

192 FERC ¶ 61,049
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Mark C. Christie, Chairman;
David Rosner, Lindsay S. See,
and Judy W. Chang.

New York Independent System Operator, Inc.

Docket Nos. ER25-2245-000
ER25-2257-000

ORDER ACCEPTING TARIFF REVISIONS AND DISMISSING WAIVER REQUEST

(Issued July 14, 2025)

1. On May 16, 2025, pursuant to section 205 of the Federal Power Act (FPA)¹ and part 35 of the Commission's regulations,² New York Independent System Operator, Inc. (NYISO) filed in Docket No. ER25-2245-000 proposed revisions to its Market Administration and Control Area Services Tariff (Services Tariff)³ governing the process for Installed Capacity (ICAP) Suppliers⁴ to make fuel characteristic elections and related requirements for resources that elect to provide firm fuel capability.⁵ Also on May 16, 2025, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure,⁶ NYISO submitted in Docket No. ER25-2257-000 a one-time request for waiver of the August 1 election deadline established in Services Tariff section 5.12.15 for the 2026-2027 Capability Year if the Commission does not accept NYISO's proposed Services Tariff revisions in Docket No. ER25-2245-000 by July 15, 2025, with a July 16, 2025 effective date.⁷ As discussed below, we accept NYISO's proposed Services Tariff revisions, to be effective July 16, 2025, as requested, and dismiss as moot NYISO's waiver request.

¹ 16 U.S.C. § 824d.

² 18 C.F.R. pt. 35 (2024).

³ See Appendix.

⁴ Capitalized terms used but not otherwise defined in this order have the meanings ascribed to them in NYISO's Services Tariff.

⁵ NYISO, Filing, Docket No. ER25-2245-000 (filed May 16, 2025) (Tariff Filing).

⁶ 18 C.F.R. § 385.207(a)(5) (2024).

I. Background

2. NYISO administers three types of ICAP Auctions: (1) Capability Period Auctions; (2) Monthly Auctions; and (3) Spot Market Auctions.⁸ NYISO's ICAP Auctions enable Load Serving Entities to meet resource adequacy requirements: namely, the New York Control Area Minimum ICAP Requirement and the Locational Minimum ICAP Requirements (LCR) for their Locality (i.e., their capacity zone). NYISO derives the New York Control Area Minimum ICAP Requirement and LCRs from the New York State Reliability Council's (NYSRC)⁹ Installed Reserve Margin (IRM), which NYSRC establishes each year and files with the Commission.¹⁰

3. In 2022, the Commission accepted, subject to condition, NYISO's revisions to its Services Tariff to establish a capacity accreditation framework for NYISO to accredit all resources' capacity value based on their marginal contribution to resource adequacy.¹¹ Services Tariff section 5.12.14.3 requires NYISO to annually review the Capacity Accreditation Factors¹² for the upcoming Capability Year (i.e., May 1 through April 30).¹³ This section also requires NYISO to use the IRM and LCR study models

⁷ NYISO, Waiver Request, Docket No. ER25-2257-000 (filed May 16, 2025) (Waiver Request).

⁸ See *N.Y. Indep. Sys. Operator, Inc.*, 188 FERC ¶ 61,051, at P 2 (2024).

⁹ NYSRC was approved by the Commission in 1998 as part of the restructuring of the electricity market in New York State and the formation of NYISO. One of the responsibilities assigned to NYSRC is the establishment of the statewide resource adequacy requirement. See *Cent. Hudson Gas & Elec. Corp.*, 83 FERC ¶ 61,352 (1998), *order on reh'g*, 87 FERC ¶ 61,135 (1999).

¹⁰ See, e.g., *N.Y. State Reliability Council, L.L.C.*, Docket No. ER25-801-000 (Feb. 13, 2025) (delegated order).

¹¹ *N.Y. Indep. Sys. Operator, Inc.*, 179 FERC ¶ 61,102 (2022).

