**Updated Tariff Changes Clarifying Treatment of Repowering Resources**

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*N.b. Tracked changes reflect* ***changes*** *from the tariff language proposed on April 13t* (<https://www.iso-ne.com/static-assets/documents/2023/04/a08_mc_2023_04_11-13_ls_power_repowering.pdf>)

🡪 Additions are highlighted in yellow and deletions are highlighted in blue with ~~strikethrough~~.

**FCM Commercial Operation Changes (III.13.3.8)**

A resource (or portion thereof) achieves FCM Commercial Operation when (1) the ISO has determined that the resource (or portion thereof) has achieved all its critical path schedule milestones, including completion of any transmission upgrades necessary for the resource to obtain the requisite interconnection service; and (2) the ISO verifies the resource’s (or a portion of the resource’s) summer capacity rating (or, for a resource with winter capacity only, its winter capacity rating).

1. For a Generating Capacity Resource (or portion thereof) that has achieved all its critical path schedule milestones, the ISO shall confirm FCM Commercial Operation as soon as practicable following the ISO’s verification of the resource’s summer capacity rating (or, for a resource with winter capacity only, its winter capacity rating), which may take place in any month of the year. The ISO shall verify the summer capacity rating of a Generating Capacity Resource that is an Intermittent Power Resource following no fewer than 30 consecutive calendar days of operation (for periods from October 1 through May 31, a Market Participant must request such verification).
2. For a Demand Capacity Resource (or portion thereof) …
3. For an Import Capacity Resource (or portion thereof) …

For a resource that (1) previously qualified and cleared in a Forward Capacity Auction as a New Generating Capacity Resource pursuant to Section III.13.1.1.1.2 (re-powering), (2) completed any transmission upgrade(s) necessary for the re-powered resource to obtain the requisite interconnection service, and (3) subsequently is withdrawn by its Project Sponsor (or deemed withdrawn by the ISO) from critical path schedule monitoring pursuant to Section III.13.3.6, the ISO shall confirm FCM Commercial Operation of the portion of the re-powered resource equal to the re-powered resource’s summer capacity rating (or, for a resource with winter capacity only, its winter capacity rating). The summer capacity rating can be established using an Establish Claimed Capability Audit, which may take place in any month of the year.

**Capacity Commitment Period Election (III.13.1.1.2.2.4) – *Price Lock***

Project Sponsors shall be required to specify whether they are making the election set forth in this Section III.13.1.1.2.2.4 for each Forward Capacity Auction up to and including the auction held in February 2021 for the June 1, 2024 through May 31, 2025 Capacity Commitment Period, and no election shall be permitted thereafter.

For each Forward Capacity Auction occurring up to and including the February 2021 auction, in the New Capacity Qualification Package, the Project Sponsor must specify whether, if its New Capacity Offer clears in the Forward Capacity Auction, the associated Capacity Supply Obligation and Capacity Clearing Price (indexed for inflation) shall continue to apply after the Capacity Commitment Period associated with the Forward Capacity Auction in which the offer clears, for up to six additional and consecutive Capacity Commitment Periods, in whole Capacity Commitment Period increments only. For incremental capacity qualified pursuant to Section III.13.1.1.1.3.A, this election shall apply to both the incremental amount of capacity and the existing Qualified Capacity matched to the incremental capacity at the same generating resource. If no such election is made in the New Capacity Qualification Package, the Capacity Supply Obligation and Capacity Clearing Price associated with the New Capacity Offer shall apply only for the Capacity Commitment Period associated with the Forward Capacity Auction in which the New Capacity Offer clears. If a New Capacity Offer clears in the Forward Capacity Auction, the capacity associated with the resulting Capacity Supply Obligation may not be subject to any type of de-list or export bid in subsequent Forward Capacity Auctions for Capacity Commitment Periods for which the Project Sponsor elected to have the Capacity Supply Obligation and Capacity Clearing Price continue to apply pursuant to this Section III.13.1.1.2.2.4.

The ISO shall terminate the a multi-year rate election of an Existing Generating Capacity Resource or a New Generating Capacity Resource obtained pursuant to this Section III.13.1.1.2.2.4 if the resource (1) previously qualified and cleared in a Forward Capacity Auction as a New Generating Capacity Resource pursuant to Section III.13.1.1.1.2 (re-powering), and (2) is withdrawn by its Project Sponsor (or deemed withdrawn by the ISO) from critical path schedule monitoring pursuant to Section III.13.3.6. When the ISO terminates a multi-year rate election of a qualifying resource, then that resource shall be paid the Capacity Clearing Price of each Forward Capacity Auction in which the resource already obtained a Capacity Supply Obligation. Upon termination of the multi-year rate election, the Existing Generating Capacity Resource can participate in the Forward Capacity Auction pursuant to Section III.13.1.2.

**III.13.3.6. Withdrawal from Critical Path Schedule Monitoring**.

A Project Sponsor may withdraw its resource from critical path schedule monitoring by the ISO at any time by submitting a written request to the ISO. The ISO also may deem a resource withdrawn from critical path schedule monitoring if the Project Sponsor does not adhere to the requirements of this Section III.13.3. Any resource withdrawn from critical path schedule monitoring shall be subject to the provisions of Section III.13.3.4A. A resource that (1) previously qualified and cleared in a Forward Capacity Auction as a New Generating Capacity Resource pursuant to Section III.13.1.1.1.2 (re-powering) and (2) is withdrawn by its Project Sponsor (or deemed withdrawn by the ISO) from critical path schedule monitoring pursuant to this Section III.13.3.6 may achieve FCM Commercial Operation under Section III.13.3.8(d) prior to being subject to the provisions of Section III.13.3.4A.