

July 16, 2024

VIA ELECTRONIC DELIVERY

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

**Termination of Cubit Power One, Inc.
from the ISO-Administered Markets**

Dear Acting Secretary Reese:

The New York Independent System Operator, Inc. (“NYISO”) hereby provides notice to the Commission of the immediate termination of Cubit Power One, Inc (“Cubit”) from the ISO-Administered Markets in accordance with Section 2.7.5.3 of the NYISO’s Open Access Transmission Tariff (“OATT”) and Section 7.5.3 of the Market Administration and Control Area Services Tariff (“Services Tariff”).

The NYISO, by correspondence dated February 9, 2024, declared Cubit in default, as defined in Section 7.5.1 of the Services Tariff and Section 2.7.5.1 of the OATT, for breach of the billing and payment provisions of the NYISO’s tariffs, and Cubit remains in default under the NYISO’s tariffs.

This action by the NYISO is without prejudice to any of the NYISO’s other rights under applicable law. Moreover, nothing herein shall constitute a modification or amendment of, or election of remedies with respect to, any of the NYISO’s rights or remedies under the OATT, the Services Tariff, or applicable law, all of which the NYISO hereby expressly reserves in their entirety.

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Please contact me at (518) 356-6185 if you have any questions or require additional information.

Sincerely,

/s/ Cheryl Hussey

Cheryl Hussey

Vice President and Chief Financial Officer

New York Independent System Operator, Inc.

cc: Robert Fernandez
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