

October 16, 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 Small Generator Interconnection Agreement for the BR Benson Mines Solar Project (NYISO Queue Position No. 1166) Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and BR Project 1 LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER26-\_\_\_\_-000

Dear Ms. Reese:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.13 of the Commission's regulations,<sup>2</sup> the New York Independent System Operator, Inc. ("NYISO") and Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") (together, the "Joint Filing Parties") hereby tender for filing an executed Small Generator Interconnection Agreement for the BR Benson Mines Solar project (NYISO Queue No. 1166) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and BR Project 1 LLC ("BR Project 1"), as the Interconnection Customer (the "Interconnection Agreement").<sup>3</sup> The Interconnection Agreement is labeled as Service Agreement No. 2913 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing. With the limited exceptions described in Part I of this letter, the Interconnection Agreement conforms to the NYISO's *pro forma* Small Generator Interconnection Agreement ("Pro Forma SGIA") that is contained in Attachment Z to the OATT. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Interconnection Agreement effective as of October 1, 2025, which is the date of its full execution.

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> 18 C.F.R. § 35.13 (2025).

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

<sup>4</sup> See *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, clarified, 65 FERC ¶ 61,081 (1993).

## **I. Discussion**

### **A. Background**

BR Project 1 is constructing a 12.1 MW solar generating facility in Star Lake, New York (the “Facility”). Additional details regarding the Facility can be found in Attachment 2 of the Interconnection Agreement.

The Facility will interconnect to certain facilities of National Grid that are part of the New York State Transmission System. The Point of Interconnection is National Grid’s 34.5 kV Star Lake Tap off the Browns Falls-Newtown Falls Line 22, approximately 6.95 miles from Browns Falls Station, 3.34 miles from Newton Falls Station, and 0.3 miles from Star Lake Station. Attachment 3 of the Interconnection Agreement includes a one-line diagram showing the Point of Interconnection.

### **B. The Interconnection Agreement Closely Conforms to the Pro Forma SGIA Contained in Attachment Z of the NYISO OATT**

The Interconnection Agreement was fully executed on October 1, 2025, by the NYISO, National Grid, and BR Project 1. The Interconnection Agreement largely conforms to the language in the Pro Forma SGIA with the exceptions described below in this Part I.B.<sup>5</sup> The Joint Filing Parties submit that the changes specified below satisfy the Commission’s standard for variations from the Pro Forma SGIA, because unique circumstances exist that require a non-conforming agreement.<sup>6</sup> Therefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement with the non-conforming changes.

#### **1. BR Project 1’s Construction of Portions of the Connecting Transmission Owner’s Interconnection Facilities**

Article 1.5.3 of the Pro Forma SGIA provides that the Connecting Transmission Owner shall construct, operate, and maintain its Interconnection Facilities covered by the agreement.

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<sup>5</sup> BR Project 1’s Facility participated in the NYISO’s Small Generator Interconnection Procedures in Attachment Z of the NYISO OATT. Pursuant to the transition rules of the NYISO’s new Standard Interconnection Procedures in Attachment HH of the OATT, the NYISO, National Grid, and BR Project 1 used the Standard Small Generator Interconnection Agreement located in Attachment Z of the OATT for this Small Generating Facility project. NYISO OATT Attach. HH § 40.3.1.2 (“For a Class Year Project for Class Year 2021 or prior Class Years or a Small Generating Facility for which the ISO is negotiating with the Interconnection Customer, Connecting Transmission Owner, Affected System Operator, and/or Affected Transmission Owner, as applicable, an interconnection agreement and/or Engineering, Procurement, or Construction Agreement(s) as of the effective date of the Standard Interconnection Procedures, the parties shall continue to negotiate, as applicable, the Standard Large Generator Interconnection Agreement, Small Generator Interconnection Agreement, and/or Engineering, Procurement, or Construction Agreement pursuant to the terms and forms set forth, as applicable, in Attachment X or Attachment Z to the ISO OATT.”)

<sup>6</sup> See, e.g., *PJM Interconnection, LLC*, 111 FERC ¶ 61,163 at PP 10-11, *reh ’g denied*, 112 FERC ¶ 61,282 (2005).

National Grid and BR Project 1 have agreed that BR Project 1 will be responsible for constructing certain Connecting Transmission Owner's Interconnection Facilities associated with the Facility. Accordingly, the parties agreed to modify Article 1.5.3 of the Interconnection Agreement to clarify that the Interconnection Customer, BR Project 1, can construct the Connecting Transmission Owner's Interconnection Facilities and upgrades with the agreement of the parties. The Commission has previously accepted this change to the Pro Forma SGIA.<sup>7</sup>

