

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems	Case 24-E-0621
In the Matter of Energy Storage Deployment Program	Case 18-E-0130
Proceeding on Motion of the Commission to Address New York City Reliability Needs	Case 25-E-0764

**CON EDISON COMMENTS TO NY-BEST PETITION AND
ADDITIONAL REPLY COMMENTS TO NY-BEST AND NYSEIA’S MOTION
FOR EMERGENCY RULEMAKING**

On January 13, 2026, New York Battery and Energy Storage Technology Consortium (NY-BEST) requested that the Public Service Commission adopt changes to existing utility planning and engineering practices that would enable certain energy storage projects to shift billions of dollars onto electric utility customers for infrastructure that would not otherwise be required but for NY-BEST’s members’ energy storage projects (Initial Petition).¹ The Initial Petition requests that the Commission: (1) direct Con Edison to revert to a prior interconnection evaluation methodology; (2) require Con Edison to allow “curved charging profiles” when evaluating energy storage projects; and (3) initiate a new stakeholder process to reform Con Edison’s interconnection and market rules. Subsequently, on March 11, 2026, NY-BEST and the New York Solar Energy Industries Association (NYSEIA) filed an emergency petition² requesting the Commission, on an expedited basis, prohibit Con Edison from: (1) applying its two-part

¹ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Energy Storage in Con Ed – Call for Immediate Relief (filed January 13, 2026) (Initial Petition).

² Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Motion for Emergency Rulemaking (filed March 11, 2026) (Emergency Petition).

reliability test to battery storage interconnection applications, and (2) assigning the “but for” costs of necessary reliability upgrades to the private developers who cause them (Emergency Petition).³

The Commission should deny both petitions. First, Con Edison has already addressed Petitioners’ request to direct Con Edison to revert to a prior interconnection evaluation methodology in its Notice on SIR Energy Storage,⁴ the Company’s Reply Comments to the Emergency Petition, and in the Joint Utilities’ Comments⁵ on the petition. Second, Petitioners’ request for Con Edison to assume “curved charging profiles” should be denied and is addressed herein. Third, Petitioners’ request for a new stakeholder process to reform Con Edison’s interconnection and market rules should be denied and is addressed in the Company’s Reply Comments, the Joint Utilities’ Comments, and herein. In addition, the petitions advocate for Commission action on market rules, energy storage as a reliability asset, and the use of direct transfer trip technology, each of which should be rejected as explained herein. Finally, the Company addresses the Emergency Petition’s inaccurate characterization of Con Edison’s hosting capacity maps.⁶

A. The Commission Should Reject Petitioners’ Request to Use Curved Charging Profiles

The Initial Petition requests that the Commission direct Con Edison to use “curved charging profiles” when evaluating new projects for interconnection.⁷ The Commission should reject this request because the Initial Petition lacks any detail regarding implementation, understates the technical complexity of the interconnection study process, and could jeopardize system reliability.

³ Con Edison responded to the Emergency Petition on March 19, 2026 (*See* Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Consolidated Edison’s Reply Comments To NY-BEST and NYSEIA’s Motion For Emergency Rulemaking (filed March 19, 2026) (Con Edison Reply Comments or Reply Comments).

⁴ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Con Edison Notice on SIR Energy Storage (filed January 14, 2026) (Notice).

⁵ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Joint Utilities’ Comments on NY-BEST Petition (filed May 4, 2026) (Joint Utilities’ Comments).

⁶ Con Edison incorporates and reasserts its January Notice and its Reply Comments here and includes them in the Appendix. The Company not addressing every assertion in the petitions should not be construed as agreement.

⁷ Initial Petition at 3-4.

The term curved charging profiles is not a standard industry term, and the Initial Petition fails to define it or describe it in a meaningful way. If the Commission were inclined to require utilities to use “curved charging profiles,” further evaluation is needed. Understanding the impacts of charging profile assumptions is a highly technical process that depends on system configuration, operating conditions, and local reliability considerations. Additionally, the utilities require a functional Distributed Energy Resource Management System (DERMS) that can monitor and verify compliance, along with technology and protocols in place to take actions in cases of non-compliance, such as violations of reliability standards, or during contingency events. These assumptions must be developed and applied by each utility based on its unique electric system characteristics. Con Edison is open to discussing alternative charging profiles, but a Commission mandate adopting charging profile characteristics without more comprehensive management abilities in place would undermine utilities’ ability to conduct accurate interconnection studies, could jeopardize system reliability, and should be rejected.

Separately, the Company would consider exploring flexible interconnection options that do not threaten reliability standards. Enabling flexible interconnection requires development of information technology systems, such as a DERMS capable of optimizing these resources and sending dispatch signals. These systems are complex and require time and resource investments. DERMS can be useful tools for more effectively integrating storage into utility operations, if implemented in line with reliability standards. Flexible connections also require a clear view of forecasted load at multiple levels in the system to allow for the development of flexible interconnection agreements. Given the significant load growth that is occurring today due to the electrification of heating, transportation, and other sources, along with uncertainty in adoption rates that may exceed those forecasted, care must be taken to develop flexible interconnection agreements that will not impact reliability at any level in the system. Flexible resources such as energy storage in the right locations and at the right scale can support increased reliability within distribution networks, but this requires upfront capital and process development related to information technology platforms, communications protocols, and data storage and management.

B. Market Rule Determinations Should Not Preclude Interconnection Engineering Judgment

The accompanying white paper “Unlocking Distributed Energy Storage to Address Reliability Needs in New York City,” which was filed with the Initial Petition (White Paper),

asserts that interconnection and market rules should be developed together to ensure investment viability for energy storage projects.⁸ This approach is misguided. The Commission should consider policy proposals⁹ on the Value of Distributed Energy Resources (VDER) tariff to achieve storage's beneficial impacts at the lowest cost to ratepayers. While the Company recognizes that tariffs and interconnection costs together determine the financial feasibility of projects, the interconnection process under the New York State Standardized Interconnection Requirements (SIR) is a technical process that dictates the allocation of capacity and associated infrastructure costs needed to connect distributed energy resources. Tariff and program revenues are distinct and are based on value to customers through avoided costs or policy priorities. While Con Edison has a responsibility to offer a transparent set of market rules for energy storage development, the Commission should not obligate utilities to alter technical reliability standards to ensure that projects are financeable.

