

October 30, 2024

**Submitted Electronically**

Honorable Debbie-Anne A. Reese, Secretary  
Federal Energy Regulatory Commission  
888 First Street N.E.  
Washington, D.C. 20426

**Re: Docket No. ER25-\_\_\_\_-000, *New York Independent System Operator, Inc.*;  
Proposed Revisions to Table 1A of Attachment L of the OATT**

Dear Secretary Reese:

In accordance with Section 205 of the Federal Power Act<sup>1</sup> and Part 35 of the regulations of the Federal Energy Regulatory Commission (“Commission”), the New York Independent System Operator, Inc. (“NYISO”) submits proposed revisions to its Open Access Transmission Tariff (“OATT”) to update certain information for Contract Nos. 14.1 and 14.2 in Table 1A of Attachment L of the OATT (“Table 1A”).<sup>2</sup>

The NYISO respectfully requests that the proposed revisions become effective on December 30, 2024 (*i.e.*, the day following the end of the statutory 60-day notice period).

**I. List of Documents Submitted**

The NYISO submits the following with this filing letter:

1. A clean version of the proposed revisions to the OATT (“Attachment I”); and
2. A blacklined version of the proposed revisions to the OATT (“Attachment II”).

**II. Background**

Table 1A lists certain long-term transmission service agreements pursuant to which customers received transmission service before the NYISO’s inception. These agreements are referred to as Existing Transmission Agreements (“ETAs”). Table 1A also provides certain relevant information regarding each ETA, including: (i) the party receiving transmission service and the transmission service provider; (ii) the MW value of the transmission service for which Grandfathered Rights or Grandfathered Transmission Congestion Contracts (“TCCs”) were awarded at NYISO start-up; (iii) the Point of

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meaning specified in the OATT.

Injection and Point of Withdrawal associated with the transmission service; and (iv) the termination/expiration date.

The NYISO is not a party to the ETAs. Section 17.9 of Attachment K of the OATT establishes a process for the parties to ETAs to inform the NYISO of any changes to their ETAs or corrections to the information listed in Table 1A to maintain consistency with the terms and conditions of their ETAs (*i.e.*, such changes/corrections are referred to as “Accepted Revisions”).<sup>3</sup> Revisions to ETAs or inaccuracies in the information set forth in Table 1A may require changes to Table 1A. Such revisions or inaccuracies may also have consequences for NYISO settlements and the NYISO-administered TCC auctions. This process also establishes the procedures for the NYISO to document such changes/corrections and reflect them in NYISO settlements and TCC auctions.

Section 17.9.4 of Attachment K of the OATT requires that the NYISO periodically incorporate Accepted Revisions into Table 1A through a Section 205 filing utilizing the NYISO’s shared governance stakeholder process.<sup>4</sup> The NYISO is required to make such filings on at least an annual basis, unless no Accepted Revisions occur within a given twelve-month period.<sup>5</sup>

The NYISO utilizes twelve-month periods encompassing June 1<sup>st</sup> through May 31<sup>st</sup> of the following year for the purposes of measuring such annual periods. The NYISO’s general practice is to await the completion of each such twelve-month period before commencing the shared governance stakeholder process to revise Table 1A to incorporate any Accepted Revisions processed by the NYISO during such period.

During the period from June 1, 2023 through May 31, 2024, the NYISO processed one Accepted Revision modifying the termination/expiration date of an ETA, thereby requiring this filing.<sup>6</sup>

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<sup>3</sup> See Docket No. ER11-4274-000, *New York Independent System Operator, Inc.*, Proposed Tariff Revisions Related to Grandfathered Rights and Grandfathered TCCs (August 10, 2011); and Docket No. ER11-4274-000, *supra*, Letter Order (September 16, 2011).

<sup>4</sup> Accepted Revisions posted to the NYISO’s website are effective for purposes of NYISO settlements and TCC auctions in accordance with the requirements set forth in Section 17.9 of Attachment K regardless of whether they have been formally incorporated into Table 1A.

<sup>5</sup> See Docket No. ER15-1391-000, *New York Independent System Operator, Inc.*, Letter Order (April 29, 2015).

<sup>6</sup> The NYISO did not receive any requests to update information in Table 1A for the prior four annual periods encompassing June 1, 2019 through May 31, 2023. As a result, no filings were required for any of these periods. The NYISO last submitted a filing to incorporate revisions to Table 1A following the June 1, 2018 through May 31, 2019 period. See Docket No. ER20-137-000, *New York Independent System Operator, Inc.*, Proposed Revision to Table 1A of Attachment L to the OATT (October 18, 2019); and Docket No. ER20-137-000, *supra*, Letter Order (December 16, 2019).

### **III. Description of Proposed Tariff Revisions**

The Long Island Power Authority (“LIPA”) requested that the NYISO update the termination/expiration date listed in Table 1A for Contract Nos. 14.1 and 14.2 to reflect the May 31, 2023 end date mutually agreed to by LIPA and the New York Power Authority (“NYPA”). NYPA and Consolidated Edison Company of New York, Inc. concurred with LIPA’s requested update. The NYISO implemented the requested change as an Accepted Revision effective June 9, 2023.<sup>7</sup>

Contract Nos. 14.1 and 14.2 relate to transmission service provided by NYPA to LIPA in connection with the LIPA’s provision of service to load on Long Island. The underlying ETA also involved the construction of certain transmission facilities to provide incremental transmission capability onto Long Island (often referred to as the “Y-49 cable”). The underlying ETA provided that, unless otherwise mutually agreed to by LIPA and NYPA, the term of the transmission service arrangement would expire upon retirement of the obligations incurred by NYPA to finance the development and construction of the Y-49 cable. Consistent with the terms of the ETA, LIPA and NYPA mutually agreed to extend the transmission arrangement through May 31, 2023.

In support of the requested change, LIPA submitted various documents related to the underlying ETA for Contract Nos. 14.1 and 14.2. The documents demonstrated that: (a) the term of the underlying ETA would terminate/expire upon the retirement of the obligations incurred by NYPA to finance the development and construction of the Y-49 cable unless LIPA and NYPA mutually agreed to extend such term; (b) the obligations incurred by NYPA to finance the development and construction of the Y-49 cable were retired in November 2020; and (c) LIPA and NYPA mutually agreed to extend the term of the arrangement through May 31, 2023.

### **IV. Effective Date**

The NYISO respectfully requests that the proposed revisions become effective on December 30, 2024 (*i.e.*, the day following the end of the statutory 60-day notice period).

### **V. Stakeholder Approval**

The Management Committee unanimously approved the proposed revisions on September 25, 2024. The NYISO Board of Directors approved the proposed revisions on October 15, 2024.

### **VI. Correspondence**

Please direct all communications and service in this proceeding to:

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<sup>7</sup> The NYISO posted the Accepted Revision to its website on June 9, 2023 to ensure marketplace awareness thereof.

Robert E. Fernandez, Executive Vice President, General Counsel & Chief Compliance Officer

Karen G. Gach, Deputy General Counsel

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## **VII. Service**

A complete copy of this filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com). The NYISO will send an electronic link to this filing to the official representative of each of its customers, and each participant on its stakeholder committees. The NYISO will also send an electronic copy of this filing to the New York State Public Service Commission and the New Jersey Board of Public Utilities.

## **VIII. Conclusion**

The NYISO respectfully requests that the Commission accept the proposed revisions to the OATT attached hereto with an effective date of December 30, 2024.

Respectfully submitted,

/s/ Garrett E. Bissell

Garrett E. Bissell, Assistant General Counsel  
New York Independent System Operator, Inc.

cc: Janel Burdick

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