

VIA ETARIFF

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

January 23, 2024

Re: *New York State Electric & Gas Corporation*
Rochester Gas and Electric Corporation
Docket Nos. ER23-1816-000, -001, -002, & -00_
ER23-1817-000, -001, -002, & -00_
Compliance Filing

Dear Ms. Reese,

New York State Electric & Gas Corporation (“NYSEG”) and Rochester Gas and Electric Corporation (“RG&E”) (collectively, the “Applicants”) hereby submit via eTariff this compliance filing to revise NYSEG’s Attachment 1 and RG&E’s Attachment 2 to Rate Schedule 19 of the New York Independent System Operator, Inc. (“NYISO”) Open Access Transmission Tariff (“OATT”).¹ In compliance with the Federal Energy Regulatory Commission’s (“FERC’s”) December 4, 2023 order (“Order”),² the revisions, as discussed further below, make ministerial corrections and clarifications and remove the regulatory asset for cost of removal (“COR”), Construction Work In Progress (“CWIP”) Incentive and Abandoned Plant Incentive placeholders in the Rate Schedule 19 formula rate template for NYSEG and RG&E.³

I. Background

On May 3, 2023, NYISO filed, on behalf of the Applicants and pursuant to Federal Power Act Section 205, rate schedule changes to the NYISO OATT to add NYSEG’s Attachment 1 and RG&E’s Attachment 2 to Rate Schedule 19. NYSEG’s Attachment 1 and RG&E’s Attachment 2 to Rate Schedule 19 establish the Applicants’ formula rate templates and associated formula rate implementation protocols to derive and recover the costs of certain local transmission upgrades determined by the New York State Public Service Commission to be necessary to meet the climate and renewable energy goals under New York State’s Climate Leadership and

¹ The NYISO is submitting this filing in FERC’s eTariff system on the Applicants’ behalf solely in the NYISO’s role as the tariff administrator of the NYISO OATT. The burden of demonstrating that the proposed tariff amendments are just and reasonable rests on the Applicants. The NYISO takes no position on any substantive aspect of this filing at this time. Unless otherwise defined herein, capitalized terms used in this transmittal letter shall have the meanings ascribed to them in the NYISO OATT, including Rate Schedule 19 thereto.

² See *New York Independent System Operator, Inc.*, 185 FERC ¶ 61,164 (2024).

³ NYSEG’s formula rate template is set forth in Section 6.19.6.2.2 of Attachment 1 to Rate Schedule 19 of the NYISO OATT. New York Independent System Operator, Inc., NYISO Tariffs, NYISO OATT, § 6.19.6.2.2 (Schedule 19 - New York State Electric and Gas) (1.0.0); *id.* § 6.19.6-6.19.6.2.1 (Schedule 19 Attachment 1 - Rate Mechanism for the Recovery of CLCPA Eligible Projects for New York State Electric and Gas Corporation) (2.0.0). RG&E’s formula rate template is set forth in Section 6.19.7.2.2 of Attachment 2 to Rate Schedule 19 of the NYISO OATT. New York Independent System Operator, Inc., NYISO Tariffs, NYISO OATT, § 6.19.7.2.2 (Schedule 19 -Rochester Gas and Electric Corporation) (1.0.0); *id.* § 6.19.7-6.19.7.2.1 (Schedule 19 Attachment 2 - Rate Mechanism for the Recovery of CLCPA Eligible Projects for New York State Electric and Gas Corporation) (2.0.0).

Community Protection Act. On June 28, 2023 and September 21, 2023, the Commission issued letters requesting additional information concerning the Applicants' filings.⁴ Each Applicant filed its responses with the requested additional information on July 26, 2023 and October 5, 2023, respectively ("Responses"). On December 4, 2023, the Commission issued its Order accepting NYSEG's Attachment 1 and RG&E's Attachment 2 to Rate Schedule 19 of the NYISO OATT, effective July 3, 2023, as requested, subject to further compliance, and suspended for a nominal period effective July 3, 2023, subject to refund, hearing, and settlement judge procedures on the proposed ceiling base return on equity values applicable to Applicants' Rate Schedule 19 projects.⁵ The Order directed the Applicants to implement the ministerial corrections and clarifications identified in the Applicants' Responses (including the Applicants' November 10, 2023 answer to the protest filed by the New York Association of Public Power) and remove the COR, CWIP, and Abandoned Plan Incentives placeholders included in the respective formula rate template of each Applicant.⁶

In compliance with the Order, the enclosed tariff revisions make all such corrections, clarifications, and adjustments. For convenience, these revisions are summarized in Attachment 1, hereto.

II. List of Documents

In addition to this transmittal letter, the Applicants' filing package⁷ contains the following materials:

- **Attachment 1** – Summary list of formula rate template changes on compliance
- **Attachment 2** – Clean unpopulated version of the revised formula rate template (in both PDF and Excel)
- **Attachment 3** – Redlined unpopulated version of the Revised Formula Rate Template (in both PDF and Excel)

III. Communications

The Applicants respectfully request that the following representatives be added to the service list maintained by the Commission for each of the above-captioned proceedings.⁸

Jason N. Rauch
Avangrid Networks, Inc.
Manager of Transmission and RTO Policy
83 Edison Drive
Augusta, ME 04336
Tel: 207.629.2377
Email: jason.rauch@avangrid.com

Josh R. Robichaud
Bracewell LLP
2001 M St NW, Suite 900
Washington, D.C. 20036
Tel: 202.828.1731
Email: josh.robichaud@bracewell.com

⁴ *New York Independent System Operator, Inc.*, Deficiency Letter, Docket Nos. ER23-1816-000, et al. (June 28, 2023) ("June 28 Letter"); *New York Independent System Operator, Inc.*, Deficiency Letter, Docket Nos. ER23-1816-000, et al. (Sept. 21, 2023) ("Sept. 21 Letter").

⁵ See *New York Independent System Operator, Inc.*, 185 FERC ¶ 61,164 at P 2.

⁶ *Id.* at P 45-46, 48 and 58.

⁷ In accordance with the Commission's eTariff regulations and as Tariff Administrator, NYISO is submitting an eTariff XML. See *supra* n. 1.

⁸ 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.

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. In addition, a complete copy of this filing will be posted on the NYISO's website at 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.

V. Conclusion

Applicants respectfully request that the Commission accept this filing as compliant with the Order.

Respectfully Submitted,

/s/ Josh R. Robichaud

Josh R. Robichaud
Catherine P. McCarthy
Bracewell LLP
2001 M St NW, Suite 900
Washington, D.C. 20036
Tel: 202-828-1731
Email: josh.robichaud@bracewell.com
cathy.mccarthy@bracewell.com

Counsel to NYSEG and RG&E

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists prepared for the above-captioned dockets in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure. 18 C.F.R. § 385.2010.

Dated at Washington, DC, this 23rd day of January 2024.

/s/ Alexandra Zak

Alexandra Zak
Bracewell LLP
2001 M St. NW, Suite 900
Washington, DC 20036
(202) 828-0000
alexandra.zak@bracewell.com