro Forma LGIA Contained in Attachment X of the NYISO OATT

The Second Amended Agreement was fully executed on June 20, 2025, by the NYISO, NYPA, and Hecate. The Second Amended Agreement largely conforms to the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT and does not include non-conforming variations from the Pro Forma LGIA other than those already accepted by the Commission in the Original Agreement and the Amended Agreement. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Second Amended Agreement with the non-conforming changes.

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

The Joint Filing Parties request an effective date of June 20, 2025, for the Second Amended Agreement, which is the date of its full execution. The Joint Filing Parties respectfully request that the Commission waive its prior notice requirement to permit the requested effective date.⁸ The Commission has previously permitted interconnection agreements to become effective upon the date of execution.⁹

III. Request for CEII Treatment

Pursuant to Sections 388.112 and 388.113 of the Commission’s regulations,¹⁰ NYPA requests that that the diagrams included in Appendix A of the Second Amended Agreement and labeled as Figures A-1, A-2, A-3, and A-4 be protected from disclosure as Critical Energy

⁸ The Commission generally grants waiver of the 60 day prior notice requirement when a service agreement is submitted for filing within 30 days of the agreement’s effective date. *See* Prior Notice Filing Requirements Under Part II of the Federal Power Act, 64 FERC ¶ 61,139 (1993).

⁹ *See, e.g., New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER11-2953-000 (April 7, 2011) (accepting interconnection agreement effective as of date of execution as requested by the parties); *New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER08-985-000 (June 26, 2008) (same); *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER08-861-000 (May 27, 2008) (same); *New York Independent System Operator, Inc. and New York Power Authority*, Letter Order, Docket No. ER08-699-000 (May 16, 2008) (same).

¹⁰ 18 C.F.R. §§ 388.112 and 388.113 (2025).

Infrastructure Information (“CEII”).¹¹ The diagrams contain detailed schematics of NYPA’s facilities that, if disclosed, could pose a threat to the security and the reliability of the New York State bulk power system. The diagrams provide more than simply the general location of critical infrastructure. Unlike publicly available maps of power transmission lines and generation and substation facilities, the schematics show the exact nature and specific location of facilities used to maintain the reliability of the New York State bulk power system.

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

The Joint Filing Parties are electronically submitting a non-public version of this filing. The diagrams are included only in the non-public version of the Second Amended Agreement in the filing. The non-public diagrams are marked: **“FIGURE CONTAINS CEII – DO NOT RELEASE PURSUANT TO 18 C.F.R. §§ 388.112 and 388.113.”** The non-public diagrams should be treated as CEII reviewable by Commission Staff. In accordance with the Commission’s April 14, 2017 notice on labeling of non-public information, each page of the non-public version of the filing is marked **“CUI//CEII.”**¹² Placeholders have been included in place of the non-public diagrams in the public version of the Second Amended Agreement.

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

¹¹ As required by Section 388.113(d)(1)(i) of the Commission’s regulations, NYPA has described in the filing letter how the diagrams in Appendix A satisfy the definition of critical energy infrastructure information as that term is defined in Section 388.113(c)(2). In addition, as required by Section 388.113(d)(1)(ii) the cover page of the filing letter and the relevant pages of the Second Amended Agreement that contain critical energy infrastructure information are labelled as including CEII and marked DO NOT RELEASE, and a Public and CEII version of the Second Amended Agreement are being filed with this letter. The CEII material is redacted in the Public version. Finally, as required by Section 388.113(d)(1)(i), NYPA requests that the Commission designate the CEII material submitted on July 7, 2025, with the full five-year CEII designation provided for in Section 388.113(e)(1) as the information provided in the one-line diagrams will continue to satisfy the definition of critical energy infrastructure information for this entire period.

¹² See Notice of Document Labelling Guidance for Documents Submitted to or Filed with the Commission or Commission Staff (Apr. 14, 2017) (unreported).

IV. Communications and Correspondence

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

For the NYISO¹³

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*Designated to receive service.

¹³ The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2025) to permit service on counsel in both Washington, D.C. and Richmond, VA.

V. Documents Submitted

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

- A clean Public version of the Second Amended Agreement (Attachment I);
- A blacklined Public version of the Second Amended Agreement showing the changes from the Amended Agreement (Attachment II);
- A clean CEII version of the Second Amended Agreement (Attachment III); and
- The signature pages for the Second Amended Agreement (Attachment IV).

VI. Service

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

VII. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Second Amended Agreement for filing with an effective date of June 20, 2025.

Respectfully submitted,

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

s/ Nathan D. Markey
Nathan D. Markey
Counsel for
New York Power Authority

cc:	Janel Burdick	Jaime Knepper
	Emily Chen	Kurt Longo
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	Jette Gebhart	Jason Rhee
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