

January 26, 2026

VIA E-MAIL

Chris Wright
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Re: Request for Emergency Order Under Section 202(c) of the Federal Power Act

Dear Secretary Wright:

Pursuant to Section 202(c) of the Federal Power Act (“FPA”),¹ and part 205, subpart W, of the regulations of the Department of Energy (“DOE”),² the New York ISO (“NYISO”) respectfully requests that the Secretary of Energy (“Secretary”) find that a condition exists within the NYISO region³ that requires intervention by the Secretary, in the form of a Section 202(c) emergency order, to preserve the reliability of the bulk electric power system. NYISO respectfully requests that the Secretary issue an order immediately, effective January 26, 2026, authorizing specified generating units located within the NYISO region to operate up to their maximum generation output levels, notwithstanding air quality or other permit limitations arising under federal, state, or local law or regulation, or other applicable source of law. While NYISO is not currently experiencing emergency conditions, given the forecasted long-duration extreme cold weather event, NYISO foresees the need to maximize the availability of all the generating resources in New York, *i.e.*, all generating resources that are part of the generation resource mix are needed, including the resource described in Exhibit A.

¹ 16 U.S.C § 824a(c).

² 10 C.F.R. Part 205, Subpart W.

³ The NYISO region discussed herein is the New York Control Area (“NYCA”), which is the area that is under the control of the NYISO. The NYCA includes generation located within New York State and located outside the New York State geographic footprint, such as the generator listed in Exhibit A.

In accordance with 10 CFR § 205.391(a), NYISO requests that such order be entered as soon as possible today, January 26, 2026, to be made effective as of the date of the issuance. NYISO further requests that the order remain in effect through February 2, 2026.

I. Background

New York is experiencing a prolonged severe cold weather event. In many parts of the NYISO Balancing Authority Area, temperatures for January 26, 2026 through at least February 1, 2026 are forecasted to remain well below average. This prolonged severe cold weather event is expected to result in continued sustained high level of demand for electricity. While the vast majority of generating units in the NYISO region continue to function adequately, some units are experiencing difficulty due to emissions/air permit limitations, or other operating constraints. Granting the relief requested herein will support the continued availability of generating resources in the region and protect the overall electric system reliability that is necessary to support the health, safety, and welfare of all people in New York.

II. Relief Requested

NYISO has been notified by a generator owner that one of its generating units may become subject to operational limitations due to continuing cold weather conditions. This unit is described in Exhibit A to this request. During this extreme cold weather event, NYISO anticipates that all generating resources may be needed. Accordingly, NYISO seeks an immediate order from DOE authorizing the provision of energy from all generating units identified in Exhibit A, as well as any other generating units subject to emissions or other permit limitations. This request for relief is narrowly tailored to allow only the exceedances that are necessary to help maintain the reliability of the grid during the period of relief requested herein. Upon issuance of the requested order by DOE, NYISO will issue a market notice to all NYISO market participants. The notice would require that any market participant that finds it necessary to utilize this allowance notify the NYISO in advance of doing so. This notification applies to all generating units.

NYISO commits to providing daily notice to DOE of each of those generating units that has been designated to use this allowance.



NYISO is prepared to provide any additional information DOE may request. NYISO also commits to respond to any requests for additional information on an expedited basis.

III. CONCLUSION

NYISO does not request this authorization lightly and understands the importance of the environmental permit limits that are at issue. Granting the authorization requested will help NYISO maximize the availability of all generating resources in the New York Control Area to meet expected demand for electricity.

NYISO greatly appreciates the DOE's expedited consideration of this request. Please do not hesitate to contact the undersigned if you have any questions or require additional information in order to act on this request.

Respectfully submitted,

Emilie Nelson

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Attachment A

Bayonne Energy Center, LLC