



April 5, 2024

**BY ELECTRONIC FILING**

The Honorable Debbie-Anne Reese, Acting Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: Revisions to ISO New England Transmission, Markets and Services Tariff to Further Delay the Nineteenth Forward Capacity Auction and Related Capacity Market Activities, Docket No. ER24- -000**

**REQUEST FOR WAIVER OF 60-DAY PRIOR NOTICE REQUIREMENT, SHORTENED COMMENT PERIOD, AND EXPEDITED ORDER IN 45 DAYS**

Dear Secretary Reese:

Pursuant to Section 205 of the Federal Power Act (“Section 205”),<sup>1</sup> ISO New England Inc. (the “ISO” or “ISO-NE”), joined by the New England Power Pool (“NEPOOL”) Participants Committee<sup>2</sup> (together, the “Filing Parties”),<sup>3</sup> hereby submit to the Federal Energy Regulatory Commission (the “Commission”) this transmittal letter and revisions to the ISO’s Tariff. These revisions delay New England’s 19<sup>th</sup> Forward Capacity Auction (“FCA 19”) until February 2028, maximizing the opportunity for the ISO and regional stakeholders to fully design and implement a prompt and seasonal capacity market framework, and to further refine its approach to capacity accreditation based on a resource’s Marginal Reliability Impact (“MRI”). The further delay of FCA 19 is supported by the Analysis Group Inc. (“AGI”)’s study, *Capacity Market Alternatives*

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> Capitalized terms used but not otherwise defined in this filing have the meanings ascribed thereto in the ISO New England Transmission, Markets and Services Tariff (the “Tariff”), the Second Restated NEPOOL Agreement, and the Participants Agreement. Market Rule 1 is Section III of the Tariff.

<sup>3</sup> Under New England’s Regional Transmission Organization arrangements, the rights to make this filing of changes to the Tariff under Section 205 of the Federal Power Act are the ISO’s. NEPOOL, which pursuant to the Participants Agreement provides the sole Participant Processes for advisory voting on ISO matters, supported the changes reflected in this filing and, accordingly, joins in this Section 205 filing.

Although NEPOOL fully supports the changes filed herein, it does not have an institutional view or position at this time on the specific rationale offered by the ISO or the Analysis Group Inc. in this transmittal letter, particularly the rationale detailed in Sections V, VI and VII. In general, the specific reasons and rationale behind an individual NEPOOL member’s vote to support an ISO-NE Tariff proposal are not always uniform across the membership. Thus, NEPOOL Participants typically vote only on the actual Tariff revisions and not on justifying rationale, as was the case here.

for a Decarbonized Grid: Prompt and Seasonal Markets (“AGI Assessment”), and the affidavit of Dr. Todd Schatzki,<sup>4</sup> both of which are sponsored solely by the ISO.

## I. EXECUTIVE SUMMARY

During November 2023, the Filing Parties sought, and the Commission later accepted, a one year delay of FCA 19 and related auction activities.<sup>5</sup> As explained in the November 2023 filing (“Initial FCA 19 Delay Filing”), the purpose of the one year delay was twofold: first, it would support the completion of capacity market accreditation reforms before the next auction;<sup>6</sup> and second, it would provide the opportunity for the ISO and regional stakeholders to investigate whether more fundamental capacity market reforms may be warranted.<sup>7</sup>

In the time since the Initial FCA 19 Delay Filing, the ISO has worked with AGI to investigate the potential implications of a broader set of market reform options related to capacity market horizons. With the input of regional stakeholders, AGI developed an extensive assessment of potential capacity market horizon reform options, which is included as Attachment B to this filing. That assessment provides qualitative and quantitative analysis of the tradeoffs between forward and prompt capacity markets, as well as annual and seasonal capacity markets, and addresses potential design elements of each structure that may warrant future consideration.