¹² Capacity Accreditation Factors are defined as: "The factors, set annually by the ISO in accordance with Section 5.12.14.3 and ISO Procedures, that reflect the marginal reliability contribution of the ICAP Suppliers within each Capacity Accreditation Resource Class toward meeting NYSRC resource adequacy requirements for the upcoming Capability Year" NYISO, NYISO Tariffs, NYISO MST, 2.3 MST Definitions - C (31.0.0).

¹³ NYISO, NYISO Tariffs, NYISO MST, 5.12 MST Requirements Applicable to Installed Capacity Suppl (48.0.0) (Services Tariff 5.12), § 5.12.14.3.

approved by NYSRC for the upcoming Capability Year as a starting database and develop Capacity Accreditation Factors for all Capacity Accreditation Resource Classes (CARC)¹⁴ that reflect the marginal reliability contributions toward meeting NYSRC resource adequacy requirements.¹⁵

4. In 2024, the Commission accepted, subject to condition, NYISO's revisions to the Services Tariff to enable modeling improvements related to natural gas constraints in its capacity accreditation framework, enable modeling improvements related to ambient conditions, and update the bidding requirements for ICAP Suppliers.¹⁶ Specifically, Services Tariff section 5.12.15 requires ICAP Suppliers to make a fuel characteristic election by August 1 of the calendar year preceding a given Capability Year for natural gas or dual-fuel resources to inform NYISO of their capacity (in MW) covered by firm fuel supply (i.e., non-interruptible fuel supply except under unforeseeable circumstances), as well as any remaining capacity covered by non-firm fuel supply.¹⁷ Section 5.12.15 further requires an ICAP Supplier to substantiate its election by submitting, for *ex ante* NYISO review, supporting documentation composed of firm fuel contracts or liquid fuel inventory documentation and a description of how its fuel procurement and operational characteristics allow the unit to meet the applicable requirements for its designated firm fuel MW level.

II. NYISO's Tariff Filing

5. NYISO states that, after extensive engagement with stakeholders and NYISO's Market Monitoring Unit, Potomac Economics, it proposes revisions to the Services Tariff to improve the firm fuel CARC election process and related requirements.¹⁸

¹⁴ Capacity Accreditation Resource Class is defined as: "A defined set of Resources and/or Aggregations, as identified in accordance with ISO Procedures, with similar technologies and/or operating characteristics which are expected to have similar marginal reliability contributions toward meeting NYSRC resource adequacy requirements for the upcoming Capability Year. Each Capacity Accreditation Resource Class will be evaluated through the annual review detailed in Section 5.12.14.3. Each Installed Capacity Supplier will be assigned a Capacity Accreditation Resource Class." NYISO, NYISO Tariffs, NYISO MST, 2.3 MST Definitions - C (31.0.0).

¹⁵ Services Tariff 5.12, § 5.12.14.3.

¹⁶ *N.Y. Indep. Sys. Operator, Inc.*, 188 FERC ¶ 61,051.

¹⁷ Services Tariff 5.12, § 5.12.15.

¹⁸ Tariff Filing, Transmittal Letter at 3.

6. NYISO requests that the proposed revisions become effective July 16, 2025.¹⁹ NYISO states that it will implement the revisions in determining the Capacity Accreditation Factors for the 2026-2027 Capability Year. NYISO states that NYISO's Market Monitoring Unit has authorized NYISO to indicate that it supports the proposed tariff revisions.

A. Firm Fuel CARC Election and Performance Requirements

7. NYISO proposes to retain its existing Services Tariff requirement for ICAP Suppliers to make a firm fuel CARC election by August 1 of the calendar year preceding the subject Capability Year deadline (except for the 2026-2027 Capability Year).²⁰ According to NYISO, ICAP Suppliers that operate on natural gas and/or fuel oil that do not make firm fuel CARC elections will have their undesignated MW capability included in the non-firm fuel CARC. For the 2026-2027 Capability Year, however, NYISO proposes to extend the deadline from August 1, 2025, to November 1, 2025 to provide market participants with a reasonable amount of time to develop business plans that align with the proposed market design enhancements.²¹

8. NYISO proposes to eliminate the existing Services Tariff section 5.12.15 requirement for ICAP Suppliers to substantiate such elections by submitting, by December 1 of the applicable Capability Year for *ex ante* NYISO review, supporting documentation and description of how the unit will meet the applicable requirements for its designated firm fuel MW level.²² Instead, NYISO proposes to require ICAP Suppliers to procure the appropriate commodity, transportation, and replenishment agreements that enable participation in the firm fuel CARC subject to strict performance requirements. NYISO states that ICAP Suppliers will have discretion to elect any firm fuel MW value and must satisfy the requirements associated with such election, and that failure to comply with such requirements will subject the ICAP Supplier to the potential imposition of an "Annual Firm Fuel Reconciliation Amount," as described below.

