

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

**Proceeding on Motion of the Commission to Address
New York City Reliability Needs.**

Case 25-E-0764

**In the Matter of Modifications to the New York State
Standardized Interconnection Requirements and
Application Process for New Distributed Generators
and/or Battery storage Systems 5 MW or Less
Connected in Parallel with Utility Distribution Systems**

Case 24-E-0621

In the Matter of Battery storage Deployment Program

Case 18-E-0130

**COMMENTS OF THE CITY OF NEW YORK
ON BATTERY STORAGE INTERCONNECTION
CONSTRAINTS IN
CON EDISON'S SERVICE TERRITORY**

May 4, 2026

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PRELIMINARY STATEMENT

The City of New York (“City”) respectfully submits these comments to the New York State Public Service Commission (“Commission”) in response to two filings relating to battery storage interconnection issues in New York City: (1) a Petition filed by New York Battery and Battery storage Technology Consortium (“NY-BEST”)¹; and (2) a Report filed by Consolidated Edison Company of New York, Inc. (“Con Edison”).² In its Petition, NY-BEST seeks relief from the Commission in an attempt to resolve interconnection impediments for battery storage resources in New York City. Con Edison’s Report was filed a day after the Petition and addresses similar issues.

¹ Cases 18-E-0130, *et al.*, In the Matter of Battery storage Deployment Program, Urgent Action Needed on Battery storage Interconnections to Address New York City Reliability Needs (filed January 13, 2026) (“NY-BEST Petition”).

² Cases 18-E-1030, *et al.*, *supra*, Con Edison Notice on SIR Battery storage (filed January 14, 2026) (“Con Edison Report”).

It is imperative that New York City residents and businesses have a reliable supply of electricity and avoid outages, and increasing the deployment of battery storage resources in New York City can help to address both of these needs. To facilitate these deployments, the Commission should grant NY-BEST's requested relief and adopt an approach that removes the impediments that Con Edison has improperly implemented. The City also requests that the Commission revise the Standardized Interconnection Requirements ("SIR") to reflect flexibility and full capability of battery storage resources, and that it consider ways to improve Con Edison's interconnection processes.

COMMENTS

The Climate Leadership and Community Protection Act ("CLCPA") mandates a 100% zero emission electric grid by 2040 and an 85% reduction in greenhouse gas emissions 1990 levels by 2050, as compared to 1990 levels. The CLCPA incorporates technology-specific targets in meeting these goals, including the deployment of 6,000 MW of battery storage statewide by 2030. In setting this target, the State Legislature appropriately recognized the role battery storage must play in achieving a clean, reliable, and resilient electric grid. The Commission and the New York State Climate Action Council built on the directives of the CLCPA by concluding that battery storage infrastructure is a necessary and cost-effective solution to integrating renewable energy generation into New York State's electric grid.

The City has similarly recognized the value and importance of battery storage in creating a clean, affordable energy system, improving air quality, addressing environmental injustices, and achieving carbon neutrality by 2050. Accordingly, it has been considering how to streamline pathways to the safe deployment of utility scale battery storage. Through the City of Yes for Carbon Neutrality zoning text amendment and collaboration among the Department of City

Planning, Department of Buildings, New York City Fire Department, and other City agencies, developers will be able to construct battery storage systems in all zoning districts throughout New York City on sites up to 10,000 square feet.

The City has also made strides in developing battery storage systems on City-owned property. The New York City Department of Citywide Administrative Services completed four new battery storage projects and has been working with the New York Power Authority to develop other carbon-free supply resources in New York City in furtherance of the Build Public Renewables Act and to help achieve City and State emissions reduction targets.

According to a recent report, at the end of March 2026, there was approximately 528.7 MW of battery storage resources in operation in New York, and an additional 1,423.6 MW of storage resources under contract and/or in development.³ This exceeds the Commission's 2025 goal of 1,500 MW and is 32.7% of the 2030 target of 6,000 MW. These numbers demonstrate the strong interest by developers to move forward with these projects in a meaningful way. However, as discussed in the NY-BEST Petition and herein, there are significant impediments to the development of these important resources.