Importantly, the AGI Assessment highlights several market efficiency advantages of a prompt and seasonal capacity market (hereafter, “prompt seasonal market”) over a forward annual market. These improvements include aligning the auction with the development timelines for today’s resource mix, which reduces participation risks and improves compensation for those resources; using more timely and up-to-date information on available supply and forecast demand for the relevant auction period, which can improve auction outcomes and reduce costs; enabling the region to procure capacity to meet demand that, increasingly, is changing across seasons; allowing resources to reflect seasonal cost components to cost-effectively

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<sup>4</sup> Dr. Todd Schatzki is a Principal Consultant with AGI. Dr. Schatzki’s Affidavit and the AGI Assessment are provided as Attachments A and B to this filing, respectively.

<sup>5</sup> *ISO New England Inc. & NEPOOL Participants Comm.*, Filing of ISO New England Inc. and NEPOOL Participants Comm. of Market Rule Changes to Delay Nineteenth Forward Capacity Auction and Related Capacity Market Activities, Docket No. ER24-339-000 (filed Nov. 3, 2023); *see also ISO New England Inc. & NEPOOL Participants Comm.*, 186 FERC ¶ 61,001 (2024) (accepting Initial FCA 19 Delay Filing).

<sup>6</sup> Initial FCA 19 Delay Filing at 2–3 (“Delaying FCA 19 for a year will afford the region the time necessary to complete the on-going work on a new methodology in the [FCM] for calculating resource capacity accreditation values . . . and implement changes to the interconnection study queue process that are required under the Commission’s Order No. 2023, so that . . . [both] can be implemented in time for FCA 19.”); *see also id.* at 10–11 (citing *ISO New England Inc. and New England Power Pool Participants Committee*, Revisions to ISO New England Transmission, Markets and Services Tariff of Buyer-side Market Power Review and Mitigation Reforms, Docket No. ER22-1528-000, Testimony of Dr. Vamsi Chadalavada at 11–14 (filed Mar. 31, 2022) (discussing how the unmitigated entry of large quantities of resources could pose an unacceptable risk to the existing fleet, prompting the retirement of those resources before the region can fully ascertain and account for their relative reliability benefits)).

<sup>7</sup> *Id.* at 3 (“[I]t affords the region time to evaluate other, more fundamental, changes to New England’s capacity market design, namely a possible transition to a prompt market structure, with multiple seasonal auctions.”).

procure capacity for each season; and better positioning the region to address growing winter reliability challenges.<sup>8</sup> The AGI Assessment also highlights reliability improvements likely to result from a transition to a prompt seasonal market, particularly in light of New England's ongoing evolution toward a decarbonized grid and evolving seasonal demand profile. In addition to the qualitatively described market efficiency and reliability improvements summarized above, AGI quantifies certain benefits of transitioning from a forward annual market to a prompt seasonal market, concluding that such a transition may lead to cost reductions of more than 13%.<sup>9</sup>

Ultimately, the AGI Assessment concludes that the likely benefits of shifting from the current market framework to a prompt seasonal market more than offset any perceived drawbacks or potential tradeoffs, and recommends that the region shift to a prompt seasonal market. Further, the AGI Assessment recommends that the region make this shift prior to the capacity delivery period beginning June 2028—the period associated with FCA 19. As explained by AGI, transitioning to a prompt seasonal market at the same time that the accreditation reforms planned for FCA 19 are implemented would be less complex and provide greater stability than a sequential implementation approach.<sup>10</sup>

In light of the significant market efficiency and reliability benefits observed in the AGI Assessment that may be gained from a shift to a prompt seasonal market, and AGI's recommendation that the region apply this shift coincident with capacity accreditation reforms during FCA 19, the ISO has developed a proposal, which NEPOOL supports, to defer FCA 19 by an additional two years beyond the one year delay that has been accepted by the Commission. This further delay will provide time to investigate, and work to develop, market design reforms to effectuate this transition. As addressed in Section VI.C of this transmittal letter, the AGI Assessment observed numerous prompt seasonal market design elements that will require careful assessment before a prompt seasonal market design proposal can be filed with the Commission. Substantial work must also be done to further refine ongoing capacity accreditation and compensation reforms to ensure compatibility with this new capacity market framework. Completing the new design may also involve evaluation of the feasibility and implications of various detailed design elements, as well as discussions with stakeholders on those implications.