C. Storage as a Solution to Meet New York City Reliability Needs

In its Initial Petition and White Paper, NY-BEST asserts that distributed energy storage could play a role in solving the New York City transmission reliability need identified by Con Edison.¹⁰ Con Edison agrees that distributed storage may be part a portfolio of solutions to meet the identified transmission reliability need. However, there are important considerations for transmission reliability that must be considered in evaluating distributed storage's role.¹¹ For example, NY-BEST states that VDER compensated energy storage projects commissioned in New York City could materially meet or mitigate the identified transmission reliability need.¹² However, energy storage can only support the New York City reliability need under strict conditions such as when it is located in eligible areas that are not constrained by transmission limitations, when storage operational schedules are tuned to the transmission need, and when storage systems meet stringent operational requirements around availability and performance to be relied upon for reliability.

⁸ White Paper at 7.

⁹ Suggested reforms are described in Case 15-E-0751 et al., *In the Matter of the Value of Distributed Energy Resources*, Joint Utilities' Comments on DPS Staff Proposal on Updating DRV and LSRV for VDER Compensation at 7-15 (filed March 16, 2026).

¹⁰ Initial Petition at 2, White Paper at 2-4.

¹¹ Case 25-E-0764, *Proceeding on Motion of the Commission to Address New York City Reliability Needs*, Con Edison Compliance Filing, Attachment B: Request for Information, describing eligible/non-constrained locations at § 3.1, operational alignment with need at §§ 2 and 3.1, and availability and performance requirements at §§ 4.1 and 5 (filed January 20, 2026).

¹² White Paper at 2-3.

Assessments for transmission reliability and security are not solely load-dependent, and solutions require a full evaluation of transmission planning standards, system constraints, and system dynamics beyond the number of megawatts of energy storage available on the distribution system. Additionally, transmission failures can have impacts that extend far beyond failures that occur on the distribution system. Transmission failure can propagate through the bulk power system in milliseconds, having implications for the entire Con Edison service area and beyond. Con Edison's comprehensive transmission planning process covers multiple jurisdictions and complex requirements, necessitating an in-depth understanding of transmission reliability modeling, standards, and risks to safeguard and maintain one of the most reliable systems in the country. Ultimately, NY-BEST does not bear responsibility for system reliability or security, and its White Paper is oversimplified to the point of being inaccurate.

The White Paper additionally states that energy storage is not appropriately considered by the New York Independent System Operator (NYISO) and Con Edison.¹³ Con Edison described in detail in its January 2026 New York City Reliability Needs filing, that the comprehensive forecasting process the Company employs includes consideration of energy storage projects with signed interconnection agreements.¹⁴ If existing and contracted energy storage projects demonstrate they can be leveraged to help meet the identified New York City reliability need, then program and tariff changes will be required.

D. Use of Curtailment Measures Such as Direct Transfer Trip

In its Emergency Petition, NY-BEST and NYSEIA claim Con Edison can significantly expand hosting capacity by “embracing direct transfer trip (DTT) or other tripping solutions to prevent BESS charging during contingency scenarios.”¹⁵ That claim is unsupported and the Commission should reject it. Before implementing any tripping solutions or DTT, substantial analysis would be required to assess feasibility, costs, system performance, and impacts on local networks.

Nevertheless, the Company is supportive of leveraging opportunities to enable storage when it can be done safely and without impacting reliability negatively. The Company notes that it operates one of the most reliable systems in the country. This reliability is predicated on

¹³ White Paper at 3-4.

¹⁴ Case 25-E-0764, *Proceeding on Motion of the Commission to Address New York City Reliability Needs*, Con Edison Compliance Filing, Attachment A: Con Edison's January 2026 Reliability Needs Report (filed January 20, 2026).

¹⁵ Emergency Petition at 24.

operating a mesh network with built-in preventive security measures designed to withstand up to two concurrent contingencies. To maintain reliability at these design levels, the Company must carefully evaluate whether an increase in risk from reduction in reliability standards, such as those that could arise from the use of transfer trip solutions, can be fully mitigated. Further, as the scale and concentration of distributed energy storage resources increase, especially in constrained networks, reliability risks may compound under DTT-based operating paradigms.

Before implementing DTT, time and resources would be required to evaluate the viability, applicability, and cost of building and maintaining new infrastructure for communication systems, develop processes and systems to validate trip response rates, and understand impacts of tripping instances on local networks.¹⁶ In particular, if implemented, further evaluation should be undertaken on how DTT could impact storage resources from fully operating during reliability events or providing beneficial load relief. For example, if charging is restricted before high-load events, that could impact whether storage assets are capable of subsequently discharging when load relief is most needed.

E. Con Edison Accurately Presents Hosting Capacity on its Maps

In their Emergency Petition, NY-BEST and NYSEIA include an analysis that concludes that Con Edison understates available hosting capacity.¹⁷ The Commission should disregard this conclusion because the analysis on which it relies is not accurate. The difference between the hosting capacity calculated by NY-BEST and NYSEIA and that published by Con Edison is primarily rooted in a misunderstanding about which capacity is being provided—overnight charging capacity, versus nameplate discharging capacity.

Con Edison's published hosting capacity values at area substations capture the available charging capacity in the overnight hours from midnight to 8 AM. By contrast, in its analysis, NY-BEST and NYSEIA's formula converts calculated hosting capacity into discharge or nameplate capacity, which has the effect of almost doubling the quantity, resulting in large deviations from Con Edison's published quantities. Therefore, the claim NY-BEST and NYSEIA

¹⁶ Additional considerations for DTT implementation include: evaluating the cost of building and maintaining new infrastructure including direct multiple and backup communications mediums, new cyber layers and security islands to storage facilities to monitor or verify operations of solutions, checking the time it takes to effectuate the trip and the impact that has based on the specific location of the storage facility on the grid and local network, the operational procedures to monitor and direct management of the battery under blue-sky, emergency and other conditions, the availability of personnel at third party battery locations to take action in person at any time in case of an emergency, etc.

¹⁷ Emergency Petition at Appendix A.

make that “Con Edison understates available hosting capacity” is false because the Con Edison published capacity values are specific to available charging capacity. However, in an effort to improve the clarity of its maps, Con Edison will more clearly note that hosting capacity values represent charging capacity in its published materials.

F. Conclusion

For the reasons discussed above, the Commission should deny the Petition and Emergency Petition and continue to address reliability, hosting capacity, and interconnection issues through ongoing proceedings that support the development of distributed energy resources, including solar and energy storage, without compromising system reliability and security.

