

February 8, 2024

The Honorable Debbie-Anne A. Reese
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Re: California Independent System Operator Corporation
Docket No. ER24-____-000**

Tariff Amendment to Forgo 2024 Interconnection Request Window

Dear Secretary Reese:

The California Independent System Operator Corporation (“CAISO”) submits this tariff amendment to forgo a new interconnection request window in 2024. This will allow the CAISO, transmission owners, and developers to focus on completing existing interconnection requests before adding even more. Previously, the Commission approved schedule and procedural changes to address the unprecedented volume of new interconnection requests the CAISO received in clusters 14 and 15.¹ The CAISO did not include tariff revisions to forgo a new interconnection request window this year in case the CAISO and stakeholders were able to identify a path for one. Cluster 14 interconnection studies will conclude this Spring, as scheduled, and cluster 15 interconnection studies would begin this Fall. Before commencing cluster 15, the CAISO must implement several new enhancements to address the size of cluster 15, and comply with Order No. 2023. Adding new interconnection requests at this time would exacerbate current challenges and delay studies further. Forgoing the 2024 window is a just and reasonable solution to prioritize the huge volume of existing interconnection requests on time.

Because the CAISO tariff contemplates a new interconnection request window on April 1, 2024,² the CAISO respectfully requests that the Commission waive its notice requirement to allow the tariff revisions contained in this filing to go into effect on March 31, 2024. The CAISO does not request a shortened comment period or an expedited Commission order accepting this amendment.

¹ *California Independent System Operator Corp.*, 176 FERC ¶ 61,207 (2021); *California Independent System Operator Corp.*, 184 FERC ¶ 61,069 (2023).

² Section 3.3 of Appendix DD to the CAISO tariff.

I. Background

A. CAISO Interconnection Studies

The CAISO begins a new interconnection cluster study each April.³ The purpose of cluster studies is to identify the interconnection facilities and network upgrades necessary to integrate the new resource seeking interconnection to the transmission system, to estimate the costs of those upgrades and allocate those costs among interconnection customers sharing upgrades. The cluster study approach has proved an effective way to manage a large number of simultaneous interconnection requests. The cluster study methodology layers the new cluster of generation upon all existing generation and previous interconnection requests and network upgrades approved through the CAISO's transmission planning process.

The CAISO's interconnection study process is unique among ISO/RTOs in (1) identifying all contingent facilities that could affect an interconnection customer's costs or timing, (2) providing cost estimates for these facilities, and, most critically, (3) creating binding cost caps based on those estimates.⁴ Today, the interconnection customer's maximum cost responsibility is the lower sum of the interconnection customer's (1) full cost of assigned interconnection reliability network upgrades and (2) allocated costs for all other assigned network upgrades, from its Phase I or Phase II interconnection studies.⁵ Moreover, under the CAISO tariff, interconnection customers only *finance* network upgrades; they do not pay for them.⁶ Upon commercial operation, the transmission owner reimburses the interconnection customer for all network upgrade financing costs, and then includes those costs in its transmission revenue requirements.⁷

If upgrade assignments or cost allocations change after the interconnection customer has been studied, the interconnection customer cannot inherit any new costs exceeding the cost caps provided in its interconnection studies. Such exceedance

³ Section 3.3.1 of Appendix DD to the CAISO tariff. Section 25 of the CAISO tariff establishes who must submit interconnection requests. Appendix DD to the CAISO tariff contains the CAISO's interconnection procedures, and Appendix EE to the CAISO tariff is the CAISO's *pro forma* large generator interconnection agreement.

⁴ See Sections 6.3 and 14.2.2 of Appendix DD to the CAISO tariff.

⁵ "Maximum Cost Responsibility," Appendix A to the CAISO tariff.

⁶ See Section 14.3.2 of Appendix DD to the CAISO tariff. Transmission owners also pay interest to the interconnection customer for its financing costs.

