



1050 Thomas Jefferson Street, NW  
Seventh Floor  
Washington, DC 20007  
(202) 298-1800 Phone  
(202) 338-2416 Fax

VIA ELECTRONIC FILING

December 8, 2023

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

**Re: New York Independent System Operator, Inc.  
New York Power Authority  
Docket No. ER23-491-000  
Offer of Settlement**

Dear Secretary Bose:

Pursuant to Rule 602 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), 18 C.F.R. § 385.602 (2023), the New York Power Authority ("NYPA") hereby submits by electronic filing an Offer of Settlement ("Settlement") in the above-referenced proceeding.<sup>1</sup> This Settlement is intended to resolve all issues in the above-referenced docket.

In accordance with Rule 602(c)(1), this Settlement filing consists of the following documents:

1. This transmittal letter;
2. An Explanatory Statement, with an accompanying appendix (Attachment A);
3. The Settlement including Exhibits A and B (Attachment B);<sup>2</sup>
4. A certificate of service (Attachment C); and

---

<sup>1</sup> In conformance with the Commission's requirements, the Settlement is being submitted through the FERC eTariff system by the New York Independent System Operator, Inc. ("NYISO") solely in its role as the Tariff Administrator because the tariff revisions proposed as part of this filing will become part of the NYISO Open Access Transmission Tariff ("OATT"). See *Electronic Tariff Filings*, Docket No. RM01-5-000, Notice of Additional eTariff Type of Filing Codes (Dec. 1, 2016). NYPA, as the party sponsoring this filing, assumes the burden of proof with respect to the Settlement and related tariff revisions. NYISO takes no position on any substantive aspect of this filing at this time.

<sup>2</sup> Exhibits A and B to the Settlement also contain the revised tariff sheets, in clean and red-line formats, reflecting agreed-upon revisions to Attachment H of the NYISO Open Access Transmission Tariff ("OATT"), including NYPA's Formula Rate Template and Protocols.

5. A draft Commission letter order, in Microsoft Word format, accepting the Settlement (Attachment D).

NYPA respectfully requests that the Settlement be transmitted to Settlement Judge Suzanne Krolikowski for certification pursuant to Rule 602(b)(2)(i). In addition, NYPA respectfully requests that Judge Krolikowski certify the Settlement to the Commission at the earliest possible date and that the Commission promptly approve the Settlement, without modification or condition, on the grounds that it is fair and reasonable and in the public interest, represents an agreement between NYPA and the interested parties in this proceeding,<sup>3</sup> and fully resolves all issues in the proceeding.

NYPA certifies that it is serving a complete copy of the Settlement on all parties to the above-referenced proceeding. In accordance with Commission regulations, comments on the settlement package are due twenty (20) days from the date of filing, making comments due December 28, 2023. Reply comments are due January 8, 2024.

Respectfully submitted,

/s/ Gary D. Bachman

Gary D. Bachman  
Mosby G. Perrow  
Van Ness Feldman  
1050 Thomas Jefferson Street, NW  
Washington, DC 20007  
Telephone: (202) 298-1880  
Email: [gdb@vnf.com](mailto:gdb@vnf.com)  
[mperrow@vnf.com](mailto:mperrow@vnf.com)

Gary D. Levenson  
Principal Attorney  
New York Power Authority  
123 Main Street  
White Plains, NY 10601  
Telephone: (914) 390-8030  
Email: [gary.levenson@nypa.gov](mailto:gary.levenson@nypa.gov)

Attachments A-D

---

<sup>3</sup> The following entity intervened in this proceeding and, together with NYPA, are Settling Parties: the Municipal Electric Utilities Association of New York State. NYISO is also a participant in this proceeding for sole purpose of its role as Tariff Administrator. NYISO takes no position with respect to the substantive aspects of the Settlement.