Appendix 1

Con Edison's Notice on SIR Energy Storage



January 14, 2026

Via Electronic Filing

Hon. Michelle L. Phillips
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Re: Case 24-E-0621: In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems.

Case 18-E-0130: In the Matter of Energy Storage Deployment Program.

Case 25-E-0764: Proceeding on Motion of the Commission to Address New York City Reliability Needs.

Dear Secretary Phillips:

New York State is making significant progress towards achieving its nation-leading goal of six gigawatts of energy storage by 2030, and as a result, Con Edison is observing rapid growth in battery energy storage system (BESS) interconnection requests within its service territory. As New York State's energy storage programs work towards supporting a market for BESS to integrate renewable energy, increase customer resilience, and meet reliability needs, the rapid growth of BESS is also creating upstream capacity constraints in certain areas, including at or upstream of the area substation level. To promote transparency and efficient administration of BESS interconnections, and to assist developers in navigating the statewide interconnection process, this notice provides information on current upstream constraints, how those constraints impact interconnection requests, and related hosting capacity criteria.¹ Con Edison continues to process interconnection requests and execute agreements with storage developers, notwithstanding the significant increase in BESS interconnection activity.

¹ This notice is exclusively for BESS projects regulated by the New York State Standardized Interconnection Requirements (SIR). Projects regulated by the SIR are distributed generation, stand-alone energy storage systems, or combined generation and energy storage system facilities 5 MW or less connected in parallel with utility distribution systems.

I. Network Constraints in Con Edison's Service Territory

As of December 31, 2025, there are approximately 115 megawatts (MW) of operational BESS and 865 MW of BESS with executed interconnection agreements in Con Edison's service territory. Con Edison's interconnection queue for BESS projects five megawatts or less totals approximately 2,500 MW, representing a 300% increase over two years.² To put this number of MW into perspective, the peak load demand for Zone J in 2024 was approximately 10,000 MW. Much of the growth in the queue occurred recently. In the second quarter of 2025, the SIR-regulated BESS project queue grew by 700 MW, which was a 55% increase.³ Con Edison believes the queue may continue to grow as developers respond to price signals such as those embedded in Value of Distributed Energy Resources (VDER or Value Stack) compensation as well as the introduction of additional blocks of Retail Energy Storage Incentives from the New York State Energy Research and Development Authority.

BESS projects are not spread evenly across Con Edison's service area but instead are clustered in areas where land costs and zoning make building storage projects more affordable for developers; 65% of the MW in the queue are supplied by 10 of the Company's 63 substations. While BESS projects generally seek to charge overnight during times that are currently off-peak and when charging rates are cheaper, the cumulative impact of overnight charging across many clustered BESS projects can create new overnight load area peaks that exceed the current daytime peak. In numerous cases, new overnight peaks would exceed the Company's reliability thresholds, and therefore additional BESS charging load would require buildout of new utility infrastructure at the area substation or sub-transmission level to increase Hosting Capacity, which would not be required but for the BESS.⁴ As a result of the rapid growth in BESS interconnection requests, as of this writing there are over 20 substations at or near Hosting Capacity limits.⁵

The emergence of new overnight peaks resulting from a high volume of clustered BESS in the interconnection queue is a dramatic change in the BESS market in the Company's service

² This operational and queue data is limited to SIR-regulated BESS projects and does not include upwards of 300 MW of non-SIR or bulk storage projects in the queue in the Company's service territory.

³ Queue data is maintained at this website for SIR-regulated projects: <https://dps.ny.gov/distributed-generation-information>

⁴ Under the SIR at Section III, Hosting Capacity refers to "[t]he amount of distributed energy that can be interconnected without requiring electric infrastructure upgrades or adversely affecting power quality or reliability under current configurations."

⁵ Appendix 1 to this notice contains a list of substations with capacity constraints, which includes area substations with 0-25MW of available capacity.

territory. Because there is a large volume of projects clustered in specific areas, there could be, for the first time, significant impacts from BESS charging on infrastructure upstream of primary feeders, such as at area stations and sub-transmission infrastructure. In response to these conditions, Con Edison was required to refine its engineering analysis for impacts to upstream infrastructure to ensure that BESS charging load does not create reliability or power quality issues at those upstream assets.

On August 15, 2025, Con Edison informed developers about capacity constraints at specific substations and explained that proposed projects without executed interconnection agreements required further evaluation. The Company repeated this communication to developers on August 18, 2025 and, on September 16, 2025, informed developers of emerging capacity constraints in certain other areas. On November 21, 2025, the Company provided BESS developers with further details on Hosting Capacity levels. These communications and a slide deck providing further information on energy storage constraints are included in **Appendix 1**. Notwithstanding the Company's refined engineering analysis, interconnection applications have been and continue to be processed and projects with executed interconnection agreements are able to move forward to implementation.

II. Coordinated Electric System Interconnection Review Process

Under the statewide interconnection process, or the SIR, a key step is the issuance by the utility of a Coordinated Electric System Interconnection Review (CESIR).⁶ A utility delivers a CESIR to an interconnection applicant following a Preliminary Screening Analysis and after the applicant has completed the administrative steps required to reach the CESIR stage of the interconnection process.⁷ The CESIR must include a description of system impacts, required upgrades, and “a good faith, detailed estimate of the total cost of completion of the interconnection of the proposed system and/or a statement of cost responsibility for any system upgrades and associated equipment deemed necessary for interconnection of the project.”⁸

⁶ Under the SIR at Section III, CESIR is defined as “[a]ny studies performed by utilities to ensure that the safety and reliability of the electric grid with respect to the interconnection of distributed generation as discussed in this document.”

⁷ This is described in the SIR at Section I. C., Steps 1-5.

⁸ SIR at Section I. C., Step 6.

A. Cost Allocation & Qualifying Upgrades

The SIR requires utilities to “clearly identify” upgrade costs that the utility would not incur but for an interconnection request⁹ and to assign those costs to the project developer.¹⁰ Under the SIR, certain upgrades are Qualifying Upgrades, which are upgrades required for a developer to interconnect but that increase Hosting Capacity beyond the developer’s need, such as construction of a new area station.¹¹ Under the Commission’s Cost Sharing Order,¹² a Qualifying Upgrade is funded on a *pro rata* basis “whereby the applicant pays only for the specific distribution hosting capacity assigned to its project for these types of system modifications.”¹³ The cost of a Qualifying Upgrade is allocated to the Triggering Project,¹⁴ which is the project that requires the Qualifying Upgrade, and Sharing Projects,¹⁵ which are later queued projects that benefit from incremental Hosting Capacity that would be created as a result of the Qualifying Upgrade (collectively Participating Projects). Thus, the SIR requires utility infrastructure costs to be allocated to Participating Projects when the required Qualifying Upgrade, which may be a new area station, would not be required “but for” the Participating Projects.

