

October 1, 2019

**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 Cassadaga Wind LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER20-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.13 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 Cassadaga Wind LLC ("Cassadaga"), as the Developer (the "Interconnection Agreement").<sup>3</sup> The Interconnection Agreement is labeled as Service Agreement No. 2475 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 the limited exception described 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 September 17, 2019, which is the date of its full execution.

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<sup>1</sup> 16 U.S.C. § 824d (2012).

<sup>2</sup> 18 C.F.R. § 35.13 (2017).

<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**

Cassadaga is constructing a wind farm located in the towns of Charlotte and Cherry Creek in Chautauqua County, New York (the “Facility”). The Facility will consist of ten (10) Siemens-Gamesa G114 2.625 MW and twenty-seven (27) Nordex N117 3.675 MW wind turbines, with a total output of 126 MW. Additional details regarding the Facility can be found in Appendix C of the Interconnection Agreement.

The Facility will interconnect to certain facilities of National Grid that are part of the New York State Transmission System. The Point of Interconnection will be located on National Grid’s Laona-Falconer Lines 172 and 173, between structures 218 and 219. Appendix A of the Interconnection Agreement includes a one-line diagram showing the Point of Interconnection.

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

The Interconnection Agreement was fully executed on September 17, 2019, by the NYISO, National Grid, and Cassadaga. The Interconnection Agreement largely conforms to the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT with the limited exceptions described below in this Part I.B. 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. Limited Operation of the Facility Prior to Completion of Certain Upgrade Facilities**

Cassadaga elected to seek both Energy Resource Interconnection Service (“ERIS”) and Capacity Resource Interconnection Service (“CRIS”) from the NYISO. Cassadaga participated in the Class Year Interconnection Facilities Study (“Class Year Study”) for Class Year 2017. The Class Year Study identified certain system upgrades required in New York to mitigate transfer degradation between the NYISO and PJM Interconnection, LLC (“PJM”) caused by certain projects participating in the Class Year Study, including the Facility. The Class Year Study also identified related other upgrade facilities that are required in PJM.

These upgrades may not be completed prior to Cassadaga’s completion of the Facility. Accordingly, the parties detailed in Section 3 of Appendix C of the Interconnection Agreement the process by which the NYISO and National Grid may perform certain analysis consistent with the limited operations requirements in Section 5.9 of the Pro Forma LGIA and Section 30.12.3 of Attachment X of the NYISO OATT to determine the extent to which the Facility can operate at

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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).

its maximum generating capability prior to completion of the upgrades. The p also modified Article 4.1.1 of the Interconnection Agreement to provide that the NYISO's provision of ERIIS and CRIS are subject to the limited operations requirements in Article 3 of Appendix C. The Commission has previously accepted this change to the Pro Forma LGIA in similar circumstances.<sup>6</sup>

### **3. Modification to Recent NYISO Interconnection Queue Reform Revisions**

On October 16, 2017, the NYISO submitted in Docket No. ER18-80-000 modifications to its interconnection procedures and agreements, including the Pro Forma LGIA, which revisions the Commission accepted on December 7, 2017.<sup>7</sup> The parties have agreed to make the following modifications in the Interconnection Agreement to correct certain modifications to the Pro Forma LGIA in the recent filing:

- Correction of the reference to the NYISO OATT in the definition of Standard Large Generator Interconnection Agreement from Appendix 6 to Appendix 3 of Attachment X of the NYISO OATT.
- Correction of the cross-reference in Article 2.1 from Article 3.1, which no longer exists, to Article 3;
- Correction to the first reference to "Indemnified Party" in Article 18.1.2 of the Pro Forma LGIA, which was inadvertently changed to "Indemnifying Party;"
- Correction of two cross-references in Section 18.3.12; and
- Correction of a cross-reference in Article 22.4.

The Commission has previously accepted these or similar changes to the Pro Forma LGIA in similar circumstances.<sup>8</sup>

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

The Joint Filing Parties request an effective date of September 17, 2019 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>9</sup>

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<sup>6</sup> See *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER17-352-000 (Jan. 5, 2017) (accepting modifications to Article 4.1.1 of the filed interconnection agreement to address limited operations).

<sup>7</sup> See *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER18-80-000 (December 7, 2017).

<sup>8</sup> See, e.g., *New York Independent System Operator, Inc. and Consolidated Edison Co. of New York, Inc.*, Letter Order, Docket No. ER18-1161-000 (May 17, 2018).

<sup>9</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*

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

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

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*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).

<sup>10</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.

\*Designated to receive service.

#### **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 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 September 17, 2019.

Respectfully submitted,

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