

OUTLINE OF PSC DISPUTE RESOLUTION PROCESS FOR NYISO COMPREHENSIVE RELIABILITY PLANNING

Parties should note that the process outlined below is intended for use as a last resort only. Department staff will be available to assist parties while a dispute is pending at the NYISO.

1. A party seeking New York Public Service Commission (Commission) review of a NYISO board determination concerning the final conclusions or recommendations of the reliability needs assessment, or a final determination of the NYISO in the CRP that a proposed solution will or will not meet a reliability need, should file and serve a petition pursuant to 16 NYCRR § 3.5. If there are disputed issues of fact, petitions should also include a request for a hearing.
2. If required, a notice pursuant to § 202 of the New York State Administrative Procedure Act will be submitted to the New York Department of State.
3. An Administrative Law Judge (ALJ) will be assigned to the case.
4. A procedural schedule will be established. The schedule may include filed testimony, hearings, post-hearing briefs and/or other process elements at the discretion of the ALJ after consultation with the parties.
5. After the conclusion of the procedural schedule, the ALJ will certify the record to the Commission.
6. The Commission will issue a decision at the earliest reasonably practicable time.