The SIR’s “but for” funding requirement is consistent with cost causation principles and sound policy. New system infrastructure that would not be required but for BESS projects can range from new transformers and associated supply lines at existing area stations, which can cost approximately \$100 million or more, to construction of new area stations or sub-transmission, which can cost over \$1 billion for each infrastructure investment.¹⁶ The SIR ensures that project

⁹ SIR at Section I.A.

¹⁰ The term developer is used here to generally refer to interconnection applicants under the SIR.

¹¹ Under the SIR at Section III, Qualifying Upgrades are “[s]ystem modifications which result in an increase to the Hosting Capacity of the utility’s distribution system beyond that required to interconnect a Triggering Project that can be shared by multiple Distributed Generation/Energy Storage System projects and whose costs are greater than \$250,000.”

¹² Case 20-E-0543, et al., *Petition of Interconnection Policy Working Group Seeking a Cost-Sharing Amendment to the New York State Standardized Interconnection Requirements*, Order Approving Cost-Sharing Mechanism and Making Other Findings (July 16, 2021) (Cost Sharing Order).

¹³ SIR at Appendix E, page 2. “A pro rata approach consists of taking the estimated cost of an upgrade and dividing that cost by the total increased Hosting Capacity created by the upgrade, thereby creating a dollar per kW cost which will then be multiplied by an individual project’s AC nameplate rating in kW to determine the applicant’s pro rata cost share.”

¹⁴ Under the SIR at Section III, a Triggering Project is “[t]he application in the queue at a given substation or feeder whose proposed interconnection triggers the need for a Qualifying Upgrade.”

¹⁵ Under the SIR at Section III, a Sharing Project is “[a] project that benefits from and contributes to the cost of a Qualifying Upgrade holding an interconnection queue position after the Triggering Project.”

¹⁶ For example, the cost for a transformer addition to a new area station can significantly vary depending on a number of variables, including whether a new underground transmission line is needed, the length of that line, and whether certain obstacles like river crossings or highways are present.

developers can make investment decisions for their projects based on the interconnection upgrade costs required for their projects.¹⁷

B. Hosting Capacity Methodology

The SIR does not prescribe the reliability criteria for determining when a Qualifying Upgrade or additional Hosting Capacity is required; rather, the Commission has directed utilities, who are responsible for maintaining system reliability, to identify Qualifying Upgrades, and thus determine Hosting Capacity, either based on completed CESIRs or by using their “engineering judgment.”¹⁸ As stated in the SIR, “[w]henver the utility determines that a substation Qualifying Upgrade is required to interconnect a Triggering Project, the utility will promptly discuss its finding with the applicant.”¹⁹

Con Edison’s interconnection procedures cautioned that BESS charging should not occur during network peak periods and that additional engineering consultation was required if a project’s charging would overlap with a peak period. When queued BESS charging load posed, for the first time, a risk of creating new overnight peaks and straining upstream infrastructure, Con Edison—consistent with its procedures—consulted its distribution engineering group and refined its engineering analysis to evaluate upstream impacts. This engineering analysis aimed to protect system reliability at the area station and sub-transmission level, which historically had not experienced material impacts from BESS charging load, while supporting a continued active market for BESS development. The Company informed developers on August 15 and August 18 of the resulting capacity constraints, as stated in Section I, and copies of these communications are included in **Appendix 1**.

The Company’s analysis culminated in October 2025 by refining existing engineering procedures to include a two-step conditional test for determining the Hosting Capacity at area

¹⁷ As stated in the SIR at Appendix E, p. 8, utilities will proceed with construction once 25% or 75%, depending on the upgrade, of the estimated Qualifying Upgrade Cost has been paid by Participating Projects, which may introduce some ratepayer exposure to the cost of a Qualifying Upgrade. However, “[t]o mitigate the risk to utility customers, unrecovered costs shall be capped at 2% of a utility’s distribution/sub-transmission electric capital investment budget per fiscal year, after which any Qualifying Upgrades would require full (100%) funding from Triggering Projects and Sharing Projects prior to utility mobilization for such projects’ construction work.”

¹⁸ Case 20-E-0543, et al. *Petition of Interconnection Policy Working Group Seeking a Cost-Sharing Amendment to the New York State Standardized Interconnection Requirements*, at footnote 15 (March 18, 2021) (“Qualifying Upgrades shall be limited to those which result in an increase to the hosting capacity of the Utility’s distribution system beyond that required to interconnect the Triggering Project . . . Utilities may make this determination on the basis of completed [Coordinated Electric System Interconnection Reviews (CESIRs)], or through their engineering judgment when considering the pending applications.”).

¹⁹ SIR at Appendix E, page 5.

stations or sub transmission assets to support BESS charging. Under that test, Con Edison determines if a BESS project's charging will cause a local peak or exceed reliability limits and only requires upstream upgrades if it does both. Specifically, Con Edison considers whether the project's charging operations will: (1) create an area station or sub-transmission peak; and (2) exceed area station or sub-transmission reliability capacity thresholds.²⁰ Con Edison employs a 70% area station and sub-transmission feeder reliability capacity threshold for test (2) to mitigate system derates and reduction of equipment life, and to continue to provide safe and reliable service. This test is being applied by modeling the BESS operations using the current annual peak day at the area station and/or the sub transmission infrastructure.

- There is sufficient Hosting Capacity if the BESS passes test (1) and its charging load does not create an area station or sub-transmission peak, whether or not it passes test (2). **Test (2) is only relevant for projects that create an area station or sub-transmission peak.**
- There is sufficient Hosting Capacity if the BESS fails test (1) and its charging load creates an area station or sub-transmission peak but passes test (2), and does not exceed area station or sub-transmission reliability capacity thresholds.
- Only if the BESS fails both test (1) and (2), creating an area station or sub-transmission peak and its charging load exceeds area station or sub-transmission reliability capacity thresholds, then Hosting Capacity has been exceeded, and upstream upgrade(s) will be required to accommodate the proposed project.