¹⁹ *Id.* at 11.

²⁰ *Id.* at 4-5.

²¹ NYISO states that an August 1, 2025 election is not needed to timely develop the assumptions for the final base case of the IRM study because the NYSRC Executive Committee has approved the use of historical firm natural gas availability data, rather than resource-specific firm fuel CARC election data, to develop the final base case for the 2026-2027 IRM study. *Id.* at 6.

²² *Id.* at 4; *see* Services Tariff 5.12, § 5.12.15.

9. NYISO states that it will provide the implementation details regarding the performance requirements for firm fuel CARC election in the ISO Procedures (e.g., the NYISO ICAP Manual), consistent with the Commission's rule of reason.²³ NYISO contends that this approach will (1) grant NYISO reasonable flexibility to appropriately tailor the performance requirements applicable to resources electing to provide firm fuel MW to the natural gas system and fuel oil replenishment conditions at the unit's particular location and (2) enable NYISO to adjust the technical specifications of such performance requirements over time in response to the ongoing evolution of New York's electric system.²⁴ Specifically, NYISO states that it intends to establish an initial performance requirement that ICAP Suppliers selling Unforced Capacity based on a firm fuel CARC election commit to have fuel available to run for 56 hours over any consecutive seven-day period from December through February (i.e., Winter Performance Period) of the subject Capability Year. NYISO explains that its proposed performance requirement is based on current New York electric system conditions and may change in the future as the needs of the New York electric system change. NYISO adds that, for consistency with the proposed performance requirements, it proposes to eliminate the requirement for dual fuel units that make a firm fuel CARC election relying on that dual fuel capability to conduct a test to demonstrate their production capability using their alternative fuel.²⁵

B. Operating Plan and Notification Requirements

10. NYISO proposes to require each ICAP Supplier that elects to enter all or part of its MW capability in the firm fuel CARC to have an operating plan and related fuel supply, transportation, and/or replenishment agreement sufficient to provide firm fuel capability at the elected MW level.²⁶ NYISO contends that this approach will help ensure

²³ Tariff Filing, Transmittal Letter at 5.

²⁴ *Id.* (citing *City of Cleveland v. FERC*, 773 F.2d 1368, 1376 (D.C. Cir. 1985); *Hecate Energy Greene Cnty. 3 LLC v. N.Y. Indep. Sys. Operator, Inc.*, 177 FERC ¶ 61,121, at P 46 (2021)).

²⁵ *Id.* (referencing Services Tariff 5.12, §§ 5.12.1.15, 5.12.8). NYISO also states that it will continue to monitor the performance of dual fuel units that make a firm fuel election and that, "[i]f necessary, NYISO may, in collaboration with its stakeholders, consider the potential implementation of further refinements to the firm fuel CARC election requirements such as testing of production capability using a dual fuel unit's alternative fuel source." *Id.* at 5 n.19.

²⁶ *Id.* at 6; NYISO, NYISO Tariffs, NYISO MST, 5.12 MST Requirements Applicable to Installed Capacity Suppl (52.0.0) (Proposed Services Tariff 5.12), § 5.12.15.2.

alignment between the firm fuel CARC performance requirements and the agreements necessary to effectuate these requirements. NYISO states that these plans and agreements must be in place and effective by December 1 of the subject Capability Year and maintained for the entire Winter Performance Period. NYISO states that ICAP Suppliers must make any modifications or updates to their operating plans and any such agreements throughout the Winter Performance Period if necessary.

