

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

))
New York State Electric & Gas Corporation) Docket No. ER22-1199-000
))

SUPPLEMENTAL COMMENTS OF
THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.

On March 3, 2022, New York State Electric & Gas Corporation (“NYSEG”), a Responsible Interface Party¹ (“RIP”) participating in the New York Independent System Operator, Inc. (“NYISO”) Installed Capacity (“ICAP”) market, submitted a request for waiver of a tariff-imposed deadline to submit certain Special Case Resource (“SCR”) performance data to the NYISO (“Waiver Request”).² NYSEG’s Waiver Request asked the Federal Energy Regulatory Commission (“Commission”) to issue an Order granting the request by April 4, 2022, to “assure accurate compensation for the capacity that NYSEG’s SCRs brought to the market, avoid assessment of an estimated \$1.8 million deficiency charge stemming from demand response capacity that the SCRs did in fact provide, as well as avoid adverse impacts to the amount of capacity that the SCRs will be eligible to be compensated for in the upcoming Capability Periods.”³

¹ Capitalized terms not otherwise defined herein have the meaning set forth in the Market Administration and Control Area Services Tariff (“Services Tariff”).

² New York State Electric & Gas Corporation March 3, 2022 Petition for Tariff Waiver, Docket No. ER22-1199-000 at 2 (“Waiver Request”).

³ *Id.* at 13-14.

The NYISO submitted a Motion to Intervene and Comments in this proceeding on March 24, 2022. In its Comments, the NYISO stated that “[i]f the Commission grants NYSEG’s requested relief by April 4, 2022, the NYISO will have sufficient time to: (i) process and review the data; (ii) complete all required calculations prior to the finalization of the 2022 Summer Capability Period performance factors; and (iii) reflect actual performance of the SCRs on NYSEG’s invoice.”⁴ The NYISO further stated that “[i]f the Commission acts after April 4, 2022, the NYISO may not be able to timely establish the amount of Unforced Capacity for the SCRs NYSEG enrolls in the SCR program for the beginning of the 2022 Summer Capability Period, potentially resulting in increased ICAP Market Auction clearing prices compared to the prices that may result if such values were determined in a manner that reflects consideration of the performance data consistent with the relief requested by NYSEG.”⁵ At the time the NYISO submits these supplemental comments, the Commission has not issued an Order in this proceeding.

On April 18, 2022, NYSEG submitted a letter in this proceeding updating the Commission on the status of its SCR enrollments in the NYISO SCR program and requesting that the Commission issue an Order granting its Waiver Request on or before April 20, 2022.⁶ Pursuant to Rule 213 of the Commission’s Rules of Practice and Procedure,⁷ the NYISO submits these comments in response to the NYSEG Letter.

⁴ New York Indep. Sys. Operator, Inc. March 24, 2022 Motion to Intervene and Comments, Docket ER22-1199, at 7 (“NYISO Comments”).

⁵ *Id.*

⁶ New York State Electric & Gas Corporation April 18, 2022 Letter, Docket No. ER22-1199, at 2 (“NYSEG Letter”).

⁷ 18 C.F.R. §§ 385.213 (2020).

I. Comments

As previously stated in the NYISO Comments, the NYISO defers to the Commission on whether NYSEG has met its burden of proof, but based on the specific facts and circumstances presented, does not oppose the Waiver Request. The NYISO submits these supplemental comments to clarify its ability to process NYSEG's September 1, 2021, SCR performance test data.

The NYISO's ability to implement the waiver, if granted, depends on the timing of Commission action. The NYSEG Letter stated that "if the Commission grants waiver before the May 2022 Certification Deadline [*i.e.*, before April 21, 2022, at 5:00 P.M.], NYISO can apply the accurate SCR Load Data for the next auction and enable NYSEG's SCR customers to fully participate."⁸ This statement does not accurately reflect the NYISO's prior statements, as set forth in the NYISO Comments and reiterated to NYSEG in recent communications.

On April 18, 2022, the NYISO advised NYSEG to provide the final version of the September 1, 2021 SCR performance test data as soon as the Commission issues an Order granting a waiver (if such Order is issued), and that the NYISO would attempt to import the data prior to the close of the Certification Period for the May 2022 ICAP Spot Market Auction. Consistent with its statements in the NYISO Comments, the NYISO reiterated to NYSEG that it could not guarantee that data provided to the NYISO at any time between April 18, 2022 and the close of the May 2022 ICAP Spot Market Auction Certification Period (*i.e.*, 5:00 P.M. on April 21, 2022) will be processed prior to the close of such Certification Period. However, if the Commission were to grant the Waiver Request and NYSEG submits properly formatted and error-free files by 5:00 P.M. on April 20, 2022, the NYISO expects (but cannot guarantee) that it

⁸ NYSEG Letter at 2.

will be able to complete its internal processing by the close of the May 2022 ICAP Spot Market Auction Certification Period. The NYISO does not expect to be able to process data received after that time by the close of the Certification Period for the May 2022 ICAP Spot Market Auction. As the NYISO has previously stated, if the Commission grants the Waiver Request, the NYISO will process the data provided by NYSEG within a reasonable timeframe. If the Commission issues an Order granting the Waiver Request by April 21, 2022, and that data cannot be processed in time by the close of the May 2022 ICAP Spot Market Auction Certification Period, the NYISO will endeavor to process the data for the June 2022 capability month.

II. Conclusion

WHEREFORE, the NYISO respectfully requests that the Commission consider these supplemental comments in making its decision on NYSEG's Waiver Request.

Respectfully submitted,

/s/ Gregory J. Campbell

Gregory J. Campbell

Senior Attorney

New York Independent System Operator, Inc.

April 19, 2022

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 19th day of April 2022.

/s/ Mitchell W. Lucas

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