

August 18, 2017

**By Electronic Delivery**

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

Re: Joint Filing of an Executed Large Generator Interconnection Agreement Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and Arkwright Summit Wind Farm LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER17-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.12 of the Commission's regulations,<sup>2</sup> the New York Independent System Operator, Inc. ("NYISO") and Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") (together, the "Joint Filing Parties") hereby tender for filing an executed Large Generator Interconnection Agreement entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and Arkwright Summit Wind Farm LLC ("Arkwright"), as the Developer (the "Interconnection Agreement").<sup>3</sup> The Interconnection Agreement is labeled as Service Agreement No. 2356 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing. With limited non-conforming exceptions that are described and justified in Part I of this letter, the Interconnection Agreement conforms to the NYISO's *pro forma* Large Generator Interconnection Agreement ("Pro Forma LGIA") that is contained in Attachment X to the OATT. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Interconnection Agreement effective as of August 10, 2017, which is the date of its full execution.

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<sup>1</sup> 16 U.S.C. § 824d (2016).

<sup>2</sup> 18 C.F.R. § 35.12 (2016).

<sup>3</sup> Capitalized terms that are not otherwise defined in this filing letter shall have the meaning specified in Attachments S or X of the NYISO OATT, and if not defined therein, in the NYISO OATT and NYISO Market Administration and Control Area Services Tariff.

<sup>4</sup> 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. Discussion**

### **A. Background**

Arkwright is constructing a wind farm in Arkwright, New York (“Facility”). The Facility, as proposed, will consist of thirty-six Vestas V110 wind turbines (thirty-two 2.2 MW turbines and four 2.0 MW turbines), with a total output of 78.4 MW. Additional details regarding the Facility can be found in Appendix C of the Interconnection Agreement.

The Facility will interconnect to transmission facilities of National Grid that are part of the New York State Transmission System. Specifically, the Facility will interconnect via a new five-breaker open-ring station located between structures 120 and 122 of National Grid’s 115 kV Dunkirk – Falconer Lines 161 and 162. Figure A-1 of Appendix A of the Interconnection Agreement provides a one-line diagram showing the Point of Interconnection.

### **B. The Interconnection Agreement Closely Conforms to the Pro Forma LGIA Contained in Attachment X of the NYISO OATT**

The Interconnection Agreement was fully executed on August 10, 2017 by the NYISO, National Grid, and Arkwright. The Interconnection Agreement follows the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT with limited exceptions. The Interconnection Agreement contains two limited variations from the Pro Forma LGIA that are described in this Part I.B. These variations are necessary to address the execution of this agreement prior to the completion of the NYISO’s Class Year Interconnection Facilities Study and to accurately describe the operational control of the attachment facilities and upgrades associated with the Facility. The Joint Filing Parties submit that the changes specified below satisfy the Commission’s standard for variations from the Pro Forma LGIA, because unique circumstances exist that require a non-conforming agreement.<sup>5</sup> Therefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement with the limited non-conforming changes.

#### **1. Modifications to Address Execution of Interconnection Agreement Prior to Completion of Class Year Study**

Arkwright has elected to seek both Energy Resource Interconnection Service (“ERIS”) and Capacity Resource Interconnection Service (“CRIS”). Arkwright is participating in the current Class Year Interconnection Facilities Study (“Class Year Study”), which is still underway. The Class Year Study identifies required System Upgrade Facilities for the reliable interconnection of all of the facilities in the Class Year and determines whether any System Deliverability Upgrades are required for the Facility to be fully deliverable at its requested level of CRIS.

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<sup>5</sup> See, e.g., *PJM Interconnection, LLC*, 111 FERC ¶ 61,163 at PP 10-11, *reh’g denied*, 112 FERC ¶ 61,282 (2005).

Since the Class Year Study was not completed at the time the parties executed the Interconnection Agreement, the parties modified Section 4.1.1 of the Interconnection Agreement to provide that the NYISO's provision of ERIS and CRIS are subject to the requirements in Section 6 of Appendix A and Section 2 of Appendix C of the Interconnection Agreement. Section 6 of Appendix A provides that if the Connecting Transmission Owner's Attachment Facilities and System Upgrade Facilities identified in the Class Year Study differ in any material way from the facilities described in the Interconnection Agreement, the parties will amend the Interconnection Agreement to incorporate the results of the Class Year Study. In addition, Section 2(d) of Appendix C provides that Arkwright may not supply Unforced Capacity to the New York Control Area from the Facility until it has complied with the deliverability requirements set forth in Attachment S of the OATT, including acceptance of any cost allocation for System Deliverability Upgrades and the posting of associated security or payments. The Commission has previously accepted these types of changes to the Pro Forma LGIA where, as here, the Developer was participating in a pending Class Year Study at the time the Interconnection Agreement was executed.<sup>6</sup>

## **2. Modifications to Address Operational Control of Attachment Facilities and Upgrades**

The parties have agreed to modify Article 5.11 ("Connecting Transmission Owner's Attachment Facilities Construction") to provide that National Grid shall "not" transfer to the NYISO operational control of the Connecting Transmission Owner's Attachment Facilities ("CTOAFs") and Stand-Alone System Upgrade Facilities ("SASUFs") associated with the Facility. This change is necessary because National Grid will retain operational control over these 115 kV facilities. The Commission has previously accepted this change to the Pro Forma LGIA in similar circumstances.<sup>7</sup>

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

The Joint Filing Parties request an effective date of August 10, 2017 for the Interconnection Agreement, which is the date of its full 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.<sup>8</sup>

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<sup>6</sup> See, e.g., *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER11-2199-000 (December 28, 2010) (accepting revisions to CRIS requirements in Pro Forma LGIA to reflect the timing of the execution of the interconnection agreement).

<sup>7</sup> See, e.g., *New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER17-1703-000 (July 24, 2017); *New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER10-1507-000 (August 17, 2010); *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER09-905-000 (May 15, 2009).

<sup>8</sup> 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).

### **III. Communications and Correspondence**

All communications and service in this proceeding should be directed to:

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<sup>9</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2014) to permit service on counsel in both Washington, D.C. and Richmond, VA.

**IV. Documents Submitted**

The Joint Filing Parties submit the following documents with this filing letter:

- A clean version of the Interconnection Agreement (Attachment I);
- A blacklined version of the Interconnection Agreement showing the changes from the body of the Pro Forma LGIA (Attachment II); and
- The signature pages for the Interconnection Agreement (Attachment III).

**V. Service**

On behalf of the Joint Filing Parties, 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](http://www.nyiso.com).

**VI. Conclusion**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing with an effective date of August 10, 2017.

Respectfully submitted,

/s/ Sara B. Keegan

Sara B. Keegan

*Counsel for the*

*New York Independent System Operator, Inc.*

/s/ David C. Lodemore

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