POINT I

BATTERY STORAGE WILL HELP ADDRESS RELIABILITY CONCERNS

As noted above, battery storage is an important component of the City's energy policy. For this reason, the City strongly supports the growth and deployment of battery storage, provided battery storage facilities are constructed to rigorous standards and in appropriate settings to protect residents, the public at large, and first responders when battery failures occur. Battery storage can

³ Case 18-E-1030, *supra*, State of Storage in New York (filed April 1, 2026) at 1 ("State of Storage Report").

be paired with renewable resources to improve their performance, making them flexible and dispatchable, and facilitating their ability to meet the State’s and City’s clean energy and emissions reduction targets. Battery storage also can play a pivotal role in helping maintain the reliability of the electric system.

As the Commission well knows, New York City has the tightest electric reliability margins and the least supply diversity in the State.⁴ Recent analyses by Con Edison and the New York Independent System Operator, Inc. (“NYISO”) show that there are both imminent deficits and increasing deficits in supply over the next ten years. The imminent deficits are being resolved via the Champlain Hudson Power Express (“CHPE”), which is expected to commence commercial operations this month, and the continued operation of the Gowanus and Narrows peaking generating units. Those units are highly inefficient and emit substantial amounts of greenhouse gas and other harmful pollutants, which create poor air quality for their surrounding neighborhoods. The units should have been shut down in 2025 pursuant to the Department of Environment Conservation’s (“DEC”) Peaker Rule,⁵ but they now will be operated through April 30, 2029, pursuant to an extension granted by the DEC.

According to Con Edison, even with CHPE in operation, a reliability deficiency of 125 MW that lasts for a period of three hours is expected to arise in 2032 on a peak demand day – and increase over time. By 2036, the projected peak day deficiency is 750 MW that lasts for a period of nine hours.⁶ The NYISO’s reliability analyses show similar deficits. Its latest analysis – the

⁴ State Energy Plan, Chapter 1. Electricity at 13; *cf.* New York Independent System Operator, “2025 Power Trends: the New York ISO Annual Grid and Markets Report” (June 2, 2025) at 44, available at <https://www.nyiso.com/documents/20142/2223020/2025-Power-Trends.pdf>.

⁵ 6 NYCRR Part 227-3.

⁶ Case 25-E-0764, Proceeding on Motion of the Commission to Address New York City Reliability Needs, January 2026 Reliability Needs Report (filed January 20, 2026) at 9.

Short-Term Assessment of Reliability: 2026 Quarter 1 (“Q1 2026 STAR”) – concludes that short-term reliability needs can be resolved via a combination of CHPE and the retention of Gowanus and Narrows. However, that Report shows that over a longer-term – through 2036 – deficiencies will persist and increase, potentially by over 1,000 MW.⁷

There are thousands of MW of battery storage resources in planned for New York City, according to the NYISO’s interconnection queue, and there is almost 1,000 MW of small-scale (5 MW or less) battery storage resources which have paid Con Edison 100% of their interconnection costs and entered into contracts with the New York State Energy Research and Development Authority (“NYSERDA”), according to NYSEDA’s Retail Incentive Dashboard. While it is likely that not all of these projects are real, there exists a sufficient number of battery storage projects in the pipeline to satisfy the 2032 need identified by Con Edison. Storage can also contribute to reducing, if not eliminating, the 2036 need identified by both Con Edison and the NYISO.

Notwithstanding that battery storage resources could solve the reliability needs in a manner that does not create harmful air emissions or exacerbate the climate crisis, the Con Edison Report claims that battery storage resources will cause peaks, rather than help mitigate them.⁸ This claim is largely based on a flawed assumption that every storage resource will charge at exactly the same time, an assumption that has no basis in fact and wholly ignores the flexible nature of battery storage.

Other important benefits of battery storage resources are that they can be permitted, procured, and installed relatively quickly, and they have smaller footprints than other energy

⁷ Q1 2026 STAR Report at 48; available at <https://www.nyiso.com/publications>.

⁸ Con Edison Report at 2.

resources. Further, battery storage can be used to bolster power quality, provide voltage support and operating reserves, and strengthen the resilience of the electric system.

