

To: NEPOOL Participants, Transmission, and Reliability Committees, and ISO-NE Interconnection Customers

From: ISO New England

Date: September 23, 2024

Subject: Update on Suspension of Ongoing Order No. 2023 Compliance Proposal Implementation Activities – ISO New England Rescinds Transitional Cluster Study Agreements Issued on August 12, 2024

At this time, the ISO is rescinding the Transitional Cluster Study (TCS) Agreements issued to eligible Interconnection Customers on August 12, 2024, as explained in this memo.

On May 14, 2024, the ISO, joined by the New England Power Pool (NEPOOL) Participants Committee (PC) and the Participating Transmission Owners Administrative Committee (PTO AC), filed the [Order No. 2023 Compliance Revisions](#) and [Order No. 2023-Related Revisions](#) (combined, the “Compliance Proposal”). The ISO requested an August 12, 2024 effective date for the Compliance Proposal rules, and a Commission order on or before that date.

On August 12, 2024, the ISO issued TCS Agreements to Interconnection Customers with eligible Interconnection Requests, consistent with the proposed rules in the Compliance Proposal, in anticipation of an order from the Commission accepting the Compliance Proposal on or soon after August 12, 2024. According to the Compliance Proposal, October 11, 2024¹ is the deadline for Interconnection Customers to submit an executed TCS Agreement and related deposits and materials.

On September 5, 2024, the ISO issued a [memo](#) explaining that it had not yet received an order from the Commission on the Compliance Proposal, and as a result it would:

- cease implementation activities relating to the Compliance Proposal rules,
- continue processing existing Interconnection Requests in the Interconnection Queue on a serial basis under the current Tariff provisions,
- move ahead with upcoming Forward Capacity Market activities under current rules, and
- no longer accept TCS Agreements and related deposits and materials since it must move forward under current rules absent an order

¹ This date was set for 60 Calendar Days after the proposed effective date. See Order No. 2023, Paragraph 818 and 855 (describing the timeline for the submission of TCS Agreements).

Since the September 5, 2024 communication, the ISO has received questions regarding implementation of the Compliance Proposal rules, particularly from Interconnection Customers to whom the ISO issued a TCS Agreement in preparation for a potential order by or soon after August 12, 2024. The ISO is rescinding the TCS Agreements it issued on August 12, 2024 because, as of the date of this memo, the Commission has not yet issued an order on the Compliance Proposal that contains the rules to support accepting TCS Agreements and related deposits and materials.

The ISO ceased accepting TCS Agreements following the issuance of the September 5, 2024 memo. Any materials received prior to that date will no longer dictate eligibility for the TCS and deposits received will be returned to Interconnection Customers at their election. The ISO will continue to follow up with each Interconnection Customer regarding next steps relative to their existing Interconnection Requests.

When the Commission issues an order addressing the Order No. 2023 Compliance Proposal and its effective date, the ISO will assess its timing and content to determine how best to proceed, and will update stakeholders accordingly. That assessment will include considerations regarding the TCS Agreement issuances and corresponding deadlines.