

March 11, 2022

**By Electronic Filing**

Hon. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: New York Independent System Operator, Inc.; NAESB Compliance Filing and  
Request for Waiver; Docket Nos. RM05-5-029, RM05-5-030, ER22-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to the Commission's direction in *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676-J, the New York Independent System Operator, Inc. ("NYISO") respectfully submits this compliance filing and request for waivers of certain North American Energy Standards Board ("NAESB") Wholesale Electric Quadrant ("WEQ") business practice standards.

**I. MOTION FOR LEAVE TO SUBMIT COMPLIANCE FILING OUT OF TIME**

On May 20, 2021, the Commission issued Order No. 676-J to amend its regulations to incorporate, by reference, most business practice standards set forth in the latest version of the NAESB WEQ Standards ("WEQ Version 003.3 Standards"). Order No. 676-J requires public utilities to revise their open access transmission tariffs to include the WEQ Version 003.3 Standards in two separate compliance filings.

In accordance with the schedule set forth in Order No. 676-J, public utilities were required to submit a compliance filing adopting certain identified WEQ cybersecurity and Parallel Flow Visualization ("PFV") standards nine months after the publication of Order No. 676-J in the Federal Registry: March 2, 2022. Due to an inadvertent administrative oversight, the NYISO was not in a position to submit its compliance filing until today. The NYISO is fully prepared to implement the appropriate PFV and cybersecurity standards as set forth herein on June 2, 2022, the earliest implementation date specified by Order No. 676-J. The NYISO does not believe that any stakeholder will be prejudiced by the NYISO's delay in making this filing given its non-controversial nature and the length of time remaining before the proposed effective date. The NYISO is mindful that it must comply with all Commission deadlines and will take steps not to repeat the oversight that caused the delay in this proceeding. Accordingly, the NYISO requests that the Commission accept this filing nine days out-of-time.

## **II. LIST OF DOCUMENTS SUBMITTED**

Along with this filing letter, the NYISO submits the following documents:

1. a blacklined version of the NYISO's proposed revisions to Section 5.1 of its Market Administration and Control Area Services Tariff ("Services Tariff") (Attachment I);
2. a clean version of the NYISO's proposed revisions to Section 5.1 of its Services Tariff (Attachment II);
3. a blacklined version of the NYISO's proposed revisions to Section 2.17 of its Open Access Transmission Tariff ("OATT") (Attachment III); and
4. a clean version of the NYISO's proposed revisions to Section 2.17 of its OATT (Attachment IV);

## **III. EFFECTIVE DATE**

NYISO requests that the proposed tariff revisions become effective on June 2, 2022.

## **IV. INCORPORATION BY REFERENCE OF CERTAIN NAESB BUSINESS PRACTICE STANDARDS**

The PFV Standards modify the business practice standards to enable the PFV enhanced congestion management process for the Eastern Interconnection. Under these revised standards, the market flows and network and native load calculations are substituted with the Generation-to-Load impact, which calculates energy flows on a flowgate and assigns relief obligations during a Transmission Loading Relief event based on real-time data reported by the relevant Balancing Authorities.

The Cybersecurity Standards pertain primarily to WEQ-002, Open Access Same-Time Information System (OASIS) Business Practice Standards and Communication Protocols, for which the NYISO has long sought and received a waiver from the Commission.

In the accompanying tariff revisions, NYISO proposes to incorporate the WEQ Version 003.3 PFV standards in their entirety, and the Cybersecurity Standards contained in WEQ-000, Version 003.3.

## **V. NYISO REQUEST FOR WAIVER OF CYBERSECURITY STANDARDS SET FORTH IN WEQ-001 and WEQ-002, VERSION 003.3.**

As set forth in its compliance filing submitted on July 27, 2021 and noted in the Commission's Order on Compliance and Request for Waivers, the NYISO has historically sought and received numerous waivers from WEQ standards as the NYISO's "financial reservation" transmission model renders them inapplicable to NYISO and its Market Participants.

Among those prior waivers, the Commission has granted the NYISO's request for a full waiver of WEQ-002 and a partial waiver from WEQ-001 in NAESB WEQ Versions 003<sup>1</sup> and Version 003.2,<sup>2</sup> in recognition of the fact that NYISO does not operate a traditional OASIS to facilitate transmission service. As NYISO explained in its July 27, 2021 Compliance Filing and the Commission accepted in its March 7, 2022 Order, the Business Practice Standards set forth in portions of WEQ-001 and all of WEQ-002 are inapplicable or irrelevant to the NYISO and its Market Participants. The NYISO is currently operating pursuant to those WEQ-001 and WEQ-001, Version 3.0 waivers.

The Cybersecurity Standards contained in WEQ-001 and WEQ-002, Version 003.3 set forth security requirements specific to network functions not performed by the NYISO due to these longstanding waivers. To that end, the NYISO seeks a waiver of the WEQ-001 and WEQ-002 Cybersecurity Standards, and intends to seek from the Commission a full waiver of WEQ-002, Version 003.3 when those Standards become effective.

## **VI. CORRESPONDENCE**

Communications regarding this proceeding should be addressed to:

Robert E. Fernandez, Executive Vice President & General Counsel  
Raymond Stalter, Director of Regulatory Affairs  
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\*Designated for receipt of service.

## **VII. SERVICE**

The NYISO will send an electronic link to this filing to the official representative of each party to this proceeding, to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York State Public Service Commission, and to the

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<sup>1</sup> FERC Docket ER15-550

<sup>2</sup> FERC Docket No. ER21-2526

New Jersey Board of Public Utilities. The NYISO will also post the complete filing on its website at [www.nyiso.com](http://www.nyiso.com).

## VIII. CONCLUSION

The NYISO respectfully requests, for the reasons specified above, that the Commission accept this Compliance Filing and grant the requested waiver.

Respectfully submitted,

/s/ Christopher R. Sharp

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cc. Janel Burdick, Federal Energy Regulatory Commission  
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Douglas Roe, Federal Energy Regulatory Commission  
Frank Swigonski, Federal Energy Regulatory Commission  
Eric Vandenberg, Federal Energy Regulatory Commission  
Gary Will, Federal Energy Regulatory Commission

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 11th day of March 2022.

/s/ Mohsana Akter

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