

July 8, 2026

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., Supplemental Filing Related to Proposed Tariff Revisions Regarding Interconnection Process Improvements, Docket No. ER26-2698-000

Dear Secretary Reese:

On May 29, 2026, 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 Open Access Transmission Tariff (“OATT”) to incorporate additional efficiencies into its new Cluster Study Process³ (hereinafter, “May 29 Filing”).³ The May 29 Filing is currently pending before the Commission.

The NYISO submits this instant filing to supplement its May 29 Filing to clarify certain of the proposed tariff revisions to Section 40.6 of Attachment HH to the OATT.

I. Documents Submitted

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

- An illustrative example of incremental blacklined edits to the tariff revisions proposed in the May 29 Filing in Section 40.6 of Attachment HH to the OATT against a clean version of the originally submitted revisions (Attachment I);
- An illustrative example of all the proposed revisions to Section 40.6 of Attachment HH to the OATT submitted with the May 29 Filing as well as incremental blacklined edits described herein (Attachment II); and

¹ Capitalized terms that are not otherwise defined in this filing shall have the meaning specified in Attachment HH 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 Regarding Interconnection Process Improvements, Docket No. ER26-2698-000 (May 29, 2026) (“May 29 Filing”).

- An illustrative example of a clean version of Section 40.6 of Attachment HH to the OATT with the proposed revisions from the May 29 Filing and the clarifications described in this filing (Attachment III).

II. Proposed Tariff Revisions to OATT Section 40.6.4.1

As described in its May 29 Filing, under the NYISO's existing Cluster Study Process requirements, a Cluster Study Project that is issued a withdrawal notice is afforded a cure period to attempt to cure certain withdrawal-triggering deficiencies.⁴ Section 40.6.4.1 of Attachment HH of the OATT establishes a withdrawal cure period of 15 Business Days for most deficiencies, with certain tariff-prescribed exceptions. One of these exceptions in the current OATT is for Interconnection Customer's failure to make a timely payment on an invoice or to submit a deposit required by the Standard Interconnection Procedures, which cure period is 10 Business Days.

The NYISO provides in this supplemental filing clarifications concerning two of its proposed revisions to the cure period requirements in Section 40.6. First, in its May 29 Filing, the NYISO proposed to remove the current Section 40.6.4.1(i), which provides for the different 10-Business Day cure period for Interconnection Customer's failure to timely make a payment or submit a deposit required by the Standard Interconnection Procedures.⁵ The NYISO clarifies in this supplemental filing the impact of this proposed tariff revision. Namely, with this proposed revision, an Interconnection Customer will now have the standard 15-Business Day cure period set forth in Section 40.6.4.1 to cure withdrawals due to non-payment, unless the payment obligation is specifically exempted from the withdrawal cure period by Section 40.6.4.1 (e.g., failure to submit the initial study deposit, failure to submit Readiness Deposit 1, and failure to submit Readiness Deposit 2). For example, if an Interconnection Customer fails to timely pay a monthly invoice for study costs, it will be subject to withdrawal and afforded 15 Business Days to make the required payment.⁶

Second, the current withdrawal provisions include exceptions to the deficiency cure period for certain time-critical deficiencies that are not permitted to be cured using the standard 15-Business Day period. In the May 29 Filing, the NYISO proposed to add to this list of exceptions certain additional time-critical deadlines in the Cluster Study Process.⁷ Specifically, as revised, the NYISO's Cluster Study Process will include the following five categories of exceptions to using the standard cure period: (i) deadlines set forth in Section 40.5.7.2 for an Interconnection Customer to cure a deficiency in its Interconnection Request or CRIS-Only Request; (ii) the deadline in Section 40.5.7.3 for an Interconnection Customer to cure a

⁴ May 29 Filing at 21. In the alternative, the Interconnection Customer may, within 15 Business Days, notify the NYISO that it intends to initiate Dispute Resolution.

⁵ May 29 Filing at 24.

⁶ While afforded 15 Business Days to cure the non-payment, under tariff revisions proposed in the May 29 Filing, such Interconnection Customer would be assessed interest on unpaid invoiced amounts to be calculated in accordance with the interest rate established by the Commission's regulations. See proposed revisions to OATT Attach. HH § 40.24.3.4.2.

