196 FERC ¶ 61,130
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

August 14, 2026

In Reply Refer To:
New York Independent System Operator, Inc.
Central Hudson Gas & Electric Corporation
Consolidated Edison Company of New York, Inc.
LS Power Grid New York Corporation I
New York State Electric & Gas Corporation
New York Transco LLC
NextEra Energy Transmission New York, Inc.
Niagara Mohawk Power Corp.
Orange and Rockland Utilities, Inc.
Rochester Gas and Electric Corporation
Docket No. EL26-69-000

Hunton Andrews Kurth LLP
2200 Pennsylvania Avenue, NW
Washington, DC 20037
Attention: Ted J. Murphy

Troutman Pepper Locke LLP
401 9th Street, NW
Suite 1000
Washington, DC 20004
Attention: William R. Derasmo

LS Power Development, LLC
16150 Main Circle Drive
Suite 310
Chesterfield, MO 63017
Attention: Blake R. Urban

Dear Mr. Murphy, Mr. Derasmo, and Mr. Urban:

1. On June 18, 2026, the Commission initiated a show cause proceeding under section 206 of the Federal Power Act (FPA)[1] (Show Cause Order).[2] The Show Cause Order directed NYISO and the Transmission Owners to explain why NYISO's Open Access Transmission Tariff (Tariff) remains just and reasonable and not unduly discriminatory or preferential without certain Tariff provisions addressing large loads and co-located loads, or propose Tariff revisions addressing the Commission's concerns. It also directed NYISO and the Transmission Owners, within 60 days of the date of the order, to respond to the Show Cause Order and the briefing questions. Responses to the Show Cause Order are due on August 17, 2026, with answers due 30 days after the responses are filed.[3]

2. On August 3, 2026, pursuant to Rule 212 of the Commission's Rules of Practice and Procedure,[4] NYISO, the New York Transmission Owners (NYTOs),[5] and the Non-Incumbent Transmission Owners (Non-Incumbent TOs)[6] each filed a motion to hold the above-referenced show cause proceeding in abeyance, in full, for 90 days, pending completion of NYISO's stakeholder proceedings and submittal of one or more FPA section 205[7] filings to address the Commission's preliminary findings in the Show Cause Order (Abeyance Motions). In this order, we grant the Abeyance Motions filed by NYISO, NYTOs, and Non-Incumbent TOs and hold this proceeding in abeyance for 90 days.

3. In the Show Cause Order, the Commission stated that NYISO and the Transmission Owners may request an abeyance, in whole or in part, for up to 90 days, "while they work through the stakeholder processes to develop FPA section 205 filings to revise the Tariff to address the issues raised in this order."[8] The Commission also stated

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[1] 16 U.S.C. § 824e.

[2] *N.Y. Indep. Sys. Operator, Inc.*, 195 FERC ¶ 61,216 (2026) (Show Cause Order).

[3] *Id.* PP 38, 40.

[4] 18 C.F.R. § 385.212 (2025).

[5] NYTOs include: Central Hudson Gas & Electric Corporation; Consolidated Edison Company of New York, Inc.; New York State Electric & Gas Corporation; Niagara Mohawk Power Corp.; Orange and Rockland Utilities, Inc.; and Rochester Gas and Electric Corporation.

[6] Non-Incumbent TOs include LS Power Grid New York Corporation I and New York Transco LLC.

[7] 16 U.S.C. § 824d.

that such requests must include: "(1) a robust description of the content of a potential future filing under FPA section 205 and (2) a reasoned and specific explanation of when such a filing is expected to be made."[9]

4. NYISO asserts that the abeyance is necessary for NYISO to coordinate with Transmission Owners through its stakeholder process and develop Tariff proposals for an FPA section 205 filing, particularly given the Transmission Owners' reserved FPA section 205 filing rights.[10] NYISO argues that the abeyance is especially necessary given that NYISO has long implemented its own load interconnection rules and uses a Commission-approved financial transmission reservation model that differs significantly from the rules and models in the Commission's *pro forma* Open Access Transmission Tariff.[11] NYISO notes that it began working with stakeholders in February 2026 to improve the large load integration process, incentivize flexible large loads, and make Tariff changes that generally improve market access.[12] NYISO states that it presented a broad overview of its evolving proposals in response to the Show Cause Order at its July 23, 2026, meeting of its Electric System Planning Working Group, Transmission Planning Advisory Subcommittee, and Installed Capacity Working Group.[13] NYISO avers that it presented proposals to, among other things: replace its existing load interconnection rules with a new large load study process; design firm and non-firm transmission services for transmission customers serving large loads; develop co-located load provisions (including sunsetting its existing Behind-the-Meter Net Generation program); prevent cost shifting; mandate large load operational requirements; and institute a process for studying generating facilities that serve electrically proximate and co-located large loads.

5. NYISO further explains that it will hold regular stakeholder meetings to refine its proposals and eventual FPA section 205 filing.[14] NYISO states that it is aiming for approval of its proposals by the Business Issue Committee and Operating Committee in mid-October 2026, with the final proposal presented to the Management Committee on

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[8] Show Cause Order, 195 FERC ¶ 61,216 at P 42.

[9] *Id*.

[10] NYISO Motion for Abeyance at 1-2, 5.

[11] *Id.* at 8-9.

[12] *Id.* at 6.

[13] *Id.* at 6-8.