⁷ To prevent unwarranted expenditure, there are some limitations for reliability network upgrades based on the capacity of the proposed generating facility. See Section 14.3.2.1 of Appendix DD to the CAISO tariff.

would be covered by the interconnecting transmission owner and any non-refundable portion of interconnection financial security of withdrawn interconnection customers allocated to the relevant upgrade.⁸ Although to date transmission owners rarely must cover such costs, interconnection customers' binding cost caps provide crucial transparency to interconnection customers as they develop, market, and finance their projects. This transparency provides crucial risk management to developers. The cost caps also obviate any need to conduct serial restudies based on changes in upgrade cost responsibility. Interconnection customers can rely on their interconnection studies without fear of changes late in their projects' development. In the Commission's Order No. 845 proceeding, the American Wind Energy Association, NextEra, and several developers identified the CAISO processes as best practices.⁹ NextEra, for example, advocated that the Commission adopt the CAISO's processes nationally "to break endless start and stop restudy cycles" elsewhere.¹⁰

The CAISO's cluster interconnection study consists of a Phase I interconnection study and a Phase II interconnection study, with annual reassessments that account for changes in the interconnection queue.¹¹ The CAISO's Phase I and Phase II interconnection studies are similar in determining the interconnection facilities, reliability network upgrades, and delivery network upgrades each interconnection customer needs.¹² This allows both the Phase I and Phase II interconnection studies to provide similar results. The Phase II interconnection study refines the cost estimates provided in Phase I based upon changes in queue and deliverability allocation results. Because the most common change in queue is an interconnection customer's withdrawal, both the Phase II interconnection study and the annual reassessment typically remove no-longer needed upgrades from interconnection customers' studies and cost responsibilities, reducing costs.¹³ In very rare cases, however, an interconnection customer's cost responsibility can rise while in queue where the costs are still under the interconnection customer's cost caps.¹⁴ The CAISO's current cluster study process is designed to take approximately two years. After the interconnection customer receives its Phase II interconnection study, it negotiates and executes a generator

⁸ Section 14.2.2 of Appendix DD to the CAISO tariff.

⁹ See, e.g., AWEA Petition, p. 24, Docket No. RM15-21-000 (June 19, 2015).

¹⁰ NextEra Comments, p. 9, Docket No. RM15-21-000 (Sep. 8, 2015).

¹¹ See Section 2.4.3 of Appendix DD to the CAISO tariff, "Interconnection Study," Appendix A to the CAISO tariff.

¹² See Section 2.4.3 *et seq.*

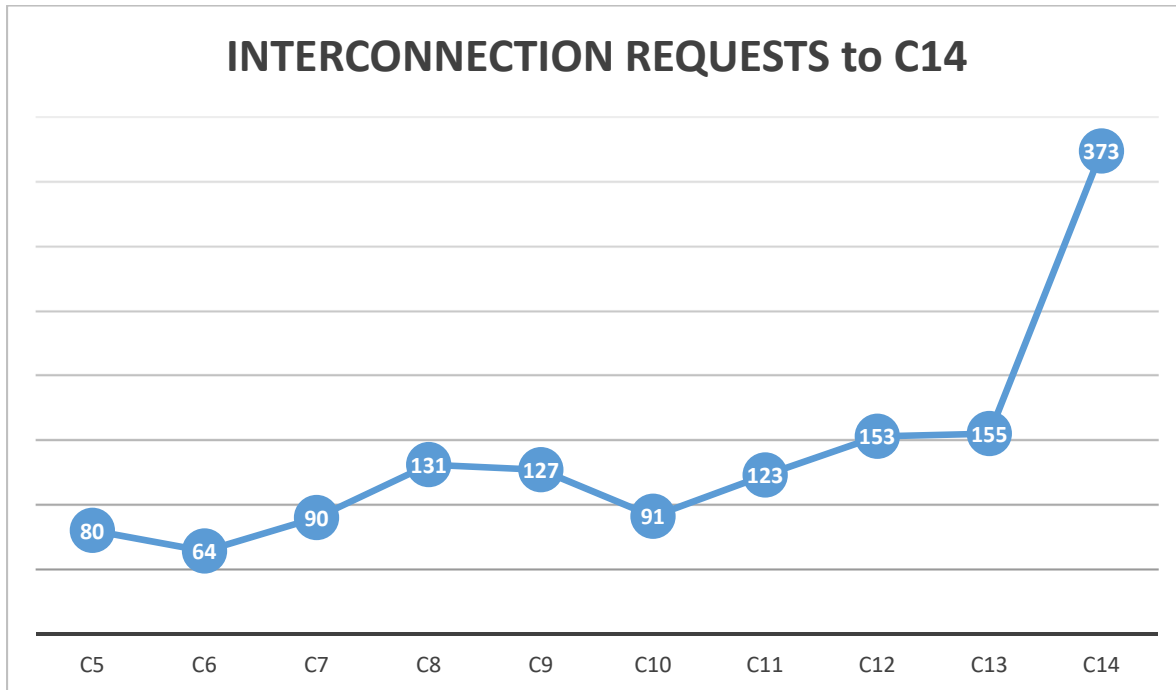
¹³ See Section 7.4.3 of Appendix DD to the CAISO tariff.

