

March 11, 2025

**By Electronic Delivery**

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

Re: Joint Filing of an Executed Small Generator Interconnection Agreement for the Millers Grove Solar Project (NYISO Queue Position No. 1047) Among the New York Independent System Operator, Inc., Niagara Mohawk Power Corporation d/b/a National Grid, and Millers Grove Solar NY LLC; Request for Waiver of the 60-Day Notice Period; Docket No. ER25-\_\_\_\_-000

Dear Ms. Reese:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.13 of the Commission's regulations,<sup>2</sup> 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 Small Generator Interconnection Agreement for the Millers Grove Solar project (NYISO Queue No. 1047) entered into by the NYISO, National Grid, as the Connecting Transmission Owner, and Millers Grove Solar NY LLC ("Millers Grove"), as the Interconnection Customer (the "Interconnection Agreement").<sup>3</sup> The Interconnection Agreement is labeled as Service Agreement No. 2868 under the NYISO's Open Access Transmission Tariff ("OATT").

The Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing. With the limited exceptions described in Part I of this letter, the Interconnection Agreement conforms to the NYISO's *pro forma* Small Generator Interconnection Agreement ("Pro Forma SGIA") that is contained in Attachment Z to the OATT. Further, as described in Part II of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's prior notice requirements<sup>4</sup> to make the Interconnection Agreement effective as of February 25, 2025, which is the date of its full execution.

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> 18 C.F.R. § 35.13 (2025).

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

<sup>4</sup> See *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, clarified, 65 FERC ¶ 61,081 (1993).

## **I. Discussion**

### **A. Background**

Millers Grove is constructing a 20 MW solar generating facility in Schuyler, New York (the “Facility”). Additional details regarding the Facility can be found in Attachment 2 of the Interconnection Agreement.

The Facility will interconnect to certain facilities of National Grid that are part of the New York State Transmission System. The Point of Interconnection is National Grid’s existing 115kV Porter-Watkins Line 5 approximately 9.87 miles from National Grid’s Porter Substation and approximately 1.72 miles from National Grid’s Watkins Substation. Attachment 3 of the Interconnection Agreement includes a one-line diagram showing the Point of Interconnection.

### **B. The Interconnection Agreement Closely Conforms to the Pro Forma SGIA Contained in Attachment Z of the NYISO OATT**

The Interconnection Agreement was fully executed on February 15, 2025, by the NYISO, National Grid, and Millers Grove. The Interconnection Agreement largely conforms to the language in the Pro Forma SGIA contained in Attachment Z of the NYISO OATT with the exceptions described below in this Part I.B.<sup>5</sup> The Joint Filing Parties submit that the changes specified below satisfy the Commission’s standard for variations from the Pro Forma SGIA, because unique circumstances exist that require a non-conforming agreement.<sup>6</sup> Therefore, the

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<sup>5</sup> The NYISO submitted a revised version of its Pro Forma SGIA in Attachment Z of its OATT with the Commission on May 1, 2024, in Docket No. ER24-1915-000 as part of the NYISO’s compliance with Order Nos. 2023 and 2023-A with a requested effective date of May 2, 2024. The NYISO’s compliance filing is currently pending with the Commission. Consistent with its requested effective date, the NYISO used the updated Pro Forma SGIA form for this Interconnection Agreement. The NYISO specifically addressed the potential timing issue with its proposed updates to its Pro Forma SGIA. Specifically, Section 12.13 of the updated Pro Forma SGIA and the Interconnection Agreement provides that if the Commission directs that the NYISO modify the Pro Forma SGIA as part of the Order No. 2023 compliance proceeding, the parties agree to amend the agreement to address these modifications. That is, if the Commission were not to accept the compliance modifications to the Pro Forma SGIA in the Order No. 2023 proceeding, the parties will amend this agreement to conform it with the agreement accepted by the Commission. The Commission has previously accepted agreements using pending *pro forma* forms that were subject to amendment based on the Commission’s determination. See *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER6-1785-000 (July 19, 2016) (accepting filed operating agreement using a *pro forma* form that was still pending at the Commission, which agreement provided for parties to amend the agreement to incorporate any modifications to the underlying *pro forma* form directed by the Commission). If the Commission determines that the modifications to the updated Pro Forma SGIA that were submitted with the Order No. 2023 compliance filing and included in the Interconnection Agreement should instead be considered non-conforming revisions for purposes of this Interconnection Agreement, the NYISO requests that the Commission accept such changes due to the unique timing circumstances that require the non-conforming changes.