Accordingly, the Filing Parties are seeking additional time to develop a prompt seasonal market design and compatible capacity accreditation reforms. This additional evaluation and stakeholder vetting process will be vital to the success of any market design that is ultimately filed for the Commission's consideration, and will require a substantial commitment of time and

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<sup>8</sup> ISO New England Inc., Operational Impacts of Extreme Weather Events: Final Report on the Probabilistic Energy Adequacy Tool (PEAT) Framework and 2027/2032 Study Results, at Slide 233 (Dec. 11, 2023) ("Sensitivity analysis of 2032 worst-case scenarios indicates an increasing energy shortfall risk profile between 2027 and 2032"), available at [https://www.iso-ne.com/static-assets/documents/100006/operational\\_impact\\_of\\_extreme\\_weather\\_events\\_final\\_report.pdf](https://www.iso-ne.com/static-assets/documents/100006/operational_impact_of_extreme_weather_events_final_report.pdf).

<sup>9</sup> This figure does not account for any cost impacts that may be associated with a move to MRI-based capacity accreditation. See *infra* note 44.

<sup>10</sup> AGI Assessment at 109–110.

resources that will not be possible unless FCA 19 is further delayed for an additional two years. If the Commission accepts the proposed additional delay, the ISO intends to complete the combination of prompt seasonal market and accreditation reforms in time to implement them for the 19<sup>th</sup> capacity auction for the 2028–2029 capacity delivery period.

Under the delay proposed herein, *if needed*, FCA 19 would be held in February of 2028 for the capacity delivery period starting June 2028 and running through May 2029 (the 2028–2029 Capacity Commitment Period). This means that the region would have between now and sometime *prior to* February of 2028 to complete the design work on the capacity market reforms, receive acceptance of those reforms by the Commission, and implement them. If successful, this would obviate the need to run FCA 19 in its current format under the two-year additional delay. In this way, the proposal filed herein creates a *backstop*—that is, the overriding objective is to avoid the need to run FCA 19 at all, and to instead implement a new prompt seasonal capacity market auction during early 2028 for the 19<sup>th</sup> capacity auction cycle (recognizing that, under a seasonal design, this cycle could include multiple seasonal auctions covering an annual period).

As is addressed in Section IX of this transmittal letter, the additional delay proposal filed herein garnered significant support from regional stakeholders. That support was echoed by New England’s External Market Monitor, who recommended the postponement of the 18<sup>th</sup> or 19<sup>th</sup> FCA to provide time to develop a prompt seasonal capacity market.<sup>11</sup> The New England States Committee on Electricity has also expressed support for elements of the ISO’s Work Plan that “[c]ontinue to dedicate resources to examine the value of changes to the capacity market construct that may include a shift to a prompt and/or seasonal market construct,”<sup>12</sup> and has expressed support for the additional delay proposal during the stakeholder process.

In the course of the stakeholder discussions on the proposal, stakeholders raised several points that provide important context for both the support provided for the additional delay proposal, as well as how the ISO plans to approach the design work that lies ahead should the Commission accept the proposed delay.

*First*, the Filing Parties underscore that the delay will provide the region time to work on the capacity market reforms for implementation with the 19<sup>th</sup> capacity auction cycle, and the proposal filed herein does *not* reflect a position on the soundness of a prompt seasonal capacity

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<sup>11</sup> Potomac Economics, ISO New England Inc. External Market Monitor, *2022 Assessment of the New England Electricity Markets*, at 71–72 (June 2023) (“[Recommending] that ISO-NE postpone the future forward capacity auction as soon as practicable, beginning with the upcoming FCA18 auction in February 2024 but no later than FCA 19 in February 2025. This delay would be beneficial because it would accelerate the implementation of a seasonal prompt market and allow time for implementation of Recommendations 2020-2 before another FCA is conducted,” and further stating, “[w]e do not expect delaying the FCA will have a negative impact on the ISO-NE markets because capacity supply obligations through May 2027 have already been secured. If the ISO signals its intent to delay the auction soon, this affords nearly four years for a prompt auction framework to be developed and implemented for the Summer 2027 capability period. On the other hand, continuing to hold FCAs would lock-in prices and obligations based on flawed results for additional years into the future.”), *available at* <https://www.iso-ne.com/static-assets/documents/2023/09/iso-ne-2022-emm-report-final.pdf>.

