

CERTIFICATION AND ACKNOWLEDGMENT OF EXCLUDED FACILITY STATUS OF RESOURCE OR UDR PROJECT

I [NAME & TITLE] hereby certify on behalf of myself, [NAME OF RESOURCE/PROJECT], and [NAME OF DEVELOPER/OWNER/OPERATOR] that each of the following statements is true and correct:

1. I am an officer whose responsibilities include the [development, ownership, or operational control] of the [NAME OF RESOURCE/PROJECT], New York Independent System Operator, Inc.'s ("NYISO") [Interconnection queue position/PTID Number (INSERT NUMBER)].
2. I am duly authorized to make representations concerning the [NAME OF RESOURCE/PROJECT] for [NAME OF DEVELOPER/OWNER/OPERATOR], including each of the certifications and acknowledgements that I have made in this document.
3. I hereby certify to the Excluded Facility Status of [NAME OF RESOURCE/PROJECT] as meeting the following criteria as provided in Section 23.2 of the Services Tariff in accordance with ISO Procedures and consistent with the documents provided in Schedule 1 to this Certification [select all that apply: i) the Resource technology type is specifically identified by the CLCPA or is publicly identified by New York State as supporting the goals of the CLCPA; (ii) the Resource or UDR project has a contract with the State of New York in order achieve the goals of the CLCPA (such as a Tier 1 or Tier 4 contract with NYSERDA); or (iii) the Resource or UDR project is eligible to receive a contract authorized by New York State that is supporting the goals of the CLCPA (such as a Tier 1 or Tier 4 contract with NYSERDA)].
4. I have reviewed and understand the requirements established under the NYISO Market Administration and Control Area Services Tariff ("Services Tariff") related to its Buyer Side Mitigation provisions described in Sections 23.2 and 23.4.5.7, *et seq* of the Services Tariff ("BSM Rules").
5. I have personal knowledge of the facts and circumstances supporting the [NAME OF RESOURCE/PROJECT] status as an Excluded Facility pursuant to the NYISO's BSM Rules.
6. The [Developer/Owner/Operator] shall provide any information or cooperation requested by the NYISO in connection with this Certification and Acknowledgement of Excluded Facility Status.

7. All parents or Affiliates of the Project shall provide any information or cooperation requested by the ISO.

I hereby acknowledge on behalf of myself, [NAME OF RESOURCE/PROJECT], and [NAME OF DEVELOPER/OWNER/OPERATOR] that:

- a. The submission of false, misleading, or inaccurate information, or the failure to submit information requested by the NYISO or to cooperate with a request related to this Certification and Acknowledgement, shall constitute a violation of Section 4.1.7 of the Services Tariff, and may be subject to the Commission's review, a violation of the Commission's regulations and Section 316A of the Federal Power Act.
- b. If false, misleading, or inaccurate information is submitted, or requested information is not provided, including but not limited to information contained or submitted in this Certification and Acknowledgement, Excluded Facility status shall not be recognized for [NAME OF RESOURCE/PROJECT] which may potentially be subject to an Offer Floor in accordance with the BSM Rules unless it is otherwise determined to be exempt pursuant to Section 23.4.5.7.2(a) or (b) of the Services Tariff.
- c. If the Project submits false, misleading, or inaccurate information, or fails to submit requested information to the NYISO or to cooperate with a request, including but not limited to information contained or submitted in the Certification and Acknowledgement on behalf of the Project, it may be subject to civil penalties that may be imposed by the Commission for violations of Section 4.1.7 of Services Tariff, the Commission's rules, and/or Section 316A of the Federal Power Act.

[PRINT NAME]

[DATE]

Subscribed and sworn to before me
this [] day of [MONTH] [YEAR].

Notary Public

My commission expires: _____

**[PROJECT NAME] SCHEDULE 1 CERTIFICATION AND ACKNOWLEDGEMENT
LIST AND ATTACHMENT OF PERTINENT
DOCUMENTS AND AGREEMENTS
[DATE]**

**Source of Document/
Parties to Agreement**

Title

Date Issued/Executed