¹⁴ For example, if four interconnection customers share a network upgrade and one withdraws, and the upgrade is still required, the remaining three interconnection customers will see an increase in allocated costs because they are sharing the costs among three interconnection customers instead of four. See *also* Section 6.8.1 of Appendix DD to the CAISO tariff.

interconnection agreement (“GIA”) with the CAISO and the interconnecting transmission owner.¹⁵

B. Cluster 14

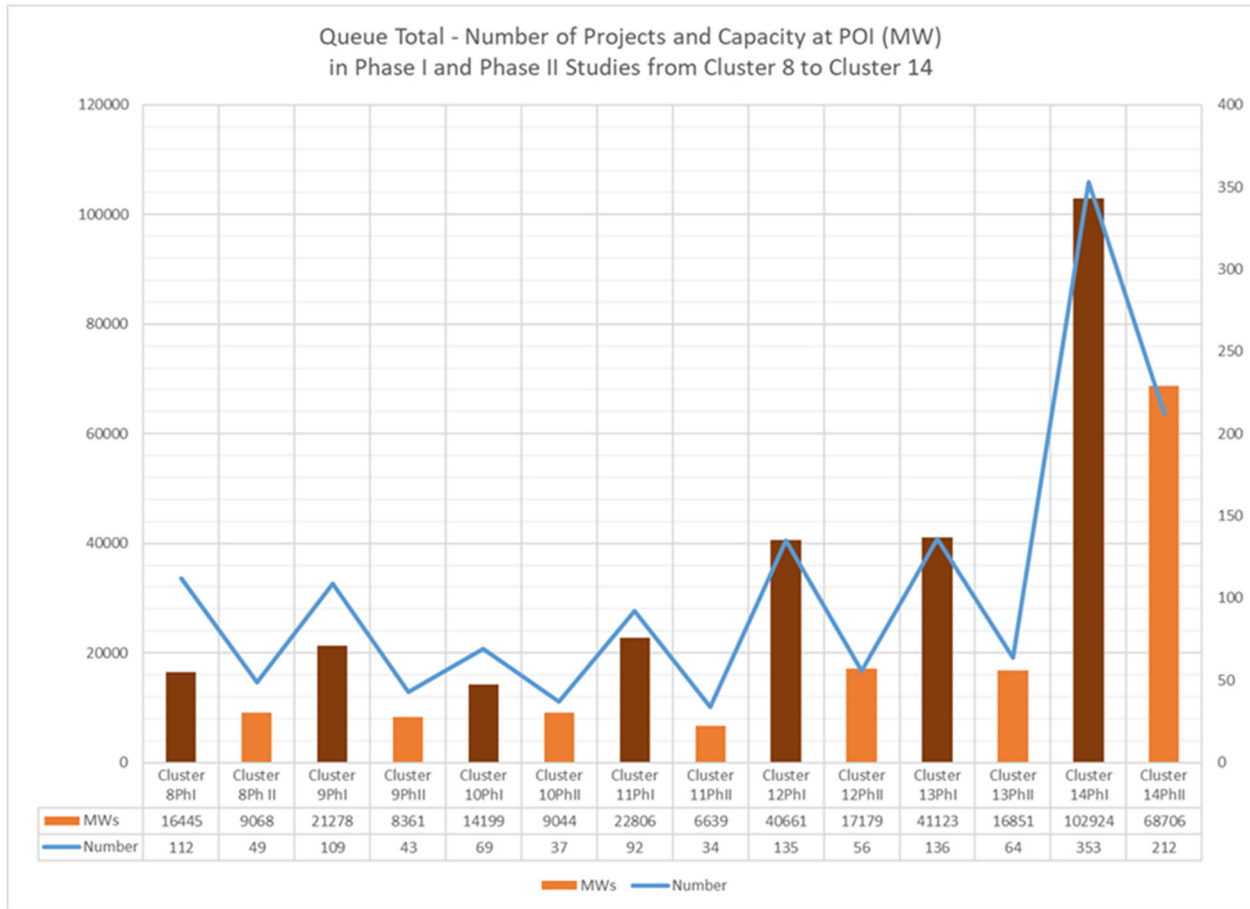
Cluster 14 saw unprecedented volume, representing a 241 percent increase above the previous, formerly record-high cluster:



The increase required the CAISO to revise its interconnection study deadlines for the cluster 14 “supercluster,” which the Commission approved shortly after cluster 14 began.¹⁶ The CAISO and its transmission owners completed cluster 14 Phase I studies on schedule in Fall 2022, but a new challenge emerged: a much lower percentage of cluster 14 interconnection customers withdrew after Phase I.

¹⁵ Section 13 of Appendix DD to the CAISO tariff.

¹⁶ *California Independent System Operator Corp.*, 176 FERC ¶ 61,207 (2021).



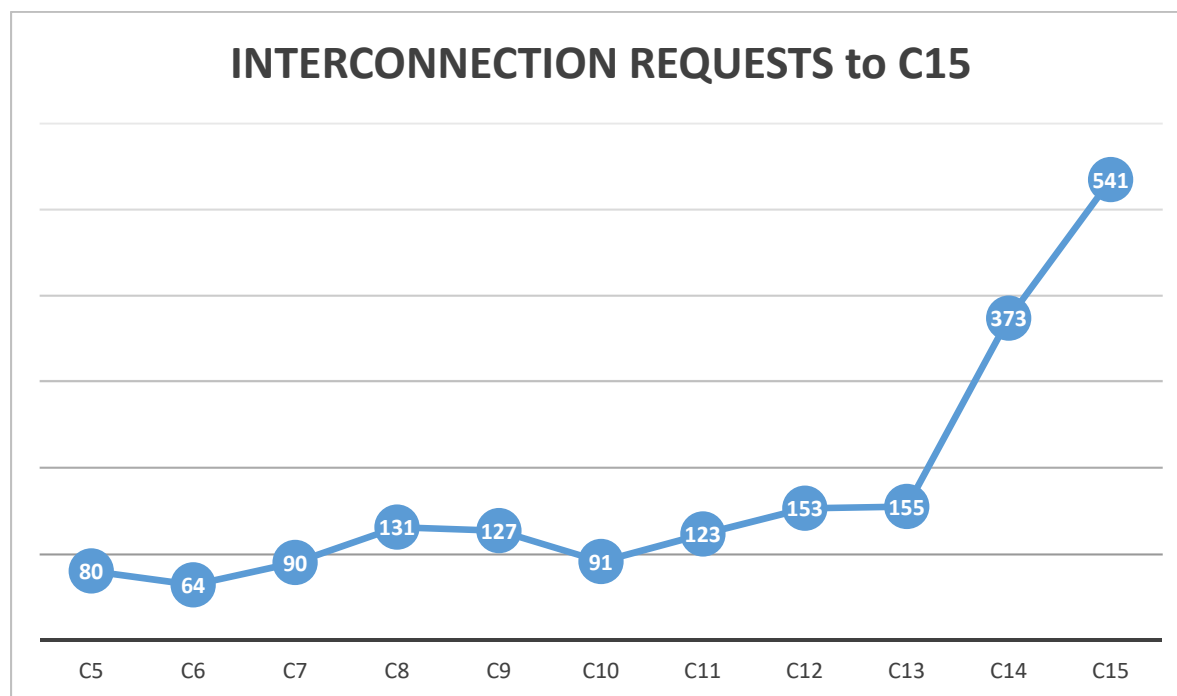
As shown in the data above, typically about 60 percent of interconnection customers withdraw after receiving their Phase I study results and before they must submit their first interconnection financial security posting.¹⁷ Due to the high levels of procurement in California and financial strength in the industry,¹⁸ less than 40 percent of cluster 14 interconnection customers withdrew from queue after Phase I.