<sup>12</sup> New England States Committee on Electricity, Comments on ISO-NE’s Draft 2024 Work Plan (Aug. 2023), *available at* <https://nescoc.com/resource-center/comments-on-iso-nes-draft-2024-work-plan/>.

market, which has yet to be developed. The soundness of the new capacity market design will depend on the particulars of such a design, as it develops over the course of the next two-plus years. In this regard, Section VI.C below discusses a non-exhaustive list of important design elements that will need to be developed to implement a prompt seasonal capacity market.

*Second*, one of several drivers for the ISO's support for moving from an annual to a seasonal capacity market design relates to the capacity accreditation reforms. Specifically, a core objective of the ISO's capacity accreditation reforms is to capture the impact of natural gas pipeline constraints on the capacity accreditation values and compensation of natural gas-fired resources. As the ISO has worked through potential accreditation reforms to address this issue, it has become apparent to the ISO that the optimal way of capturing this constraint—referred to as a “market constraint approach”—is, likely, only feasible within a seasonal market construct.<sup>13</sup> This market constraint approach would treat resources that are behind a shared physically-constrained gas pipeline in a manner similar to the ISO's existing treatment of resources behind a transmission constraint.<sup>14</sup> While developing the market constraint approach poses several design challenges, the additional delay proposed herein would provide the ISO the time to complete such work. The ISO is committed to developing and implementing a market constraint approach in the context of a prompt seasonal market for the commitment periods beginning in 2028, should the Commission accept the further delay proposal.

*Third*, a key consideration in discussions to date on a prompt seasonal market design has been reforms to the ISO's existing resource retirement process. Under current market rules, capacity resources contemplating retirement must signal such intent approximately four years before the retirement date, by submitting a de-list bid in a Forward Capacity Auction. As is discussed in the AGI Assessment, this timeline and process have various adverse consequences. Moving to a prompt auction construct affords the region the opportunity to redesign the retirement process, potentially creating a more flexible, efficient process that is “decoupled” from the capacity market rules. To implement any such redesign, the ISO plans to prioritize the design work on retirement reforms and file those reforms on a timeline that will permit them to be utilized for the 19<sup>th</sup> auction cycle. For example, one possible approach that the ISO is contemplating is to complete the core design work for a prompt auction construct, with retirement reforms, in 2025 or early 2026, and to file those components with the Commission in that timeframe. Work on the remaining components—the seasonal market design and capacity

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<sup>13</sup> ISO New England Inc., Memorandum to NEPOOL Markets Committee re: Gas Resource Accreditation under Resource Capacity Accreditation Reforms, at 4 (Jan. 4, 2024) (“ISO January 2024 Gas Resource Accreditation Memorandum”) (observing the ISO's preference for a market constraint approach to valuing resources impacted by the regional gas constraints, but identifying implementation of this approach for FCA 19 as unlikely due to: (1) substantial detailed design work that is necessary before implementation; (2) the likelihood that the market constraint approach is only implementable within a seasonal capacity market; and (3) the need for auction software development and testing).

<sup>14</sup> *Id.* at 3 (“The ISO implemented zonal demand curves to address the shortcomings that would be associated with accounting for these shared physical constraints in the accreditation (i.e., the existing qualification) process. Export-constrained demand curves require resources in export-constrained capacity zones (i.e., resources behind a shared transmission constraint) to compete to provide capacity in that zone. When an export constraint binds, its zonal demand curve results in less capacity in that zone receiving an award and a lower price paid to that capacity.”).

accreditation reforms—could then build upon the prompt market and retirement redesign, for filing later in 2026 or early 2027.