This two-step conditional test maximizes the quantity of BESS that can be reliably interconnected while minimizing the number of projects that trigger Qualifying Upgrades, which, as described in Section II.A., tend to be costlier types of upgrades. Exceeding the reliability capacity thresholds alone does not trigger upstream upgrades, unless the project also creates a peak under test (1). Thus, sequentially considering whether a project will pass test (1) prior to test (2) benefits BESS projects by enabling use of the planning processes and related infrastructure that the Company has in place for managing load while also preserving grid reliability. **Attachment 2** contains illustrative examples of this two-step conditional test. The Company will continue to exercise its engineering judgement to determine Hosting Capacity, in compliance with the process prescribed by the SIR, thus ensuring reliable service under changing conditions. Establishing reliability

²⁰ This is referred to as a “qualifying upgrade threshold” in the PowerPoint included in Appendix 1 at slide 18.

criteria when determining Hosting Capacity is incumbent on every utility, which must use its engineering judgment based on the unique needs, architecture, design, and dynamic conditions of its system.

III. Ensuring Safe and Reliable Service at Just and Reasonable Rates

Con Edison's Hosting Capacity threshold preserves safe and reliable service today, as required by the SIR. Ensuring compliance with the SIR by allocating costs to projects for infrastructure upgrades that would not be required but for the interconnecting projects provides appropriate price signals for sustainable BESS development while also continuing to safeguard customers from rising costs and affordability concerns. In addition, overloaded substations could impede the Company's ability to energize new load service and interconnection requests in a timely fashion. Con Edison's Hosting Capacity threshold for BESS charging load at the area station level protects against these negative outcomes in addition to continuing to maintain system reliability levels.

Upgrade costs in constrained networks may be cost prohibitive for some Triggering Projects, which may understandably result in increased concern and inquiries from BESS project developers and industry groups. But the SIR's long-standing cost allocation requirements are designed to provide project developers with the information they need to develop projects while balancing the need to protect electric customers from paying for infrastructure that would not be required but for BESS and other SIR-regulated distributed generation.²¹ The SIR's cost allocation rules place these investment decisions in the hands of the party positioned to weigh the costs and benefits of different approaches to serving customers. Most SIR-regulated BESS projects will seek to earn revenues under VDER or Value Stack compensation. A component of the Value Stack is the Demand Reduction Value (DRV), which is intended to compensate projects for avoided distribution-level infrastructure costs.²² In cases where adding new BESS charging load would exceed area station Hosting Capacity, the SIR's cost allocation rules ensure that customers are not required to fund infrastructure upgrades required to install those BESS projects through rates and then pay those same projects ostensibly for avoided infrastructure costs through DRV revenue.

²¹ Cost Sharing Order at 17.

²² Case 15-E-0751, et al., *In the Matter of the Value of Distributed Energy Resources*, Order on Phase One Value of Distributed Energy Resources Implementation Proposals, Cost Mitigation Issues, and Related Matters, at 10 (September 14, 2017).

IV. Conclusion

Con Edison remains committed to transparency, collaboration, and compliance while supporting New York's clean energy goals. Developers are encouraged to review hosting capacity maps and consider project siting strategies that align with available capacity. Looking ahead, the Company will work with energy storage developers and other stakeholders to consider how future price signals and other areas impacting BESS viability can best be designed to effectively and efficiently direct storage development to the most beneficial locations on the grid. Future Company filings may address these policy proposals and propose methods to more effectively interconnect BESS projects.

For questions or additional information, please contact: dgexpert@coned.com.

Sincerely,

/s/ Ben Falber

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Appendix 2

Con Edison's Reply Comments to the Emergency Petition

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems.)	Case 24-E-0621
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**CONSOLIDATED EDISON’S REPLY COMMENTS
TO NY-BEST AND NYSEIA’S MOTION FOR EMERGENCY RULEMAKING**

I. Introduction

On March 11, 2026, NY-BEST and NYSEIA (Petitioners) requested an emergency order prohibiting Con Edison from: (1) applying its two-part reliability test to battery storage interconnection applications, and (2) assigning the “but for” costs of necessary reliability upgrades to the private developers who cause them.¹ According to Petitioners, Con Edison’s actions to maintain reliability and shield customers from developer-imposed costs threaten the general welfare. Petitioners thus seek the extraordinary remedy of emergency action to displace the utility’s engineering judgement so that they can shift to electric customers billions of dollars of infrastructure costs that would not be required but for their members’ energy storage projects.

The Commission should reject Petitioners’ upside-down logic and deny their Petition. First, Petitioners fail the test for emergency action. The Commission may act on an emergency basis only when necessary for the preservation of the public health, safety or general welfare.² Petitioners offer two justifications for a general welfare emergency: (i) alleged economic harm to certain private storage developers subject to the two-part reliability test, and (ii) a vague assertion

¹ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Motion for Emergency Rulemaking (filed March 11, 2026) (“Petition”).

² State Administrative Procedure Act (SAPA) §202(6).

without evidence that continued use of the two-part reliability test presents a reliability concern. Neither theory satisfies the test for emergency action. Assertions related to project cancellations, reduced developer profits, and future system-wide reliability concerns are not grounded in a public need justifying emergency action. Contrary to Petitioners claim that the two-part reliability test exacerbates reliability concerns,³ the test preserves safe and reliable service, as required by the New York State Standardized Interconnection Requirements (SIR).⁴ There is no immediate threat to reliable service that would require the Commission to act on an emergency basis. Moreover, there is already a forum for Petitioners to raise their claims. On January 13, 2026, Petitioner NY-BEST requested that the Commission bar Con Edison from using its two-part reliability test and requested a stakeholder process to consider policy issues related to battery storage. That proceeding is in the comment phase and is the appropriate venue for evaluating Petitioners' arguments.⁵ In short, Petitioners, who bear no statutory responsibility for maintaining system reliability and no accountability for the financial or operational consequences of their proposal, have failed to meet the standard for emergency action.

Second, the petition itself is against the public interest. Petitioners fail to justify why the Commission should risk shifting billions of dollars of upstream grid infrastructure costs from private energy-storage developers to Con Edison's electric customers. Prohibiting Con Edison from assigning costs to developers for infrastructure that would not be required but for their projects would exacerbate energy affordability concerns and eliminate this critical price signal indicating to developers where additional battery storage charging load adds to infrastructure needs rather than deferring them. It would not serve the interests of the millions of electric customers who would be compelled to shoulder these costs.

