

Transmission Planning Advisory Subcommittee and Electric System Planning Working Group
Meeting Minutes
July 9, 2024
WebEx
10:00 a.m. – 12:30 p.m.

1. Administrative Matters

Ms. Corinne Didomenico (NextEra, ESPWG Chair) called the meeting to order at 10:00 a.m.

2. Chair's report

Ms. Didomenico said that she did not receive any correspondence from the Operating Committee (OC).

3. Proposed Improvement to NYISO's CEII Requirements

Mr. William Derasmo (Troutman Pepper on behalf of the New York Transmission Owners). He stated that the TOs are concerned about the increase in generator interconnection requests and believe there is a gap in the CEII protection environment. There are CEII protection rules but they apply only to information submitted to or generated by FERC. Protections do not apply to information exchanged at the ISO level and the NYTOs went through the Order 2023 compliance process and it is understood that a lot of information will need to be exchanged between developers, TOs, and the NYISO. The TOs propose to include a set of requirements in a NYISO manual, which would be enabled by conforming tariff changes. He reviewed the document included with the meeting material.

Ms. Doreen Saia (Greenberg Traurig on behalf of Shell) said historically the tariff language is developed first to define the scope and then the manual is created to provide details. The process as proposed by the TOs seemed inconsistent with past practice because the tariff defines the scope and it needed approval from FERC first as just and reasonable. Mr. Derasmo said the NYTOs wanted to present the specificity and detail first because last year, the stakeholders requested the NYTOs to provide more detail. Ms. Saia said it was difficult to comment on the proposal without seeing the tariff language.

In response to a question, Mr. Christopher Sharp (NYISO) said the proposal would require a global change to the NYISO's CEII protection requirements. Thus, it would apply to all recipients of CEII who go through the NYISO's CEII request process as it exists today. Mr. Mike Kramek (Boston Energy) recommended that this topic get discussed more widely at other NYISO stakeholder forums such as the ICAP Working Group since it impacts the market. Mr. Sharp agreed and encouraged stakeholders to socialize the proposal and review the proposed requirements so that they are achievable, such as confirming whether the \$5 million cyber security insurance is reasonable for anyone needing CEII.

In response to a question, Mr. Sharp said TOs who participate in the NYISO's interconnection process do not sign the NYISO's CEII because there are pre-existing agreements that allow the sharing of CEII between the TOs and the NYISO and that happens on a daily basis. The NYISO could revisit it but it could not function on a daily basis without the ability to share CEII with the TOs.

Mr. George Pond (Barclay Damon) said nobody would want to prevent the NYISO and the TOs from exchanging CEII, however, developers would want to make sure the same standards apply to everyone who has access to the information. Mr. Kevin Lang (Couch White on behalf of the City of New York) agreed and said that there should not be two standards and the rules should apply to all. A developer is a recipient of CEII from a TO and vice versa. A TO should be held to the same standard and be making the same disclosures as noted on the top of page 2. In addition, if there is a cyber security incident at a TO, the TO should notify developers of the incident. Ms. Mary Krayeske (Con Edison) said that utilities are required to protect CEII based on FERC and state requirements and the utilities can meet these requirements.

In response to a question, Mr. Sharp said the NYISO did not have a process in place where it identifies nations where CEII cannot be sent or stored, and would need to develop such a list, likely based on government guidance. It would have to get posted on its website.

Mr. Pond said it would be important that the NYTOs commit to not requiring further restrictions on foreign ownership than what is contained in the posted document. Ms. Krayeske said that is something the TOs would have to take back.

Mr. Glenn Haake (Invenergy) asked if a multinational corporation that has an affiliate that owns an electric project in Hong Kong or Russia be impacted by the proposed provisions. He asked if that multinational corporation be denied CEII because of that affiliate's business in a foreign adversary. Mr. Derasmo said a foreign adversary restriction is a very limited number of countries but it's a question about the affiliate and whether it is controlled or subject to the direction of a foreign adversary, but it would need further discussion. Ms. Saia noted that it was not clear to her how affiliates are treated in general and more information on that would be helpful.

Mr. Mark Younger (Hudson Energy Economics) said consultants do not have large corporations behind them and requiring \$5M in cybersecurity insurance could result in them not being able to have CEII. He noted that he has a MyNYISO account in order to view OC materials and under the proposal, he could lose CEII access because he lacked the insurance. Mr. Derasmo said the NYTOs would have to take that back.

Mr. Lang said there has been a lot of discussion today about making things reciprocal, but if this proposal moves forward, the NYISO needed to take ownership of it and prepare the document that they believe is one that they would want in the NYISO's tariff, NYISO manual, or both. It would be helpful to understand the NYISO's position on each aspect of the proposal, what changes the NYISO would require to these proposals if it were to be adopted. He understood that the NYTOs have independent Section 205 rights, but he did not believe they have rights to adopt a NYISO manual and impose requirements on every stakeholder. Mr. Sharp said the NYISO worked with the TOs and reached an impasse over the appropriate level of specificity in the requirements, which is why the TOs have come forward with their own proposal. The NYISO generally supports the concept but did not think it could require the level of specificity by revisions to the existing CEII NDA, and felt that changes of the magnitude proposed should be explicitly

authorized by FERC. NYISO does not oppose having security requirements in a manual provided that FERC authorizes a tariff revision. The NYISO is happy to work with all parties on it. The feedback that all stakeholders can provide on whether or not these are reasonable security requirements will enable the NYISO to work with the TOs to develop a unified proposal. Mr. Pond agreed and said requirements can't be put into an NDA or a manual without being supported by the tariff.

