

OUTLINE OF PSC DISTPUTE 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 (NYISO Tariff §5.3), or a final determination of the NYISO in the CRP that a proposed solution will or will not meet a reliability need (NYISO Tariff 8.3), should file and serve a petition pursuant to 16NYCRR § 3.5.
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. A Department of Public Service Administrative Law Judge (ALJ) will be assigned to the petition.
4. The ALJ, after consultation with the parties, will establish the procedural process and schedule.
5. After the conclusion of the procedural schedule, in the event of an evidentiary hearing pursuant to 16 NYCRR §4, the ALJ will submit a report to the Commission (16 NYCRR §4.9(a)) and no Recommended Decision will be required. Where no evidentiary hearing has been held the ALJ will submit a recommendation to the Commission.
6. The Commission will issue a decision in a reasonable time.