Third, the Petition is riddled with errors, misrepresentations, and misguided legal assertions that are irrelevant to the standard for emergency relief and, at most, belong in the Commission's ongoing proceeding. Petitioners mischaracterize how Con Edison conducts interconnection studies

³ Petition at 2.

⁴ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Con Edison Notice on SIR Energy Storage (filed January 14, 2026) ("Notice").

⁵ Case 24-E-0621 et al., *In the Matter of Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and/or Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems*, Notice Soliciting Comments (February 20, 2026).

and seek to upend how utilities apply engineering standards statewide—an important policy question that is inappropriate for resolution through emergency action.

II. Petitioners Fail the Test for Emergency Action

Petitioners demand an emergency order directing Con Edison to immediately pause evaluating the upstream reliability impacts of energy storage charging on substation and sub-transmission infrastructure, while still requiring Con Edison to issue interconnection agreements. Under section 202(6) of the State Administrative Procedure Act (SAPA), the Commission may act on an emergency basis only when necessary for the preservation of the public health, safety or general welfare. Petitioners do not rely on public health or safety, but instead invoke the general welfare, which they claim is threatened by alleged private economic harm to a subset of merchant storage developers resulting from cancelled projects and from the loss of future reliability benefits of storage deployment. Addressing private economic impacts or accelerating policy disagreements already in an open comment process are not grounds for emergency relief.

A. Private Economic Interests Are Not General Welfare

Petitioners' general-welfare argument fails because it wrongly equates alleged private economic harm to storage developers with the general welfare of the public. In their Petition, Petitioners quote the Commission as saying that “[e]lectric service is essential to public health, welfare, and safety”⁶ and then treat this broad proposition as if it logically compels the Commission to protect developer economics through emergency action. Under their reasoning, any economic interest of any party working in the energy industry that could provide a reliability-related service is synonymous with the general welfare. This is an expansive interpretation of general welfare that has no basis in law or logic.

“General welfare” is not expressly defined in SAPA §202(6), but New York courts and Commission precedent interpret it to mean a circumstance that affects the public at large, not the private business interests of a particular industry. For example, to “protect the general welfare of National Grid’s electric customers and avoid any additional financial hardship” caused by COVID-19, the Commission approved National Grid’s emergency extension of its decoupling adjustment in the interest of “reducing large end of period imbalances and . . . large bill volatility.”⁷

⁶ Petition at 12

⁷ Case 17-E-0238, *Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Niagara Mohawk Power Corporation d/b/a National Grid for Electric Service*, Order Granting A Waiver Of Tariff Rule 57 On An Emergency Basis, at 4-5 (April 26, 2021).

Similarly, the Commission approved Central Hudson’s emergency grant of an easement for a public works project in order to avoid a loss in federal funding, and thus realize the economic development benefits for the community.⁸ These cases demonstrate that “general welfare” concerns must be tied to public-facing consequences, not the economics of a subset of private developers. Petitioners cite no Commission order or judicial authority establishing that developer economics constitute the type of “general welfare” emergency required to justify bypassing SAPA’s notice-and-comment process.

Petitioners cite *North Fork Distribution, Inc. v. New York State Cannabis Control Board* for the general principle that an emergency rule is appropriate when there is harm to general welfare that is supported by specific, evidence-based facts, but that general principle is not in doubt.⁹ *North Fork* is instructive, however, because it underscores the high burden Petitioners face in justifying emergency action and why they fail to make it. In that case, the court reiterated that SAPA §202(6) “limits emergency rule making to genuine emergencies . . . A notice of emergency adoption shall . . . fully describ[e] the specific reasons . . . including the nature . . . of the public health, safety or general welfare need requiring adoption of the rule on an emergency basis.”¹⁰ In *North Fork*, the court struck down the New York State Cannabis Control Board’s implementation of emergency regulations that limited the use of certain compounds in cannabinoid hemp products because the agency failed to sufficiently identify a public harm. The court found the agency’s justification for an emergency to be conclusory because it “fail[ed] to cite evidence or studies to substantiate that New Yorkers have either been misled or harmed by hemp infused products . . . fail[ed] to cite facts showing New Yorkers have either overconsumed or accidentally ingested intoxicating levels of THC . . . [and] lack[ed] specific recital of any actual facts upon which such concerns are based.”¹¹ Here, Petitioners’ request for emergency action fails for similar reasons. Petitioners rely only on conclusory statements that project cancellations are a general welfare emergency; they offer no facts or evidence to establish their claim or to demonstrate a connection between private developer economics and the general welfare.

⁸ Case 09-M-0739, *Petition of Central Hudson Gas & Electric Corporation for Expedited Approval Pursuant to Section 70 of the Public Service Law of a Grant to Dutchess County of an Easement Located in LaGrange, New York in Connection with the Dutchess Rail Trail Project and Request for Emergency Action*, Order Approving Transfer Of Property Right (November 17, 2009).

⁹ Petition at 12, citing *N. Fork Distribution, Inc. v. New York State Cannabis Control Bd.*, 81 Misc. 3d 952, 203 N.Y.S.3d 496 (N.Y. Sup. Ct. 2023).

¹⁰ *Id.* at 959.

¹¹ *North Fork* at 960-961.

B. Conclusory Reliability Claims are Not General Welfare

The Petition states that Con Edison’s two-part reliability test will exacerbate reliability concerns and refers generally to future reliability concerns that energy storage technology could be used to address.¹² Petitioners reference projected reliability needs in Con Edison’s service territory, however, these projections do not justify emergency action today to absolve private developers of “but for” infrastructure costs caused by their projects and impose them on customers. Moreover, the Commission has already initiated a proceeding to address those projected needs and has not invoked its emergency authority.¹³ Petitioners do not identify any instance where the two-part test has caused, contributed to, or failed to prevent a reliability issue on Con Edison’s system. In addition, *North Fork* is instructive on this point, as the court stated “the potential that “bad things [might or could be] happening” is insufficient to justify an “immediate necessity [or] emergency” allowing respondents to deploy the SAPA’s procedures for emergency rulemaking.”¹⁴ Consistent with *North Fork*, Petitioners’ reliance on “future identified reliability concerns”¹⁵ and “future reliability issues”¹⁶ is insufficient for an emergency ruling. Petitioners misconstrue the resource planning process initiated by the Commission to attempt to substantiate their self-interested emergency as required under SAPA §202(6).

Petitioners purported reliability emergency is also inconsistent with Commission precedent. In the past, the Commission has cited reliability to justify emergency action, but it has relied on sudden and significant increases in energy prices,¹⁷ service interruptions, a humanitarian

¹² Petition at 2, 4, 12, 13-14.

