

August 27, 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., Compliance Filing Related to
Tariff Revisions Regarding Interconnection Process Improvements, Docket
No. ER26-2698-____**

Dear Secretary Reese:

On May 29, 2026, as supplemented on July 8, 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 Process.³ On July 28, 2026, the Commission accepted the NYISO’s proposed tariff revisions from the May 29 Filing, subject to condition, and directed the NYISO to submit a compliance filing to clarify the proposed tariff revisions to Section 40.6.4.1 of Attachment HH to the OATT.⁴ The NYISO submits in this compliance filing the revisions to its OATT directed by the Commission in the July 28 Order. The NYISO requests that the Commission accept these compliance tariff revisions with an effective date of July 29, 2026. This is the same effective date as the tariff revisions accepted by the Commission in the July 28 Order and will facilitate the application of these requirements in the ongoing Application Window for the Cluster Study Process, which opened on July 31, 2026.

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”); *New York Indep. Sys. Operator, Inc.*, Supplemental Filing Related to Proposed Tariff Revisions Regarding Interconnection Process Improvements, Docket No. ER26-2698-000 (July 8, 2026) (“Supplemental Filing”).

⁴ *New York Indep. Sys. Operator, Inc.*, 196 FERC ¶ 61,073 at P 18 (2026) (“July 28 Order”).

I. Documents Submitted

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

- A blacklined version of the proposed revisions to Attachment HH of the NYISO OATT (Attachment I); and
- A clean version of the proposed revisions to Attachment HH of the NYISO OATT (Attachment II).

II. Background

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.⁵ 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.

In its Supplemental Filing, the NYISO provided 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.⁶ The NYISO clarified in the 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.⁷

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

⁵ 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.

⁶ May 29 Filing at 24.

⁷ 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.

exceptions certain additional time-critical deadlines in the Cluster Study Process.⁸ 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 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. As noted in the Supplemental Filing, 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.

In its Supplemental Filing, the NYISO indicated that it 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. The NYISO consented to the Commission conditioning its acceptance of the May 29 Filing on the NYISO submitting a compliance filing to clarify this language and provided illustrative tariff language providing such clarification. 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 asserted that the Commission has ample authority to adopt such a condition.⁹ In the July 28 Order, the Commission agreed, noting that the United States Court of Appeals for the District of Columbia Circuit has held that, in certain circumstances, the Commission has "authority to propose modifications to a utility's [FPA section 205] proposal if the utility consents to the modifications."¹⁰ The Commission directed the NYISO to file a compliance filing within 30 days to more clearly delineate the exception categories in accordance with the illustrative tariff language provided by the NYISO in its Supplemental Filing.¹¹

III. Proposed Tariff Revisions to OATT Section 40.6.4.1

In compliance with the Commission's July 28 Order, the NYISO proposes to revise Section 40.6.4.1 in the following manner, which is consistent with the illustrative tariff language included in the Supplemental Filing:

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

⁸ May 29 Filing at 21-24.

⁹ Supplemental Filing at 3.

¹⁰ July 28 Order at n. 45.

¹¹ July 28 Order at P 18.

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) 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.

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 that the Commission accept the tariff revisions proposed in this compliance filing and determine that the NYISO fully complies with the requirements of the July 28 Order.

Respectfully submitted,

/s/ Sara B. Keegan

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Raquel M. Parks

Honorable Debbie-Anne A. Reese
August 27, 2026
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/s/ Michael J. Messonnier, Jr.

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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 27th day of August 2026.

/s/ Meghan Liguori

Meghan Liguori
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