

196 FERC ¶ 61,076
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

July 30, 2026

In Reply Refer To:
New York Independent System Operator, Inc.
Docket No. ER21-2460-000

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

Attention: Kimberly L. Osborne

Dear Ms. Osborne:

1. On April 15, 2026, pursuant to Rule 212 of the Commission's Rules of Practice and Procedure,¹ New York Independent System Operator, Inc. (NYISO) submitted a motion in the above-captioned proceeding seeking to defer the effective date of its previously accepted tariff revisions in compliance with Order No. 2222² from a flexible effective date no later than December 31, 2026 to a flexible effective date no later than April 30, 2027 and, to the extent necessary, a waiver of the previous effective date. For the reasons discussed below, we grant the requested deferral.

2. On June 17, 2022, the Commission issued an order accepting NYISO's Order No. 2222 compliance filing, subject to a further compliance filing.³ The Commission found that NYISO's proposed implementation timeline in the fourth quarter of 2022 complied with the effective date requirements of Order No. 2222.⁴ The Commission

¹ 18 C.F.R. § 385.212 (2025).

² *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).

³ *N.Y. Indep. Sys. Operator, Inc.*, 179 FERC ¶ 61,198, *order on reh'g*, 181 FERC ¶ 61,054 (2022).

⁴ *Id.* P 344.

directed NYISO to propose an effective date by which it will allow distributed energy resources in heterogeneous aggregations to provide all of the ancillary services that they are technically capable of providing through aggregation, and to propose an effective date for its compliance filing in the fourth quarter of 2022 at least two weeks prior to the proposed effective date. On December 1, 2022, the Commission granted NYISO's motion to extend the effective date for its proposed tariff revisions in its compliance filing from the fourth quarter of 2022 to a flexible effective date no later than December 31, 2026.⁵

3. NYISO states that, on July 23, 2024, the Commission approved NYISO's proposed tariff provisions allowing hybrid storage resources to participate in NYISO's markets.⁶ On May 29, 2025, the Commission granted NYISO's motion to defer the effective date of the hybrid storage resource tariff revisions until April 30, 2027 in order to allow NYISO to simultaneously develop the software functionality necessary to implement the operating reserve participation requirements for both hybrid storage resources and distributed energy resources participating pursuant to the tariff revisions made in compliance with Order No. 2222.⁷

4. NYISO contends that there is good cause for granting the four-month requested extension for its tariff revisions made in compliance with Order No. 2222.⁸ NYISO states that, when it was developing its software project plans for implementing its tariff revisions related to hybrid storage resources and distributed energy resources, NYISO determined that significant efficiencies would be gained by developing the software functionality necessary to implement operating reserves for hybrid storage resources and distributed energy resources together.⁹ NYISO explains that the software functionality needed to support distributed energy resource participation will be built on top of the newly developed hybrid storage resource functionality.¹⁰ NYISO further contends that, if it were required to implement its distributed energy resource tariff revisions in compliance with Order No. 2222 by December 31, 2026, NYISO would not have

⁵ *N.Y. Indep. Sys. Operator, Inc.*, Notice of Extension of Time, Docket No. ER21-2460-004 (issued Dec. 1, 2022).

⁶ NYISO Motion for Extension of Time and Waiver at 4.

⁷ *Id.* (citing *N.Y. Indep. Sys. Operator, Inc.*, 191 FERC ¶ 61,171 (2025)).

⁸ *Id.* at 5.

⁹ *Id.* at 5-6.

¹⁰ *Id.* at 6.

sufficient time to develop, test, and implement the required suite of necessary software changes.

5. To the extent necessary, NYISO requests that the Commission grant a limited waiver of the December 31, 2026 effective date for implementing the Order No. 2222 tariff revisions.¹¹ NYISO asserts that good cause exists to grant the four-month deferral so that the implementation schedules for Order No. 2222 distributed energy resource participation and hybrid storage resource participation will be aligned, resulting in significant efficiencies.¹²

6. NYISO proposes to submit a subsequent notice filing at least two weeks prior to its proposed effective date that will specify the effective date for the revised tariff language.¹³ NYISO states that, consistent with Commission precedent, this filing will provide adequate notice to the Commission and market participants of the implementation of its tariff revision to comply with Order No. 2222.¹⁴

7. Notice of NYISO's filing was published in the *Federal Register*, 91 Fed. Reg. 21490 (Apr. 22, 2026), with interventions and protests due on or before May 6, 2026. None was filed.

8. We grant NYISO's motion for an extension of the effective date of its previously accepted tariff revisions to a flexible effective date no later than April 30, 2027.¹⁵ We find that good cause exists to grant NYISO's motion so that NYISO can develop the software functionality necessary to implement operating reserves for hybrid storage resources and distributed energy resources together, resulting in significant efficiencies. No less than two weeks prior to the date NYISO implements the proposed tariff revisions with a 12/31/9998 effective date, NYISO is required to make a compliance filing in Docket No. ER21-2460 through the Commission's eTariff system with the accepted tariff

¹¹ *Id.* at 8.

¹² *Id.* at 8-9.

¹³ *Id.* at 5.

¹⁴ *Id.* (citing *N.Y. Indep. Sys. Operator, Inc.*, 106 FERC ¶ 61,111, at P 10 (2004); *N.Y. Indep. Sys. Operator, Inc.*, Docket No. ER11-2544 (Feb. 10, 2011) (delegated order); *N.Y. Indep. Sys. Operator, Inc.*, 151 FERC ¶ 61,057, at P 20 (2015); *N.Y. Indep. Sys. Operator, Inc.*, 154 FERC ¶ 61,152, at PP 19, 25 (2016)).

¹⁵ Because we are granting NYISO's request for a later flexible effective date, we find that NYISO's request for waiver of the December 31, 2026 effective date is unnecessary.

record text that establishes the actual effective date of the tariff records and designates the records accepted in Docket No. ER21-2460 as OBE (overtaken by events).¹⁶

By direction of the Commission.

Carlos D. Clay,
Deputy Secretary.

¹⁶ NYISO must make a compliance filing using Type of Filing Code 80 in this docket by including the associated filing identifier (associated_filing_id) for this filing at the filing level. The filing must include tariff records with the effective date for the previously-accepted tariff records and also include, at the tariff record level, the associated filing identifier (associated_filing_id), associated record id (associated_record_id), and associated option code (associated_option_code) of the original tariff records accepted with a 12/31/9998 date.