Unlike other types of supply resources, battery storage can also serve as an alternative to constructing new transmission and distribution infrastructure. Across the country, utilities and regional operators are assessing and implementing battery storage as a form of transmission, delaying or avoiding the need to construct some transmission lines.⁹ On the distribution side, Con Edison and other utilities have recognized that battery storage can be a less costly alternative to expanding existing or constructing new substations and other traditional infrastructure.

The Commission has recognized the range of opportunities presented by battery storage in its Battery Storage Roadmap Order, noting:

[E]nergy storage projects can increase efficiency on existing transmission lines by injecting and absorbing energy, which could defer the need for system upgrades. Storage resources can also help stabilize power flows, allowing operators to avoid more costly operations. Battery storage can also be incorporated into planning processes to reduce the cost of transmission investment.¹⁰

The Commission supported the concept of storage as a form of transmission and distribution holding that “an battery storage project providing a transmission service is helping meet electric system needs in New York.”¹¹ The Commission further explored this concept by directing the utilities to conduct a study of the non-market transmission and distribution services that battery

⁹ See, e.g., New York State Independent System Operator, Inc. (“NYISO”), “Storage as Transmission,” a presentation to the Market Issues Working Group, dated July 11, 2023.

¹⁰ Case 18-E-0130, *supra*, Order Establishing Updated Battery storage Goal and Deployment Policy (issued June 20, 2024) at 49 (“Battery storage Roadmap Order”).

¹¹ *Id.* at 52-53.

storage can provide, which the utilities, including Con Edison, then identified six applications in which it could do so.¹²

By focusing on the potential charging peaks that could result from increased storage systems as a reason not to build out more systems, Con Edison is ignoring the clear benefits that these systems can provide. The Company also is disregarding that the concerns raised can be addressed through process reforms, as discussed in detail in subsequent sections of these comments. With the reliability challenges discussed above and by the NYISO, coupled with changing federal policies impacting the expansion of renewable resources across New York State, plus the increasing demand for electricity, it is more critical than ever that the State and municipalities collaborate to address complex challenges, implement creative solutions, and modernize our energy infrastructure and electric grid. All of these factors support the increased use of battery storage resources, and the City respectfully urges the Commission to step in and direct Con Edison to change the manner in which it assesses the interconnection of battery storage resources.

POINT II

THE STANDARDIZED INTERCONNECTION REQUIREMENTS NEED TO BE REVISED TO IMPROVE QUEUE MANAGEMENT AND CHARGING SCHEDULES

As noted by NY-BEST and acknowledged by Con Edison, Con Edison uses a two-part test in conducting Coordinated Electric System Interconnection Review (“CESIR”) studies. Specifically, “Con Edison considers whether a project’s charging operations will: (1) create an area station or sub-transmission peak; and (2) exceed area station or sub-transmission reliability

¹² *Id.* at 66-67. *See also* Case 18-E-0130, *supra*, Joint Utilities’ Study of Non-Market Transmission and Distribution Battery storage Use Cases and Related Process Proposals (filed October 29, 2024) at 7.

capacity thresholds.”¹³ With this test, projects will trigger the need for upgrades if charging would contribute to a load curve greater than 70% of the total capacity of the substation.¹⁴ This has resulted in most new proposed projects requiring very costly infrastructure upgrades – upgrades that effectively destroy the economic feasibility of many battery storage projects. In some cases, Con Edison has re-studied projects with completed CESIR studies and, applying this new test, imposed costly upgrades not identified in initial study results.¹⁵

According to information provided by Con Edison to Department of Public Service Staff, which was filed in the above-captioned proceedings, the interconnection costs for some projects, for which CESIR studies were already complete, have increased by thousands of percent. One Orenda project saw its interconnection costs increase from \$640,086 to \$35,437,791, an increase of over 5,500 percent. A NineDot project saw its interconnection costs increase from \$302,330 to \$27,695,083, an increase of over 9,100 percent.

