

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

New York Independent System Operator, Inc.

Docket No. ER21-2460-004

NOTICE OF EXTENSION OF TIME

(December 1, 2022)

On June 17, 2022, the Commission issued an order accepting New York Independent System Operator, Inc.'s (NYISO) Order No. 2222¹ compliance filing, subject to a further compliance filing to be submitted within 60 days of the date of issuance of this order.² The Commission directed NYISO to propose an effective date by which it will allow distributed energy resources (DERs) 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.³ On November 14, 2022, in Docket No. ER21-2460-003, NYISO submitted its compliance filing with its proposed tariff revisions in response to the June 17 Order. On November 14, 2022, NYISO filed a 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, 2026.⁴

¹ *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).

² *N.Y. Indep. Sys. Operator, Inc.*, 179 FERC ¶ 61,198 (2022) (June 17 Order), *order on reh'g*, 181 FERC ¶ 61,054 (2022). On July 27, 2022, the Commission granted NYISO's motion for a 90-day extension of time to and including November 14, 2022, to submit its required tariff modifications in response to the June 17 Order. *N.Y. Indep. Sys. Operator, Inc.*, Notice of Extension of Time, Docket Nos. ER21-2460-000 and ER21-2460-001 (July 27, 2022).

³ *N.Y. Indep. Sys. Operator, Inc.*, 179 FERC ¶ 61,198 at P 344.

⁴ NYISO proposes to submit a compliance filing at least two weeks prior to its proposed effective date that will specify the effective date for the revised tariff language. NYISO states that, consistent with Commission precedent, this filing will provide

In support of its motion, NYISO states that it is on track to implement its 2019 DER Aggregation and participation model that the Commission accepted in January 2020⁵ in the third quarter of 2023, which is a key step toward NYISO's compliance with Order No. 2222.⁶ NYISO explains that, as a result, Aggregations will be able to participate in the NYISO-administered Energy, Ancillary Services, and Installed Capacity markets far in advance of 2026.⁷

NYISO contends that there is good cause for granting the requested extension to comply with the requirements of Order No. 2222. NYISO explains that, over the last three years, it has faced several challenges in developing the databases, workflows, and software automation necessary for DER implementation.⁸ NYISO states that some of the following factors have led to significant delays in NYISO's original timeline: (1) its ambitious software design proved to be more complex than initially expected; (2) local and global factors that are out of NYISO's control; and (3) significant competing demands on NYISO's limited staff. NYISO also states that it has collaborated extensively with New York's distribution utilities and, as it learned more about capabilities of those systems, NYISO was forced to adjust its software functionality to accommodate distribution system constraints.⁹ In addition, NYISO states that, in 2024, it will be deploying software that will automate much of the work that will at first be done manually by NYISO staff.¹⁰ NYISO states that, when the 2024 software deployment occurs, NYISO staff will continue its work to develop the software necessary to

implement NYISO's incremental tariff revisions proposed in compliance with Order No. 2222, and it estimates that it will be able to complete and implement the Order No. 2222-

adequate notice to the Commission and market participants of the implementation of its tariff revisions to comply with Order No. 2222. NYISO Motion for Extension of Time (Motion) at 12 & n.28 (*citing, e.g., N.Y. Indep. Sys. Operator, Inc.*, 151 FERC ¶ 61,057, at P 20 (2015)).

⁵ *N.Y. Indep. Sys. Operator, Inc.*, 170 FERC ¶ 61,033 (2020).

⁶ Motion at 2.

⁷ *Id.* at 3-4.

⁸ *Id.* at 6.

⁹ *Id.* at 6-7.

¹⁰ *Id.* at 8.

compliant software in 2026. No answers were filed in response to NYISO's motion.

Upon consideration, notice is hereby given that NYISO's motion is granted.

Kimberly D. Bose,
Secretary.