

## **Comments of Empire Offshore Wind LLC On NYISO Queue Improvements**

Empire Offshore Wind LLC (“Empire”) submits these comments in response to NYISO’s request for suggestions concerning needed reforms to its interconnection process. As the developer of a number of large offshore wind generating facilities interconnecting to congested transmission systems in New York City and Long Island, Empire is particularly concerned that the NYISO interconnection process provides only 4 years from the end of any class year facilities study to project Commercial Operation Date (“COD”) as of right.

Empire recognizes that this time may be extended by NYISO once an interconnection agreement (“IA”) is signed and a project has begun to make substantial progress toward the milestones in that IA. However, the actions required to demonstrate substantial progress generally involve the expenditure of substantial amounts of money, such as major equipment orders. To the extent that a project’s initial IA establishes an unrealistic COD, as is presently the case for major offshore wind facilities, obtaining the financing required for such major expenditures is needlessly complicated and financing costs may be needlessly raised.

In the case of its Empire Wind 1 (“EW 1”) project, Empire requested and received a waiver from FERC extending the period for achieving COD for precisely this reason.<sup>1</sup> The concerns that lead Empire to seek -- and FERC to grant -- that waiver continue to apply to Empire’s other offshore projects, as well as to other offshore projects now under development. To avoid the need for repeated waiver requests similar to Empire’s request for EW 1, Empire believes that the time required to achieve COD as of right should be extended from the current 4 years to 6 years.

Dated: February 6, 2023

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<sup>1</sup> *Empire Offshore Wind LLC*, 177 FERC ¶ 61,215 (2021).