

October 18, 2019

By Electronic Delivery

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

**Re: *New York Independent System Operator, Inc.*, Docket No. ER20-____-000;
Proposed Revision to Table 1A of Attachment L of the OATT**

Dear Secretary Bose:

In accordance with Section 205 of the Federal Power Act¹ and Part 35 of the regulations of the Federal Energy Regulatory Commission (“Commission”), the New York Independent System Operator, Inc. (“NYISO”) submits a proposed revision to its Open Access Transmission Tariff (“OATT”) that updates certain information for Contract No. 59.1 in Table 1A of Attachment L of the OATT (“Table 1A”).²

The NYISO Management Committee approved the proposed revision, without opposition, on July 31, 2019. The NYISO respectfully requests that the proposed revision becomes effective on December 18, 2019 (*i.e.*, the day following the end of the statutory 60-day notice period).

I. Documents Submitted

The NYISO respectfully submits the following documents with this filing letter:

1. A clean version of the proposed revision to the OATT (“Attachment I”); and
2. A blacklined version of the proposed revision to the OATT (“Attachment II”).

II. Background

Table 1A lists certain long-term transmission service agreements pursuant to which customers received transmission service before the NYISO’s inception. These agreements are referred to as Existing Transmission Agreements (“ETAs”). Table 1A also provides certain

¹ 16 U.S.C. § 824d.

² Capitalized terms not otherwise defined herein shall have the meaning specified in the OATT.

relevant information regarding each ETA, including: (i) the party receiving transmission service and the transmission service provider; (ii) the MW value of the transmission service for which Grandfathered Rights or Grandfathered Transmission Congestion Contracts (“TCCs”) were awarded at NYISO start-up; (iii) the Point of Injection and Point of Withdrawal associated with the transmission service; and (iv) the termination/expiration date.

The NYISO is not a party to the ETAs. Section 17.9 of Attachment K of the OATT establishes a process for the parties to ETAs to inform the NYISO of any changes to their ETAs or corrections to the information listed in Table 1A to maintain consistency with the terms and conditions of their ETAs.³ Revisions to ETAs or inaccuracies in the information set forth in Table 1A may require changes to Table 1A. Such revisions or inaccuracies may also have consequences for NYISO settlements and the NYISO-administered TCC auctions. This process also establishes the procedures for the NYISO to document such changes/corrections and reflect them in NYISO settlements and TCC auctions.

Section 17.9.4 of Attachment K of the OATT requires that the NYISO periodically incorporate Accepted Revisions into Table 1A through a Section 205 filing utilizing the NYISO’s shared governance stakeholder process.⁴ The NYISO is required to make such filings on at least an annual basis, unless no Accepted Revisions occur within a given twelve-month period.⁵

The NYISO utilizes twelve-month periods encompassing June 1st through May 31st of the following year for the purposes of measuring such annual periods. The NYISO’s general practice is to await the completion of each such twelve-month period before commencing the shared governance stakeholder process to revise Table 1A to incorporate any Accepted Revisions processed by the NYISO during such period.

During the period from June 1, 2018 through May 31, 2019, the NYISO processed one Accepted Revision modifying the termination/expiration date of an ETA, thereby requiring this filing.

III. Description of the Proposed Tariff Revision

On February 27, 2019, the New York Power Authority (“NYPA”) requested that the NYISO revise the termination/expiration date for Contract No. 59.1 from “Upon mutual

³ See Docket No. ER11-4274-000, *New York Independent System Operator, Inc.*, Proposed Tariff Revisions Related to Grandfathered Rights and Grandfathered TCCs (August 10, 2011); and Docket No. ER11-4274-000, *supra*, Letter Order (September 16, 2011).

⁴ Accepted Revisions posted to the NYISO’s website are effective for purposes of NYISO settlements and TCC auctions in accordance with the requirements set forth in Section 17.9 of Attachment K regardless of whether they have been formally incorporated into Table 1A.

⁵ See Docket No. ER15-1391-000, *New York Independent System Operator, Inc.*, Letter Order (April 29, 2015).

agreement” to “December 31, 2018.” The NYISO implemented the requested change as an Accepted Revision effective March 4, 2019.⁶

Contract No. 59.1 relates to transmission service from NYPA’s Blenheim-Gilboa pumped storage power facility in connection with the power supply service provided by NYPA to certain governmental customers located in southeastern New York including, but not limited to, the City of New York, the New York City Housing Authority, the Metropolitan Transit Authority, the Port Authority of New York and New Jersey and the County of Westchester (collectively, these customers are referred to herein as the “SENY Governmental Customers”). NYPA has provided service to the SENY Governmental Customers since 1976. In 2017, NYPA and the SENY Governmental Customers reached agreement on a new power supply arrangement to last through December 31, 2027.

In connection with the recent extension of the power supply arrangement, NYPA and the SENY Governmental Customers mutually agreed to remove the Blenheim-Gilboa pumped storage power facility from the portfolio of assets used to serve the power supply needs of the SENY Governmental Customers. As a result, the transmission service arrangement related to the transmission of power from the Blenheim-Gilboa pumped storage power facility was terminated on a going forward basis. In support of the revision, NYPA submitted various documents related to Contract No. 59.1 and the new power supply arrangement with the SENY Governmental Customers. The documents demonstrate that: (i) the new power supply arrangement expressly excludes the Blenheim-Gilboa pumped storage power facility from the portfolio of assets used to serve the needs of the SENY Governmental Customers; and (ii) as of January 1, 2019, all the SENY Governmental Customers had transitioned to service under the new power supply arrangement that excludes the Blenheim-Gilboa pumped storage power facility from the supply portfolio.

IV. Effective Date

The NYISO respectfully requests that the proposed tariff revision becomes effective on December 18, 2019 (*i.e.*, the day following the end of statutory 60-day notice period).

V. Requisite Stakeholder Approval

The proposed tariff amendment was approved, without opposition, by the NYISO Management Committee on July 31, 2019. The NYISO’s Board of Directors approved the proposed revision on October 15, 2019.

VI. Communications and Correspondence

Please direct all communications and service in this proceeding to:

⁶ The NYISO posted the Accepted Revision to its website on March 6, 2019 to ensure transparency and marketplace awareness thereof.

Robert E. Fernandez, Executive Vice President, General Counsel and Chief Compliance Officer

Raymond Stalter, Director, Regulatory Affairs

*Garrett E. Bissell, Senior Attorney

New York Independent System Operator, Inc.

10 Krey Boulevard

Rensselaer, NY 12144

Telephone: 518-356-6000

Email: gbissell@nyiso.com

*Person designated for receipt of service.

VII. Service

The NYISO will send an electronic link to this filing to the official representative of each of its customers, each participant on its stakeholder committees, the New York State Public Service Commission, and the New Jersey Board of Public Utilities. The NYISO will also post the complete filing on its website at www.nyiso.com.

VIII. Conclusion

The NYISO respectfully requests that the Commission accept the proposed revision to the OATT attached hereto with an effective date of December 18, 2019.

Respectfully submitted,

/s/ Garrett E. Bissell

Garrett E. Bissell

Senior Attorney

New York Independent System Operator, Inc.

cc: Anna Cochrane
James Danly
Jignasa Gadani
Jette Gebhart
Kurt Longo
John C. Miller
David Morenoff
Daniel Nowak
Larry Parkinson
Douglas Roe
Frank Swigonski
Gary Will