

December 5, 2022

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 Amended and Restated Small Generator Interconnection Agreement for the Grissom Solar Project Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and Grissom Solar, LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER23-____-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act¹ and Section 35.13 of the Commission's regulations,² 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 Amended and Restated Small Generator Interconnection Agreement for the Grissom Solar project (NYISO Queue No. 682) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and Grissom Solar, LLC ("Grissom"), as the Interconnection Customer (the "Amended Agreement").³ The Amended Agreement is labeled as Service Agreement No. 2573 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing. The Amended Agreement conforms to the NYISO's *pro forma* Small Generator Interconnection Agreement ("Pro Forma SGIA") that is contained in Attachment Z to the OATT with limited non-conforming exceptions previously accepted by the Commission for the prior version of this agreement. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements⁴ to make the Amended Agreement effective as of November 18, 2022, which is the date of its full execution.

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.13 (2021).

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

⁴ 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

The Amended Agreement supersedes the Small Generator Interconnection Agreement among the NYISO, National Grid, and Grissom that was filed in the Commission's Docket No. ER21-451-000 on November 23, 2020,⁵ and was accepted by the Commission on January 12, 2021 (the "Original Agreement").⁶ The Original Agreement was based on and is consistent with the Pro Forma SGIA, but included certain non-conforming modifications, which were accepted by the Commission.

Grissom is constructing a 20 MW solar electricity generation facility located in Montgomery County, New York (the "Facility"). The Facility will interconnect to certain facilities of National Grid that are part of the New York State Transmission System. Additional details regarding the Facility can be found in Attachment 2 of the Amended Agreement.

Subsequent to the effective date of the Original Agreement, Grissom proposed changes to the inverter equipment for the Facility set forth in Attachment 2 of the Original Agreement. Grissom also proposed updates to the milestone dates set forth in Attachment 4 of the Original Agreement. The NYISO determined that the changes proposed by Grissom were non-material and Grissom elected to move forward with amending the Original Agreement.

Accordingly, the NYISO, National Grid, and Grissom have revised Attachment 2 and Attachment 3 of the Original Agreement to reflect the change in equipment, and revised Attachment 4 of the Original Agreement to reflect the updated milestone dates. In addition, the NYISO, National Grid, and Grissom have revised the Original Agreement to reflect that this is an "Amended and Restated" agreement and updated contact information in Article 13. Finally, the parties removed non-conforming language in Article 1.3.1 and language in Attachment 5 included in the Original Agreement. The non-conforming language made the NYISO's provision of Capacity Resource Interconnection Service ("CRIS") for the Facility contingent on Grissom's satisfying the tariff requirements to obtain CRIS. At the time of the execution of the Original Agreement, Grissom was participating in the Class Year Interconnection Facilities Study ("Class Year Study") for Class Year 2019 to obtain such rights. The Class Year Study has since concluded, and Grissom has satisfied the tariff requirements to obtain CRIS.

B. The Interconnection Agreement Closely Conforms to the Pro Forma SGIA Contained in Attachment Z of the NYISO OATT

The Amended Agreement was fully executed on November 18, 2022, by the NYISO, National Grid, and Grissom. The Amended Agreement largely conforms to the language in the

⁵ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Docket No. ER21-451-000 (Nov. 23, 2020).

⁶ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER21-451-000 (Jan. 12, 2021).

Pro Forma SGIA contained in Attachment Z of the NYISO OATT and does not include non-conforming variations from the Pro Forma SGIA other than those already accepted by the Commission for the Original Agreement. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement.

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

The Joint Filing Parties request an effective date of November 18, 2022, for the Amended 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.⁷

⁷ See, e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, 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:

For the NYISO⁸

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

Karen Georgenson Gach, Deputy General
Counsel

*Sara B. Keegan, Senior Attorney
New York Independent System Operator, Inc.
10 Krey Boulevard

Rensselaer, NY 12144

Tel: (518) 356-6000

Fax: (518) 356-4702

skeegan@nyiso.com

*Ted J. Murphy

Hunton Andrews Kurth LLP

2200 Pennsylvania Avenue, NW

Washington, D.C. 20037

Tel: (202) 955-1500

Fax: (202) 778-2201

tmurphy@hunton.com

Michael J. Messonnier Jr.

*Sevren R. Gourley

Hunton Andrews Kurth LLP

951 East Byrd Street

Richmond, VA 23219

Tel: (804) 788-8200

Fax: (804) 344-7999

mmessonnier@huntonak.com

sgourley@huntonak.com

For National Grid

*Christopher J. Novak

Senior Counsel

National Grid

40 Sylvan Road

Waltham, MA 02451

Tel: 781-907-2112

Fax: 781-296-8091

Chris.Novak@nationalgrid.com

*Designated to receive service.

⁸ The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2021) 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 Amended Agreement (Attachment I);
- A blacklined version of the Amended Agreement showing the changes from the Original Agreement (Attachment II); and
- The signature pages for the Amended Agreement (Attachment III).

V. Service

A complete copy of this filing will be posted on the NYISO's website at www.nyiso.com. The NYISO will send an electronic link to this filing to the official representative of each of its customers and to each participant on its stakeholder committees. In addition, the NYISO will send an electronic copy of this filing to the New York Public Service Commission and to the New Jersey Board of Public Utilities.

VII. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing with an effective date of November 18, 2022

Respectfully submitted,

/s/ Sara B. Keegan

Sara B. Keegan

Counsel for the

New York Independent System Operator, Inc.

/s/ Christopher J. Novak

Christopher J. Novak

Counsel for

*Niagara Mohawk Power Corporation d/b/a
National Grid*

cc: Janel Burdick
Robert Fares
Jette Gebhart
Jaime Knepper
David Morenoff
Eric Vandenberg
Adria Woods

Matthew Christiansen
Jignasa Gadani
Leanne Khammal
Kurt Longo
Douglas Roe
Gary Will