

May 15, 2026

**By Electronic Delivery**

Honorable Debbie-Anne A. Reese, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: *New York Independent System Operator, Inc., Compliance Filing,*  
Docket Nos. ER24-1915-002, ER24-1915-003, ER24-1915-004,  
ER24-1915-\_\_\_\_**

Dear Ms. Reese:

The New York Independent System Operator, Inc. (“NYISO”) hereby submits revisions to its Open Access Transmission Tariff (“OATT”) concerning its compliance with Order Nos. 2023 and 2023-A (collectively, “Order No. 2023”).<sup>1</sup> The proposed revisions in this further compliance filing (“Fourth Compliance Filing”) fulfill the directives of the Federal Energy Regulatory Commission (“Commission”) in its May 6, 2026 letter order in the above-captioned proceedings (“May 2026 Order”).<sup>2</sup>

On December 15, 2025, the NYISO submitted proposed revisions to its OATT (“Third Compliance Filing”)<sup>3</sup> to comply with the Commission’s *Order Addressing Arguments Raised On Rehearing, And Setting Aside Prior Order, In Part, And On Compliance* issued October 16, 2025 (“October 2025 Order”).<sup>4</sup>

In the May 2026 Order, the Commission found that NYISO’s Third Compliance Filing partially complied with the requirements of Order No. 2023 and the October 2025 Order.<sup>5</sup> The Commission directed NYISO to submit a further compliance filing to remove certain revisions to the technological change procedure in Section 40.6.3.7 of Attachment HH to the OATT proposed

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<sup>1</sup> See *Improvements to Generator Interconnection Procs. & Agreements*, Order No. 2023, 184 FERC ¶ 61,054, *order on reh’g*, 185 FERC ¶ 61,063 (2023), *order on reh’g*, Order No. 2023-A, 186 FERC ¶ 61,199, errata notice, 188 FERC ¶ 61,134 (2024) (“Order No. 2023”).

<sup>2</sup> See *N.Y. Indep. Sys. Operator, Inc.*, Order on Compliance, 195 FERC ¶ 61,093 (2026) (“May 2026 Order”).

<sup>3</sup> See *N.Y. Indep. Sys. Operator, Inc.*, Compliance Filing for Order No. 2023 and Order No. 2023-A; Docket Nos. ER24-1915-002, ER24-1915-003 and ER24-1915-004 (December 15, 2025) (“Third Compliance Filing”).

<sup>4</sup> See *N.Y. Indep. Sys. Operator, Inc.*, Order Addressing Arguments Raised On Rehearing, And Setting Aside Prior Order, In Part, And On Compliance, 193 FERC ¶ 61,031 (2025) (“October 2025 Order”).

<sup>5</sup> May 2026 Order, 193 FERC ¶ 61,031, P 10.

in the Third Compliance Filing.<sup>6</sup> The NYISO submits this Fourth Compliance Filing to address these directives. The proposed tariff revisions included in this compliance filing are expressly required by the May 2026 Order's directives.

As described in Part III below, the NYISO requests that the tariff revisions concerning the technological change modification rules become effective as of the date of the Commission's May 6, 2026, order directing these tariff revisions.

The NYISO respectfully submits that – with the proposed tariff revisions included in this supplemental compliance filing – it fully complies with the requirements in Order No. 2023 and the May 2026 Order.

## **I. Background**

### **A. NYISO's Order No. 2023 Compliance Proceeding**

On May 1, 2024, the NYISO submitted its initial compliance filing to address the directives and goals of Order No. 2023 ("Initial Compliance Filing").<sup>7</sup> In its Initial Compliance Filing, the NYISO revised its modification rules to establish that an Interconnection Customer cannot modify its proposed project during the Cluster Study Process, with the limited exception that an Interconnection Customer may modify its Point of Interconnection up to five (5) Business Days after the NYISO posts the Cluster Study Project List during the Customer Engagement Window. In line with these revisions, the NYISO proposed to update its technological change procedure to remove the requirement that an Interconnection Customer could propose a technological change between the draft System Reliability Impact Study and returning an executed Interconnection Facilities Study Agreement as these process steps no longer exist in the new Cluster Study Process. As revised, an Interconnection Customer could only request a technological change to its project after the Cluster Study was completed.