The remainder of this transmittal letter reviews the AGI Assessment’s findings with respect to the transition to a prompt seasonal market and explains in more detail the support for an additional delay for FCA 19 to permit the region the time needed to complete that transition. Section V summarizes the observations of the AGI Assessment regarding the likely benefits associated with a prompt seasonal market compared to New England’s forward annual market, including a prompt seasonal market’s ability to better accommodate New England’s rapidly evolving resource mix and seasonal demand profile, likely market efficiency benefits, and likely reliability improvements. Section VI discusses the justification for the further delay of FCA 19 to explore and work on the redesign of the capacity market. Section VII explains why the benefits of a further delay of FCA 19 substantially outweigh any perceived drawbacks or potential tradeoffs. Section VIII discusses the details of the proposed delay for FCA 19, which include: (1) delaying FCA 19 and related market activities by two additional years beyond the timeline accepted by the Commission in the Initial FCA 19 Delay Filing and currently described in Tariff Section III.13.A; (2) extending the interim balancing (or “reconfiguration”) auction qualification process approved in the Initial FCA 19 Delay Filing by two additional years; and (3) augmenting the auction schedule described in Tariff Section III.13.A.1 for subsequent auctions beyond FCA 19 to ensure an orderly return to a forward market in the unlikely case that future events necessitate such a return.

## **II. REQUESTED EFFECTIVE DATE; REQUEST FOR SHORTENED COMMENT PERIOD; REQUEST FOR SHORTENED NOTICE PERIOD AND ORDER IN LESS THAN 60 DAYS**

The ISO respectfully requests that the Commission accept the FCA 19 schedule revisions, as filed, without suspension or hearing, to be effective on May 21, 2024, which is 46 days from the date of this filing. Pursuant to Section 35.11 of the Commission’s rules and regulations, 18 C.F.R. § 35.11, the ISO also respectfully requests a waiver of the 60-day notice requirement, a shortened comment period of 15 days, and an expedited order to be issued on or before May 20, 2024. Waiver of the 60 days’ notice requirement is in the public interest and requested for good cause, as the expedited order and effective date will ensure the ISO and Market Participants can begin discussing specific prompt seasonal market design issues as soon as possible while also limiting the time and effort spent designing other market rules within a forward annual framework.

Specifically, tariff revisions and market impacts associated with MRI-based resource capacity accreditation will be materially different in a prompt seasonal market. While the ISO has prioritized design work on elements of the resource capacity accreditation reforms that are applicable to either auction structure (*e.g.*, forward annual and prompt seasonal), the longer the FCA 19 schedule remains uncertain, the greater the resources the ISO and stakeholders must devote to market designs that will likely change substantially if the region proceeds with the capacity market redesign addressed herein. Of particular note, receiving an order from the Commission on or before May 20, 2024 that accepts the additional delay proposal would permit the ISO and stakeholders to cease preparations of materials on capacity accreditation in the

forward annual market construct for the early June stakeholder meetings, and would permit them to transition resources to the development of the new market design. Given the significant time and effort already devoted to evaluating the costs and benefits of a prompt seasonal market, and the substantial work to be done on the redesign, the region is eager to begin this work as soon as possible. Commission acceptance of the Tariff revisions as filed, for effect on May 21, 2024, would help facilitate this transition.

### **III. DESCRIPTION OF THE FILING PARTIES; COMMUNICATIONS**

The ISO is the private, non-profit entity that serves as the Regional Transmission Organization (“RTO”) for New England. The ISO operates the New England bulk power system and administers New England’s organized wholesale electricity market pursuant to the Tariff and the Transmission Operating Agreement (“TOA”) with the New England Participating Transmission Owners. In its capacity as an RTO, the ISO has the responsibility to protect the short-term reliability of the New England Control Area and to operate the system according to reliability standards established by the Northeast Power Coordinating Council and the North American Electric Reliability Corporation.