⁷ May 29 Filing at 21-24.

deficiency in its submission of information requested under Section 40.5.7.3 or 40.5.7.4; (iii) the deadline for Decision Period 1 set forth in Section 40.7.5; (iv) the deadline for Decision Period 2 set forth in Section 40.10.8.3; and (v) deadlines for the Final Decision Period and Additional SDU Decision Periods set forth in Section 40.15.2. These exceptions to the cure period are necessary to avoid study delays and the resulting adverse impacts to other Interconnection Customers. However, in the proposed tariff revisions included with the May 29 Filing, the NYISO inadvertently misnumbered the exception categories, creating the potential for confusion in the delineation of the five categories.

III. The NYISO Consents to Clarifying OATT Section 40.6.4.1

The NYISO has no objection to clarifying Section 40.6.4.1 of Attachment HH to the OATT to correct the labelling of the subparts in this provision to more clearly delineate the exception categories. Accordingly, the NYISO consents to the Commission conditioning its acceptance of the May 29 Filing on the NYISO submitting a compliance filing to clarify this language. Because such a condition would be consistent with the NYISO's original intent and would not make material changes to the NYISO's proposal, the NYISO believes that the Commission has ample authority to adopt such a condition.⁸ The Commission has granted similar requests for a waiver for non-substantive, ministerial corrections to filed tariff revisions.⁹

Specifically, the NYISO's compliance filing could revise the language proposed in Section 40.6.4.1 in the May 29 Filing as follows:

40.6.4 Withdrawal

40.6.4.1 The Interconnection Customer may withdraw its Interconnection Request or CRIS-Only Request at any time by written notice of such withdrawal to the ISO. In addition, if the Interconnection Customer fails to adhere to all requirements of these Standard Interconnection Procedures, except as provided in Section 40.24.5 (Disputes), the ISO shall deem the Interconnection Request or CRIS-Only Request to be withdrawn and shall provide written notice to the Interconnection Customer of the deemed withdrawal and an explanation of the reasons for such deemed withdrawal. Upon receipt of such written notice, the Interconnection Customer shall have a cure period of fifteen (15)

⁸ See *NRG Power Mktg., LLC v. FERC*, 862 F.3d 108, 114-15 (D.C. Cir. 2017) (finding that the Commission can impose limited conditions on FPA Section 205 filings that do not result in an "entirely different rate design" than the utility's original proposal or prior rate scheme); see also *Nev. Power Co.*, 195 FERC ¶ 61,104 (2026) at PP 9, 12 (accepting in part and rejecting in part tariff revisions to interconnection procedures filed pursuant to Section 205 of the Federal Power Act for which the filing party requested that "each of the changes proposed in this submission is a discrete revision to the Tariff and may be severed from any provision found not to be just and reasonable.").

⁹ See *New York Indep. Sys. Operator, Inc.*, 195 FERC ¶ 61,028 (2026) (directing a compliance filing to incorporate clarifying tariff revisions the NYISO proposed and consented to in response to a deficiency letter regarding tariff revisions filed pursuant to Section 205 of the Federal Power Act.).

Business Days in which to either respond with information or actions that cures the deficiency or to notify the ISO of its intent to pursue Dispute Resolution; except that the cure period set forth in this Section 40.6.4.1 does not extend the following specific deadlines:

- (i) deadlines set forth in Section 40.5.7.2 for an Interconnection Customer to cure a deficiency in its Interconnection Request or CRIS-Only Request identified by the ISO;
- (ii) deadline in Section 40.5.7.3 for an Interconnection Customer to cure a deficiency in its submission of information requested under Section 40.5.7.3 or 40.5.7.4;
- (iii) deadline for Decision Period 1 set forth in Section 40.7.5;
- (iv) deadline for Decision Period 2 set forth in Section 40.10.8.3; and
- (v) deadlines for the Final Decision Period and Additional SDU Decision Periods set forth in Section 40.15.2.

For the Commission's reference, clean and blacklined versions of the proposed tariff revisions from the May 29 Filing with these additional incremental edits are attached for illustrative purposes.

The NYISO respectfully requests that such a condition allow for the NYISO to request an effective date of July 29, 2026 for any tariff revisions the Commission directs to facilitate the NYISO's application of the revised requirements for its next Cluster Study Process, the Application Window for which opens on July 31, 2026.

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 supplement to the May 29 Filing for the reasons specified above and (ii) the May 29 Filing, together with any corrections directed by the Commission, with an effective date of July 29, 2026.

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Respectfully submitted,

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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 8th day of July 2026.

/s/ Kerry Teti

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