

August 13, 2025

**By Electronic Delivery**

Honorable Debbie-Anne A. Reese, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: Docket No. ER21-2460-\_\_\_\_; Update to December 2024 Compliance Filing  
Regarding Proposed Tariff Revisions**

Dear Ms. Reese:

On December 19, 2024, the New York Independent System Operator, Inc. (“NYISO”) submitted tariff revisions to its Market Administration and Control Area Services Tariff (“Services Tariff”) to permit heterogeneous Aggregations of Distributed Energy Resources (“DER”) to provide all of the Ancillary Services that they are technically capable of providing (“December 2024 Compliance Filing”).<sup>1</sup> The December 2024 Compliance Filing addressed the directives of the Federal Energy Regulatory Commission (“Commission”) in its April 20, 2023, Order issued in the above-captioned proceeding concerning the NYISO’s compliance with Order No. 2222 (“April 2023 Compliance Order”).<sup>2</sup>

As described in Part I below, the NYISO submits this update to its December 2024 Compliance Filing to remove certain proposed revisions to its Services Tariff that were included in that filing that the NYISO subsequently determined are not required to address the Commission’s directives in the April 2023 Compliance Order. As described in Part II below, the NYISO requests that the tariff revisions proposed in the December 2024 Compliance Filing, as modified by this update, be permitted to become effective in the fourth quarter of 2026, which is the same timeframe proposed for all remaining tariff revisions required for the NYISO to achieve full Order No. 2222 compliance.

The NYISO respectfully requests that the Commission accept the December 2024 Compliance Filing, as revised by this update, as fully satisfying the requirements of the April 2023 Compliance Order and Order No. 2222.

**I. Discussion**

In its December 2024 Compliance Filing, the NYISO submitted proposed revisions to its Services Tariff to address the directives of the Commission’s April 2023 Compliance Order. In

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<sup>1</sup> *New York Independent System Operator, Inc.*, Compliance Filing, Docket No. ER21-2460-009 (Dec. 19, 2024) (“December 2024 Compliance Filing”).

<sup>2</sup> *New York Independent System Operator, Inc.*, 183 FERC ¶ 61,035 (2023) (“April 2023 Compliance Order”).

particular, the NYISO proposed tariff revisions that will enable heterogeneous (mixed resource type) Aggregations<sup>3</sup> to provide Operating Reserves and Regulation Service when at least one DER within the Aggregation is technically qualified to provide the applicable service. In addition, the NYISO proposed related conforming and clarifying revisions to address how some of the revisions proposed to address heterogeneous Aggregations will apply to other Resource types; particularly to Energy Storage Resources (“ESRs”) and Aggregations consisting entirely of ESRs.<sup>4</sup>

Subsequent to its submission of the December 2024 Compliance Filing, the NYISO determined in response to input from Commission Staff that the clarifying revisions concerning the bidding rules for ESRs and Aggregations of ESRs are not strictly required to address its compliance with the Commission’s directives in the April 2023 Compliance Order. Accordingly, the NYISO submits this update to the December 2024 Compliance Filing to remove these tariff revisions from its compliance filing.<sup>5</sup> In particular, the NYISO is only resubmitting the tariff sections that included the clarifications concerning ESRs and Aggregations of ESRs to back out these clarifications from the proposed tariff revisions.<sup>6</sup> In addition, the NYISO is providing for the Commission’s reference an informational version of the impacted tariff sections that show these backed out changes. The NYISO intends to bring the backed-out tariff revisions to its stakeholders for their review and approval, and to re-file the changes for the Commission’s consideration pursuant to Section 205 of the Federal Power Act.

The NYISO respectfully requests that the Commission accept the December 2024 Compliance Filing, as revised by this update, as fully satisfying the requirements of the April 2023 Compliance Order.

## **II. Proposed Effective Date**

In its December 2024 Compliance Filing, the NYISO requested that the tariff revisions submitted with the filing become effective simultaneously with the rest of the NYISO’s Order No. 2222 compliance tariff provisions on a date that is no later than December 31, 2026.<sup>7</sup> The NYISO indicated that it would submit a compliance filing at least two weeks prior to its proposed effective date that will specify the precise effective date for the NYISO’s Order No. 2222 compliance tariff revisions, including the revisions proposed in the December 2024

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<sup>3</sup> Under the NYISO’s accepted Tariff rules a “**DER Aggregation**” is an Aggregation that is comprised of either (a) one or more Demand Response Resources, or (b) a heterogeneous Aggregation that includes two or more different Resource types. See Section 2.4 of the Services Tariff.

<sup>4</sup> See December 2024 Compliance Filing at 12.

<sup>5</sup> The tariff revisions that the NYISO proposes to delete from its December 2024 Compliance Filing are located in Services Tariff Sections 2.12 (definition of Lower Operating Limit), 2.14 (definition of Normal Operating Limit); 4.2.1.3.1, 4.4.1.2.1 and 4.4.2.1.

<sup>6</sup> With the clarifications concerning ESRs and Aggregations of ESRs removed from Section 2.14 of the Services Tariff, this tariff section includes no remaining proposed changes for purposes of the December 2024 Compliance Filing. Accordingly, the NYISO is withdrawing that tariff section from this compliance proceeding.

<sup>7</sup> See December 2024 Compliance Filing at 12-13.

Compliance Filing.<sup>8</sup> The NYISO reiterates its request in this update to its compliance filing that its tariff revisions, as revised in this filing, become effective simultaneously with the rest of the NYISO's Order No. 2222 compliance tariff provisions on a date that is no later than December 31, 2026, which the NYISO will specify in a filing at least two weeks prior to the effective date.

### **III. Documents Submitted**

The NYISO submits the following documents with this filing letter:

1. An updated clean version of the NYISO's Services Tariff sections 2.12, 4.2, and 4.4 containing the proposed compliance tariff revisions from the December 2024 Compliance Filing without the ESR and Aggregation of ESR clarifications (Attachment I);
2. An updated blacklined version of the NYISO's Services Tariff sections 2.12, 4.2, and 4.4 containing the proposed compliance tariff revisions from the December 2024 Compliance Filing without the ESR and Aggregation of ESR clarifications (Attachment II); and
3. An informational version of the NYISO's Service Tariff sections 2.12, 2.14, 4.2, and 4.4 illustrating the removal of the ESR and Aggregation of ESR clarifications (Attachment III).

### **IV. Service**

A complete copy of this filing will be posted on the NYISO's website at [www.nyiso.com](http://www.nyiso.com). The NYISO will send an electronic link to this filing to the official representative of each of its customers and to each participant on its stakeholder committees. In addition, the NYISO will send an electronic copy of this filing to the New York Public Service Commission and to the New Jersey Board of Public Utilities.

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<sup>8</sup> See *id.*

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**V. Conclusion**

The NYISO respectfully requests that the Commission accept this update to its December 2024 Compliance Filing and requests that the Commission accept the December 2024 Compliance Filing, as revised by this update, as fully satisfying the requirements of the April 2023 Compliance Order.

Respectfully submitted,

/s/ Michael J. Messonnier, Jr.

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## **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 13<sup>th</sup> day of August 2025.

/s/ Elizabeth Rilling

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