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March 29, 2018

Via eTariff Filing

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: New England Power Pool - FERC Docket No. ER18- _____-000
Termination of Phoenix Energy New England's NEPOOL Membership

Dear Secretary Bose:

The New England Power Pool ("NEPOOL") Participants Committee¹ hereby submits this transmittal letter electronically along with materials supporting the termination of the membership of Phoenix Energy New England, LLC ("Phoenix").

I. TERMINATION OF MEMBERSHIP: Phoenix

Pursuant to Section 16.1(a) of the Second Restated NEPOOL Agreement, "[a]ny Participant shall have the right to terminate its status as a Participant upon no less than sixty (60) days' prior written notice given to the Secretary of the Participants Committee." Phoenix has provided such notice, requesting waiver of the sixty days' notice requirement. (*See* Attachment 2). NEPOOL requests that the termination of Phoenix's status as a Participant be made effective as of March 1, 2018.² If the termination of Phoenix's membership is accepted for filing by the Commission, Phoenix will be excused from its obligation to pay Pool charges and relieved of its other Pool obligations and responsibilities incurred from and after March 1, 2018.

II. REQUESTED EFFECTIVE DATE: March 1, 2018

Phoenix has requested expedited consideration of its membership termination. Accordingly, the NEPOOL Participants Committee requests that the Commission waive any applicable notice

¹ Capitalized terms used but not defined in this filing are intended to have the same meaning given to such terms in the Second Restated New England Power Pool Agreement (the "Second Restated NEPOOL Agreement"), the Participants Agreement, or the ISO New England Inc. ("ISO-NE") Transmission, Markets and Services Tariff ("ISO-NE Tariff").

² Although Phoenix requested termination as of January 1, 2018, and was conditionally approved for termination as of February 1, 2018, the termination is to be effective March 1, 2018, the earliest first day of the month for which termination was possible following the termination of all of its asset registrations and settleable activity in ISO-NE's systems.

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requirements to permit March 1, 2018 as the effective date for the termination of Phoenix's Participant status.³ The NEPOOL Participants Committee further requests that the eTariff record effective date be set at March 1, 2018.⁴

III. ADDITIONAL SUPPORTING INFORMATION

The NEPOOL Participants Committee has the authority, pursuant to Section 3.1 of the Second Restated NEPOOL Agreement and Sections 8.1.3(f) and (g) of the Participants Agreement, to act on an Entity's request to terminate its status as a Participant in NEPOOL. By delegation of authority, the Participants Committee has authorized the Membership Subcommittee to approve membership termination requests. The Membership Subcommittee has reviewed the materials submitted by Phoenix, and has approved the termination of the Participant status of Phoenix from NEPOOL. Accordingly, the following materials are submitted herewith for filing:

- The list of NEPOOL Participants from the Second Restated NEPOOL Agreement, which has been marked to show the removal of Phoenix from the list of NEPOOL Participants (Attachment 1);
- A letter from Phoenix dated January 8, 2018 requesting termination of Phoenix's NEPOOL membership and status as a New England Market Participant (Attachment 2); and
- A list of governors and utility regulatory agencies in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont to which a copy of this filing has been sent (Attachment 5).

The materials filed herewith do not change the NEPOOL Agreement as previously filed with the Commission, other than to terminate Phoenix's NEPOOL Participant status. Therefore, no comparisons of the transactions and revenues or cost data are submitted.

³ To the extent the Commission determines that certain filing requirements have not been met fully, the NEPOOL Participants Committee respectfully requests waiver of such requirements in order for the termination of Phoenix's Participant status be accepted as noted in Section II. No party will be adversely affected by the waivers requested in these circumstances.