On April 17, 2025, the Commission issued an *Order on Compliance* largely accepting the NYISO's proposed tariff revisions with a May 2, 2024, effective date ("April 2025 Order").<sup>8</sup> In the April 2025 Order, the Commission acknowledged that the NYISO's revised interconnection study process eliminated the process steps that established the window of time for an Interconnection Customer to propose a technological change.<sup>9</sup> The Commission, however, directed the NYISO to provide a cut-off point for Interconnection Customers to request a technological change that is consistent with the requirements in Order No. 845 and otherwise

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<sup>6</sup> See *id.*

<sup>7</sup> See *N.Y. Indep. Sys. Operator, Inc.*, Compliance Filing for Order No. 2023 and Order No. 2023-A; Conditional Request for Prospective Waivers; Docket No. ER24-1915-000 (May 1, 2025) ("Initial Compliance Filing").

<sup>8</sup> See *N.Y. Indep. Sys. Operator, Inc.*, Order on Compliance, 191 FERC ¶ 61,049 (2025) ("April 2025 Order").

<sup>9</sup> See April 2025 Order at P 324.

clarifies when Interconnection Customers may request such a change under NYISO's revised interconnection process.<sup>10</sup>

In response to the Commission's directive in the April 2025 Order, the NYISO proposed, in its Second Compliance Filing, to revise its technological change rules to permit an Interconnection Customer in an ongoing Cluster Study Process to submit to the NYISO a technological change for a Cluster Study Project with a validated Interconnection Request up to five (5) Business Days after the NYISO posts the Cluster Study Project List during the Customer Engagement Window.<sup>11</sup> In addition, the NYISO proposed to clarify that the Interconnection Customer must fully satisfy the requirements for this modification no later than the conclusion of that 5-Business Day period, as otherwise the status of the proposed modification would be uncertain when the NYISO was developing the base cases for the Phase 1 Study component of its Cluster Study. Finally, the NYISO proposed to revise its definition of Permissible Technological Advancement to remove the ability of a permissible technological change to increase the capability of the Facility "by more than two (2) megawatts," so the NYISO could accommodate such modifications in the limited timeframe described above.<sup>12</sup>

In the October 2025 Order, the Commission rejected the NYISO's proposed cutoff date for Interconnection Customers to submit certain technological changes up to five (5) Business Days after the NYISO posts the Cluster Study Project List during the Customer Engagement Window.<sup>13</sup> Specifically, the Commission rejected NYISO's proposed revisions to the technological change procedure in sections 40.6.3.7.2, 40.6.3.7.3, and 40.6.3.7.4 of Attachment HH to the OATT, and rejected its revised definition of "Permissible Technological Advancement" concluding that the proposed change is outside the scope of the Order No. 2023 proceeding.<sup>14</sup> The Commission, therefore, directed the NYISO to submit a further compliance filing to establish a cut-off point to submit a technological advancement request later in the Cluster Study process.<sup>15</sup>

In response to the Commission's directive in the October 2025 Order, the NYISO proposed, in its Third Compliance Filing, to revise its technological change rules in Section 40.6.3.7 of Attachment HH to the OATT to permit an Interconnection Customer with a validated Interconnection Request to submit a technological change after the Cluster Study concludes or during the Cluster Study no later than ten (10) Business Days prior to the close of the Customer Engagement Window.<sup>16</sup> To facilitate this later deadline for technological changes, the NYISO

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<sup>10</sup> See *id.*

<sup>11</sup> See OATT Attach. HH §40.6.3.7.

<sup>12</sup> See OATT Attach. HH §40.1 (definition of Permissible Technological Advancement). This *de minimis* exception was a NYISO-specific variation from the Commission's requirements in Order No. 845. The NYISO proposed to remove this language as changes to the project size at this stage in the Cluster Study Process would require additional updates to the information submitted by the Interconnection Customer, which would interfere with the NYISO completing the required project modeling and base cases.

<sup>13</sup> See October 2025 Order at P 122.

<sup>14</sup> See October 2025 Order at P 123.

<sup>15</sup> See October 2025 Order at P 122.

<sup>16</sup> See OATT Attach. HH §40.6.3.7.

proposed – in the Third Compliance Filing – to clarify the technological change requirements that the Interconnection Customer must satisfy (*e.g.*, providing any available analyses (in particular, short circuit, power flow, and stability analyses) that demonstrate that the requested modification does not have a material adverse impact on the New York State Transmission System or Distribution System).<sup>17</sup> To comply with the Commission’s directive in its October 2025 Order, the NYISO also proposed – in the Third Compliance Filing – to revise its definition of Permissible Technological Advancement to add back in language concerning the 2 MW or less *de minimis* exception, the deletion of which the Commission rejected.<sup>18</sup>

In the May 2026 Order, the Commission accepted the NYISO’s revisions to establish a later cut-off for technological change requests, revert prior out-of-scope tariff provisions, and restore the definition of Permissible Technological Advancements. The Commission also accepted the reinstatement of tariff revisions regarding the Expedited Deliverability Study. However, the Commission rejected the NYISO’s proposed additional technological change procedure revisions requiring Interconnection Customers to provide supporting analyses that the Commission found to be outside the scope of this proceeding because they were not required by Order No. 2023 or the October 2025 Order. The May 2026 Order directs the NYISO to remove these revisions and submit a compliance filing within 30 days, while clarifying that the NYISO may pursue these types of enhanced procedural requirements in a future Section 205 filing.

