

March 5, 2024

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

**Re: New York Independent System Operator, Inc.
Niagara Mohawk Power Corporation
Docket Nos. ER23-1271-000 and ER23-1271-001
Settlement Agreement and Offer of Settlement**

Dear Secretary Reese:

Pursuant to Rule 602 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”),¹ Niagara Mohawk Power Corporation (“NMPC”) hereby submits the attached uncontested Settlement Agreement and Offer of Settlement (“Settlement”) executed by the parties to the above-referenced proceeding. All of the parties to the above-referenced proceeding (each a “Settling Party” and collectively, the “Settling Parties”)² either support or do not oppose the Settlement.

NMPC respectfully requests that the Settlement be transmitted to Settlement Judge Suzanne Krolkowski for certification pursuant to Rule 602(b)(2)(i).³ In addition, NMPC respectfully requests that Judge Krolkowski 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 NMPC and the interested parties in this proceeding, and resolves completely all issues set for hearing by the Commission in its August 4, 2023 “Order Accepting and Suspending Tariff Revisions, Subject to Refund, and Establishing Hearing and Settlement Judge Procedures” issued in this proceeding.⁴

¹ 18 C.F.R. § 385.602 (2023).

² The Settling Parties consist of NMPC, Consolidated Edison Company of New York, Inc. (“Con Edison”), and Orange and Rockland Utilities, Inc. (“O&R”). NMPC, as the party sponsoring this filing, assumes the burden of proof with respect to the Settlement and the related Tariff revisions proposed for implementation in a future filing. The New York Independent System Operator, Inc. (“NYISO”) submits this filing on behalf of NMPC solely in its role as administrator of the NYISO Open Access Transmission Tariff (“OATT”) and takes no position on any substantive aspect of this filing at this time.

³ 18 C.F.R. § 385.602(b)(2)(i).

⁴ *N. Y. Indep. Sys. Operator, Inc.*, 184 FERC ¶ 61,076 (2023) (“August 4 Order”).

In accordance with Rule 602(c)(1) of the Commission's Rules of Practice and Procedure,⁵ this filing consists of the following material:

1. This transmittal letter;
2. An Explanatory Statement;
3. The Settlement;
4. Certain revised workpapers reflecting updates to address the issues set for hearing by the Commission's August 4 Order and all other matters raised by any party in settlement negotiations in Docket No. ER23-1271, included as Appendix A to the Settlement;
5. Pro forma clean and redline tariff records reflecting corresponding revisions to NMPC's wholesale Transmission Service Charge Formula Rate proposed for implementation in a future filing, included as Appendix B to the Settlement; and
6. Pro forma clean and redline tariff records reflecting corresponding revisions to Rate Schedule 20 to the NYISO OATT proposed for implementation in a future filing, included as Appendix C to the Settlement.

NMPC certifies that it is serving a complete copy of this filing on all parties to the above-referenced proceeding, including all Settling Parties. In accordance with the Commission's regulations,⁶ any initial comments on the Settlement must be filed on or before March 25, 2024, and any reply comments must be filed on or before April 4, 2024.

Respectfully submitted,

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⁵ 18 C.F.R. § 385.602(c)(1).

⁶ 18 C.F.R. § 385.602(f)(2).

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing document to be served upon all the parties listed on the official service list for the above-referenced proceeding, pursuant to the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C., this 5th day of March, 2024.

/s/ Daniel Klein

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