

186 FERC ¶ 61,237
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 29, 2024

In Reply Refer To:
New York Independent System Operator, Inc.
Docket No. ER22-2350-000

New York Independent System Operator, Inc.
10 Krey Boulevard
Rensselaer, NY 12144

Attention: James H. Sweeney

Dear Mr. Sweeney:

1. On January 30, 2024, the New York Independent System Operator, Inc. (NYISO) filed a motion for extension of time to comply with implementing the requirements of Order No. 881 and Order No. 881-A¹ and NYISO's compliance plan relating thereto² from July 12, 2025, until a to-be-determined date no later than December 31, 2028. NYISO also requests that the Commission extend the due date of the second compliance filing required by the April 2023 Order from November 12, 2024, until December 31, 2027.

2. NYISO states that additional time is needed in order to allow for the completion of hardware and software upgrades necessary to maintain electric system reliability and to protect the efficient operation of NYISO-administered wholesale markets as NYISO

¹ *Managing Transmission Line Ratings*, Order No. 881, 177 FERC ¶ 61,179 (2021), *order addressing arguments raised on reh'g*, Order No. 881-A, 179 FERC ¶ 61,125 (2022).

² On April 20, 2023, the Commission issued an order accepting NYISO's Order No. 881 compliance filing, subject to NYISO notifying the Commission of the effective date for its tariff revisions at least two weeks prior to that date, and subject to further compliance filings to be submitted within 60 days of the date of issuance of the order and no later than November 12, 2024. *N.Y. Indep. Sys. Operator, Inc.*, 183 FERC ¶ 61,036 (2023) (April 2023 Order). On November 22, 2023, NYISO's first further compliance filing was accepted via delegated letter order. *N.Y. Indep. Sys. Operator, Inc.*, Docket No. ER22-2350-001 (Nov. 22, 2023) (delegated order). NYISO has an outstanding compliance filing obligation due by November 12, 2024.

moves to fully implement Order No. 881.³ NYISO also states that, because the Transmission Owners (TO) in the New York Control Area will not be able to implement their Order No. 881 requirements until NYISO has in place the software and protocols that are necessary to integrate such changes and compliance efforts into NYISO's systems and markets, these TOs have authorized NYISO to request on their behalf that the Commission provide them an extension of time to implement the requirements of Order No. 881 until the date NYISO implements its Order No. 881 compliance plan.

3. NYISO states that in 2023, it was engaged in the early stages of a project to replace the hardware and software that support the Energy Management System (EMS) and the Business Management System (BMS) platforms, which comprise the hardware and software that run NYISO's wholesale markets.⁴ NYISO asserts that its compliance plan for Order No. 881 requires fundamental changes to the same key applications in the EMS and BMS software suite that are impacted by the EMS/BMS technologies upgrade project. NYISO states that the early stages of the EMS/BMS technologies upgrade project revealed that the project, which was initially expected to be completed by the end of 2023, would require multiple years to complete. NYISO explains that the operating systems that NYISO's EMS/BMS platform runs on will reach end of life in 2024, and extended vendor support will end in June 2026. NYISO states that it expects the EMS/BMS technologies upgrade project to be completed in 2025.

4. NYISO contends that this upgrade project requires NYISO's immediate focus and must be completed prior to continuing efforts to implement Order No. 881.⁵ NYISO states that it is not feasible to undertake efforts to simultaneously make modifications to implement Order No. 881 and make the fundamental changes required as part of the EMS/BMS technologies upgrade. NYISO notes that, even if it were able to successfully develop software revisions to implement Order No. 881's requirements that worked with the existing platform and EMS/BMS software suite, such software enhancements would not be ready for deployment until 2025, and, as the EMS/BMS technologies upgrade project progressed to completion, any such initial software to implement Order No. 881 would be incompatible with the new EMS/BMS platform. NYISO states that, after

³ Motion, Transmittal Letter at 2.

