

**George M. Pond**  
*Partner*

May 1, 2024

Hon. Ashley Moreno  
Hon. Tara A. Kersey  
Administrative Law Judges  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Re: Application of Empire Offshore Wind LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 12 Miles of Transmission Lines from the Boundary of New York State Territorial Waters to a Point of Interconnection in Town of Hempstead, Nassau County, New York  
Case 22-T-0346

Dear Judges Moreno and Kersey:

Empire Offshore Wind LLC and EW Offshore Wind Transport Corporation (collectively, the “Applicant”) respectfully submit the following information in response to your Ruling Requiring Settlement Update and Additional Information issued in this proceeding on April 24, 2024.

In response to Your Honors’ questions regarding settlement, the last settlement conference held by the Applicant occurred on December 13, 2023. By email dated April 24, 2024, the Applicant has scheduled the next settlement conference in this matter for May 15, 2024.

In response to Your Honors’ questions concerning the interconnection process, please be advised that the New York Independent System Operator, Inc. (“NYISO”) is not presently accepting new interconnection requests, pending acceptance by the Federal Energy Regulatory Commission (“FERC”) of NYISO’s proposed new Transitional Cluster Interconnection Study procedures, which NYISO was required to develop in response to FERC’s Order No. 2023.<sup>1</sup>

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<sup>1</sup> *Improvements to Generator Interconnection Procedures and Agreements*, Order No. 2023, 184 FERC ¶ 61,054 (July 28, 2023), *order on rehearing*, Order No. 2023-A, 186 FERC ¶ 61,199 (March 21, 2024).

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NYISO has informed the Applicant that these new interconnection procedures are expected to be filed with FERC on or about May 1, 2024, and that the first date on which new interconnection requests may be filed is expected to be August 1, 2024. The last day for submitting new interconnection requests under these new procedures is expected to be October 16, 2024.

Under those new interconnection procedures, NYISO will begin accepting requests for Pre-Application Study Reports that will provide developers with certain information concerning potential points of interconnection on or about May 2, 2024. The Applicant plans to submit a Pre-Application Study Request on or about that date. The information obtained as a result of this report will be used to confirm the Applicant's selection of its point of interconnection for its interconnection request to be submitted to NYISO on or about August 1, 2024.

In response to Your Honors' question concerning the process and related time for approval of this new interconnection request, please be advised that under NYISO's proposed new procedures, NYISO will be required to advise a developer as to the completeness of any interconnection request within 15 business days of submission. If NYISO identifies deficiencies in an interconnection request, the developer will have 15 business days to remedy such deficiencies or its interconnection request will be rejected. NYISO has advised the Applicant that interconnection requests included in NYISO's Transitional Cluster Interconnection Study will receive their final interconnection costs on or about May 15, 2026.

Regarding the inquiry on the Applicant's withdrawal of its original interconnection request, and whether it may affect the Applicant's ability to construct the EW2 Project as currently proposed, the Applicant is confident that the EW2 Project can be constructed and interconnected to the New York State Transmission System ("NYSTS"). Under the present alternatives presented in the Application, the NYISO has performed both a System Reliability Impact Study and a Facilities Study confirming the feasibility of interconnection of the EW2 Project to the NYSTS. As indicated above, the Applicant has scheduled a renewed settlement conference and is open to exploring potential additional alternatives to the currently proposed transmission routes with the Settlement Parties.

Respectfully submitted,

/s/

George Pond

Attorney for Empire Offshore Wind LLC and  
EW Offshore Wind Transport  
Corporation

cc: Hon. Michelle Philips (*via electronic mail*)  
All parties in Case 22-T-0346 (*via electronic mail*)