

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 23-M-0106 - In the Matter of Commission Registration of Energy Brokers and Energy Consultants Pursuant to Public Service Law Section 66-t.

CASE 15-M-0180 - In the Matter of Regulation and Oversight of Distributed Energy Resource Providers and Products.

CASE 98-M-1343 - In the Matter of Retail Access Business Rules.

NOTICE REGARDING COMPLIANCE DEADLINES

(Issued September 19, 2024)

Pursuant to the Public Service Commission's (Commission) Order Adopting Energy Broker and Energy Consultant Registration Requirements, issued June 23, 2023, and the Declaratory Ruling and Order on Rehearing (Order on Rehearing), issued April 18, 2024, in the above-captioned proceedings, energy brokers and energy consultants are required to comply with amendments to the Uniform Business Practices and Uniform Business Practices for Distributed Energy Resource Supplies and file completed registration packages in Matter 23-01227.

Pursuant to a Notice Extending Deadlines, issued on June 10, 2024, in these proceedings, the deadline for filing completed registration packages was July 31, 2024.

After the July 31, 2024 compliance deadline, on the afternoon of August 1, 2024, the New York State Supreme Court, Albany County, issued a temporary restraining order (TRO) staying enforcement of Ordering Clauses 3, 4, 6, 7, and 9 of the Order on Rehearing and temporarily restraining the Commission from taking action in furtherance of these ordering clauses. Accordingly, the Department of Public Service (Department) took no further action to implement the program regulating energy

brokers and energy consultants and it ceased processing registration materials. On September 12, 2024, the New York State Supreme Court, Albany County, vacated the TRO and issued a preliminary injunction order to enjoin only the Commission's enforcement of the financial assurance requirement as implemented through Ordering Clauses 3, 6, and 7 of the Order on Rehearing.

In light of the foregoing, the deadlines for complying with Ordering Clauses 3, 6, 7, and 9 of the Order on Rehearing - excluding those provisions that require applicants to provide a method of financial accountability - are extended until October 27, 2024, and the requirement that applicants provide a method of financial accountability is suspended until further notice. In other words, at this time, energy brokers and energy consultants will not need to include any financial accountability as part of their registration packages.

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary