

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>New York Independent System</b>	)	
<b>Operator, Inc.; Central Hudson Gas &amp;</b>	)	<b>Docket No. ER24-1434-001</b>
<b>Electric Corporation</b>	)	

**MOTION OF CENTRAL HUDSON GAS & ELECTRIC CORPORATION FOR  
AUTHORIZATION TO IMPLEMENT SETTLEMENT RATE ON AN INTERIM BASIS, AND  
REQUEST FOR WAIVERS AND FOR EXPEDITED TREATMENT**

**To: The Honorable Andrew Satten  
Chief Administrative Law Judge**

**Cc: The Honorable Matthew J. Vlissides, Jr.  
Administrative Law Judge**

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”),<sup>1</sup> Central Hudson Gas & Electric Corporation (“Central Hudson”) respectfully requests authorization to place the settlement rate that has been offered in this proceeding into effect on an interim basis, effective August 6, 2025, pending the Commission’s review and approval or acceptance of the Offer of Settlement (“Settlement”). Central Hudson also requests, with respect to this Motion, that the Chief Administrative Law Judge (“Chief Judge”) waive the answer period and grant expedited treatment, and issue an order granting this Motion as soon as possible. As described below, this Motion will not prejudice the interest of any party to this proceeding, and is in the public interest as it permits a reduced settlement rate to be placed into effect pending the filing and Commission review and approval or acceptance of a settlement.

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<sup>1</sup>18 C.F.R. § 385.212.

## **I. Background**

On March 8, 2024, the New York Independent System Operator, Inc. (“NYISO”), on behalf of Central Hudson Gas & Electric Corporation (“Central Hudson”), submitted a new proposed Rate Schedule 21 to the Federal Energy Regulatory Commission (“Commission”) to provide for Central Hudson’s recovery of costs associated with the provision of wholesale distribution service to customers who own electric resources connected to Central Hudson’s distribution system and sell the output of those resources through NYISO wholesale markets, as well as customers charging electric energy storage systems for the purposes of making wholesale sales in the NYISO wholesale markets (“Rate WDS”).

The Settling Parties<sup>2</sup> filed interventions in response to the Rate Schedule filing. On May 6, 2024, the Commission issued a deficiency letter to Central Hudson seeking additional information including development of the revenue requirement and clarification of certain tariff provisions related to application of contract demand charge and merchant function charges. Central Hudson filed its response to the deficiency letter on June 5, 2024.

On August 2, 2024, the Commission issued an Order accepting Rate WDS, effective August 5, 2024, and suspending it for a nominal period, subject to refund, and set the proceeding for hearing and settlement judge procedures.

The participants engaged in settlement discussions with the assistance of Settlement Judge Mathew J. Vlissides, Jr., who was designated to preside over

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<sup>2</sup> The Settling Parties who attended settlement conferences and participated in settlement negotiations are Ayapa Power LLC; Key Capture Energy, LLC; Catskill Grid, LLC; New York Battery and Energy Storage Technology Consortium, Inc.; MicroGrid Networks, LLC; and the New York State Public Service Commission.

settlement procedures by order of the Chief Judge dated August 8, 2024. Settlement conferences were held before Judge Vlissides on August 28, 2024, December 3, 2024, January 27, 2025, and March 26, 2025. The settlement discussions resulted in the executed Settlement Agreement that was filed on August 6, 2025 in this proceeding (“Settlement”). This Settlement reflects the agreement of the Settling Parties to resolve all outstanding issues in Docket No. ER24-1434. No Party opposes the Settlement.

The Settlement fully resolves all issues regarding Rate Schedule 21 raised in Docket No. ER24-1434 in a fair and reasonable manner that is in the public interest.

## **II. Motion to Implement Settlement Rates on an Interim Basis**

As noted above, the Settling Parties and Commission Staff have reached an agreement that resolves all of the issues set for hearing. Among the items agreed to is the removal of Central Hudson’s Energy Efficiency and Production Costs (“Settlement Tariff”), as reflected in the proposed revisions to Rate Schedule 21 which were set forth in Appendices A and B of the Settlement.<sup>3</sup> In order for ratepayers to realize as soon as possible the benefits of the reduced rate agreed to among the parties, and so that Central Hudson and NYISO may implement the Settlement Tariff beginning August 6, 2025, Central Hudson is filing this Motion for authorization to implement the Settlement Tariff on an interim basis, subject to refund or surcharge, with interest computed in accordance with 18 C.F.R. § 35.19a, pending Commission review of the Settlement.

In accordance with the Settlement, Central Hudson respectfully requests that the Chief Judge grant this Motion permitting it to implement the Settlement Tariff on an

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<sup>3</sup> The same revisions set forth in Appendices A and B of the Settlement are included as attachments to this filing. Appendix A includes a clean version of the proposed revisions to Rate Schedule 21. A redline version of the proposed revisions to Rate Schedule 21 are provided in Appendix B.

interim basis, effective as of August 6, 2025, pending Commission action on the Settlement filed in this proceeding. The action requested by Central Hudson is consistent with the approved implementation of settlement rates on an interim basis in other proceedings.<sup>4</sup>

The Settling Parties and Commission Trial Staff have authorized Central Hudson to represent that they do not oppose this Motion.

### **III. Request for Waivers and Expedited Treatment**

The Commission may, for good cause shown, permit a public utility to collect a rate different than the rate schedule on file with the Commission.<sup>5</sup> Further, Rule 307(a)(1)(iv) of the Commission's Revised General Rules authorizes the Chief Judge to act on uncontested motions that would result in lower interim settlement rates, pending Commission action on settlement agreements.<sup>6</sup> Implementation of the Settlement Tariff on an interim basis will enable ratepayers to realize the benefit, without delay, of the reduced rate under the settlement. Consistent with the Chief Judge's August 30, 2016, and October 13, 2017, Notices to the Public, Central Hudson has shown that the Settlement Tariff is fair and reasonable and in the public interest. Accordingly, good cause exists to grant this unopposed Motion to make the Settlement Tariff effective as of August 6, 2025 on an interim basis.

Central Hudson respectfully requests expedited action on this Motion to allow sufficient time for NYISO to implement the Settlement Tariff for the billing period

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<sup>4</sup> See, e.g., *Moxie Freedom LLC*, 167 FERC ¶ 63,014 (2019); *Logan Generating Co., L.P.*, 158 FERC ¶ 63,005 (2017); *All Dams Generation, LLC*, 157 FERC ¶ 63,029 (2016); *Cottonwood Energy Co. LP*, 149 FERC ¶ 63,011 (2014); *Calpine Mid Merit, LLC*, 142 FERC ¶ 63,010 (2013).

<sup>5</sup> 18 C.F.R. § 35.1(e).

<sup>6</sup> *Id.* §375.307(a)(1)(iv).

beginning August 6, 2025. Central Hudson further requests waiver of the answer period on this Motion, and requests any other necessary waivers of the Commission's regulations, including the Commission's prior notice requirements, to the extent necessary to permit the Settlement Tariff to be implemented on an interim basis as of August 6, 2025.

#### **IV. Conclusion**

WHEREFORE, for the foregoing reasons, Central Hudson respectfully requests that the Chief Judge permit the Settlement Tariff to be made effective on an interim basis as of August 6, 2025, pending Commission review and approval or acceptance of the Settlement.

Respectfully submitted,

/s/Paul A. Colbert

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Dated: August 6, 2025