Mr. Zachary Stines (New Leaf Energy) wanted to understand the next steps and the compliance timeframe. Ms. Kraveske said that would need to be discussed further, but it's unclear how quickly FERC would act on a 205 filing, so it would take time to develop a reasonable compliance timeframe. Mr. Sharp said the NYISO would need adequate time to update its current CEII processes to accomplish any new requirements. The NYISO envisions that compliance with the security requirements would be attested to on an organizational level by an individual with knowledge that the requirements are met

In response to a question, Mr. Sharp said this proposal would exist on top of the NDA process because the NYISO would still want an individual NDA to be executed because it is valuable that each individual who has CEII access affirms their knowledge of their legal obligations. Mr. Derasmo agreed that the NDA is geared at the individual level and the CEII attestation would be more geared at the organizational level.

4. Updates to LIPA Interconnection Documents

Mr. Iram Iqbal (PSEG Long Island) reviewed the presentation included with the meeting material. There were no questions.

5. AC Transmission Segment B Dover PAR Status Update

Mr. Paul Hearing (New York Transco) reviewed the presentation included with the meeting material. There were no questions.

6. Study Scope Under Consideration for Recommendation for OC Approval

Q#1465 Digihost Load SIS Scope

The developer provided a brief description of the project. Mr. Prasad Shinde (NYISO) reviewed the study scope included with the meeting material. TPAS recommended OC approval.

7. Study Reports Under Consideration for Recommendation for OC Approval

Q#1146 Champlain Solar SRIS Report

The developer provided a brief description of the project. Mr. Shinde reviewed the study report findings included with the meeting material. TPAS recommended OC approval.

Q#1238 Harvest Hills Solar 2 SRIS Report

The developer provided a brief description of the project. Mr. Shinde reviewed the study report findings included with the meeting material. TPAS recommended OC approval.

Q#1316 Bay Breeze Solar SRIS Report

The developer provided a brief description of the project. Mr. Shinde reviewed the study report findings included with the meeting material. TPAS recommended OC approval.

Q#1382 OW Ocean Winds East 7 SRIS Report

The developer provided a brief description of the project. Mr. Shinde reviewed the study report findings included with the meeting material. TPAS recommended OC approval.

8. Summary of Materiality Determinations

Mr. Andrew Zielinski (NYISO) reviewed the document included with the meeting material. There were no questions.

9. Class Year 2023 Status Update

Ms. Wenjin Yan (NYISO) reviewed the document included with the meeting material. In response to a question, Ms. Yan said the NYISO was still on track for completion in the September timeframe.

10. Status of Expedited Deliverability Study 2024-01

Mr. Shinde reviewed the report included with the meeting material.

11. Draft Technical Bulletins: Cluster Study Overview and COD Extensions

Mr. Zielinski reviewed the presentation included with the meeting material.

In response to a question, Mr. Zielinski said that study deposits are due at the time of application. Ms. Sara Keegan (NYISO) said that the application fee for an interconnection request must be cash, but other deposits required in the process can be satisfied by using a surety bond or letter of credit. She noted that there are very specific tariff requirements related to utilizing surety bonds and recommended stakeholders review Attachment HH Section 40.2.4.2.3

In response to a question, Ms. Sara Keegan (NYISO) said that the NYISO previously communicated that it would issue technical bulletins because the NYISO needs to revise its Transmission Expansion and Interconnection manual and that process will take time. The technical bulletins will provide the information developers need as they prepare for the upcoming Transition Cluster Study.

In response to a question, Mr. Zielinski said that the modeling data summary document and modeling guidelines were recently posted on the NYISO website. In response to a question, Mr. Zielinski said that the spreadsheet replaces the R-15 forms that developers used to use.

In response to a question, Mr. Zielinski said if a project is not able to have the TO complete its updated cost estimate therefore unable to post security for that updated cost estimate, there would be a path forward by creating a line item in the Interconnection Agreement for the customer to post security and the date for those milestones. Ms. Saia said that would be helpful to also include in the technical bulletin.

In response to a question, Mr. Zielinski said that developers should complete the COD extension requests as early as possible to avoid receiving a withdrawal notice. He noted that the tariff requires that once a customer determines that the milestones will not be met, the customer needs to update the NYISO. Ms. Keegan said the TOs have obligations under the tariff to timely respond to interconnection customer requests, but if a

customer was facing time constraints and a TO was unresponsive, the NYISO would help to initiate and help to manage any delay.

12. New Business

Mr. Kirk Dixon (NYISO) said that Mr. Derasmo indicated that stakeholder comments on the CEII process improvement document can be submitted to him by July 26.

Ms. Kate McClellan Press (NYSERDA) reported that two documents were posted on the DPS website that may be of interest to this group on permitting and scheduling of permits. The purpose of those two documents is for reference only to provide a reasonably complete and generic summary of the permits and regulatory approvals required for the NYC PPTN transmission developers to begin construction. The documents are based on information available to the local, state, and federal agencies consulted as of May 20, 2024. In addition, the Agency Siting Working Group plans to host a technical conference in September 2024 to go into more detail on the permitting information.

The meeting adjourned at 12:30 p.m. The next meeting is on August 6, 2024.