¹³ Case 25-E-0764, *Proceeding on Motion of the Commission to Address New York City Reliability Needs*, Order Initiating Proceeding and Directing Reliability Contingency Plan (December 18, 2025).

¹⁴ *North Fork* at 962.

¹⁵ Petition at 15.

¹⁶ Petition at 12.

¹⁷ Case 00-E-1330, Ordinary Tariff Filing of Consolidated Edison Company of New York, Inc. to add a new Rider U instituting a Voluntary Load Reduction Program and other housekeeping matters, *Consolidated Edison Company of New York, Inc., Order concerning tariff filing to add a new Rider U and other housekeeping matters*, (August 16, 2000). “[T]ariffs to implement the ISO program are necessary to promote system reliability and ameliorate the impact of anticipated sudden and significant increases in energy prices. Delaying implementation to comply with the notice and comment requirements of SAPA Section 202(1) would be contrary to the public interest because it could increase risk of service interruptions and result in higher rates.”

emergency,¹⁸ and a risk of system overload.¹⁹ Petitioners do not allege any of these conditions; nor can they, as Con Edison's two-part reliability test is not causing a reliability emergency.²⁰ The purpose of the test is to *preserve* safe and reliable service.²¹ By definition, under the two-part reliability test, projects that are assigned upstream infrastructure upgrade costs are those that create new substation or sub-transmission peaks rather than decrease them.²²

C. The Petition Raises Policy Issues Appropriate For Currently Active Rulemakings

The petition seeks accelerated relief for requests already raised in NY-BEST's petition that is the subject of an open and active comment period. In addition, there are at least four other currently open proceedings that bear on the relevant issues, and because they are interrelated, the Commission should review them all in an integrated manner on a complete record:

- **Value of Distributed Energy Resources (VDER) in Case 15-E-0751:** on December 11, 2025, DPS Staff filed a proposal to formalize revised methodologies for the Demand Reduction Value (DRV) and Locational System Relieve Value (LSRV) components of the Value Stack. The Joint Utilities of New York (collectively, the "JU") filed comments proposing significant changes to VDER's structure in its March 16, 2026, filing. This proceeding has the potential to significantly impact project economics for energy storage projects going forward.

¹⁸ Case 18-E-0010, *Petition of Orange and Rockland Utilities, Inc. for Sale of Transformers to Nobel Supply & Logistics in Connection with the Puerto Rico Relief Effort and for Expedited Relief*, Order Approving Transfer On An Emergency Basis (January 4, 2018). "O&R has been actively participating in the relief efforts to help the people of Puerto Rico recover from Hurricane Maria's devastating impact. It is hereby found that the immediate adoption of the proposed rule approving the immediate transfer of the specified utility assets from O&R to aid in the relief effort is necessary for the preservation of the public health, safety or general welfare and that compliance with the notice and comment requirements of SAPA §202(1) would be contrary to the public interest"

¹⁹ Case 00-E-2054, *In the Matter of a Status Report on the Demand/Supply Component of the Department's Electric Price and Reliability Task Force Including Recommendations for Specific Utility Actions on the Demand-Side*, Order Approving Tariffs Extending Emergency Demand Response Programs (December 31, 2002). "Immediate adoption of the tariff modifications is necessary to ensure the uninterrupted continuation of programs essential to the provision of safe and reliable electric service. Without the demand reductions that can be implemented through the programs, the electric delivery system might be overloaded and service interruptions could occur. Accordingly, compliance with the advance notice and comment requirements of SAPA §202(1) would be contrary to the public interest and immediate approval is necessary for the preservation of the general welfare under SAPA §202(6)"

²⁰ Counterintuitively, Petitioners criticize Con Edison for operating its system too reliably, and request that Con Edison relax its design standards and reliability criteria to allow for more energy storage to connect to the grid.

²¹ Notice at 7.

²² Under Con Edison's two-part reliability test, not every project that creates a new peak will be assigned costs for upstream infrastructure upgrades. However, every project that fails the test would have created a new substation or sub transmission peak. Further information on the test is available in Appendix A and in the Notice.

- **Modifications to the Standardized Interconnection Requirements (SIR) in Case 24-E-0621:** In this case, the Commission is considering several changes to interconnection studies and procedures for SIR-eligible projects, such as allowing DER developers to complete utility-side upgrades and the two-part reliability test discussed herein.
- **NYC Reliability Contingency Plan in Case 25-E-0764:** Both Con Edison and the NYISO have identified transmission security reliability needs arising as early as 2032 in NYC, and the Commission has directed Con Edison to, among other things, submit a plan to address the needs later this year. This case may become a parallel vehicle for energy storage and DER procurement in Con Edison's service territory that can be affected by potential changes in VDER (15-E-0751) and SIR (24-E-0621).
- **Utility Marginal Cost of Service (MCOS) in Case 19-E-0283:** closely linked to the VDER case, this proceeding and 2024 Order²³ established a methodology for estimating marginal costs across different utility service territories, as an input into VDER's DRV and LSRV calculations.

These proceedings are closely related. The Value Stack proceeding (15-E-0751) sets the VDER Value Stack compensation for providing cost avoidance, with the DRV and LSRV values currently under revision in that docket underpinning project financials. The Marginal Cost of Service Proceeding (19-E-0283) feeds into VDER directly since the MCOS studies form the basis for how DRV could be calculated going forward. The instant Petition, along with other recent filings from NY-BEST and Con Edison in the SIR Proceeding (24-E-0621), affects how energy storage is studied for interconnection and how costs are allocated between private developers and rate payers. Last, the current reliability needs proceeding (25-E-0764) is just beginning to take shape, and may influence the size of the need and potential portfolio of solutions. This complex picture is another reason the Commission should not rush past its precedent to find an emergency here. Instead, it should consider battery storage matters holistically and develop policy solutions that are consistent with operating a reliable and affordable²⁴ system.

²³ Case 19-E-0283, *Proceeding on Motion of the Commission to Examine Utilities' Marginal Cost of Service Studies*, Order Addressing Marginal Cost of Service Studies (August 19, 2024).

²⁴ Case 15-E-0751 et al., *In the Matter of the Value of Distributed Energy Resources*, Joint Utilities' Comments on DPS Staff Proposal On Updating DRV and LSRV for VDER Compensation at 5 (filed March 16, 2026).

