

March 6, 2015

**By Electronic Delivery**

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Filing of an Executed Amended and Restated Small Generator Interconnection Agreement Between the New York Independent System Operator, Inc. and Rochester Gas and Electric Corporation, and Request for Waiver of the 60-Day Notice Period; Docket No. ER15-\_\_\_\_-000

Dear Ms. Bose:

Pursuant to Section 205 of the Federal Power Act<sup>1</sup> and Section 35.12 of the Commission's regulations,<sup>2</sup> the New York Independent System Operator, Inc. ("NYISO") and Rochester Gas and Electric Corporation ("RG&E") (collectively, the "Joint Filing Parties") hereby tender for filing an executed Amended and Restated Small Generator Interconnection Agreement ("Amended Agreement") as Service Agreement No. 1829 between the NYISO and RG&E.<sup>3</sup> The Joint Filing Parties respectfully request that the Commission accept the Amended Agreement for filing. Further, as described in Part III of this letter, the Joint Filing Parties respectfully request a waiver of the Commission's 60-day notice requirement to make the Amended Agreement effective as of February 19, 2015, the date the Amended Agreement was executed.

**I. Background**

The Amended Agreement supersedes a Small Generator Interconnection Agreement ("SGIA") between the NYISO and RG&E that was filed in Docket No. ER12-1086-000 on February 14, 2012, as Service Agreement No. 1829 ("Original Agreement").<sup>4</sup> The Original Agreement was accepted by the Commission on March 22, 2012.<sup>5</sup> While it substantially

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<sup>1</sup> 16 U.S.C. § 824d (2014).

<sup>2</sup> 18 C.F.R. § 35.12 (2014).

<sup>3</sup> Capitalized terms not otherwise defined in this letter have the meaning set forth in Attachments S, X and Z of the NYISO's Open Access Transmission Tariff ("OATT").

<sup>4</sup> *New York Independent System Operator, Inc. and Rochester Gas and Electric Corporation*, Filing of Executed Small Generator Interconnection Agreement between the New York Independent System Operator, Inc. and the Rochester Gas and Electric Corporation, Docket No. ER12-1086-000 (February 14, 2012) ("February 2012 Filing").

<sup>5</sup> *New York Independent System Operator, Inc. and Rochester Gas and Electric Corporation*, Letter Order, Docket No. ER12-1086-000 (March 22, 2012).

conformed to the NYISO's *pro forma* SGIA, the Original Agreement contained modifications that converted the *pro forma* three-party agreement into a two-party agreement because RG&E is the owner and operator of the Small Generating Facility. For this reason, RG&E undertook under the Original Agreement the responsibilities assigned to both the Connecting Transmission Owner and the Interconnection Customer under the *pro forma* SGIA.

As reflected in the Original Agreement, the Small Generating Facility, known as Brown's Race, consists of a hydropower plant located at the base of the High Falls on the Genesee River in Rochester, New York ("Facility"). The Facility has been operated by RG&E since at least 1960 at a capacity of 6.5 MW.<sup>6</sup> The NYISO and RG&E filed the Original Agreement in connection with modifications to the Facility that increased its capacity to 8.5 MW.<sup>7</sup> The Original Agreement specified that the Point of Interconnection would be located at the 11.5 kV bus tap at breaker 65202 of the RG&E Station 6 Substation.

Subsequent to the execution of the Original Agreement, RG&E proposed a two-phase set of additional modifications to the Facility: (i) to relocate the Point of Interconnection for the Facility, and (ii) to expand the Facility from 8.5 MW to 14.8 MW ("New Facility"). The proposed modifications have been evaluated through the NYISO's interconnection process.

## **II. Discussion of Changes**

The Joint Filing Parties submit this Amended Agreement to reflect these modifications to the Facility. In addition, the Joint Filing Parties submit additional revisions that were agreed to by the Parties as part of the Amended Agreement. Specifically, the Amended Agreement reflects the following modifications:

- revisions to Attachments 2 and 6 to reflect the modifications to the Facility – specifically, the relocation of the Point of Interconnection and the expansion of the Facility from 8.5 MW to 14.8 MW;
- updates to the one-line diagram in Attachment 3 to reflect the above-referenced modifications to the Facility;
- updates to the milestones in Attachment 4;
- updates to RG&E's technical requirements described in Attachment 5;
- revisions to Attachment 7 to clarify that the insurance requirements in that provision apply to RG&E;
- modifications to reflect revisions to the NYISO's *pro forma* SGIA that have been approved by the Commission since the execution of the Original Agreement;
- updates to the NYISO's contact information on page 1 and in Section 13.1; and

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<sup>6</sup> Additional details regarding the interconnection are found in Attachment 2 of the Amended Agreement.

<sup>7</sup> As noted in the February 2012 Filing, there was no pre-existing interconnection agreement between the NYISO and RG&E prior to the Original Agreement because the plant was already in operation at the time the NYISO was formed. February 2012 Filing at p 1.

- modifications to reflect that this is an “Amended and Restated” agreement.

The blacklined Amended Agreement attached to this filing shows all of these changes to the currently effective Original Agreement. The Joint Filing Parties respectfully request that the Commission accept this Amended Agreement.

### **III. Proposed Effective Date and Request for Wavier of the 60-Day Notice Period**

The Joint Filing Parties request an effective date of February 19, 2015, for the Amended Agreement, which is the date of execution. The Joint Filing Parties respectfully request that the Commission waive its prior notice requirement to permit the requested effective date. The Commission has previously permitted interconnection agreements to become effective upon the date of execution.<sup>8</sup>

### **IV. Communications and Correspondence**

Communications regarding this filing should be directed to:

#### **For the NYISO<sup>9</sup>**

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<sup>8</sup> See, e.g., *New York Independent System Operator, Inc. and New York State Electric & Gas Corporation*, Docket No. ER11-2953-000 (April 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>9</sup> The NYISO respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) to permit service on counsel in both Washington, D.C. and Richmond, VA.

**For RG&E:**

\*Jeffrey A. Rosenbloom  
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\*Designated to receive service.

**V. Documents Submitted**

The NYISO submits the following documents:

- this filing letter;
- a clean version of the Amended Agreement (Attachment I);
- a blacklined version showing the Amended Agreement's changes from the Original Agreement (Attachment II); and
- the signature pages for the Amended Agreement (Attachment III).

**VI. Service**

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

**VII. Conclusion**

Wherefore, the Joint Filing Parties respectfully request that the Commission accept the Amended Agreement effective as of February 19, 2015.

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Respectfully submitted,

/s/ Sara B. Keegan

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Counsel for the  
New York Independent System Operator, Inc.

/s/ Jeffrey A. Rosenbloom

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Counsel for Rochester Gas and Electric Corporation