⁴ *Id.* at 2, 7-8. NYISO explains that the EMS includes applications that monitor load flows and perform contingency analysis, among other functionality, which NYISO's system operators utilize to monitor the reliable operation of the grid. NYISO states that the BMS is a suite of applications that comprise the Day-Ahead Security Constrained Unit Commitment, Real-Time Commitment, and Real-Time Dispatch software used to develop schedules and prices for NYISO's Energy and Ancillary Services markets. *Id.* at 7.

⁵ *Id.* at 7, 9-11.

extensive review of the software project required to implement the Order No. 881 requirements within the upgraded EMS/BMS software suite, it estimates two-and-a-half to three years of effort to complete and implement the Order No. 881 project. Therefore, NYISO requests that the Commission extend the deadline for implementing its Order No. 881 compliance plan until a to-be determined date no later than December 31, 2028. NYISO also requests that the Commission extend the second compliance filing required by the April 2023 Order until December 31, 2027.

5. NYISO contends that there is good cause for granting the requested extension because it is necessary to allow NYISO to sequence two critical projects in a manner that protects the integrity of the wholesale markets and supports electric system reliability.⁶ NYISO also states that granting the extension is consistent with prior Commission decisions.⁷ In addition, NYISO asserts that, as it develops the software enhancements necessary to implement Order No. 881, certain dynamic line rating functionality is in place today and will remain available for the TOs to modify transmission line ratings in real-time, when appropriate.

6. NYISO requests that the Commission grant its motion by March 29, 2024, to provide certainty to proceed with the EMS/BMS technologies upgrade project ahead of NYISO's 2025 project prioritization process, which begins in April 2024, to determine the projects to be undertaken in the following calendar year.⁸

7. The Commission issued notice of NYISO's motion on February 8, 2024, with answers due on or before February 15, 2024. None was filed.

8. We grant NYISO's request for extension to implement the tariff revisions accepted by the Commission in its Order No. 881 compliance filing until a to-be determined date no later than December 31, 2028, subject to NYISO notifying the Commission of the effective date for its tariff revisions at least two weeks prior to that date.⁹ We also grant NYISO an extension to submit the second compliance filing

⁶ *Id.* at 3.

⁷ *Id.* at 11 (citing *N.Y. Indep. Sys. Operator, Inc.*, Notice of Extension of Time, Docket No. ER21-2460-004 (Dec. 1, 2022)).

⁸ *Id.* at 12.

⁹ When notifying the Commission, NYISO should use the eTariff Type of Filing Code 150 – Data Response/Supplement the Record. Because the New York TOs' compliance obligations arise under section 39.4 of Attachment GG of the NYISO Open Access Transmission Tariff, which was proposed and accepted as part of NYISO's Order No. 881 compliance filing, this order also extends the date by which the TOs must implement their compliance obligations. *See* April 2023 Order, 183 FERC ¶ 61,036

directed by the April 2023 Order from November 14, 2024, until December 31, 2027. However, we encourage NYISO to implement its Order No. 881-compliant tariff revisions as early as practicable. We also direct NYISO to make annual informational filings with the Commission, beginning one year after the issuance of this order, that detail NYISO's progress in completing the EMS/BMS upgrade and implementing its Order No. 881 compliance plan.¹⁰

By direction of the Commission.

Debbie-Anne A. Reese,
Acting Secretary.

at PP 29-32; NYISO, NYISO OATT, 39 OATT attach. GG (Transmission Facility Ratings) (1.0.0) § 39.4; *see also* Order No. 881, 177 FERC ¶ 61,179 at P 141 (“In response to concerns about the responsibility for calculating transmission line ratings in RTOs/ISOs, we clarify that we expect RTOs/ISOs to require their member transmission owners to make timely calculations and determinations as required for transmission line ratings, and to provide them to the RTO/ISO.”).

¹⁰ These annual reports should be filed in the instant docket and will not be noticed for comment or require Commission action.