¹⁷ Developers generally withdraw when they believe their Phase I interconnection study results identified network upgrades, interconnection facilities, and construction timelines that would make them uncompetitive for a power purchase agreement. As intended, they withdraw rather than putting more losses at risk.

¹⁸ For example, in 2022 the S&P 500 Energy Index provided a 61.3% return, the highest among the 11 S&P sectors. The utilities sector was second with 3.1%, and all other sectors were negative.

C. Cluster 15

The CAISO implemented enhancements to reduce queue volumes before cluster 15. These included increased site exclusivity and third-party interconnection facility requirements.¹⁹ Nevertheless, cluster 15 set a new record, 541 interconnection requests, a 45 percent increase from the cluster 14 supercluster.



Even accounting for the year without a cluster application window, cluster 15's extreme volume represents the low bar to submit an interconnection request and the high level of financial opportunity in generation development. Developers submitted these interconnection requests understanding they would face an extended study process and longer construction timelines. In accurate but self-fulfilling prophecy, developers also submitted multiple interconnection requests because the CAISO would be unlikely to be able to open another interconnection request window in 2024. Cluster 15 represents over 350,000 MW in new capacity, nearly seven times the CAISO's peak demand.

To address the low withdrawal rate from cluster 14 and the tsunami of new interconnection requests in cluster 15, the CAISO proposed tariff revisions to complete cluster 14 and extend cluster 15. The Commission approved the CAISO's tariff revisions, noting "stakeholders support prioritizing the completion of Cluster 14 before diverting resources to study Cluster 15 and CAISO states that its proposed revisions will enable CAISO to work with stakeholders to develop meaningful reforms for processing

¹⁹ *California Independent System Operator Corp.*, 180 FERC ¶ 61,143 (2022).

Cluster 15.”²⁰ The Commission “agree[d] with CAISO that its proposal to extend the interconnection study deadlines for Cluster 14 will help ensure that, under the circumstances, CAISO and its transmission owners have sufficient time to study these interconnection requests.”²¹ In addition, the Commission found it “reasonable for CAISO and the transmission owners to pause Cluster 15 while they finish the Cluster 14 interconnection studies.”²²

The reforms to complete Cluster 14 before commencing Cluster 15 have proven successful. Cluster 14 received its Phase II study reports on schedule in January. Cluster 14 interconnection customers will now have time to review their study results before deciding to proceed and post their second interconnection financial security and then proceed toward negotiating GIAs. After the second interconnection financial security deadline for Cluster 14, the CAISO will conduct its annual reassessment to reflect any withdrawals or modifications.

II. Proposed Tariff Revisions

Shortly after the cluster 15 interconnection request window, the CAISO launched its Interconnection Process Enhancements stakeholder initiative.²³ The CAISO originally proposed to forgo the 2024 interconnection request window with its initial set of tariff revisions;²⁴ however, stakeholders asked the CAISO to defer the issue to explore whether cluster 15 studies could commence early or if a 2024 window would be possible later in 2024. Since then, stakeholders and the CAISO have focused their efforts on necessary reforms to enable meaningful study of cluster 15. The CAISO subsequently re-proposed deferring the 2024 interconnection request window. No developer, transmission owner, or other stakeholder opposed the proposal.

Similar to when the CAISO forwent the 2022 interconnection request window,²⁵ the CAISO proposes a simple tariff amendment stating, “Notwithstanding Section 3.3.1, the CAISO will not open a Queue Cluster Application Window in 2024.”²⁶ This will remove the compliance obligation for 2024 to open an interconnection request

²⁰ *California Independent System Operator Corp.*, 184 FERC ¶ 61,069 at P 20 (2023).

