



Carol Teixeira
Manager, NY Electric Pricing

April 21, 2021

Honorable Michelle L. Phillips, Secretary
State of New York
Public Service Commission
Office of the Secretary, 19th Floor
Three Empire State Plaza
Albany, New York 12223-1350

RE: Case 15-E-0751 – In the Matter of the Value of Distributed Energy Resources.

Case 14-E-0151 – Petition of Hudson Valley Clean Energy, Inc. for an Increase to the Net Metering Minimum Limitation at Central Hudson Gas & Electric Corporation.

Dear Secretary Phillips:

The following tariff amendments, issued by Niagara Mohawk Power Corporation d/b/a National Grid (the “Company”), are being transmitted in compliance with the April 15, 2021 *Order Modifying Separate Site Requirements* issued by the New York State Public Service Commission (“Commission”) in the above case number (“Order”):

Thirteenth Revised Leaf No. 198
Seventh Revised Leaf No. 200
Seventh Revised Leaf No. 220

To P.S.C. No. 220 – Electricity

Effective: May 1, 2021

On September 3, 2020, Borrego Solar Systems Inc. (“Borrego”) filed a petition for a declaratory ruling or clarification (“Petition”) regarding the Commission’s requirements for determining whether two or more projects are deemed sufficiently “separate” to comply with the 5 MW capacity limit for compensation. Currently, the Commission requires three factors, including: 1) each facility must be separately metered and interconnected; 2) each facility must be operationally independent; and, 3) each facility must be located on a separate site (“three-factor test”). In its Petition, Borrego requested relief from the separate site requirement that projects be located on separately deeded properties in order to satisfy the three-factor test.

In the above Order, the Commission concluded that the separate site requirement may be satisfied through means other than a separate deed. Specifically, the Commission found that developers may also satisfy the separately sited component of the three-factor test by providing a unique Section-Block-Lot (SBL) number, a separate lease, and a separate metes and bounds description recorded via a separate memorandum of lease. The Company has made edits under Rule Nos. 36 and 37 to P.S.C. No. 220 – Electricity Tariff detailing this alternative to the separate deed requirement, as well as a minor modification to Rule No. 40 where the Value Stack eligibility language refers to the three-factor test under Rule Nos. 36 and 37.

Ordering Clause No. 1 of the Order directed the utilities to file tariff amendments on no less than 10 days' notice to become effective on May 1, 2021. Per Ordering Clause No. 2 of the Order, requirements of Public Service Law §66(12)(b) and 16 NYCRR §720-8.1 as to newspaper publication of the tariff revisions are waived. Attachment 1 contains the Company's redlined tariff leaves showing where the changes have occurred. Please advise the undersigned of any action taken regarding this filing.

Respectfully submitted,

/s/ Carol Teixeira

Carol Teixeira
Manager, NY Electric Pricing

Enc.

cc: Sandra Hart, DPS Staff (via e-mail)
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