



ISO - NE Order 2023 Compliance Filing  
Cypress Creek Proposals

*November 9, 2023*

# Introduction

A Mission-Driven  
Integrated Renewable  
IPP Platform

Founded

2014

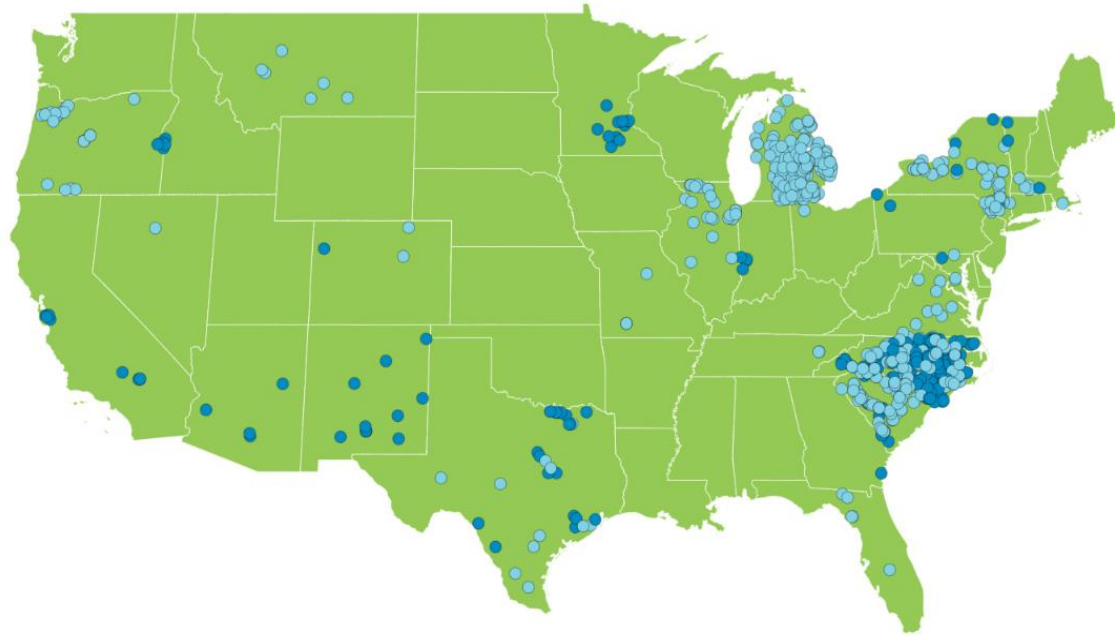
Team Members

400+

Business Units

3

EQT Infrastructure  
acquired Cypress Creek,  
becoming the sole owner,  
in October 2021.



● Projects Developed,  
Owned and Operated  
by Cypress Creek

● Projects Developed  
by Cypress Creek



12GW Solar Energy  
Developed to Date



850 Projects  
in 22 States



Transmission-Scale  
and Community Solar  
Projects



Standalone and  
co-located  
storage

# ISO Should Align with the LGIP Pro Forma Language Regarding Acceptable Form of Deposit

## Proposal 1

FERC Order 2023 requires interconnection customers (IC) opting for a transitional serial study and transition cluster study to make a deposit via either Letter of Credit (LC) or cash to enter (LGIP 5.1.1.1, and LGIP 5.1.1.2)

Clean Energy Associations (AEU, SEIA, ACP) sought rehearing to request that the Commission clarify that it did not intend to limit the acceptable forms of security for the transition or new process deposits to only irrevocable LC and cash, and that a Surety Bond would also be acceptable, as is the case with several Transmission Providers (e.g., Duke, PAC, NVE; PJM is allowing IC to use LCs to post readiness deposit of \$4,000/MW)

- The ISO is contemplating whether to allow both cash and an irrevocable LC. It is Cypress's understanding that ISO currently only accepts cash deposits.
- ISO should accept alternative forms of payments in line with new LGIP requirements for the transition and the new process. Cypress understands that the Commission's determination to levy significant commercial readiness deposit was to ensure that only construction-ready projects move forward in the transition. The Commission has imposed other requirements to ensure this, including asking for 100% site control without a deposit in lieu of payment.

### PROPOSAL:

- ISO should allow an irrevocable LC as an alternative for posting commercial readiness deposits during the Transition and in the "standard" new processes
  - While the ISO has not been supportive of Surety Bonds in the past, Cypress understands that there are ways to minimize the disadvantages of surety bonds, i.e., draft the terms of the surety bond so that they provide protections to the beneficiary that are like those contained in a letter of credit, and would request further consideration of these forms as well.<sup>1</sup>



# ISO Should Consider Cluster Cycle Dependencies

## Proposal 2

FERC Order 2023 contemplated an 'annual' cluster study process

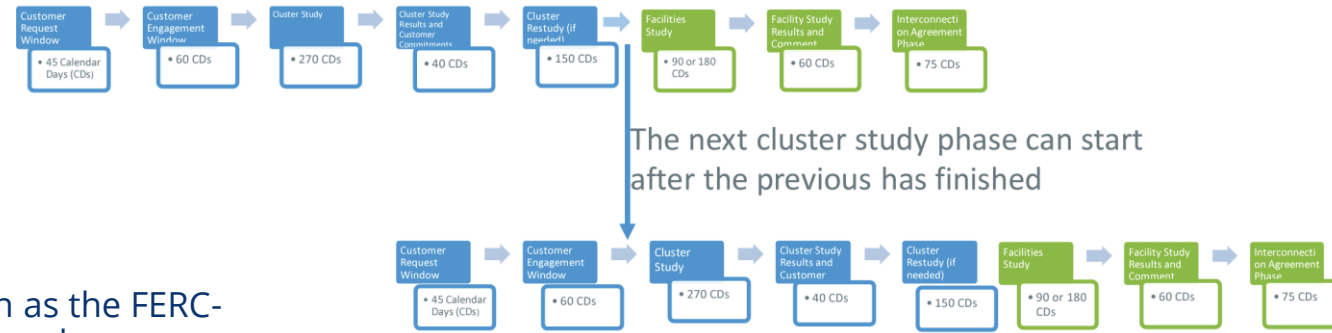
The ISO is contemplating starting a new cluster as cluster study results and customer commitments are due from the previous cluster

