192 FERC ¶ 63,010



UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

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| Central Hudson Gas & Electric Corporation  New York Independent System Operator, Inc. |  | Docket No. ER24-1434-003 |

ORDER OF CHIEF JUDGE DENYING WITHOUT PREJUDICE MOTION FOR INTERIM IMPLEMENTATION OF SETTLEMENT RATE

(Issued August 12, 2025)

1. On August 6, 2025, Central Hudson Gas & Electric Corporation (Central Hudson)filed a Motion for Authorization to Implement Settlement Rate on an Interim Basis, andRequest for Waivers and for Expedited Treatment (Motion). The Motion relates to aconcurrently filed Offer of Settlement (Settlement), which is intended to resolve all issuesset for hearing in this proceeding.1 Central Hudson requests August 6, 2025, as theinterim effective date for “the settlement rate that has been offered in this proceeding”(Settlement Rate).2

2. The Motion requests waiver of the answer period.3 Because Central Hudsonrepresents that the Motion is unopposed,4 the answer period is hereby WAIVED pursuantto Rule 213(d).5

1 Motion at 3; Offer of Settlement, Docket No. ER24-1434-002, at pmbl. (Aug. 6, 2025).

2 Motion at 1.

3 Id. at 1, 4-5.

4 Id. at 4.

5 18 C.F.R. § 385.213(d)(1) (2024) (requiring a 15-day answer period for motions“unless otherwise ordered”); see also 18 C.F.R. § 385.213(d)(1)(i) (stating that answersto a motion to shorten the time period for action must be made within 5 days “unlessotherwise ordered”).

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I. Governing Law

3. The Commission has authorized the Chief Administrative Law Judge (ChiefJudge) to adjudicate “uncontested motions that would result in lower interim settlementrates, pending Commission action on settlement agreements.”6 Such motions mustdemonstrate an overall rate reduction to be granted.7 If some component rates haveincreased, “the motion should clearly demonstrate that the overall effect of all changedcomponents or inputs results in a lower interim rate.”8 Given the limitations on the ChiefJudge’s delegated authority in this area, filers may always motion the Commissiondirectly if seeking the imposition of a higher interim settlement rate.9

II. Discussion

4. The Motion is deficient and does not provide adequate information to determinethe overall rate impact of implementing the requested Settlement Rate. While CentralHudson highlights the Settlement’s removal of “Energy Efficiency and ProductionCosts,”10 the redlined tariff records appended to the Motion make no reference to thosecosts.11 Instead, the tariff records show increases to certain fixed charges and decreases

6 18 C.F.R. § 375.307(a)(1)(iv), (a)(7)(v).

7 Trailblazer Pipeline Co., 169 FERC ¶ 63,008, at P 4 (2019) (referencing certainrate increases but granting motion given the “significant overall reduction in rates andtotal revenues for Trailblazer”); S. Nat. Gas Co., 190 FERC ¶ 63,007, at P 3 (2025)(finding “an overall rate reduction” and granting motion).

8 Chief Administrative Law Judge’s Notices to the Public, Motions to PlaceInterim Settlement Rates into Effect, Docket No. AD20-12-000, at P 4 (June 15, 2022)(stating also that “[i]f the appropriate analysis is not provided, the filing party may bedirected to supplement their filing”); see also Columbia Gas Transmission, LLC, 177FERC ¶ 63,013, at PP 4-5 (2021) (granting renewed motion that included supplementalinformation, including “an appendix that demonstrates that an overall rate decreaseresults from the combination of the decreased and increased rate components”).

9 See Nat. Gas Pipeline Co. of Am., 46 FERC ¶ 61,186, at 2 (1989) (finding that“no party objects to the increase in the DMQ-1 Rate Schedule so the Commission willpermit these interim settlement rates to take effect as proposed”).

10 Motion at 3.

11 Id. app. B.

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to certain contract demand and usage rates.12 Central Hudson’s cursory contention thatthe Settlement constitutes a “reduced rate”13 is insufficient to make the required findingthat the sought relief would “result in lower interim settlement rates.”14 Without furtherdocumentation, explanation, or analysis regarding the impact of the counteracting ratechanges, an insufficient record exists to grant the Motion and authorize interimimplementation of the Settlement Rate.15

5. Accordingly, the requested interim Settlement Rate is NOT accepted,16 and theMotion is DENIED WITHOUT PREJUDICE.

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| SO ORDERED. |  | Digitally signed  by ANDREW  SATTEN |

Andrew Satten

Chief Administrative Law Judge

12 See id. (showing in Rate Schedule 21, section 6.21.6 increases to minimum monthly charges and decreases to contract demand amounts).

13 Motion at 3-4.

14 18 C.F.R. § 375.307(a)(1)(iv).

15 See Midwestern Gas Transmission Co., 177 FERC ¶ 63,030, at PP 2-3 (2021)(holding that “insufficient record evidence exists to grant the Motion and authorize theinterim implementation of the revised tariff sheets”).

16 New York Independent System Operator, Inc., NYISO Tariffs, NYISO OATT,

6.21 OATT Schedule 21 (3.0.0).