## 2. Modification to Allow Limited Operation

The Facility may be available to be operated prior to the completion of all of the related interconnection facilities and upgrades. However, the Pro Forma SGIA does not include limited operation requirements. Accordingly, the parties agreed to insert Article 5.4 (Limited Operation), which provision is drawn from and consistent with the limited operation provision in Article 5.9.1 of the Standard Interconnection Agreement that is contained in Section 40.25.15 of Attachment HH of the OATT.<sup>8</sup> Specifically, the provision provides for the NYISO, in coordination with the Connecting Transmission Owner, to perform operating studies at the Interconnection Customer's expense to determine the extent to which the Interconnection Customer may operate prior to the completion of the Connecting Transmission Owner's Interconnection Facilities or System Upgrade Facilities or System Deliverability Upgrades consistent with Applicable Laws and Regulations, Applicable Reliability Standards, Good Utility Practice, and the Interconnection Agreement. This provision mirrors the requirements in the Standard Interconnection Agreement and the NYISO's prior Large Generator Interconnection Agreement in Attachment X of the OATT, as modified solely for consistency with the terminology of the Pro Forma SGIA. The Commission has previously determined that the NYISO can rely on its requirements for Large Generating Facilities when the requirements for Small Generating Facilities lack such provisions.<sup>9</sup>

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<sup>7</sup> See *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER20-1603-000 (June 18, 2020) (accepting interconnection agreement modified to permit the Interconnection Customer to agree to construct Connecting Transmission Owner's Interconnection Facilities); *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER20-1602-000 (June 18, 2020) (same); *New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER22-2627-000 (Sept. 21, 2022) (same).

<sup>8</sup> Article 5.9.1 of the Standard Interconnection Agreement states: "If any of the Connecting Transmission Owner's Attachment Facilities, System Upgrade Facilities, or System Deliverability Upgrades are not reasonably expected to be completed prior to the Commercial Operation Date of Interconnection Customer's Facility, NYISO shall, upon the request and at the expense of Interconnection Customer, in conjunction with the Connecting Transmission Owner, perform operating studies on a timely basis to determine the extent to which Interconnection Customer's Facility and the Interconnection Customer's Attachment Facilities may operate prior to the completion of the Connecting Transmission Owner's Attachment Facilities, System Upgrade Facilities, or System Deliverability Upgrades consistent with Applicable Laws and Regulations, Applicable Reliability Standards, Good Utility Practice, and this Agreement. Connecting Transmission Owner and NYISO shall permit Interconnection Customer to operate Interconnection Customer's Facility and Interconnection Customer's Attachment Facilities in accordance with the results of such studies."

<sup>9</sup> See *New York Independent System Operator, Inc.*, 162 FERC ¶ 61,061 at P 26 (2018).

### **3. Modifications Related to Billing and Security Arrangements**

Article 6.1.1 of the Pro Forma SGIA provides that a Connecting Transmission Owner shall bill the applicable Interconnection Customer on a monthly basis, or as otherwise agreed by those Parties, for its design, engineering, construction, and procurement costs. As permitted by Article 6.1.1, National Grid and BR Project 1 have agreed to an alternative billing arrangement for BR Project 1 to make advance payments to National Grid for the cost of Connecting Transmission Owner's Interconnection Facilities and Upgrades. Accordingly, the parties have agreed to modify Article 6.1.1 of the Interconnection Agreement to reference the details of the alternative billing arrangement, which are set forth in Section 2 of Attachment 4 of the Interconnection Agreement. The Commission has previously accepted changes to the Pro Forma SGIA to reflect alternative billing and invoice arrangements agreed to by the parties.<sup>10</sup>

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

The Joint Filing Parties request an effective date of October 1, 2025, for the Interconnection Agreement, which is the date of its full execution. The Joint Filing Parties respectfully request that the Commission waive its prior notice requirement to permit the requested effective date. The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>11</sup>

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<sup>10</sup> See *New York Independent System Operator, Inc. and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER21-1088-000 (Apr. 7, 2021) (accepting modifications to the pro forma Small Generator Interconnection Agreement to address alternative billing and invoicing procedures); see also *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER19-589-000 (Feb. 1, 2019) (same).

<sup>11</sup> See, e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER11-2953-000 (Apr. 7, 2011) (accepting interconnection agreement effective as of date of execution); see also *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).

**III. Communications and Correspondence**

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

**For the NYISO<sup>12</sup>**

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<sup>12</sup> 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.

**IV. Documents Submitted**

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

- A clean version of the Interconnection Agreement (Attachment I);
- A blacklined version of the Interconnection Agreement showing the changes from the Pro Forma SGIA (Attachment II); and
- The signature pages for the Interconnection Agreement (Attachment III).

**V. Service**

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

**VI. Conclusion**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing with an effective date of October 1, 2025.

Respectfully submitted,

*/s/ Sara B. Keegan* \_\_\_\_\_

Sara B. Keegan

*Counsel for the*

*New York Independent System Operator, Inc.*

*/s/ Christopher J. Novak* \_\_\_\_\_

Christopher J. Novak

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cc: Janel Burdick  
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