Distributed-scale battery storage development now faces significant uncertainty due to this new Con Edison test and potential project-busting interconnection costs. It has understandably chilled ongoing development activity at a time when New York City needs more supply resources capable of serving peak demand. The City shares NY-BEST’s concerns with the two-part test, as well as the manner in which this new test was adopted and applied, whether Con Edison has the legal authority to implement the test absent Commission authorization, and the technical thresholds chosen by Con Edison within the test, itself.

¹³ Con Edison Report at 6.

¹⁴ *Id.*

¹⁵ *Id.* at 7.

As recognized in the CLCPA and discussed in the Energy Storage Roadmap, the State and the utilities should be facilitating the development of battery storage resources, not erecting barriers to their deployment. To that end, NY-BEST recommends that Con Edison revise its CESIR methodology by eliminating the 70% substation capacity threshold, similar to the Company's prior methodology, and instead evaluate new projects using curved charging profiles.¹⁶ The City supports NY-BEST's recommendations and respectfully urges the Commission to expeditiously take action to set aside Con Edison's flawed and unreasonable methodology. The City also advances three other recommendations to improve Con Edison's management of its SIR queue for storage resources and resolve interconnection constraints to bolster storage deployment.¹⁷

A. Improved Queue Management

The Commission should promptly undertake a queue management effort focused primarily on queued battery storage projects in Con Edison's service territory. The Commission previously undertook a similar, and successful, queue management effort in response to an influx of upstate distributed solar projects.¹⁸

¹⁶ NY-BEST Petition at 3.

¹⁷ The City also made these recommendations in its recent comments on changes to the Value of Distributed Energy Resource stack. These recommendations similarly apply here. *See* Cases 15-E-0751, *et al.*, In the Matter of the Value of Distributed Energy Resources, Comments of the City of New York on Department of Public Service Staff Proposal on Updating DRV and LSRV for VDER Compensation (filed March 16, 2026).

¹⁸ Case 16-E-0560, Joint Petition for Modifications to the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators 5 MW or Less Connected in Parallel with Utility Distribution Systems, Order Adopting Interconnection Management Plan and Cost Allocation Mechanism, and Making Other Findings (issued January 25, 2017).

First, the Commission should examine whether Con Edison is double-counting capacity from single projects, and if so, eliminate all double-counts from the queue. The City has encountered this practice with its own battery storage projects, such as in situations where Con Edison has requested project modifications that required resubmissions within Con Edison's interconnection portal. There also have been instances where Con Edison assigned multiple queue positions to a single project, in effect double-counting (at least for queue purposes) the capacity of a single project. If this practice continues, queue numbers will be artificially inflated and provide an inaccurate picture of: (1) the State's progress in meeting its storage goals; (2) the overall picture of Con Edison's ability to meet New York City's energy needs; and (3) potentially needed infrastructure upgrades and their associated costs.

Second, the City recommends examining maturity requirements to address projects that may be speculative. The SIR requires project applicants to submit a completed Appendix J form for a CESIR study, wherein the property owner and developer certify that, at a minimum, the project developer has an exclusive right to use the affected property for a battery storage project. The Commission should ensure that projects in the interconnection queue have satisfied the minimum requirements of these certifications.

Third, more broadly, as the Commission recognized with the upstate solar queue, there are some projects in the queue that have not been and never will be pursued. However, their continued inclusion in the utilities' interconnection queues were exhausting existing hosting capacity and causing subsequent projects to be assigned substantial interconnection costs. The City believes the same situation is occurring with downstate battery storage project proposals. Upstate, the Commission directed the utilities to remove such projects from the queue. Here, too, the Commission should direct Con Edison and other utilities to engage in a similar effort and remove

projects that have been languishing for extended periods of time and blocking other projects from accessing existing hosting capacity. The tools and methods the Commission and utilities could use to eliminate speculative projects require careful consideration so that meritorious projects are not inadvertently removed. The City recommends that a stakeholder process, discussed in Point III, below, be instituted to identify appropriate tools and methods and consider other ways of removing barriers to the deployment of battery storage resources and reforming Con Edison's interconnection process.