⁴ The Commission has relieved NEPOOL of the requirement to file changes to the NEPOOL Agreement in tariff format. *ISO New England, Inc. and New England Power Pool*, 95 FERC ¶ 61,384 at 62,441-42 (2001). Accordingly, the NEPOOL Agreement has not been filed formally as an eTariff pursuant to Order No. 714. However, proposed changes to the NEPOOL Agreement are still required to be filed with the Commission with enough information provided to permit the Commission to view the proposed changes in the context of the composite Agreement, *Id.* at 62,442. As a matter of administrative efficiency and convenience, these materials, including Attachment 1 included herewith marked to show the removal of Phoenix from the list of NEPOOL Participants, were submitted using the Commission's eTariff system. A composite list of NEPOOL Participants is posted on the NEPOOL website at: http://www.nepool.com/uploads/C-list_of_nepool_participants.pdf. A composite copy of the Second Restated NEPOOL Agreement is posted at: http://www.nepool.com/uploads/Op-2d_RNA.pdf.

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An electronic copy of this filing has been furnished to all the members and alternates of the Participants Committee, which represent all of the electric utilities rendering or receiving service under the ISO-NE Tariff,⁵ as well as each of the independent power producers, power marketers, power brokers, load aggregators, customer-owned utility systems, merchant transmission providers, developers, and end users that are currently Participants in the Pool. This transmittal letter and the accompanying materials have also been sent to the governors and electric utility regulatory agencies for the six New England states which comprise the New England Control Area, to the New England Conference of Public Utilities Commissioners, Inc., and to the Executive Director of the New England States Committee on Electricity.

Correspondence and communications regarding this filing should be addressed as follows:

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Fax: 413-540-4680
E-mail: hlatka@iso-ne.com

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Respectfully submitted,

NEPOOL PARTICIPANTS COMMITTEE

By: 
Patrick M. Gerity
Its Counsel

Attachments

cc: Phoenix
NEPOOL Participants Committee Members and Alternates
Governors and Utility Regulatory Agencies identified on Attachment 3

⁵ The Commission approved the settlement agreement pursuant to which the regional transmission organization for New England (the "RTO") was established. *ISO New England Inc. et al.*, 109 FERC ¶ 61,147 (2004). Activation of the RTO was noticed in accordance with the settlement agreement and became effective on Feb. 1, 2005. *See also* Order Authorizing RTO Operations, *ISO New England Inc. et al.*, 110 FERC ¶ 61,111 (2005).

ATTACHMENT 1

Participant Name	Effective Date of Membership if after 6/30/2000
Pacific Summit Energy, LLC	3/1/2014
Palmco Power CT, LLC	7/1/2009
Palmco Power MA, LLC	3/1/2012
Pascoag Utility District	
Patriot Partnership LLC	3/1/2008
Pawtucket Power Holding Company	6/1/2007
Paxton Municipal Light Department	
Peabody Municipal Light Plant	
Peninsula Power, LLC	1/1/2015
Perigee Energy, LLC	9/1/2012
Phoenix Energy New England, LLC	9/1/2017
Pioneer Hydro Electric Co., Inc.	11/1/2013
Plainfield Renewable Energy, LLC	5/1/2009
Plant-E Corp.	10/1/2014
Plymouth Rock Energy, LLC	1/1/2012
PNE Energy Supply LLC	6/1/2011
Power Bidding Strategies, LLC	1/1/2006
Power Supply Services, LLC	10/1/2013
PowerOptions, Inc.	
Praxair, Inc.	
Princeton Municipal Light Department	8/1/2007
Provider Power Mass, LLC	5/1/2013
PSEG Energy Resources & Trade LLC	11/1/2000
PSEG New Haven LLC	2/1/2012
Public Power, LLC	4/1/2010
Public Service Company of New Hampshire	
Putnam Hydropower, Inc.	3/1/2010
Rainbow Energy Marketing Corporation	7/1/2003
Reading Municipal Light Plant	
Record Hill Wind LLC	7/1/2008
ReEnergy Stratton LLC	12/1/2004
Reliant Energy Northeast LLC	5/1/2011
Renaissance Power & Gas, Inc.	7/1/2017
Rensselaer Generating LLC	5/1/2017
Repsol Energy North American Corporation	11/1/2011
Residents Energy, LLC	12/1/2015
Rhode Island Engine Genco, LLC	11/1/2003
Rhode Island State Energy Center, LP	10/1/2016
Rinar Power LLC	6/1/2017
Rocky Gorge Corporation	11/1/2009