11. NYISO further proposes to require ICAP Suppliers to notify NYISO: (1) by December 1 of the subject Capability Year, if the ICAP Supplier fails to establish the necessary operating plan and related supply, transportation, and/or replenishment agreements; (2) within five business days, if changes to the ICAP Supplier's operating plan and related supply, transportation, and/or replenishment agreements are necessary during the Winter Performance Period; or (3) within five business days, if the ICAP Supplier is no longer able to meet its firm fuel CARC election and cannot implement modifications to its plan to continue to support its elected firm MW amount for the remainder of the Winter Performance Period.²⁷

12. NYISO states that an ICAP Supplier that fails to comply with these notification requirements, or whose operating plan or agreements do not support its elected firm MW amount, shall be subject to an Annual Firm Fuel Reconciliation Amount, described further below, and may be referred to the Commission's Office of Enforcement consistent with NYISO's Market Monitoring Plan.²⁸ NYISO states that it will provide additional implementation details regarding the proposed requirements related to an operating plan and related supply, transportation, and/or replenishment agreements and the associated notification requirements in the NYISO ICAP Manual, consistent with the Commission's rule of reason.

C. Annual Firm Fuel Reconciliation Amount

13. NYISO proposes to eliminate the existing financial sanction against ICAP Suppliers that fail to meet the requirements of the firm fuel CARC election and proposes a new compensation adjustment structure (i.e., Annual Firm Fuel Reconciliation Amount) to address non-performance for firm fuel CARC.²⁹ NYISO explains that the compensation adjustment structure will ensure that the revenues generated by electing

²⁷ Tariff Filing, Transmittal Letter at 6-7; Proposed Services Tariff 5.12, §§ 5.12.15.2, 5.12.15.3.

²⁸ Tariff Filing, Transmittal Letter at 7 (referencing NYISO, NYISO Tariffs, NYISO MST, 30.4 MST Att O Market Monitoring Unit (64.0.0), § 30.4.5.3.2.8); Proposed Services Tariff 5.12, § 5.12.15.5.

²⁹ Tariff Filing, Transmittal Letter at 7.

firm fuel CARC and failing to perform do not exceed the revenue generated through the non-firm fuel CARC on an annual basis.

14. NYISO proposes that an ICAP Supplier that has elected to enter any amount of MW in the firm fuel CARC is subject to an Annual Firm Fuel Reconciliation Amount if: (1) an ICAP Supplier experiences a forced outage or derate due to lack of fuel in a Winter Performance Month;³⁰ or (2) NYISO determines that an ICAP Supplier failed to establish or maintain an operating plan and related supply, transportation, and/or replenishment agreements for the MW level elected.³¹

15. For each ICAP Supplier that is subject to a non-performance adjustment, NYISO will calculate the Incremental Firm Fuel Revenue for each month in the subject Capability Year, which is the additional amount of revenue that the ICAP Supplier generated from selling firm MW compared to only selling non-firm MW for that month, and apply a multiplier.³² NYISO explains that it will calculate an average multiplier for each ICAP Supplier subject to an adjustment by summing the applicable multiplier for each of the three months of the Winter Performance Period divided by the number of months in the Winter Performance Period. NYISO will then calculate an ICAP Supplier's firm fuel reconciliation amount for each month of the year by multiplying the Incremental Firm Fuel Revenue for each month by the average multiplier for the ICAP Supplier. An ICAP Supplier's Annual Firm Fuel Reconciliation Amount will be calculated by summing the 12 monthly firm fuel reconciliation amounts for the subject Capability Year.

16. To determine the applicable multiplier for each month of the Winter Performance Period, NYISO states that, if an ICAP Supplier had one or more forced outages or derates due to lack of fuel in a Winter Performance Month that NYISO determines were *within* the ICAP Supplier's control, NYISO will apply a multiplier for that month equal to 1.5.³³ NYISO explains that it intends to use the North American Electric Reliability Corporation guidance on "Outside Management Control" to determine whether a loss or reduction in firm fuel MW was within or outside of the ICAP Supplier's control and that these implementation details will be included in NYISO's manuals.³⁴ If an ICAP

³⁰ The Winter Performance Months are December, January, and February of the subject Capability Year. *See* Proposed Services Tariff 5.12, § 5.12.12.3.

