

**VIA ELECTRONIC SERVICE**

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

October 5, 2023

**Re:** *New York Independent System Operator, Inc.*  
Docket Nos. ER23-1816-000 & ER23-1817-000  
Response to September 21, 2023 Letter

Dear Secretary Bose,

New York State Electric & Gas Corporation (“NYSEG”) and Rochester Gas and Electric Corporation (“RG&E”) (collectively, the “Applicants”) hereby submit their response to the Federal Energy Regulatory Commission’s (“Commission” or “FERC”) letter requesting further information issued on September 21, 2023.<sup>1</sup> This submittal supplements the May 3, 2023 and July 26, 2023 filings made by NYSEG and RG&E in the above-referenced proceedings.

**I. Background**

On May 3, 2023, the New York Independent System Operator, Inc. (“NYISO”) filed, on behalf of the Applicants and pursuant to Federal Power Act Section 205, proposed revisions to the NYISO Open Access Transmission Tariff (“OATT”).<sup>2</sup> The proposed revisions establish the Applicants’ formula rate templates and associated formula rate implementation protocols (together “Formula Rates”) to derive and recover the costs of certain local transmission upgrades that will be determined by the New York State Public Service Commission (“NYPSC”) to be necessary to meet the climate and renewable energy goals under New York state’s Climate Leadership and Community Protection Act. On June 28, 2023, the Commission issued a letter requesting additional information concerning the Applicants’ filings.<sup>3</sup> The Applicants filed their respective responses with the requested additional information on July 26, 2023. On September 21, 2023, the Commission issued a second letter requesting further additional information concerning the Applicants’ filings.<sup>4</sup>

**II. List of Documents**

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<sup>1</sup> *New York Independent System Operator, Inc.*, Deficiency Letter, Docket Nos. ER23-1816-000, et al. (September 21, 2023) (“September 21 Letter”).

<sup>2</sup> NYISO submitted the filings on behalf of NYSEG in Docket No. ER23-1816-000 and RG&E in Docket No. ER23-1817-000 in its role as administrator of the NYISO OATT. The NYISO also submits this filing on behalf of each Applicant solely in its role as the administrator of the NYISO OATT. The burden of demonstrating that the proposed tariff revisions are just and reasonable rests on NYSEG and RG&E, respectively. The NYISO takes no position on any substantive aspect of this filing at this time. Unless otherwise defined herein, capitalized terms used in this filing shall have the meaning ascribed to them by the NYISO OATT.

<sup>3</sup> *New York Independent System Operator, Inc.*, Deficiency Letter, Docket Nos. ER23-1816-000, et al. (June 28, 2023) (“June 28 Letter”) at 1.

<sup>4</sup> September 21 Letter at 1.

The Applicants' filing consists of narrative responses and related supporting documentation, each described below:

- **Attachment 1** – Applicants' Narrative Responses to the September 21 Letter that in addition to responding to the September 21 Letter's questions, describes an additional clarifying change to the respective NYSEG and RG&E formula rate implementation protocols
- **Attachment 2** – Clean updated version of Applicants' proposed Protocols Formula Rate Implementation Protocols – Section 6.19.6.2.1 of Attachment 1 to Rate Schedule 19 of the NYISO OATT for NYSEG in Docket No. ER23-1816 or 6.19.7.2.1 of Attachment 2 to Rate Schedule 19 of the NYISO OATT for RG&E in Docket No. ER23-1817 (PDF)
- **Attachment 3** – Cumulative redlined version of Applicants' proposed Formula Rate Implementation Protocols – Section 6.19.6.2.1 of Attachment 1 to Rate Schedule 19 of the NYISO OATT for NYSEG in Docket No. ER23-1816 or 6.19.7.2.1 of Attachment 2 to Rate Schedule 19 of the NYISO OATT for RG&E in Docket No. ER23-1817 (PDF)<sup>5</sup>
- **Attachment 4** – Incremental redlined version of Applicants' proposed Formula Rate Implementation Protocols – Section 6.19.6.2.1 of Attachment 1 to Rate Schedule 19 of the NYISO OATT for NYSEG in Docket No. ER23-1816 or 6.19.7.2.1 of Attachment 2 to Rate Schedule 19 of the NYISO OATT for RG&E in Docket No. ER23-1817 (PDF)<sup>6</sup>

### III. Communications

The Applicants respectfully request that the following representative be added to the service list maintained by the Commission for each of the above-captioned proceedings.<sup>7</sup>

Danielle K. Mechling  
Avangrid Networks, Inc.  
FERC Legal Director  
180 Marsh Hill Rd.  
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Manager of Transmission and Markets  
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### IV. Service

The Applicants have sent an electronic copy of this filing to the service list maintained by the Commission for each of the above-captioned proceedings and the official representative of each party to the proceedings specified in the August 19, 2022 order issued by the Commission in Docket No. ER22-2152-000, *et al.* ("Cost Sharing and Recovery Agreement/Schedule 19 Order"),<sup>8</sup> which includes the NYPSC. In addition, a complete copy of this filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com). The NYISO has confirmed to the Applicants that it will send an electronic link to this filing to the official representative of each of its customers and each participant on its stakeholder committees. Finally, as required

<sup>5</sup> The documents included in Attachment 3 depict in redline format the cumulative proposed incremental changes to the version of each Applicant's protocols as set forth in the Applicants' respective May 3, 2023 filings.

<sup>6</sup> The documents included in Attachment 4 depict in redline format only the proposed incremental changes to the version of each Applicant's protocols as set forth in the Applicants' respective July 26, 2023 filings.

<sup>7</sup> Applicants respectfully request waiver of Rule 203(b)(3) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.203(b)(3) (2023), to the extent necessary to permit more than two persons to be included on the official service list on its behalf in this proceeding.

<sup>8</sup> *Consolidated Edison Company of New York, Inc. et al.*, 180 FERC ¶ 61,106 (2022).

by the September 21 Letter, the Applicants will also provide a copy of this filing to Paul Robinson at FERC at the email address provided.

## **V. Conclusion**

For the reasons set forth in their original applications and the attached responses, the Applicants respectfully request that the Commission accept for filing, effective as of July 3, 2023 (*i.e.*, the effective date requested in each Applicant's respective initial filing on May 3, 2023), or such other date as may be prescribed by the Commission, the Formula Rates filed in the above-captioned dockets.

Respectfully Submitted,

/s/ Danielle K. Mechling

**Danielle K. Mechling**  
Avangrid Networks, Inc.  
FERC Legal Director

*Counsel to Applicants*

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document on those parties on the official Service List compiled by the Secretary in this proceeding.

Dated at Orange, Connecticut this 5th day of October 2023.

/s/ Danielle K. Mechling  
Danielle K. Mechling