

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Vineyard Wind LLC

)

Docket No. ER19-570-000

**MOTION TO INTERVENE AND COMMENTS OF
ISO NEW ENGLAND INC.**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the “Commission”),¹ ISO New England Inc. (the “ISO”)² hereby moves to intervene and submit comments on the Petition of Vineyard Wind LLC (“Vineyard Wind”) for waiver of tariff provisions and expedited action (“Waiver Request”) filed in the above-captioned docket. As explained in further detail below, the ISO does not oppose the Waiver Request, but respectfully requests that the Commission act on the Waiver Request by the January 29, 2019 date requested by Vineyard Wind in order for the waiver to be effective for the upcoming thirteenth Forward Capacity Auction (“FCA 13”).³

I. IDENTITY OF THE ISO

The ISO is a private, non-profit entity that serves as the regional transmission organization (“RTO”) for New England. The ISO administers the New England energy markets and operates and plans the New England bulk power system pursuant to the ISO’s Tariff and the Transmission Operating Agreement with the New England Transmission Owners. In its capacity as the RTO for New England, the ISO has the responsibility to protect the short term reliability of the control area as well as to provide oversight and fair administration of the New England markets.

¹ 18 C.F.R. §§ 385.212 and 385.214 (2018).

² Capitalized terms used but not defined are intended to have the same meaning given to such terms in the ISO’s Transmission, Markets and Services Tariff (“Tariff”).

³ FCA 13 begins on February 4, 2019.

II. REQUEST TO INTERVENE

Because the ISO has an interest that may be directly affected by the outcome of this proceeding, the Commission should grant the ISO's motion to intervene. Specifically, Vineyard Wind's Waiver Request directly affects the ISO's interests in operating the Forward Capacity Market.

III. COMMENTS

Vineyard Wind requests that the Commission grant a waiver of certain provisions of the Tariff to allow Vineyard Wind to receive Renewable Technology Resource ("RTR") treatment for FCA 13. While Vineyard Wind timely submitted the RTR election form for FCA 13, Vineyard Wind did not qualify for RTR treatment because the proposed resource will not be geographically located in a New England state as required by Section III.13.1.1.1.7 (b) of the Tariff. Rather, the proposed offshore wind project will be located in federal waters off the coast of Massachusetts. Vineyard Wind's RTR election submittal met all the other Tariff requirements to receive RTR treatment for FCA 13.

On November 30, 2018, the ISO joined by the New England Power Pool, filed conforming Tariff changes relating to the implementation of the Competitive Auction with Sponsored Policy Resource rules ("CASPR-Related Changes Filing").⁴ The CASPR-Related Changes Filing includes a proposed clarification to Section III.13.1.1.1.7 (b) of the Tariff that allows offshore wind resources located in federal waters, such as Vineyard Wind, to qualify for RTR treatment.⁵

⁴ Docket No. ER19-444-000.

⁵ CASPR-Related Changes Filing at 3 and 38.

The ISO does not oppose Vineyard Wind's Waiver Request. The ISO notes that the Waiver Request adopts the approach outlined in the CASPR-Related Changes Filing, including the request that, if the RTR cap is reached, the proration provisions under Section III.13.1.1.2.10 of the Tariff will only apply to resources, that similar to Vineyard Wind, seek RTR treatment under revised Section III.13.1.1.1.7 (b) of the CASPR-Related Changes Filing.⁶ In addition, as noted in the Waiver Request, Vineyard Wind has submitted its RTR election form to the ISO.⁷ Accordingly, if the Commission accepts the proposed Tariff provisions in the CASPR-Related Changes Filing related to RTR treatment and grants the Waiver Request by the date requested by Vineyard Wind, the project will receive RTR treatment for FCA 13.⁸

IV. CONCLUSION

Wherefore, for the foregoing reasons, the ISO respectfully requests that it be permitted to intervene in, and be made a party to, the subject proceeding, with all the rights thereto. In addition, the ISO respectfully requests that the Commission accept and consider its comments as discussed above.

Respectfully submitted,

By: /s/ Kevin W. Flynn
Kevin W. Flynn, Esq.
ISO New England Inc.
One Sullivan Road
Holyoke, MA 01040-2841
Tel: (413) 535-4177
Fax: (413) 535-4379
E-mail: kflynn@iso-ne.com

⁶ CASPR-Related Changes Filing at 38-40; Waiver Request at 1 and 6-7.

⁷ Waiver Request at 3.

⁸ The ISO has requested a January 29, 2019 effective date for the CASPR-Related Changes Filing. Given that FCA 13 begins on February 4, 2019, a Commission ruling on the Waiver Request by the January 29, 2019 effective date of the CASPR-Related Changes Filing is necessary for the project to receive RTR treatment for FCA 13.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §385.2010 (2018), upon each person designated on the official service list in this proceeding as compiled by the Secretary of the Federal Energy Regulatory Commission.

Dated at Holyoke, MA, this 4th day of January 2019.

/s/ Julie Horgan
Julie Horgan
eTariff Coordinator
ISO New England Inc.
One Sullivan Road
Holyoke, MA 01040
(413) 540-4683