

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 25-E-0375 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Electric Service.

CASE 25-G-0378 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Gas Service.

CASE 25-E-0379 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Electric Service.

CASE 25-G-0380 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Gas Service.

RULING CONCERNING PARTY STATUS, SCHEDULE, AND OTHER  
PROCEDURAL MATTERS

(Issued July 23, 2025)

ASHLEY MORENO and TARA KERSEY, Administrative Law Judges:

Procedural and technical conferences were held on July 17, 2025, to address a variety of matters, including party status and schedule.

Party Status

With regard to party status, New York State Electric & Gas (NYSEG), Rochester Gas and Electric Corporation (RG&E; together, the Companies) nor any other participant raised any opposition to any of the pending party status requests in any of the proceedings. Several entities have party status as of

right.<sup>1</sup> By this ruling, we are confirming that the persons or entities listed on Attachment A to this ruling are hereby granted party status because we find that their intervention as parties is likely to contribute to the development of a complete record in the case(s). As discussed at the procedural conference, if you intend to participate in all four proceedings, you need to make sure you are on each party list as you will only be empowered to actively participate and shape the record in the case(s) to which you are a party.

Pursuant to our July 8, 2025 Ruling Requiring Party Representatives to Execute Party Participation Acknowledgment Forms, each representative of a party authorized to intervene by this ruling must execute the form, included as Attachment B of that Ruling, by providing a physical or electronic signature and file it with the Secretary within five business days of the issuance of this ruling.<sup>2</sup>

Persons or entities who filed requests to intervene following the procedural conference have not yet been conferred party status (i.e., Office of Congressman Josh Riley, Earthjustice, and Walmart). As we discussed at the conference, requests for party status will be treated as motions.<sup>3</sup> All parties seeking party status will be provisionally added to the

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<sup>1</sup> For example, the party status of NYSEG, RG&E, trial Staff of the Department of Public Service, and Utility Intervention Unit, Division of Consumer Protection of the Department of State, is recognized by 16 NYCRR §4.3(b)(1). The party status of Tompkins County is recognized by PSL §109.

<sup>2</sup> The forms submitted by representatives of Public Utility Law Project of New York, Inc. Theresa Hotte and Kate Shannon and Utility Intervention Unit representative Bernadine Bellevue are required to file new Party Participation Acknowledgment forms with either an electronic or physical signature.

<sup>3</sup> All party representatives are encouraged to file a party participation acknowledgment form at the time they request to be added to the party list.

party list. If no objection is raised by a party or by us within the requisite time, party status is deemed to be conferred on that person/entity.

We reiterate our reminder to DPS Staff of its obligation to provide us and all parties with a list of persons designated to serve as trial staff in these cases as soon as it is practical to do so.<sup>4</sup>

#### Schedule

We encouraged parties and prospective parties to develop a consensus litigation schedule for our consideration that would allow for the evidentiary hearing to commence December 1, 2025.<sup>5</sup> Prior to the conference, DPS Staff provided us with a consensus litigation schedule that was served on the persons and entities seeking party status in these proceedings. Noting that December 1, 2025 closely follows the Thanksgiving holiday and would create challenges for witnesses, the proposed schedule provides for the evidentiary hearing commencing December 8, 2025. Several parties noted during the conference that additional time would allow for a more efficient hearing process. We adopt the parties' proposed schedule but we caution that to timely bring this matter to the Commission, there is no additional time built into the schedule. Accordingly, should the Companies later seek leave to file surrebuttal, they should be prepared to extend the suspension period.

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<sup>4</sup> 16 NYCRR §4.3(d).

<sup>5</sup> See Ruling Concerning Procedural and Technical Conferences (issued July 8, 2025).

The following schedule is hereby adopted:

Milestone	Date
Filing of NYSEG/RG&E of Corrections & Updates to Testimony and Exhibits	September 15, 2025
Filing of Staff and Intervenor Direct Testimony and Exhibits	October 30, 2025
Filing of Rebuttal Testimony and Exhibits	November 24, 2025
Commencement of Evidentiary Hearing <sup>6</sup>	December 8, 2025

We request that DPS Staff include in its testimony a characterization of rate drivers, both positive and negative. In addition, we request that DPS Staff's testimony address the requirement of PSL §114-a regarding whether membership dues for entities engaging in legislative lobbying are included in the Companies' operational costs.

Discovery

The Companies represented that a portal will be used for posting its discovery responses. The Companies are directed to send to all persons and entities granted with party status and the administrative law judges, within three (3) days of the date this Ruling is issued, directions on how to access the portal. Additionally, the Companies are reminded that all discovery responses posted to the portal should remain there and if any response is updated, both the original and updated response shall be reflected on the site.

(SIGNED)

ASHLEY MORENO

(SIGNED)

TARA KERSEY

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<sup>6</sup> The evidentiary hearing will be separately noticed.

## **Attachment A**

### **Case 25-E-0375**

- Campaign for Renewable Energy
- Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- IBEW Local 10
- Metro Justice
- Multiple Intervenors
- New York Solar Energy Industries Association
- New York State Department of Public Service
- New York State Electric & Gas Corporation/Rochester Gas and Electric Corporation
- Nucor Steel Auburn, Inc.
- Office of State Assemblymember Chris Burdick
- Office of State Senator Shelley Mayer
- Public Utility Law Project of New York, Inc.
- Ratepayer and Community Intervenors
- Tompkins County
- Utility Intervention Unit, Division of Consumer Protection, Department of State

### **Case 25-E-0378**

- Campaign for Renewable Energy
- Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- IBEW Local 10
- Metro Justice
- Multiple Intervenors
- New York State Department of Public Service
- New York State Electric & Gas Corporation/Rochester Gas and Electric Corporation
- Nucor Steel Auburn, Inc.
- Office of State Assemblymember Chris Burdick
- Office of State Senator Shelley Mayer
- Public Utility Law Project of New York, Inc.
- Ratepayer and Community Intervenors
- Tompkins County
- Utility Intervention Unit, Division of Consumer Protection, Department of State

**Attachment A, cont.**

**Case 25-E-0379**

- Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- Metro Justice
- Multiple Intervenors
- New York State Department of Public Service
- New York State Electric & Gas Corporation/Rochester Gas and Electric Corporation
- Office of State Assemblymember Chris Burdick
- Public Utility Law Project of New York, Inc.
- Ratepayer and Community Intervenors
- Utility Intervention Unit, Division of Consumer Protection, Department of State

**Case 25-E-0380**

- Climate Solutions Accelerator of the Genesee-Finger Lakes Region
- Metro Justice
- Multiple Intervenors
- New York State Department of Public Service
- New York State Electric & Gas Corporation/Rochester Gas and Electric Corporation
- Office of State Assemblymember Chris Burdick
- Public Utility Law Project of New York, Inc.
- Ratepayer and Community Intervenors
- Utility Intervention Unit, Division of Consumer Protection, Department of State