

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

New York Independent System Operator, Inc.
Docket No. ER25-3291-000

Issued: October 24, 2025

On August 26, 2025, New York Independent System Operator, Inc. (NYISO) submitted an Amended and Restated Engineering, Procurement, and Construction Agreement between Hecate Energy Cider Solar, LLC as Developer, Rochester Gas and Electric Corporation as Affected System Operator, and NYISO, designated as Service Agreement No. 2856 (Hecate Agreement).¹ NYISO requested the Hecate Agreement be accepted effective August 12, 2025. Pursuant to authority delegated to the Director, Division of Electric Power Regulation – East, under 18 C.F.R. § 375.307, the submittal is accepted for filing, effective October 26, 2025, 61 days after the filing date.²

Absent a strong showing of good cause, the Commission’s policy is to deny waiver of the prior notice requirement for rate increases.³ NYISO has not made such a showing. For any revenues collected before the effective date, NYISO must refund the time value of the difference between the increased rate and the existing rate actually collected for the time period during which the increased rate was charged without Commission authorization,⁴ with the refunds limited so as not to cause NYISO to operate at a loss.⁵ Accordingly, NYISO must make time value refunds within 30 days of the date of this letter order and file a refund report with the Commission, including information

¹ New York Independent System Operator, Inc., NYISO Agreements, [Agreement No. 2856, EPCA among NYISO, RG&E, and Hecate Energy Cider Solar \(1.0.0\)](#).

² See 18 C.F.R. § 35.3(a)(1).

³ *Cent. Hudson Gas & Elec. Corp.*, 60 FERC ¶ 61,106, *reh’g denied*, 61 FERC ¶ 61,089 (1992); *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, *clarified*, 65 FERC ¶ 61,081 (1993).

⁴ *Midcontinent Indep. Sys. Operator, Inc.*, 170 FERC ¶ 61,182, at PP 39-40 (2020).

⁵ *Carolina Power & Light Co.*, 87 FERC ¶ 61,083, at 61,357 (1999); *Int’l Transmission Co.*, 152 FERC ¶ 61,043, at P 29 (2015).

supporting calculation of the time value of revenues collected without Commission authorization and any limit on the refunds due, within 30 days thereafter.⁶ The filing was publicly noticed. No protests or adverse comments were filed. Pursuant to Rule 214 of the Commission's regulations (18 C.F.R. § 385.214), notices of intervention, timely-filed motions to intervene, and any unopposed motions to intervene out-of-time filed before the issuance date of this order are granted.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed document(s); nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the applicant(s).

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Issued by: Leanne Khammal, Acting Director, Division of Electric Power Regulation – East

⁶ The refund report should be submitted in eTariff using the following coding: Type of Filing Code 1130 – Refund Report.