[14] *Id.* at 10-11.

October 28, 2026. NYISO would then present the filing to its Board of Directors. NYISO states that, provided that it secures Management Committee and Board of Directors approvals, it will submit an FPA section 205 filing on November 16, 2026.

6. NYTOs add that they will, either jointly with NYISO or in a separate FPA section 205 filing, propose Tariff revisions related to their filing rights and responsibilities.[15] NYTOs assert that a 90-day abeyance is necessary given the complexity of the issues raised in the Show Cause Order and so that they can collaborate with NYISO to create and/or submit Tariff provisions pertaining to their right to recover costs and their responsibilities in the study process. NYTOs state that they plan to propose Tariff revisions in coordination with NYISO and stakeholders regarding: (1) cost allocation and cost recovery; (2) mechanisms to ensure that payments made by eligible customers are appropriately credited towards each NYTO's transmission revenue requirement; (3) rate design issues concerning new transmission services for large loads, co-located loads, and flexible large loads; (4) aspects of the load interconnection study process for which the NYTOs will be responsible; and (5) certain operational requirements for eligible customers taking service on behalf of large loads.[16] NYTOs also argue that granting abeyance is appropriate because they will need to coordinate with the New York Department of Public Service and the New York Public Service Commission (New York Commission) to develop appropriate mechanisms for preventing cost shifting, and "to incorporate the [New York Commission's] cost allocation determinations" into their Commission-jurisdictional proposals, in the form of a *pro forma* cost recovery agreement and/or Tariff revisions.[17]

7. Non-Incumbent TOs assert that the Commission should grant an abeyance so that they can collaborate with NYISO and the other Transmission Owners on crafting responsive Tariff revisions, noting that the Show Cause Order implicates the interrelated responsibilities Non-Incumbent TOs and NYISO have under the Tariff.[18] Non-Incumbent TOs state that they have been meeting regularly with NYISO to discuss issues raised in the Show Cause Order and pledge to work with other parties on drafting numerous Tariff revisions, such as the development of new application and study

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[15] NYTOs Motion for Abeyance at 2-3, 6-8. NYTOs state that they have the right to file tariff provisions "to the extent necessary: (i) to recover all of its reasonably incurred costs, plus a reasonable return on investment related to services under the ISO OATT and (ii) to accommodate . . . a Transmission Owner's retail access program." *Id.* at 6-7.

[16] *Id.* at 11-12.

[17] *Id.* at 13-16.

[18] Non-Incumbent TOs Motion for Abeyance at 2-3, 5-6.

processes and ongoing operational requirements applicable to eligible customers seeking transmission service on behalf of large loads.[19] Non-Incumbent TOs explain that they may submit a separate FPA section 205 filing pending the outcome of NYISO's stakeholder process.[20]

8. On August 4, 2026, the Commission issued a notice requiring answers to the Abeyance Motions to be submitted by August 7, 2026.[21] None were filed.

9. We grant the Abeyance Motions filed by NYISO, NYTOs, and Non-Incumbent TOs. Consistent with the Show Cause Order, NYISO, NYTOs, and Non-Incumbent TOs have provided a robust description of the filings they anticipate making, provided a date by which they intend to make such filings, and described the on-going stakeholder process, including stakeholder and Board of Directors vote dates. Such a stakeholder process will provide NYISO, the Transmission Owners, and other stakeholders an opportunity to consider region-specific solutions to the concerns raised in the Show Cause Order. NYISO states that it intends to submit an FPA section 205 filing by November 16, 2026.[22]

10. Accordingly, to allow NYISO's stakeholder process to continue so that NYISO, NYTOs, and Non-Incumbent TOs can make the anticipated described filing(s), we will grant the Abeyance Motions. We will hold this FPA section 206 proceeding in abeyance, in full, including responses to the Show Cause Order and briefing questions, for 90 days. Therefore, responses to the Show Cause Order will be due on November 16, 2026, and answers to responses will be due on December 16, 2026.

11. If NYISO or Transmission Owners submit an FPA section 205 filing addressing the Commission's preliminary findings in the Show Cause Order on or before November 16, 2026, then the obligation of the respondent(s) who have made such an FPA section 205 filing to file a response to the Show Cause Order will be suspended, and this proceeding will continue to be held in abeyance pending further Commission directive in this proceeding.

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[19] *Id.* at 5-6.

[20] *Id.* at 8.

[21] Notice Establishing Answer Period, Docket No. ER26-69-000 (issued Aug. 4, 2026).

[22] NYISO Motion for Abeyance at 11. Neither NYTOs nor Non-Incumbent TOs identified a date by which they may file a separate FPA section 205 proposal.

12. To the extent that NYISO and/or Transmission Owners intend to request in their FPA section 205 filing that the show cause proceeding be terminated in full or in part if the Commission accepts the filing, we encourage NYISO and/or Transmission Owners to explain, with specificity, which of their proposed Tariff revisions they believe resolve all or some of the Commission's preliminary findings in the Show Cause Order, and whether the Commission should terminate the Show Cause Order, in full or in part.

13. While we expect NYISO and/or Transmission Owners to implement these tariff revisions as expeditiously as possible, we encourage NYISO and/or Transmission Owners to propose an effective date that takes into account the necessary time to implement the proposed Tariff revisions and accommodate existing commercial arrangements.

By direction of the Commission.

Carlos D. Clay,
Deputy Secretary.