B. Scheduled Charging and Discharging of Storage Projects

The City has previously expressed concerns related to the assumed battery storage schedules in the interconnection study process; it incorporates by reference its prior comments and urges the Commission to take immediate action.¹⁹ There can be no legitimate dispute that battery storage resources are capable of being operated in a flexible manner to serve the fluctuating needs of the grid, and each resource can be operated independently or in coordination, as conditions so require. However, the City understands that Con Edison's interconnection process may not allow developers to submit preferred charging and discharging schedules. Indeed, the City believes that Con Edison uses worst-case scenarios in its interconnection studies, scenarios that do not reflect real-world conditions and are not likely to ever arise. Appendix K of the SIR certainly contemplates the ability to create flexible charging and discharging schedules, as set forth in subsection n. However, it is the City's understanding that in practice, Con Edison is not

¹⁹ Case 24-E-0621, In the Matter of Modifications to the New York State Standardized Interconnection Requirements, Comments of the City of New York on Petition of IPWG/ITWG Members (filed March 10, 2025); Cases 15-E-0751, *et al.*, In the Matter of the Value of Distributed Energy Resources, Comments of the City of New York on Department of Public Service Staff Proposal on Updating DRV and LSRV for VDER Compensation (filed March 16, 2026).

considering flexibility and may be assuming that all storage is charging and discharging at the same time. This is not required under the SIR and is inconsistent with how batteries operate.

It is critical that Con Edison properly integrate the flexibility of battery storage operations (both discharging and charging) into its interconnection process. For example, to the extent that Con Edison assumes that all battery storage resources will charge and discharge at the same times each day regardless of system conditions, and that they will do so at their maximum capacity each time. Other types of supply resources operate when and as needed, and there is no reasonable factual basis to believe that battery storage resources will operate differently. Moreover, these resources can easily be programmed and scheduled to charge at different times, or at partial capacity, to minimize impacts on the grid. Use of these assumptions and methodology can lead to overestimated grid impacts and costly infrastructure upgrades. If the actual capabilities of battery storage are taken into account, the City expects that the extent of grid impacts will be substantially reduced, and many costly upgrades will not be needed.²⁰

Through its involvement in Con Edison rate cases, and arising from other interactions with Con Edison, the City is aware that several Con Edison substations are at or near capacity. Indeed, Con Edison has had a performance metric in place for many years to address over-dutied circuit breakers. These problems existed prior to the introduction of battery storage, and it is not appropriate to assign the full cost of addressing them to battery storage developers.

Through rate cases and other proceedings, the Commission has authorized billions of dollars of capital investments to expand existing substations and build new transmission and distribution substations. Presently, there are multiple substations under construction within New

²⁰ Through its involvement in Con Edison rate cases and other interactions with Con Edison, the City is aware that several Con Edison

York City. However, it is not clear that Con Edison has incorporated these changes to its electric system in its interconnection studies. The Commission should review and confirm that Con Edison is doing so, and, if the Company is not, the Commission should direct it to do so.

There is no good reason for Con Edison to exclude the best information available from its interconnection studies, including recognition of the flexibility of storage resources and changes to its system. Inasmuch as Appendix K of the SIR contemplates flexibility in selecting preferred charging and discharging windows, the Commission should ensure that Con Edison is properly applying its tariff in practice and, if not, require immediate changes in its conduct. By leveraging scheduled charging and discharging of storage systems, Con Edison and developers can better align battery storage operations with grid conditions. This will also help to improve the economics of storage projects by helping to mitigate interconnection costs and delays that are related to the flawed forecasting assumption that all battery storage resources will charge and discharge simultaneously at maximum capacity.

POINT III

A COLLABORATIVE STAKEHOLDER PROCESS SHOULD BE INSTITUTED

NY-BEST also recommends that the Commission “immediately initiate a 6 to 12 month stakeholder-based process to improve Con Edison’s interconnection and market rules.”²¹ The City agrees that a collaborative stakeholder process could be beneficial if done correctly and with established goals rather than a set period of time. The City recommends that should the Commission establish such a process, all interested parties should be allowed to participate. Additional topics of discussion and goals should be set within the process, and it should continue

²¹ NY-BEST Petition at 3.

on an as needed basis. Structuring the stakeholder process in this manner will ensure a balance of time efficiency, productivity, and flexibility to address new and emerging market needs.