ATTACHMENT 2



33 Irving Place, 3rd Floor
New York, NY 10003
Phone: 212-400-4832
Fax: 917-522-9680

January 8th, 2018,

David T. Doot
Secretary, NEPOOL Participants Committee
c/o Day Pitney LLP
242 Trumbull Street
Hartford, CT 06103-1212
dtdoot@daypitney.com

ISO New England Inc.
Attn: Membership Coordinator
One Sullivan Road
Holyoke, MA 01040-2841
memcoord@iso-ne.com

RE: Notice of Intent to Terminate NEPOOL Membership and Market Participant Status for Phoenix Energy New England, LLC, CAMS ID: 128237

Please accept this letter as notice of termination of Phoenix Energy New England, LLC's ("Phoenix's") NEPOOL membership and the Market Participant Service Agreement by and between Phoenix and ISO New England Inc (the "MPSA").¹ Phoenix requests that the termination of its status as a NEPOOL Participant and the termination of the MPSA be made effective as of 01/01/2018, and further requests, if and to the extent necessary, that the NEPOOL Participants Committee waive the sixty-days' notice of termination of membership requirement set forth in Section 16.1(a) of the Second Restated NEPOOL Agreement.

Phoenix understands that this termination of NEPOOL membership must be accepted by the Federal Energy Regulatory Commission and that, until such time as it is accepted, Phoenix will continue to have the full rights and obligations of other Participants under the Second Restated NEPOOL Agreement.

Phoenix further understands that termination of the MPSA and the termination of Phoenix's status as a NEPOOL member does not affect any obligation of, or to, Phoenix arising prior to the effective date of such termination under the Second Restated NEPOOL Agreement, the Participants Agreement, or the ISO New England Transmission, Markets, and Services Tariff. In particular, Phoenix hereby acknowledges its obligation to pay all of its NEPOOL and ISO New England Inc. expenses incurred while a NEPOOL member and participant in the New England Markets.

If you have any questions I can be reached at 646-660-5254 or ssheikh@phoenixenergygroup.com

Sincerely,

A handwritten signature in black ink that reads "Sean Sheikh".

Sean Sheikh
Director of Operations

cc: Patrick M. Gerity, Esq., pmgerity@daypitney.com

¹ The MPSA with Phoenix is reported by ISO New England as MPSA No. 128237

ATTACHMENT 3

**New England Governors
and Utility Regulatory
and Related Agencies**

March 29, 2018

Connecticut

The Honorable Dannel P. Malloy
State Capitol
210 Capitol Ave.
Hartford, CT 06106

Connecticut Public Utilities Regulatory Authority
10 Franklin Square
New Britain, CT 06051-2605

Maine

The Honorable Paul R. LePage
One State House Station
Rm. 236
Augusta, ME 04333-0001

Maine Public Utilities Commission
18 State House Station
242 State Street
Augusta, ME 04333-0018

Massachusetts

The Honorable Charlie Baker
Office of the Governor
Rm. 360 State House
Boston, MA 02133

Massachusetts Department of Public Utilities
One South Station
Boston, MA 02110

New Hampshire

The Honorable Christopher T. Sununu
State House
107 North Main Street
Concord, NH 03301

New Hampshire Public Utilities Commission
21 South Fruit Street
Suite 10
Concord, NH 03301-2429

Rhode Island

The Honorable Gina M. Raimondo
82 Smith Street
Providence, RI 02903

Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Vermont

The Honorable Phil Scott
109 State Street, Pavilion
Montpelier, VT 05609

Vermont Public Utility Commission
112 State Street, Drawer 20
Montpelier, VT 05620-2701

**New England Governors
and Utility Regulatory
and Related Agencies**

March 29, 2018

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