³¹ Tariff Filing, Transmittal Letter at 8.

³² *Id.* at 8-10.

³³ *Id.* at 9.

³⁴ *Id.* at 8 n.29.

Supplier had forced outages or derates in a Winter Performance Month that NYISO determines were *outside* the ICAP Supplier's control, NYISO will apply a multiplier for that month equal to 1.0.

17. NYISO explains that, if an ICAP Supplier failed to establish an operating plan and related agreements by December 1 and had no forced outages or derates in a Winter Performance Month that were *within* the ICAP Supplier's control, NYISO will apply a multiplier for each month of the Winter Performance Period equal to 1.0.³⁵ Similarly, if an ICAP Supplier fails to maintain an operating plan and related agreements during the Winter Performance Period and had no forced outages or derates in a Winter Performance Month that were *within* the ICAP Supplier's control, NYISO will apply a multiplier equal to 1.0 for that month and any remaining Winter Performance Month.

18. NYISO states that, for consistency with the proposed compensation adjustment structure, NYISO proposes to eliminate the existing exemption for Pivotal ICAP Suppliers offering mitigated Unforced Capacity in each spot market auction, and require Pivotal ICAP Suppliers, like other ICAP Suppliers, to satisfy the requirements associated with a firm fuel CARC election or face imposition of an Annual Firm Fuel Reconciliation Amount for non-performance.³⁶

D. Miscellaneous Proposed Tariff Revisions

19. NYISO states that it also proposes ministerial updates to remove outdated ICAP market rules and other *de minimis* formatting and punctuation clean-up to Services Tariff section 5.12.³⁷

III. NYISO's Waiver Request

20. NYISO requests waiver of the existing August 1 deadline for ICAP Suppliers to elect a firm fuel CARC established in Services Tariff section 5.12.15 for the 2026-2027 Capability Year only to instead allow a November 1, 2025 deadline.³⁸ NYISO asserts that waiver is needed to provide ICAP Suppliers a reasonable amount of time to develop business plans for the 2026-2027 Capability Year if the Commission does not accept NYISO's proposed Services Tariff revisions in Docket No. ER25-2245-000 by July 15, 2025 with a July 16, 2025 effective date.

³⁵ *Id.* at 9.

³⁶ *Id.* at 10.

³⁷ *Id.*

³⁸ Waiver Request at 2, 4-6 (referencing Services Tariff 5.12, § 5.12.15).

21. NYISO asserts that its waiver request satisfies the Commission's criteria for granting waiver.³⁹ First, NYISO argues that it has acted in good faith, submitting the waiver request after collaborating with its stakeholder community to enhance its capacity accreditation framework for ICAP Suppliers making a firm fuel CARC election. Second, NYISO asserts that the waiver request is limited in scope because it applies to a single administrative deadline for a single Capability Year to effectuate a delay for a limited, three-month period of time. Third, NYISO states that the waiver request addresses a concrete problem in the absence of timely Commission action on the Tariff Filing because, in such a case, ICAP Suppliers would need to decide whether to make a firm fuel CARC election without the benefit of knowing whether the Tariff Filing revisions will apply for the 2026-2027 Capability Year. Finally, NYISO argues that the waiver request will not have undesirable consequences because the NYSRC Executive Committee has approved the use of historical firm natural gas availability data to develop the final base case for the 2026-2027 IRM study.

IV. Notice of Filings and Responsive Pleadings

22. Notice of NYISO's filing in Docket No. ER25-2245-000 was published in the *Federal Register*, 90 Fed. Reg. 21921 (May 22, 2025), with interventions and protests due on or before June 6, 2025. The New York State Public Service Commission filed a notice of intervention. Timely motions to intervene were filed by: Calpine Corporation; New York Transmission Owners;⁴⁰ and NRG Business Marketing LLC. Independent Power Producers of New York, Inc. (IPPNY) and Ravenswood Operations, LLC (Ravenswood) filed timely motions to intervene and comments.

