

October 29, 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., Ministerial Amendment to Proposed Tariff Revisions to Implement the New York Transmission Owners' Right of First Refusal Regarding Upgrades to Their Transmission Facilities Identified in the Reliability Planning Process, Short-Term Reliability Process, and Economic Planning Process, Docket No. ER25-3361-000, - ____

Dear Secretary Reese:

On September 3, 2025, the New York Independent System Operator, Inc. (“NYISO”)¹ submitted, pursuant to Section 205 of the Federal Power Act and part 35 of the regulations of the Federal Energy Regulatory Commission (“Commission”),² proposed revisions to its transmission planning requirements in its Open Access Transmission Tariff (“OATT”) to establish the rules by which a Transmission Owner in New York can exercise a federal right of first refusal regarding upgrades to its existing transmission facilities identified in the NYISO’s Reliability Planning Process, Short-Term Reliability Process, and Economic Planning Process (hereinafter, “September 3 Filing”).³ The filing also proposed to align the development, funding, and cost allocation and recovery provisions for certain Network Upgrade Facilities identified through the NYISO’s Transmission Interconnection Procedures for the reliable interconnection of a regulated transmission solution that is identified for inclusion in the NYISO’s regional transmission plan for purposes of cost allocation through the NYISO’s Reliability Planning Process, Short-Term Reliability Process, or Economic Planning Process. The September 3 Filing is currently pending before the Commission.

The NYISO submits this instant filing to amend its September 3 Filing to address non-substantive, ministerial corrections to the proposed tariff revisions to Sections 31.2, 38.10, and 38.12 of the OATT in response to feedback from Commission staff identified during its review.

¹ Capitalized terms that are not otherwise defined in this filing shall have the meaning specified in Attachments P, Y, and FF of the NYISO OATT and, if not defined therein, in Section 1 of the NYISO OATT.

² 16 U.S.C. § 824d; 18 C.F.R. § 35 (2025).

³ *New York Indep. Sys. Operator, Inc.*, Proposed Tariff Revisions to Implement the New York Transmission Owners’ Right of First Refusal Regarding Upgrades to Their Transmission Facilities Identified in the Reliability Planning Process, Short-Term Reliability Process, and Economic Planning Process, Docket No. ER25-3361-000 (September 3, 2025) (“September 3 Filing”).

I. Documents Submitted

The NYISO respectfully submits the following documents with this transmittal letter:

- An incremental blacklined version of the amendments to Section 31.2, Section 38.10, and Section 38.12 of the OATT against a clean version of the originally submitted revisions (Attachment I);
- A clean version of the proposed revisions to the OATT with the identified amendments (Attachment II); and
- A blacklined version of the proposed revisions to the OATT with the identified amendments (Attachment III).

II. Amendment to September 3 Filing

The NYISO amends its September 3 Filing by correcting the tariff record for Sections 31.2, 38.10, and 38.12 of the OATT.⁴ The corrections to these tariff sections are identified in Attachment I, which is a blacklined comparison against the proposed revisions to the OATT as provided in Attachment VII of the September 3 Filing. Specifically, the NYISO amends the proposed tariff record by:

- replacing “consistent of non-transmission elements” with “consist of non-transmission elements” in Section 31.2.8.1.8 of the OATT;
- deleting an inadvertent “a” in Section 38.10.2.1.2 of the OATT; and
- correcting the numbering convention proposed by replacing the second “(ii)” with “(b)” in Section 38.12.4.6 of the OATT.

The NYISO submits that these amendments are non-substantive, ministerial corrections and do not change the proposal as presented and justified in the September 3 Filing.

The NYISO requests that the Commission issue an order accepting the corrected tariff revisions proposed in this filing within 60 days of the date of this filing. The revisions to the OATT are identical to the proposed revisions in the September 3 Filing except for the above-identified corrections and continue to be just and reasonable and consistent with the Commission’s precedent.

⁴ The amendment to Section 31.2 of the OATT in this filing also corrects a discrepancy in the blacklined tariff (Attachment VIII) from the September 3 Filing by removing a struck section reference to “31.2.7.5.1.” Such section reference does not exist in the currently effective tariff, and the September 3 Filing did not propose to add such section reference. While the NYISO corrects this blackline discrepancy, it does not affect the proposed revisions in the September 3 Filing. Any references in the September 3 Filing letter to Section 31.2.7.5.1 are intended to refer to “Section 31.2.7.5.”

III. Requested Effective Date

The NYISO respectfully requests a waiver of the Commission's 60-day prior notice requirement to allow an effective date of November 3, 2025 for the proposed tariff revisions, as amended in this filing. Waiver is appropriate because the proposed tariff revisions in the September 3 Filing were filed 60 days in advance of the requested effective date and this filing is provided to correct the submitted version. The requested effective date of November 3, 2025 is the same effective date as the originally submitted proposed revisions that this amendment is superseding. Good cause exists to grant such waiver, as the original tariff revisions are identical except for the identified non-substantive, ministerial revisions described above and the Commission did not receive any filed opposition to September 3 Filing. The Commission has granted similar requests for a waiver for non-substantive, ministerial corrections to the filed tariff revisions.⁵

IV. Service

The NYISO will send an electronic link to this filing to the official representative of each of its customers, and each participant on its stakeholder committees. The NYISO will send an electronic copy of this filing to the New York State Public Service Commission and the New Jersey Board of Public Utilities. The NYISO will also post a complete copy of this filing on its website at www.nyiso.com.

V. Conclusion

The NYISO respectfully requests the Commission accept (i) this amendment to the September 3 Filing for the reasons specified above and (ii) the September 3 Filing, together with the amendments identified in this filing, with an effective date of November 3, 2025.

Respectfully submitted,

/s/ Brian R. Hodgdon

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⁵ See, e.g., *PJM Interconnection, L.L.C.*, Letter Order, Docket No. ER12-171-000 (January 3, 2012) (accepting a filing amending the Wholesale Market Participation Agreement to including inadvertently omitted specification pages from the word version of the agreement).

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 29th day of October 2025.

/s/ Elizabeth Rilling

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