

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator, Inc.
Docket No. ER21-2460-005

Issued: July 21, 2023

On May 22, 2023, New York Independent System Operator, Inc. (NYISO) submitted revisions to sections 32.5 and 32.1.1.1 of NYISO's Open Access Transmission Tariff, and section 4.1 of NYISO's Market Administration and Control Area Services Tariff to remove a clause in its definition of Small Generating Facility; revise its definition of Energy Resource Interconnection Service (ERIS); resolve an inconsistency as to how DERs that are not subject to the Small Generator Interconnection Procedures are deemed to have ERIS; and eliminate NYISO's previously proposed requirement that the Aggregator attest that the DERs and Aggregation have been authorized by the Distribution Utility and Relevant Electric Retail Regulatory Authority to participate in NYISO's markets,¹ in compliance with the directives in an April 2023 Commission order² and the requirements of Order No. 2222.³

Pursuant to authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307, the submittal is accepted for filing, effective, December 31, 9998, as requested. NYISO must notify the Commission of the effective date of the tariff records at least two weeks prior to the effective date of the tariff records. NYISO should use the eTariff Type of Filing Code 150 – Data Response/Supplement the Record.

The filing was publicly noticed. No protests or adverse comments were filed. Pursuant to Rule 214 of the Commission's regulations (18 C.F.R. § 385.214), notices of intervention, timely-filed motions to intervene, and any unopposed motions to intervene

¹ New York Independent System Operator, Inc., NYISO Tariffs, [NYISO OATT, 32.1 OATT Att Z Application \(16.0.0\)](#); [NYISO OATT, 32.5 OATT Att Z Appendices \(23.0.0\)](#); [NYISO MST, 4.1 MST Market Services - General Rules \(23.0.0\)](#).

² *N.Y. Indep. Sys. Operator, Inc.*, 183 FERC ¶ 61,035 (2023).

³ *Participation of Distributed Energy Res. Aggregations in Mkts. Operated by Reg'l Transmission Orgs. & Indep. Sys. Operators*, Order No. 2222, 172 FERC ¶ 61,247 (2020), *order on reh'g*, Order No. 2222-A, 174 FERC ¶ 61,197, *order on reh'g*, Order No. 2222-B, 175 FERC ¶ 61,227 (2021).

out-of-time filed before the issuance date of this order are granted.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed document(s); nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the applicant(s).

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Issued by: Kurt M. Longo, Director, Division of Electric Power Regulation – East