

March 24, 2023

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 Second Amended and Restated Large Generator Interconnection Agreement for the Ball Hill Wind Project (Queue No. 505) Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and Ball Hill Wind Energy 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 Second Amended and Restated Large Generator Interconnection Agreement for the Ball Hill Wind Project (NYISO Queue No. 505) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and Ball Hill Wind LLC ("Ball Hill"), as the Developer (the "Second Amended Agreement").³ The Second Amended Agreement is labeled as Service Agreement No. 2473 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Second Amended Agreement for filing. The Second Amended Agreement conforms to the NYISO's *pro forma* Large Generator Interconnection Agreement ("Pro Forma LGIA") that is contained in Attachment X to the OATT, with the changes previously accepted by the Commission for the prior version of this interconnection 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 Second Amended Agreement effective as of March 10, 2023, 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 Second Amended Agreement supersedes the Amended and Restated Large Generator Interconnection Agreement among the NYISO, National Grid, and Ball Hill that was filed in the Commission's Docket No. ER21-2106-000 on June 9, 2021,⁵ and was accepted by the Commission on August 5, 2021 (the "First Amended Agreement").⁶ The First Amended Agreement superseded the Large Generator Interconnection Agreement among the NYISO, National Grid, and Ball Hill that was filed in the Commission's Docket No. ER19-2665-000 on August 21, 2019⁷ and was accepted by the Commission on October 16, 2019 (the "Original Agreement").⁸ The First Amended Agreement and the Original Agreement were based on and are consistent with the Pro Forma LGIA, but included certain non-conforming modifications, which were accepted by the Commission.

Ball Hill is constructing a wind farm located in the town of Hamlet in Chautauqua County, New York (the "Facility"). The Facility will consist of twenty-two (22) Vestas V150 4.3 MW wind turbines and three (3) Vesta V136 4.3 MW turbines with a total output of 103 MW. Additional details concerning the Facility are located in Appendix C of the Second Amended Agreement.

Subsequent to the effective date of the First Amended Agreement, Ball Hill proposed updates to its turbine composition and the Facility's maximum output. The NYISO determined the changes were non-material, and Ball Hill elected to move forward with amending the First Amended Agreement.

Accordingly, the NYISO, National Grid, and Ball Hill have revised the description of the Facility in Appendix C of the First Amended Agreement to reflect the turbine changes and to update the one-line diagram, along with modifications to milestones in Appendix B. In addition,

⁵ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Docket No. ER21-2106-000 (June 9, 2021).

⁶ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER21-2106-000 (Aug. 5, 2021).

⁷ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER19-2665-000 (Aug. 21, 2019).

⁸ *New York Independent System Operator and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER19-2665-000 (Oct. 16, 2019).

the NYISO, National Grid, and Ball Hill have made the following revisions to the First Amended Agreement:

- To reflect that this is a “Second Amended and Restated” agreement; and
- To reflect that the Facility’s Capacity Resource Interconnection Service value will be limited to 100 MW unless it is subsequently increased pursuant to an applicable provision of the NYISO OATT.

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

The Second Amended Agreement was fully executed on March 10, 2023, by the NYISO, National Grid, and Ball Hill. The Second Amended Agreement largely conforms to the language in the Pro Forma LGIA contained in Attachment X of the NYISO OATT with the exception of the non-conforming variations already accepted by the Commission for the First Amended Agreement. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Second 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 March 10, 2023, for the Second 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.⁹

⁹ 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 NYISO¹⁰

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

Karen Georgenson Gach, Deputy General
Counsel

*Sara B. Keegan, Asst. General Counsel
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@huntonak.com

*Michael J. Messonnier Jr.

Andrea D. Gardner

Hunton Andrews Kurth LLP

951 East Byrd Street

Richmond, VA 23219

Tel: (804) 788-8200

Fax: (804) 344-7999

mmessonnier@huntonak.com

agardner@huntonak.com

For Niagara Mohawk Power Corporation d/b/a 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.

¹⁰ 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 Second Amended Agreement (Attachment I);
- A blacklined version of the Second Amended Agreement showing the changes from the Amended Agreement (Attachment II); and
- The signature pages for the Second Amended 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.

VI. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Second Amended Agreement for filing with an effective date of March 10, 2023.

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	Emily Chen
	Matthew Christiansen	Robert Fares
	Jignasa Gadani	Jette Gebhart
	Leanne Khammal	Jaime Knepper
	Kurt Longo	David Morenoff
	Douglas Roe	Eric Vandenberg
	Gary Will	