Legislation Details (With Text)

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Title: Resolution calling upon the New York State Public Service Commission to issue an emergency rule restricting Con Edison's ability to apply its interconnection methodology which has increased costs for battery storage facilities located in networks that the company deems constrained

Sponsors:

Indexes:

Attachments: 1. Res. No. 422, 2. Memorandum in Support, 3. April 16, 2026 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 4-16-26

Date	Ver.	Action By	Action	Result
4/16/2026	*	City Council	Introduced by Council	
4/16/2026	*	City Council	Referred to Comm by Council	

Res. No. 422

Resolution calling upon the New York State Public Service Commission to issue an emergency rule restricting Con Edison's ability to apply its interconnection methodology which has increased costs for battery storage facilities located in networks that the company deems constrained

By Council Members Nurse, Louis, Avilés, Ossé, Hanif, Gennaro, Hudson and Restler

Whereas, In the 21st century, New Yorkers have experienced many of the effects of the climate crisis, including repeated hurricanes and tropical storms, both coastal and pluvial flooding, sea level rise, heat waves, and severe snow events; and

Whereas, The effects of climate change are often inequitably distributed, with communities of color, children, older people, and low-income communities, who can lack the financial and community resources to respond to weather-related disasters, more likely to experience the deleterious effects; and

Whereas, According to the Intergovernmental Panel on Climate Change ("IPCC"), greenhouse gas emissions must be substantially reduced by mid-century to limit the global average temperature increase to

1.5 degrees Celsius, and no more than 2 degrees Celsius, to minimize the worst impacts of climate change; and

Whereas, The IPCC's sixth assessment report, published in 2022, calls for a moratorium on constructing new fossil fuel infrastructure, stating that "without immediate and deep emissions reductions across all sectors, limiting global warming to 1.5°C is beyond reach"; and

Whereas, In New York City, electricity is largely generated via the combustion of fossil fuels, with approximately 95% of the electric supply sourced from fossil-fuel combustion plants in 2025, compared to upstate, where only 11% is sourced from fossil-fuel combustion plants and 89% of the electricity is supplied via renewable generation; and

Whereas, In 2019, the New York State (NYS) Legislature passed the Climate Leadership and Community Protection Act (CLCPA), committing NYS to a net-zero carbon economy by 2050, 100 percent zero emission electrical generation by 2040, a 40 percent reduction from 1990 levels in statewide greenhouse gas emissions by 2030, and 70 percent renewable energy by 2030; and

Whereas, The New York State Energy Research and Development Authority ("NYSERDA") has established through a New York State Public Service Commission ("PSC") order a 6.0 GW goal of battery storage deployment, stating that in New York City, "As fossil fueled power plants, particularly in downstate New York, reach their end-of-life and move to retire, the [New York Independent System Operator, or NYISO] and utilities will require dispatchable capacity to maintain reliability, both in terms of resource adequacy and transmission security"; and

Whereas, NYSERDA further states "The ability of energy storage to provide these services makes this one of the highest-value deployment opportunities in New York and can help accelerate decarbonization in a reliable way"; and

Whereas, as recently as December 2025, the PSC acknowledged recent studies published by NYISO and Con Edison indicating that the New York City grid will face critical reliability needs in the near term,

and in light of these studies, the PSC directed Con Edison to "turn over every stone" in order to maximize "all available clean and non-emitting options," pointing specifically to battery storage as a solution; and

Whereas, Local Law 97 of 2019 requires (NYC or City) greenhouse gas emissions to be reduced by 80 percent compared to 2005 levels by 2050; and

Whereas, As part of the effort to meet these emissions reduction goals, in 2018, the de Blasio administration established a target of 500 megawatts (MW) of battery storage capacity by 2025, a goal reinforced by the Adams admin through its Green Economy Action Plan, which the City fell short of reaching, with less than one fifth of the goal reached as of December 31, 2025; and

Whereas, A 2024 study by the Columbia University Mailman School of Public Health and the Department of Health and Mental Hygiene found that more than 30% of City residents experience energy insecurity due to the rising cost of utility bills, with higher rates among Black and Latino residents, renters, recent immigrants, and households with children; and

Whereas, Battery energy storage systems ("BESS") foster grid reliability by storing surplus energy when it is cheaper, to be used later during peak demand periods; and

Whereas, Using cheaper stored energy to cover grid spikes can reduce energy costs for local residents, and improve local air quality by minimizing reliance on polluting peaker plants during high demand periods; and

Whereas, Modern battery storage systems consist of large banks of multiple battery packs linked together with safety monitoring equipment and climate control systems, and have become safer as best practice protocols have been established, with the failure rate of grid-scale energy storage systems dropping by 98 percent between 2018 and 2024 despite a significant increase in global deployed capacity; and

Whereas, In August of 2025, without prior approval from regulators, Con Edison announced that it was changing the method by which it determined interconnection costs for new BESS installations, increasing fees for new installations by over 25 times when installed in networks that Con Edison deems

constrained; and

Whereas, In January of 2026, Con Edison filed a document with the New York State Department of Public Service, Case 24-E-0621, providing notice regarding proposed changes to the methodology for determining interconnection costs for new BESS installations; and

Whereas, Con Edison claims that BESS installations in these networks will overwhelm the system by exceeding the demand capacity of area substations, as measured during one overnight hour on the peak energy usage day of the year; and

Whereas, A map of constrained networks published by Con Edison shows most of the Bronx, Brooklyn and Queens, all of Staten Island, and portions of Manhattan, and includes more than 66% of the disadvantaged communities as designated by New York State; and

Whereas, Clean energy industry groups NY-BEST and NYSEIA have filed an emergency petition to the PSC on the above-mentioned case and other dockets, asking regulators to order Con Edison to reverse its unilateral changes; and

Whereas, NY-BEST and NYSEIA detail how Con Edison's concerns regarding network constraints are predicated on flawed assumptions, including that every BESS citywide must charge during the same peak hour of the nighttime window, that every project currently in the interconnection queue will be built, despite historical data showing that only approximately one-third of projects make it to the construction phase; and

Whereas, NY-BEST and NYSEIA claim in their emergency filing that Con Edison enacted its changes to interconnection policy using methodology that is arbitrary and without evidence to support its alleged reliability concerns; and

Whereas, In March of 2026, a coalition of local elected officials, environmental advocacy groups, and clean energy advocates sent a letter to Con Edison, admonishing the utility for effectively halting BESS projects in New York City by drastically increasing interconnection costs, and calling on Con Edison to

reverse its unilateral changes; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Public Service Commission to issue an emergency rule restricting Con Edison's ability to apply its interconnection methodology which has increased costs for battery storage facilities located in networks that the company deems constrained.

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