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Associate Counsel

August 19, 2024

**VIA E-TARIFF FILING**

Hon. Debbie-Anne A. Reese, Acting Secretary  
Federal Energy Regulatory Commission  
Dockets Room, Room 1A  
888 First Street, N.E.  
Washington, DC 20426

**Re: Consolidated Edison Co. of New York, Inc., et al. , Docket Nos. ER23-2212-000, -001  
Unopposed Joint Offer of Partial Settlement on Rate Schedule 10-Only Issues and  
Request for Expedited Review and Approval**

Dear Acting Secretary Reese:

Pursuant to Rule 602 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission's ("Commission" or "FERC"),<sup>1</sup> Consolidated Edison Co. of New York, Inc. ("Consolidated Edison"), submit this Joint Offer of Partial Settlement ("Settlement"). The Settlement includes as Settling Parties each of the active parties in this proceeding, including the New York State Public Service Commission ("NYSPSC"), New York Association of Public Power ("NYAPP"), and New Jersey Division of Rate Counsel ("NJDRRC") (together with Consolidated Edison, the "Settling Parties"). Consolidated Edison is authorized to represent that the Commission Trial Staff either supports or does not oppose the Settlement.

Consolidated Edison respectfully requests that the Settlement be transmitted to Settlement Judge Patricia M. French for certification pursuant to Rule 602(b)(2)(i)<sup>2</sup> and that Judge French certify the Settlement to the Commission promptly for approval without modification or condition. To permit the annual update required to be posted on NYISO website to reflect the terms of the Settlement as part of the annual update process contemplated by the associated formula rate protocols accepted by the Commission,<sup>3</sup> Consolidated Edison respectfully seeks a Commission order on the Settlement no later than October 1, 2024, or in the alternative that the Commission's order on the Settlement provide an

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<sup>1</sup> 18 C.F.R. § 385.602 (2023). The New York Independent System Operator, Inc. ("NYISO") submits this filing on behalf of Consolidated Edison solely in its role as administrator of the NYISO Open Access Transmission Tariff ("OATT"). The NYISO is not a party to the settlement and takes no position on any substantive aspect of this filing at this time.

<sup>2</sup> 18 C.F.R. § 385.602(b)(2)(i).

<sup>3</sup> See *Consolidated Edison Company of New York, Inc.*, 185 FERC ¶ 61,091, at P 2 and (2023) (accepting Protocols effective as of August 22, 2023) (Formula Rate Template compliance filing pending).

effective date of October 1, 2024. The Settlement, agreed upon by the active parties in this proceeding, is fair, reasonable and in the public interest. It fully resolves all issues set for hearing and settlement procedures by the Commission in this proceeding with respect to the NYISO OATT Rate Schedule 10.

In accordance with Rule 602(c)(1) of the Commission's Rules of Practice and Procedure, in addition to this transmittal letter, this filing consists of the following:

1. An Explanatory Statement;
2. The Settlement; and
3. Appendix A to the Settlement, which includes pro forma clean and redline tariff records reflecting corresponding revisions to Consolidated Edison's NYISO OATT Rate Schedule 10 formula rate template, proposed for implementation in a future implementation filing.

Consolidated Edison certifies that it is serving a complete copy of this filing on all parties to the above-referenced proceeding, which includes all Settling Parties and the NYISO. In accordance with the Commission's regulations, any initial comments on the Settlement must be filed not later than 20 days after this filing and reply comments may be filed not later than 30 days after this filing, unless otherwise provided by the Commission or Judge French, as the presiding officer.

Respectfully submitted,

/s/ Susan J. LoFrumento

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Enclosures

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document on those parties on the official Service List compiled by the Secretary in this proceeding.

Dated at Birmingham, Alabama, this 19th day of August 2024

/s/ Lyle D. Larson  
Lyle D. Larson