

January 8, 2024

By Electronic Delivery

Honorable Debbie-Anne A. Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Joint Filing of an Executed Amended and Restated Standard Large Generator Interconnection Agreement for the High River Solar Project (Queue Position No. 618) Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and High River Energy Center, LLC; and Request for Waiver of the 60-Day Notice Period; Docket No. ER24-____-000

Dear Ms. Reese:

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 Standard Large Generator Interconnection Agreement for the High River Solar project (NYISO Queue Position No. 618) entered into among the NYISO, National Grid, as the Connecting Transmission Owner, and High River Energy Center, LLC ("High River"), as the Developer (the "Amended Agreement").³ The Amended Agreement is labeled as Service Agreement No. 2682 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 Joint Filing Parties are filing the Amended Agreement with the Commission as the initial version of the agreement was filed with the Commission as an unexecuted agreement, which filing was accepted by the Commission. The 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. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.13 (2023).

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

prior notice requirements⁴ to make the Amended Agreement effective as of December 21, 2023, which is the date of its full execution.

I. Discussion

The Amended Agreement supersedes the Large Generator Interconnection Agreement (“Original Agreement”) among the NYISO, National Grid, and High River concerning the High River Solar project. The NYISO and National Grid filed the Original Agreement unexecuted in the Commission’s Docket No. ER22-1073-000 on February 17, 2022⁵ which agreement was accepted by the Commission on April 18, 2022.⁶ The Original Agreement was based on and is consistent with the Pro Forma LGIA. The Original Agreement was filed unexecuted with the Commission in accordance with Section 30.11.3 of Attachment X of the NYISO OATT because the NYISO, National Grid, and High River disagreed on the application of certain security rules contained in Attachment S of the NYISO OATT.

High River is constructing a 90 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 Appendix C of the Amended Agreement

Subsequent to the Commission’s acceptance of the unexecuted Original Agreement, High River proposed changes to the inverter equipment and Developer’s Attachment Facilities for the Facility set forth in Appendix A and Appendix C of the Original Agreement. High River also proposed updates to the milestone dates set forth in Appendix B of the Original Agreement. The NYISO determined that the changes proposed by High River were non-material, and High River elected to move forward with amending the Original Agreement.

Accordingly, the NYISO, National Grid, and High River have revised Appendices A and C of the Amended Agreement to account for the changes to the inverter equipment and Developer’s Attachment Facilities. The parties also updated certain communications equipment in Appendix A, the milestones table in Appendix B, and the contact information for National Grid in Appendices E and F. Finally, the parties revised the agreement to indicate that this is the “Amended and Restated” version of the agreement and to correct the inadvertent removal of “Standard Large Generator” from the cover page of the Original Agreement.

The Amended Agreement does not include variations from the Pro Forma LGIA. Therefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement.

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).

⁵ *New York Independent System Operator*, Docket No. ER22-1073-000 (February 17, 2022).

⁶ *New York Independent System Operator*, Order Accepting Unexecuted Large Generator Interconnection Agreements, 179 FERC ¶ 61,047 (April 18, 2022).

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

The Joint Filing Parties request an effective date of December 21, 2023, 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

III. Communications and Correspondence

All communications and service in this proceeding should be directed to:

For the NYISO⁸

Robert E. Fernandez, Executive Vice
President, Chief Compliance Officer &
General Counsel
Karen Georgenson Gach, Deputy General
Counsel
*Sara B. Keegan, Assistant 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@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@hunton.com
sgourley@hunton.com

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).

⁸ The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2022) to permit service on counsel in both Washington, D.C. and Richmond, VA.

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.

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.

VI. Conclusion

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing with an effective date of December 21, 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
Jignasa Gadani
Jette Gebhart
Leanne Khammal
Jaime Knepper
Kurt Longo
David Morenoff
Douglas Roe
Eric Vandenberg