²¹ *Id.*

²² *Id.*

²³ <https://stakeholdercenter.aiso.com/StakeholderInitiatives/Interconnection-process-enhancements-2023>.

²⁴ Namely, the tariff revisions submitted in Docket No. ER23-2058-000.

²⁵ Section 16.1(j) of Appendix DD to the CAISO tariff.

²⁶ Proposed Section 17 of Appendix DD to the CAISO tariff.

window.²⁷ The Commission should find the CAISO's proposed tariff revisions as just and reasonable. The CAISO's tariff revisions avoid compliance issues, the need for waiver,²⁸ or exacerbating the queue's challenges before the CAISO can comply with Order No. 2023 and implement needed reforms. Consistent with the Commission's previous orders, forgoing the 2024 interconnection request window will allow sufficient time to study existing interconnection requests.²⁹

III. Effective Date and Request for Waiver of Notice Requirement

The CAISO respectfully requests the Commission grant waiver of its prior notice requirement to accept the tariff revisions contained in this filing effective March 31, 2024, before the interconnection request window would otherwise open.³⁰ Good cause exists to grant the requested waiver. Although the CAISO has publicized the proposal well in advance so that developers are well aware a 2024 interconnection request window is not possible, permitting the tariff revisions to go into effect on March 31 will prevent any confusion or non-compliance over the window opening. Granting waiver of the notice requirement by only a few days also enables the CAISO to address this issue through a Section 205 filing and transparent tariff amendment in lieu of petitioning for waiver of its own tariff.³¹ The Commission has previously accepted CAISO tariff revisions that went into effect before 61 days, including the day after filing.³² Therefore, granting an effective date of March 31, 2024 is appropriate.

²⁷ Purposefully, the CAISO's proposed tariff revision does not impact the CAISO's obligation under Section 3.3 of the GIDAP to hold a request window in 2025. The CAISO did not propose any revision to 2025 because Order No. 2023 compliance obligations include an annual window, and the CAISO will comply with those obligations first.

²⁸ Consistent with the Commission's order on cluster 14, the CAISO has not requested waiver of existing tariff provisions. See *California Independent System Operator Corp.*, 176 FERC ¶ 61,207 at P 23 (2021) (finding waiver for cluster 14 was unnecessary and dismissing the request).

²⁹ *California Independent System Operator Corp.*, 184 FERC ¶ 61,069 at P 20 (2023).

³⁰ Specifically, pursuant to section 35.11 of the Commission's regulations, 18 C.F.R. § 35.11, the CAISO respectfully requests waiver of the notice requirement contained in section 35.3(a)(1) of the Commission's regulations, 18 C.F.R. § 35.3(a)(1).

³¹ The CAISO tariff requires Board approval for any tariff amendment, and the first available Board meeting after vetting this proposal with stakeholders was February 7, 2024.

³² See *California Independent System Operator Corp.*, 151 FERC ¶ 61,108 (2015); *California Independent System Operator Corp.*, 181 FERC ¶ 61,146 (2022).

IV. Communications

Under Rule 203(b)(3) in the Commission's Rules of Practice and Procedure,³³ the CAISO respectfully requests that correspondence and other communications regarding this filing be directed to:

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V. Service

The CAISO has served copies of this filing on the California Public Utilities Commission, the California Energy Commission, and all parties with scheduling coordinator agreements under the CAISO tariff. In addition, the CAISO has posted a copy of this filing on the CAISO website.

VI. Contents of Filing

Besides this transmittal letter, this filing includes these attachments:

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| Attachment A | Clean CAISO tariff sheets incorporating this tariff amendment; |
| Attachment B | Red-lined document showing the revisions in this tariff amendment; |
| Attachment C | Board memoranda. |

³³ 18 C.F.R. § 385.203(b)(3).

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VII. Conclusion

For the reasons in this filing, the CAISO respectfully requests that the Commission accept the tariff revisions proposed in the filing effective March 31, 2024.

Respectfully submitted,

/s/ William H. Weaver

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