23. Notice of NYISO's waiver request in Docket No. ER25-2257-000 was published in the *Federal Register*, 90 Fed. Reg. 22085 (May 23, 2025), with interventions and protests due on or before June 6, 2025. The New York State Public Service Commission filed a notice of intervention. Timely motions to intervene were filed by: Calpine Corporation; New York Transmission Owners; and NRG Business Marketing LLC. IPPNY and Ravenswood filed timely motions to intervene and comments.

24. IPPNY and Ravenswood support NYISO's proposed Services Tariff revisions.⁴¹ Ravenswood asserts that NYISO's proposed revisions markedly improve NYISO's

³⁹ *Id.* at 5-7.

⁴⁰ New York Transmission Owners are: Central Hudson Gas & Electric Corporation; Consolidated Edison Company of New York, Inc.; Long Island Power Authority; New York Power Authority; New York State Electric & Gas Corporation; Niagara Mohawk Power Corporation; Orange and Rockland Utilities, Inc.; and Rochester Gas and Electric Corporation.

⁴¹ IPPNY, Comments, Docket No. ER25-2245-000, at 1 (filed June 5, 2025)

existing firm fuel CARC election process because they will (1) produce efficient outcomes that reflect the marginal reliability value of conventional generators and (2) more effectively address winter reliability risks by providing flexibility for generation owners and eliminating certain onerous testing and documentation requirements.⁴² Ravenswood contends that replacing the *ex ante* NYISO review requirement with an obligation to have an operating plan and related supply, transportation, and/or replenishment agreements supporting its firm fuel capability election gives the ICAP Supplier important flexibility to establish the necessary resources to meet the fuel oil storage and replenishment requirements and obtain efficient services and pricing. Ravenswood further argues that the proposed removal of the requirement for dual fuel resources that elect firm fuel capability to conduct alternative fuel testing eliminates a duplicative and unnecessary testing requirement and release of unnecessary emissions without adversely affecting system reliability. Ravenswood states that ICAP Suppliers will still perform Dependable Maximum Net Capability tests in the normal course of business. Ravenswood asserts that the proposed Services Tariff revisions better align the obligations to conventional generators with the benefits of receiving higher capacity accreditation factor ratings, while providing the proper incentives to maintain reliability. Ravenswood states that NYISO's proposed revisions include carefully structured financial penalties for failure to perform that are designed to ensure that ICAP Suppliers are incentivized to neither under- nor over-estimate their capabilities and capture a more accurate reflection of NYISO's capacity needs.

25. IPPNY and Ravenswood also support, if necessary, NYISO's waiver request to delay the firm fuel CARC election deadline for the 2026-2027 Capability Year to November 1, 2025.⁴³ IPPNY and Ravenswood assert that the November 1, 2025 election deadline for the 2026-2027 Capability Year is just and reasonable because the tariff revisions and the development of implementation details that will be included in NYISO's business practice manuals remain pending.⁴⁴ IPPNY also notes that NYISO has not yet released updated informational Capacity Accreditation Factors with the

(IPPNY Tariff Filing Comments); IPPNY, Comments, Docket No. ER25-2257-000, at 1 (filed June 5, 2025) (IPPNY Waiver Request Comments); Ravenswood, Comments, Docket Nos. ER25-2245-000 & ER25-2257-000, at 2 (filed June 6, 2025) (Ravenswood Comments).

⁴² Ravenswood Comments at 2-6.

⁴³ IPPNY Tariff Filing Comments at 2; IPPNY Waiver Request Comments at 1; Ravenswood Comments at 6.

⁴⁴ IPPNY Tariff Filing Comments at 3; IPPNY Waiver Request Comments at 3; Ravenswood Comments at 6.

difference in values between firm and non-firm CARCs, which will bear on an ICAP Supplier's decision if and how much capacity to commit as firm.⁴⁵

V. Discussion

A. Procedural Matters

26. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2024), the notices of intervention and timely, unopposed motions to intervene serve to make the entities that filed them parties to the proceedings in which they were filed.

