

July 27, 2015

By Electronic Delivery

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

Re: Filing of an Executed Small Generator Interconnection Agreement Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and Monroe County, New York; and Request for Waiver of 60-Day Notice Period; Docket No. ER15-____-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act¹ and Section 35.12 of the Commission's Regulations,² the New York Independent System Operator, Inc. ("NYISO") and Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") (collectively, the "Joint Filing Parties") hereby tender for filing an executed Small Generator Interconnection Agreement ("Interconnection Agreement") as Service Agreement No. 2219 among the NYISO, National Grid as the Connecting Transmission Owner, and Monroe County, New York ("Monroe County") as the Interconnection Customer.³

The Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing. With the limited exception described in Part II 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 NYISO's Open Access Transmission Tariff ("OATT"). Further, as described in Part III of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements⁴ to make the Interconnection Agreement effective as of July 13, 2015, which is the date of its execution.

¹ 16 U.S.C. § 824d (2014).

² 18 C.F.R. § 35.12 (2014).

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

⁴ 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. Background

The Interconnection Agreement governs the interconnection of Monroe County's landfill gas-to-energy generation facility ("Facility") located in Riga, New York. Monroe County currently operates the Facility at a capacity of 6.4 MW under an agreement with National Grid that pre-dates the NYISO's interconnection procedures. The existing 6.4 MW Facility consists of eight Caterpillar 800 kW 3516 generators. Monroe County is expanding the Facility to 9.6 MW by installing two Caterpillar 1600 kW 3520 generators in a separate structure. The Point of Interconnection for the Facility is the point at which it interconnects to National Grid's Caledonia-Churchville 34.5 kV Line #201 at Pole 610, approximately 8.42 miles from Caledonia Substation and 0.65 miles from Churchville Substation, as depicted on the one-line diagram in Attachment 3 of the Interconnection Agreement.

II. Variations From the NYISO's Pro Forma SGIA

The Interconnection Agreement conforms with the Pro Forma SGIA with one minor modification agreed to by the Parties that is necessary to reflect the unique circumstances concerning the Capacity Resource Interconnection Service ("CRIS") rights for the expanded Facility. The existing Facility has a CRIS value of 6.4 MW. Monroe County did not elect for the NYISO to evaluate under its Class Year Facilities Study process the additional capacity created by the Facility's expansion to 9.6 MW. For this reason, the Facility's CRIS value will be limited to 6.4 MW, unless and until the CRIS value is modified under the applicable provision of the NYISO's OATT. The Parties modified Section 1.3.1 and Appendix C of the Interconnection Agreement to reflect that the CRIS value for the expanded Facility remains at 6.4 MW.

The Commission has accepted variations from a *pro forma* interconnection agreement where operational concerns or other factors necessitate the changes, including reliability concerns, novel legal issues, or other unique circumstances.⁵ The Joint Filing Parties submit that the modification to the Interconnection Agreement satisfies the Commission's standard for variations from the Pro Forma SGIA, because unique circumstances exist that require the modified language. In fact, this particular non-conforming modification to the Pro Forma SGIA is substantially similar or identical to modifications previously accepted by the Commission.⁶ As with prior Commission-approved Small Generator Interconnection Agreements containing this non-conforming provision, Monroe County's election to have the Facility's uprate studied only for Energy Resource Interconnection Service and not for deliverability in the NYISO interconnection process is a specific circumstance that requires modification of the Pro Forma SGIA. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement with this limited non-conforming change.

⁵ See Order No. 2006 at P 562; see also *Midwest Independent Transmission System Operator, Inc.*, 111 FERC ¶ 61,421 at P 11 (2005) (citing Order No. 2003 at PP 913-15); *PJM Interconnection, LLC*, 111 FERC ¶ 61,163 at PP 10-11, *reh'g denied*, 112 FERC ¶ 61,282 (2005).

⁶ See e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas*, Letter Order, Docket No. ER12-2410-000 (October 1, 2012); *New York Independent System Operator, Inc. and National Grid*, Letter Order, Docket No. ER12-2045-000 (August 8, 2012).

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

The Joint Filing Parties request an effective date of July 13, 2015 for the Interconnection Agreement, which is the date of its 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.⁷

IV. Communications and Correspondence

Communications regarding this filing should be directed to:

For the NYISO

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⁷ See, e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Docket No. ER11-2953-000 (April 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).

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V. Documents Submitted

The NYISO submits the following documents along with the filing letter:

- a clean version of the Interconnection Agreement (“Attachment I”);
- a blacklined version showing the changes between the Pro Forma SGIA and the Interconnection Agreement (“Attachment II”); and
- the signature pages for the Interconnection Agreement (“Attachment III”).

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 documents included with this filing will be posted on the NYISO’s website at www.nyiso.com.

VII. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement effective as of July 13, 2015.

Respectfully submitted,

/s/ Sara B. Keegan
Sara B. Keegan
Counsel for the
New York Independent System Operator, Inc.

/s/Amanda C. Downey
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