- However, ISO's current sequencing may –
  - Prevent the ISO from updating pre-queue information such as the FERC-prescribed heatmap with the results of the cluster restudy and
  - Prevent IC from evaluating base case information from the previous cluster and heat map before submission
- Cypress supports some overlap to allow for process efficiencies, something similar to what PJM has contemplated

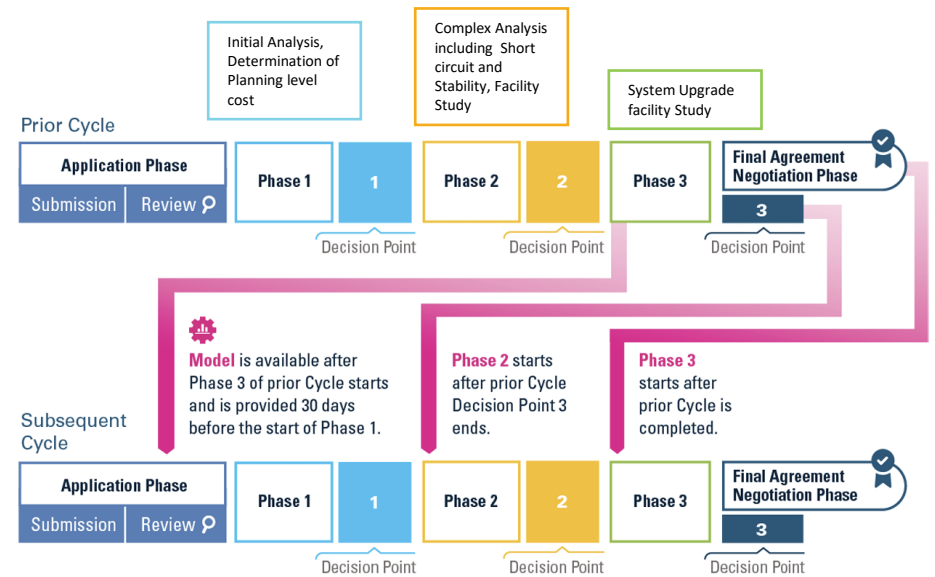
### PROPOSAL:

- ISO should stagger the start of the subsequent cluster so that IC can have the most information on hand (including a base case reflective of the prior cluster) prior to or during the customer engagement window.

## ISO-NE Proposed Process and Cycle Dependencies



## PJM's Current Process and Cycle Dependencies



# ISO Should Allow An Alternative Electrically Proximate Point of Interconnection

## Proposal 3

FERC Order 2023 required the interconnection customer (IC) to select a definitive Point of Interconnection (POI), to be included in the cluster study agreement.

- A change to the POI could only be made if a TP/TO initiated the change after the agreement, which would automatically subject the request to a material modification test, and if it were deemed a material modification, the project would be required to withdraw

Clean Energy Associations sought rehearing to request an alternative POI that is electrically proximate be discussed during the customer engagement window and included in the cluster study agreement to avoid delays associated with a POI change that triggers a material modification study later in the process

- Electrically proximate POIs can be implemented without materially impacting a study process based on our experience. Examples include changes to the same POI on the same transmission line at a different end of the project, or a different angle of entry into the same bus.
- Cypress understands that in the current process, TOs and IC work together and that this accommodation is already available later in the process. We want to confirm the ISO's read on this and whether they would maintain this optionality in the new process.

### **PROPOSAL:**

- ISO should maintain current optionality to consider electrically proximate alternative POIs without automatically triggering material modification. An independent entity variation may be required depending on FERC's answer to rehearing.
  - Consider opportunities for TOs to review electrically proximate POI earlier in the process (such as customer engagement window) and memorialize that in the cluster study agreement;
  - Enhance transparency by clearly defining "non-material" modifications as part of tariff filings for FERC Order 2023

# ISO Should Extend Site Control to Interconnection Facilities

## Proposal 4

While FERC Order 2023 limited site control to the generator facility site, it has the option to answer filed Requests for Rehearing and Clarification, including a pleading from the IPP Coalition (CCR, Enel, New Leaf Energy) requesting FERC add site control for interconnection facilities at the appropriate stage in the interconnection process

In the pleading, the IPP Coalition sought the change for three reasons:

- 'Improve the quality' of interconnection study results
- Increase certainty for interconnection customers as the interconnection process becomes more costly
- Prevent gaming and reduce the risk of more speculative projects delaying processes by securing facility site control while maintaining optionality for future potential POIs

Additionally, the Coalition sought to prevent changes to POI if ordered by a state regulator unless that change did not represent a material modification

- Cypress Creek appreciates the impact of regulatory limits (e.g., permits that would delay site control, including crossing ROW). However, other ISOs (e.g., SPP, MISO) have or are considering adoption of site control over interconnection facilities to reduce speculative projects

### **PROPOSAL:**

- ISO should require site control for 100% site control for the interconnection facilities, including the generator tie-line, by the time the IC executes the LGIA.
  - Cypress would urge the ISO to at least consider this requirement to reduce speculative projects entering the transition without a deposit in lieu, given that FERC intended those projects to meet a higher bar and ideally consider it in the new "standard" process going forward.

Thank you.

CYPRESS CREEK  
RENEWABLES 