While the City appreciates the desire to set a specific timeframe, experience has shown that every stakeholder process is different and it is difficult to predict how long it would take to reach the goals. Instead of terminating the stakeholder process after six months, the Commission should instead require the filing of a report detailing its actions taken to date, including studies conducted and meetings held, and provide proposals, as appropriate. If a comprehensive proposal cannot be developed within six months, the report should explain why and provide a plan for moving forward. Such reporting should continue every six months thereafter until a formal proposal is filed.²²

Similar focused stakeholder processes have proven successful in the past. In addition to the queue management process related to solar interconnections noted above, the Commission established the Electric Vehicle Infrastructure and Interconnection Working Group (“EVIIWG”) to discuss queue management specific to interconnection electric vehicle charging infrastructure.²³ The EVIIWG met periodically over approximately one year to refine a straw proposal that Con Edison had filed when the group was first convened. The City was actively involved in that working group and saw firsthand that parties which are substantively interested in a topic and

²² The City notes that six months is likely an ambitious target, but setting such an ambitious target emphasizes the urgency of this matter and affirms the State’s commitment to building out battery storage resources.

²³ Cases 18-E-0128, *et al.*, Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure, Notice Announcing Working Group Meeting (issued March 19, 2024).

actively participate can meaningfully contribute to the result.²⁴ The final product of the EVIIWG was the result of regular meetings²⁵ and active stakeholder participation, as well as timely efforts from the utilities and Department Staff to respond to stakeholder feedback. A measure of the success of that process was the limited concerns raised by stakeholders after the final proposal was filed.²⁶

This proposal may lead to a question of whether this matter should be referred instead to the Interconnection Process Working Group (“IPWG”). The City offers several reasons why doing so would not be appropriate. First, the IPWG considers statewide issues, and the battery storage problems raised by NY-BEST and discussed herein appear to be limited to Con Edison’s service territory and actions by Con Edison. Second, participation in the IPWG is limited, and many of the stakeholders who would be interested in this matter do not participate in the IPWG; similarly, some, if not many, of the IPWG participants may not conduct business in Con Edison’s service territory and therefore are not the appropriate stakeholders to try to resolve these specific issues. Third, the IPWG addresses a panoply of issues, and this matter would need to compete for time at IPWG meetings with other matters that require attention. Given the reliability problems confronting New York City, the battery storage issues need to be resolved immediately, and doing so will require a focused effort. The IPWG structure does not allow for such an effort.

The City submits that an open and transparent stakeholder process would be the best approach to developing recommendations to the Commission on resolving the pending problems

²⁴ The EVIIWG addressed a statewide queue management process, but it focused on issues unique to Con Edison’s service territory. The City, Con Edison, and other stakeholders worked collaboratively to address those issues and align on the final work product.

²⁵ The group met ten times over the course of a year.

²⁶ Four sets of comments were filed on the final proposal, mostly discussing what the EVIIWG should focus on next, rather than issues with the proposal itself.

and facilitating the deployment of battery storage in New York City while balancing the interests of customers, storage developers, Con Edison, and others who have a stake in this topic. For all of the foregoing reasons, the City respectfully requests that the PSC institute such a process as soon as possible.

CONCLUSION

Battery storage is a critical tool to address ongoing reliability needs and supply constraints in New York City, and its deployment should be encouraged and facilitated, not thwarted through baseless assumptions and the imposition of unreasonable interconnection costs. It is well-recognized that expansion of Con Edison's infrastructure is needed, as is expansion of the entire electric grid in New York, but the cost of that expansion should not be placed primarily on the developers of battery storage resources.

It is equally important that Con Edison's interconnection practices be harmonized with State law and State policy and are structured in a fair and reasonable manner that properly balances the interests of customers, developers, and Con Edison. For the reasons set forth in the NY-BEST Petition, supported by the information provided in the Con Edison Report, and discussed herein, the City respectfully urges the Commission to adopt the recommendations set forth in the NY-BEST Petition and stakeholder process as described there and herein.

Respectfully submitted,

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