

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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, and Request for Waivers and for Expedited Treatment* (Motion). The Motion relates to a concurrently filed Offer of Settlement (Settlement), which is intended to resolve all issues set for hearing in this proceeding.¹ Central Hudson requests August 6, 2025, as the interim 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 Hudson represents that the Motion is unopposed,⁴ the answer period is hereby WAIVED pursuant to 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 answers to a motion to shorten the time period for action must be made within 5 days “unless otherwise ordered”).

I. Governing Law

3. The Commission has authorized the Chief Administrative Law Judge (Chief Judge) to adjudicate “uncontested motions that would result in lower interim settlement rates, pending Commission action on settlement agreements.”⁶ Such motions must demonstrate an overall rate reduction to be granted.⁷ If some component rates have increased, “the motion should clearly demonstrate that the overall effect of all changed components or inputs results in a lower interim rate.”⁸ Given the limitations on the Chief Judge’s delegated authority in this area, filers may always motion the Commission directly 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 determine the overall rate impact of implementing the requested Settlement Rate. While Central Hudson highlights the Settlement’s removal of “Energy Efficiency and Production Costs,”¹⁰ the redlined tariff records appended to the Motion make no reference to those costs.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 certain rate increases but granting motion given the “significant overall reduction in rates and total 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 Place Interim 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 be directed to supplement their filing”); *see also Columbia Gas Transmission, LLC*, 177 FERC ¶ 63,013, at PP 4-5 (2021) (granting renewed motion that included supplemental information, including “an appendix that demonstrates that an overall rate decrease results 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 will permit these interim settlement rates to take effect as proposed”).

¹⁰ Motion at 3.

¹¹ *Id.* app. B.

to certain contract demand and usage rates.¹² Central Hudson's cursory contention that the Settlement constitutes a "reduced rate"¹³ is insufficient to make the required finding that the sought relief would "result in lower interim settlement rates."¹⁴ Without further documentation, explanation, or analysis regarding the impact of the counteracting rate changes, an insufficient record exists to grant the Motion and authorize interim implementation of the Settlement Rate.¹⁵

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

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 the interim implementation of the revised tariff sheets").

¹⁶ New York Independent System Operator, Inc., NYISO Tariffs, [NYISO OATT, 6.21 OATT Schedule 21 \(3.0.0\)](#).