<sup>6</sup> See, e.g., *PJM Interconnection, LLC*, 111 FERC ¶ 61,163 at PP 10-11, *reh’g denied*, 112 FERC ¶ 61,282 (2005).

Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement with the non-conforming changes.

**1. Millers Grove's Construction of Portions of the Connecting Transmission Owner's Interconnection Facilities**

Article 1.5.3 of the Pro Forma SGIA provides that the Connecting Transmission Owner shall construct, operate, and maintain its Interconnection Facilities covered by the agreement. National Grid and Millers Grove have agreed that Millers Grove will be responsible for constructing certain Connecting Transmission Owner's Interconnection Facilities associated with the Facility. Accordingly, the parties agreed to modify Article 1.5.3 of the Interconnection Agreement to clarify that the Interconnection Customer, Millers Grove, can construct the Connecting Transmission Owner's Interconnection Facilities and upgrades with the agreement of the parties. The Commission has previously accepted this change to the Pro Forma SGIA.<sup>7</sup>

**2. Modifications Related to Billing and Security Arrangements**

Article 6.1.1 of the Pro Forma SGIA provides that a Connecting Transmission Owner shall bill the applicable Interconnection Customer on a monthly basis, or as otherwise agreed by those Parties, for its design, engineering, construction, and procurement costs. As permitted by Article 6.1.1, National Grid and Millers Grove have agreed to an alternative billing arrangement for Millers Grove to make advance payments to National Grid for the cost of Connecting Transmission Owner's Interconnection Facilities and Upgrades. Accordingly, the parties have agreed to modify Article 6.1.1 of the Interconnection Agreement to reference the details of the alternative billing arrangement, which are set forth in Section 2 of Attachment 4 of the Interconnection Agreement. The Commission has previously accepted changes to the Pro Forma SGIA to reflect alternative billing and invoice arrangements agreed to by the parties.<sup>8</sup>

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

The Joint Filing Parties request an effective date of February 25, 2025, for the Interconnection 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

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<sup>7</sup> See *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER20-1603-000 (June 18, 2020) (accepting interconnecting agreement modified to permit the Interconnection Customer to agree to construct Connecting Transmission Owner's Interconnection Facilities); *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER20-1602-000 (June 18, 2020) (same); *New York Independent System Operator, Inc. and Niagara Mohawk Power Corp.*, Letter Order, Docket No. ER22-2627-000 (Sept. 21, 2022) (same).

<sup>8</sup> See *New York Independent System Operator, Inc. and Niagara Mohawk Power Corporation d/b/a National Grid*, Letter Order, Docket No. ER21-1088-000 (Apr. 7, 2021) (accepting modifications to the pro forma Small Generator Interconnection Agreement to address alternative billing and invoicing procedures); see also *New York Independent System Operator, Inc.*, Letter Order, Docket No. ER19-589-000 (Feb. 1, 2019) (same).

requested effective date. The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>9</sup>

### **III. Communications and Correspondence**

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

#### **For the NYISO<sup>10</sup>**

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#### **For Niagara Mohawk Power Corporation d/b/a National Grid**

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<sup>9</sup> See, e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Letter Order, Docket No. ER11-2953-000 (Apr. 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).

<sup>10</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) (2025) to permit service on counsel in both Washington, D.C. and Richmond, VA.

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\*Designated to receive service.

**IV. Documents Submitted**

The Joint Filing Parties submit the following documents with this filing letter:

- A clean version of the Interconnection Agreement (Attachment I);
- A blacklined version of the Interconnection Agreement showing the changes from the Pro Forma SGIA (Attachment II); and
- The signature pages for the Interconnection Agreement (Attachment III).

**V. 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 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.

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**VI. Conclusion**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Interconnection Agreement for filing with an effective date of February 25, 2025.

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*

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