## **II. Tariff Revisions to Address the Directives of the May 2026 Order**

To comply with the directives in the May 2026 Order, the NYISO proposes – in this Fourth Compliance Filing – to remove the proposed revisions in Section 40.6.3.7 of Attachment HH to the OATT as directed by the Commission.

For the purpose of reflecting the various effective dates for tariff revisions included in the Third Compliance Filing, the NYISO also includes in this Fourth Compliance Filing clean versions of Sections 40.13 and 40.19 of Attachment HH to the OATT. The NYISO is submitting (1) clean versions of Sections 40.13 and 40.19, effective from May 2, 2024, to October 16, 2025, and (2) clean versions of Sections 40.13 and 40.19 that became effective on October 16, 2025.

## **III. Effective Date**

The NYISO requests that the tariff revisions submitted in this Fourth Compliance Filing become effective on the date of the Commission’s May 6, 2026, order directing these tariff revisions.

## **IV. Documents Submitted**

The NYISO submits the following documents with this filing letter:

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<sup>17</sup> See OATT Attach. HH §40.6.3.7.1.

<sup>18</sup> See OATT Attach. HH § 40.1 (definition of Permissible Technological Advancement).

- 1) A blacklined version of NYISO OATT Attachment HH, Section 40.6 (Attachment I);
- 2) A clean version of NYISO OATT Attachment HH, Section 40.6 (Attachment II);
- 3) A clean version of NYISO OATT Attachment HH, Sections 40.13 and 40.19 containing the tariff revisions accepted by the Commission effective May 2, 2024 (Attachment III); and
- 4) A clean version of NYISO OATT Attachment HH, Sections 40.13 and 40.19 containing the tariff revisions accepted by the Commission effective October 16, 2025 (Attachment IV).

## **V. Service**

The NYISO will send an electronic link to this filing to the official representative of each of its customers, to each participant on its stakeholder committees, to the New York Public Service Commission, and to the New Jersey Board of Public Utilities. In addition, a complete copy of the documents included with this filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com).

## **VI. Communications**

All communications and service with regard to this filing should be directed to:

Robert E. Fernandez, Executive Vice President,  
Chief Compliance Officer & General Counsel  
Karen Georgenson Gach, Deputy General  
Counsel

\*Sara B. Keegan, Assistant General Counsel

\*Raquel M. Parks, Attorney II  
New York Independent System Operator, Inc.  
10 Krey Boulevard

Rensselaer, NY 12144

Tel: (518) 356-6000

Fax: (518) 356-4702

[skeegan@nyiso.com](mailto:skeegan@nyiso.com)

[rparks@nyiso.com](mailto:rparks@nyiso.com)

\*Michael J. Messonnier Jr.  
Hunton Andrews Kurth LLP  
951 East Byrd Street  
Richmond, VA 23219  
Tel: (804) 788-8200  
Fax: (804) 344-7999  
[mmessonnier@hunton.com](mailto:mmessonnier@hunton.com)

\*Ted J. Murphy  
Hunton Andrews Kurth LLP  
2200 Pennsylvania Avenue, NW  
Washington, D.C. 20037  
Tel: (202) 955-1500  
Fax: (202) 778-2201  
[tmurphy@hunton.com](mailto:tmurphy@hunton.com)

\*Designated to receive service.

## **VII. Conclusion**

Wherefore, the NYISO respectfully requests that the Commission accept the tariff revisions proposed in this compliance filing without modification and determine that the NYISO fully complies with the requirements of Order No. 2023 and the October 2025 Order.

Respectfully submitted,  
/s/ Sara B. Keegan  
Sara B. Keegan  
Raquel M. Parks

cc: Janel Burdick  
Emily Chen  
James Dawson  
Jignasa Gadani  
Leanne Khammal  
Jaime Knepper  
David Morenoff  
Jason Rhee  
Douglas Roe

## **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 15th day of May 2026.

/s/ Kerry Teti

Kerry Teti  
New York Independent System Operator, Inc.  
10 Krey Blvd.  
Rensselaer, NY 12144  
(518) 356-6222