

June 25, 2012

**By Electronic Delivery**

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Filing of an Executed Amended and Restated Large Generator Interconnection Agreement Among the New York Independent System Operator, Inc., the New York Power Authority and Marble River, LLC and Request for Waiver of the 60-Day Notice Period, Docket No. ER12-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act,<sup>1</sup> Section 35.12 of the Commission's Regulations,<sup>2</sup> and Section 11.3 of its Large Facility Interconnection Procedures ("LFIP"), the New York Independent System Operator, Inc. ("NYISO") and the New York Power Authority ("NYPA") (collectively, "Joint Filing Parties") hereby tender for filing an executed Amended and Restated Large Generator Interconnection Agreement ("Amended Agreement") as Service Agreement No. 1774 among the NYISO, NYPA as the Transmission Owner, and Marble River, LLC ("Marble River") as the Developer (collectively, "Parties").<sup>3</sup> The Joint Filing Parties respectfully request waiver of the Commission's 60-day notice requirement, to make the Amended Agreement effective as of June 13, 2012

The Amended Agreement supersedes a Large Generator Interconnection Agreement ("LGIA") among the Parties that was filed in Docket No. ER11-4056-000, as Service Agreement No. 1774 ("Original Agreement"). The Original Agreement was accepted by the Commission on September 2, 2011, effective June 29, 2011.

The Original Agreement accepted by the Commission provided for the interconnection of Marble River's 216.3 MW wind generating facility ("the Facility") to the New York State Transmission System for Energy Resource Interconnection Service ("ERIS").<sup>4</sup> The Original

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<sup>1</sup> 16 U.S.C. § 824d (2006).

<sup>2</sup> 18 C.F.R. § 35.12 (2008).

<sup>3</sup> Capitalized terms not otherwise defined in this letter have the meaning set forth in Attachments S and X of the NYISO's Open Access Transmission Tariff ("OATT").

<sup>4</sup> The Developer elected only ERIS and not Capacity Resource Interconnection Service ("CRIS").

Agreement provided that the Facility would consist of 103 Suzlon S-88 singly-fed induction generators (“turbines”), each 2.1 MW; one 230kV, 2000A three-phase switch; eight 34.5kV, 1200A, 40kA interrupting vacuum circuit breakers; one 4000A main breaker; and two blocks of 34.5kV 20 MVAR shunt capacitor banks. The Original Agreement also contained non-conforming provisions to reflect circumstances specific to the project, namely: (1) NYPA’s unique legal status as a power authority governed under New York’s Power Authority Act;<sup>5</sup> (B) the unique existence of “common” System Upgrade Facilities shared by Marble River and certain other Class Year 2006 Developers; and (C) necessary ministerial revisions.

## **I. Discussion of Changes**

Since the filing of the Original Agreement, Marble River proposed to change the turbines from Suzlon S88 2.1 MW turbines to Vestas V112 3.075 MW turbines, and to reduce the number of turbines from 103 to 70, resulting in a nominal reduction in the Facility’s generating capacity. The NYISO evaluated the proposed changes and determined that they are not Material Modifications. The changes do, however, require modification to certain equipment descriptions and Milestones specified in the Original Agreement. The Joint Filing Parties therefore submit this Amended Agreement to reflect the modifications to the Original Agreement.

Specifically, the Amended Agreement modifies the LGIA as follows:

- The body of the Amended Agreement reflects the following modifications to the body of the Original Agreement: (1) a new effective date - the date of execution of the Amended Agreement; and (2) changes to reflect that this is the “Amended and Restated” version of the Interconnection Agreement;
- Appendix A reflects the following modifications: (1) equipment changes and equipment specifications for Developer’s Attachment Facilities resulting from the turbine changes (*e.g.*, deletion of references to capacitor banks and related equipment that are not needed with the Vestas turbines); (2) additional technical specifications for existing equipment (*e.g.*, the nominal breaker ratings for the disconnect switches and specific 34.5 kV feeder breaker information); (3) deletion of inapplicable diagram references in Section III(B); and (4) updated one-line diagram at Figure 1 consistent with the turbine changes and related change in equipment generating capacity;
- Appendix B reflects updated dates and ministerial revisions in the Milestone table;
- Appendix C reflects modifications replacing the description and technical specifications of the Suzlon turbines and related equipment with details and technical specifications of the Vestas turbines, and providing additional detail related to the generator step up transformer; and

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<sup>5</sup> N.Y. Public Authorities Law §§ 1000-1017.

- Appendices E and F reflect updated contact information for NYPA.

The blacklined version attached to this filing shows all of these changes that were made to the currently effective interconnection agreement. The Parties respectfully request that the Commission accept this Amended Agreement.

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

The parties request an effective date of June 13, 2012 for the Amended Agreement, which is the date of execution. The Commission has allowed interconnection agreements to become effective on the date of execution, even when that date pre-dates the date that an interconnection agreement is filed. Accordingly, the parties request that the Commission grant a waiver of its prior notice requirements to the extent necessary to accommodate this requested effective date.

### **IV. Communications and Correspondence**

Communications regarding this filing should be directed to:

#### **For the NYISO**

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**V. Documents Submitted**

The NYISO submits the following documents:

1. this filing letter;
2. a clean version of the Amended Agreement (Attachment I); and
3. a blackline showing the changes between the Original Agreement and the Amended Agreement (Attachment II).

**VI. Service**

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

**VII. Conclusion**

Wherefore, the NYISO respectfully requests that the Commission accept the attached Agreement effective as of June 13, 2012.

Respectfully submitted,

/s/ Sara B. Keegan

Sara B. Keegan

Counsel for the

New York Independent System Operator, Inc.

/s/Andrew F. Neuman

Andrew F. Neuman

Special Counsel for the New York Power Authority