



May 10, 2018

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

**Re: Niagara Mohawk Power Corporation
Docket No. ER18-____-000
Notice of Cancellation of Reimbursement Agreement with Oneida Indian
Nation**

Dear Secretary Bose:

Pursuant to Section 35.15 of the Federal Energy Regulatory Commission's ("Commission") regulations,¹ Niagara Mohawk Power Corporation ("Niagara Mohawk") submits for Commission acceptance this Notice of Cancellation of the Amended Cost Reimbursement Agreement ("Reimbursement Agreement") between Niagara Mohawk and the Oneida Indian Nation (the "Nation") that went into effect on August 22, 2016.² The Reimbursement Agreement has terminated pursuant to notice provided by the Nation that it has decided not to move forward with the project that is the subject of the Reimbursement Agreement. Niagara Mohawk requests that the Commission accept this Notice of Cancellation effective as of the termination date requested by the Nation, *i.e.*, March 30, 2017.

I. Background and Justification for Cancellation

The Reimbursement Agreement went into effect on August 22, 2016. According to its terms, the Reimbursement Agreement may be terminated upon the provision of written notice by the Nation to Niagara Mohawk.³ The Nation has provided such notice to Niagara Mohawk that it has terminated the Reimbursement Agreement effective March 30, 2017, because the Nation has decided not to move forward with the project that is the subject of the Reimbursement Agreement.

¹ 18 C.F.R. § 35.15.

² Commission Letter Order, Docket No. ER16-2625-000 (Nov. 15, 2016). The Reimbursement Agreement is designated as Service Agreement No. 2264 under the Open Access Transmission Tariff ("OATT") of the New York Independent System Operator, Inc. ("NYISO").

³ Section 5.3 of the Reimbursement Agreement.

II. Effective Date

Niagara Mohawk respectfully requests waiver of the 60-day prior notification requirement contained in Section 35.15 of the Commission's regulations and that the Commission accept this Notice of Cancellation effective March 30, 2017.⁴ The Reimbursement Agreement terminated as of that date pursuant to the notice that the Nation provided to Niagara Mohawk as described above. Therefore, good cause exists to cancel the Reimbursement Agreement as of the requested effective date.

III. Communications and Service

Communications and correspondence regarding this filing should be addressed to the following individuals:

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IV. Service

Copies of this filing have been served on the Nation, the NYISO, and the New York State Public Service Commission.

⁴ For good cause shown, the Commission may accept a notice of cancellation effective as of a date prior to the date of filing or prior to the date the filing would become effective in accordance with Section 35.15 of the regulations. 18 C.F.R. § 35.15(a).

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V. Conclusion

For the reasons stated above, Niagara Mohawk respectfully requests that the Commission accept this Notice of Cancellation of the Reimbursement Agreement effective as of March 30, 2017.

Respectfully submitted,

/s/ Christopher J. Novak

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