B. Substantive Matters

27. We find that NYISO's proposed Services Tariff revisions are just and reasonable and not unduly discriminatory or preferential and therefore accept them, to be effective July 16, 2025, as requested. Specifically, we find that NYISO's proposed firm fuel CARC performance requirements and compensation adjustment structure appropriately provide ICAP Suppliers flexibility to meet the firm fuel CARC requirements and incentivize ICAP Suppliers to accurately reflect their firm fuel MW capability. We also find that NYISO's proposed operating plan and notification requirements are just and reasonable because they require each ICAP Supplier to establish and maintain an operating plan to meet the performance requirements for its elected firm fuel MW level, which ensures that NYISO will be informed of any changes to firm fuel MW availability. We also find that NYISO's proposed revision requiring NYISO to refer to the Commission's Office of Enforcement if an ICAP Supplier fails to meet the notification requirements and/or NYISO suspects that an ICAP Supplier has failed to maintain an operating plan that supports its elected firm fuel MW amount is just and reasonable because this approach is consistent with NYISO's Market Monitoring Plan in its Services Tariff, which requires NYISO to report any failure to comply with any tariff or submit to the Commission evidence of possible violation of NYISO's tariff. We further find that NYISO's proposal to eliminate the alternative fuel testing requirement in Services Tariff sections 5.12.1.15 and 5.12.8 for dual fuel resources that elect firm fuel capability is just and reasonable given the addition of the ongoing performance requirements. As NYISO explains, it intends to require resources electing to participate in the firm fuel CARC the ability to operate a minimum number of hours (i.e., for 56 hours) over any consecutive seven-day period from December through February, as specified in the ISO Procedures, subject to penalty.⁴⁶ In addition, Ravenswood notes that dual fuel units that make firm fuel CARC elections remain subject to existing Dependable Maximum Net Capability

⁴⁵ IPPNY Tariff Filing Comments at 2; IPPNY Waiver Request Comments at 2.

⁴⁶ Tariff Filing, Transmittal Letter at 5.

tests.⁴⁷ As noted above, we find that these requirements are sufficient to incentivize dual fuel units that make firm fuel CARC elections to accurately reflect their firm fuel MW capability even without the alternative testing requirement.

28. In addition, we find that NYISO's proposed November 1, 2025 firm fuel CARC election deadline for the 2026-2027 Capability Year is just and reasonable because, as NYISO explains, the August 1, 2025 election is not needed in order to timely develop the assumptions for the final base case of the IRM study due to the NYSRC's plans to use historical firm natural gas availability data for the 2026-2027 Capability Year. In addition, the November 1, 2025 deadline will provide market participants with a reasonable amount of time to develop business plans that align with the proposed market design enhancements.⁴⁸

29. We dismiss as moot NYISO's request for waiver of the August 1 election deadline in Services Tariff section 5.12.15. NYISO's proposed Services Tariff revisions delay the firm fuel CARC election deadline for the 2026-2027 Capability Year from August 1, 2025, to November 1, 2025.⁴⁹ Because we accept NYISO's proposed Services Tariff revisions, we find that NYISO's requested waiver of the August 1 deadline is moot, and, therefore, we dismiss it.

The Commission orders:

(A) NYISO's proposed Services Tariff revisions in Docket No. ER25-2245-000 are hereby accepted, effective July 16, 2025, as discussed in the body of this order.

(B) NYISO's waiver request in Docket No. ER25-2257-000 is hereby dismissed as moot, as discussed in the body of this order.

By the Commission.

(S E A L)

Debbie-Anne A. Reese,
Secretary.

⁴⁷ Ravenwood Comments at 4.

⁴⁸ Tariff Filing, Transmittal Letter at 6.

⁴⁹ Proposed Services Tariff 5.12, § 5.12.15.1.

Appendix

New York Independent System Operator, Inc.
NYISO Tariffs
Accepted Effective July 16, 2025

[NYISO MST, 5.12 MST Requirements Applicable to Installed Capacity Suppl \(52.0.0\)](#)

[NYISO MST, 5.14 MST Installed Capacity Spot Market Auction and Install \(44.0.0\)](#)

[NYISO MST, 23.4.5.4 MST Att H \(3.0.0\)](#)

[NYISO MST, 30.4 MST Att O Market Monitoring Unit \(64.0.0\)](#)