III. NYBEST and NYSEIA's Demands Risk Harming the General Welfare

Contrary to Petitioners' assertions, it is their emergency request, not Con Edison's two-part reliability test, that threatens the general welfare. Petitioners ask the Commission to upend Con Edison's reliability determinations made pursuant to the SIR so that private energy storage developers can shift their costs to customers. Such an action would harm the general welfare because it would force customers to fund billions of dollars of otherwise unnecessary upgrades to maintain reliability. The Commission should think carefully before burdening customers with these additional costs.

IV. Additional Claims

Many of Petitioners' remaining assertions concern broad statewide policy questions, contested technical issues, and proposed revisions to the Standardized Interconnection Requirements. None have merit.²⁵

A. Development and Implementation of Con Edison's Upstream Reliability Test

Petitioners' claims regarding the legality of the two part reliability test are inappropriate for an emergency ruling and are unfounded, and Petitioners request to subject Con Edison's two part reliability test to an extensive stakeholder process is not prudent. As an initial matter, Petitioners conflate utility engineering procedures with the Standardized Interconnection Requirements (SIR) and tariffs, and then, without supporting authority, assert that the Commission must approve every utility engineering procedure that impacts an interconnection request. Petitioners cite no Commission precedent or regulation for this expansive interpretation. Nor can they because it is not required.²⁶ Second, Petitioners' vaguely chosen screening methodologies for upstream

²⁵ Petitioners make several factual, technical, policy, and legal assertions throughout their filing. Because these arguments fall well outside the narrow scope of what may properly be considered in an emergency rulemaking under SAPA §202(6), the Company does not address each of them here. The Company's decision not to respond to every allegation should not be construed as agreement with Petitioners' characterizations or claims. The Company reserves all rights to respond fully, with supporting facts and legal analysis, in the appropriate Commission proceedings, including the ongoing rulemaking and any future stakeholder processes. While Con Edison briefly addresses several of these claims here, and maintains that the Commission can reject them on that basis, to the extent the Commission determines an issue requires further review, that review should occur through normal channels, not through the extraordinary and limited emergency-rule mechanism Petitioners invoke.

²⁶ As stated in the Notice at 3, "Because there is a large volume of projects clustered in specific areas, there could be, for the first time, significant impacts from BESS charging on infrastructure upstream of primary feeders, such as at area stations and sub-transmission infrastructure. In response to these conditions, Con Edison was required to refine its engineering analysis for impacts to upstream infrastructure to ensure that BESS charging load does not create reliability or power quality issues at those upstream assets."

infrastructure upgrades are not cited from the SIR or a tariff, because the SIR and tariffs do not set those technical screens.

More fundamentally, Con Edison possesses clear legal authority and a statutory obligation to apply engineering judgment when performing interconnection studies, including upstream reliability evaluations.²⁷ Under Public Service Law §§65 and 66, electric utilities must furnish safe and adequate service and are responsible for ensuring that system planning, operating practices, and reliability criteria protect customers. The SIR reinforces this framework by requiring utilities to perform CESIR studies, identify all system impacts, and determine “but-for” upgrades, without prescribing specific engineering or hosting capacity methodologies; thus, utilities must rely on their own technical standards when evaluating interconnections. Petitioners cite no authority that shifts this responsibility to developers or requires Commission pre-approval of engineering procedures. Utilities must be able to exercise their engineering judgment to comply with their statutory requirement to provide safe and reliable service and cannot be required to rely on Petitioners’ or stakeholders’ approval as a precondition to operating the electric distribution system. The Commission should reject the invitation to do reliability by committee.

B. Opportunities for Storage

Petitioners make several claims regarding the opportunities and viability of storage in Con Edison’s service territory. As explained in the Con Edison’s January 14 Notice, as of the date of that filing, there is 1 GW of energy storage either operating or with executed interconnection agreement with Con Edison. The 1 GW of operating and contracted storage projects represents double Con Edison’s share of the state’s 2030 target for distribution connected energy storage of approximately 500 MW.²⁸ On top of the 1 GW operating or contracted, there is more than 400 MW of additional storage projects with completed interconnections studies, but not yet contracted, with no upstream infrastructure costs. Additional information is available in **Appendix A**, which provides a set of responses from Con Edison to an interrogatory issued under the above referenced proceedings. Petitioners incorrectly claim that Con Edison has halted energy storage applications in 85% of its service territory. Since August 2025, Con Edison has continued processing all interconnection requests across the entire service territory in compliance with the SIR.

²⁷ Notice at 5.

²⁸ Case 18-E-0130, *In the Matter of Energy Storage Deployment Program*, Order Establishing Updated Energy Storage Goal and Deployment Policy at 59 (issued June 20, 2024).

C. Transparency

Contrary to Petitioner's claims, Con Edison has provided detailed information in its hosting capacity maps, meetings with energy storage developers and NY BEST and NYSEIA, numerous communications, and its January 14 Notice.²⁹ Regarding specific interconnection study costs, additional study of the projects in **Appendix A** was performed to identify upstream infrastructure costs the Company would not have incurred but for the applicants' interconnections, and to assign those costs to the applicants in their interconnection studies. Petitioners' statements regarding Con Edison's transparency³⁰ on study costs are unfounded, as the Company has made this information available to the public in the same manner as it has in the past, and in compliance with the SIR.

In addition, the projects at issue were not "restudied" as described by the Petitioners but were rather the subject of an additional analysis as required by the SIR's cost allocation requirements.³¹ **Appendix B** contains a list of project cost and timelines requested by NY-BEST, which Con Edison developed and provided in an email exchange with NY-BEST in the interest of transparency. Downstream impacts, including the service, and primary and secondary feeders were not restudied, and only incremental evaluation of upstream impacts was performed, as required by the SIR.

²⁹ The Notice includes Appendix 1, which provides a specific review of constraints at a series of substations.

³⁰ Petition at 14

³¹ SIR at Appendix E.

V. Conclusion

Petitioners' request for emergency action should be denied. Petitioners identify no present threat to public health, safety, or general welfare; no evidence of any reliability issue caused by the two part test; and no legal basis for overriding the Commission's established interconnection framework. Their Petition seeks to bypass the ordinary notice and comment process, shift substantial infrastructure costs from private developers to customers, and upend the engineering standards that preserve safe and reliable service. The Commission should reject this attempt to invoke its emergency authority in the absence of any genuine emergency and allow the pending proceedings to address these complex policy issues on a complete, transparent record.

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Respectfully submitted,

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