The signatories to the New England Power Pool Agreement, which was first entered into in 1971, are referred to collectively as “NEPOOL.” Currently, there are more than 530 signatories, which are referred to either as “Participants” or “members.” Participants include all of the electric utilities rendering or receiving services under the Tariff, as well as independent power generators, marketers, load aggregators, brokers, consumer-owned utility systems, demand response providers (including owners of distributed generation and aggregators of such generation), developers, end users, and a merchant transmission provider. Pursuant to revised governance provisions accepted by the Commission,<sup>15</sup> the Participants act through the NEPOOL Participants Committee. Section 6.1 of the Second Restated NEPOOL Agreement and Section 8.1.3(c) of the Participants Agreement authorize the Participants Committee to represent NEPOOL in proceedings before the Commission. Through the Commission-approved Participant Processes, NEPOOL is the vehicle through which all stakeholders with business interests in New England are able to provide informed input and advice to ISO-NE.

All correspondence and communications in this proceeding should be addressed to the undersigned for the ISO as follows:

Christopher J. Hamlen, Esq.  
Brian D. Buckley, Esq.\*  
ISO New England Inc.  
One Sullivan Road  
Holyoke, MA 01040-2841  
Tel: (413) 540-4736  
Fax: (413) 535-4379  
Email: CHamlen@iso-ne.com

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<sup>15</sup> *ISO New England Inc., et al.*, 109 FERC ¶ 61,147 (2004).

BBuckley@iso-ne.com

And to NEPOOL as follows:

William Fowler, Chair\*  
NEPOOL Markets Committee  
Sigma Power Consultants LLC  
P.O. Box 196  
Oxford, ME 04270  
Tel: (978) 618-3741  
E-mail: bill@sigmapowerconsult.com

Sebastian Lombardi, Esq.  
Rosendo Garza, Jr., Esq.\*  
Day Pitney LLP  
Goodwin Square  
225 Asylum Street  
Hartford, CT 06103  
Tel: (860) 275-0660  
Fax: (860) 881-2465  
E-mail: slombardi@daypitney.com  
rgarza@daypitney.com

\*Persons designated for service.<sup>16</sup>

#### IV. STANDARD OF REVIEW

These changes are being submitted pursuant to Section 205, which “gives a utility the right to file rates and terms for services rendered with its assets.”<sup>17</sup> Under Section 205, the Commission “plays ‘an essentially passive and reactive role’”<sup>18</sup> whereby it “can reject [a filing] only if it finds that the changes proposed by the public utility are not ‘just and reasonable.’”<sup>19</sup> The Commission limits this inquiry “into whether the rates proposed by a utility are reasonable – and [this inquiry does not] extend to determining whether a proposed rate schedule is more or less reasonable than alternative rate designs.”<sup>20</sup> The changes proposed herein “need not be the only reasonable methodology, or even the most accurate.”<sup>21</sup> As a result, even if an intervenor or the Commission develops an alternative proposal, the Commission must accept this Section 205 filing if it is just and reasonable.<sup>22</sup>

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<sup>16</sup> Due to the joint nature of this filing, the Filing Parties respectfully request a waiver of Section 385.203(b)(3) of the Commission’s regulations to allow the inclusion of more than two persons on the service list in this proceeding.

<sup>17</sup> *Atlantic City Elec. Co. v. FERC*, 295 F.3d 1, 9 (D.C. Cir. 2002).

<sup>18</sup> *Id.* at 10 (quoting *City of Winnfield v. FERC*, 744 F.2d 871, 876 (D.C. Cir. 1984)).

<sup>19</sup> *Id.* at 9.

<sup>20</sup> *City of Bethany v. FERC*, 727 F.2d 1131, 1136 (D.C. Cir. 1984).

<sup>21</sup> *Oxy USA, Inc. v. FERC*, 64 F.3d 679, 692 (D.C. Cir. 1995).

<sup>22</sup> *Cf. Southern California Edison Co., et al*, 73 FERC ¶ 61,219 at 61,608 n.73 (1995) (“Having found the Plan to be just and reasonable, there is no need to consider in any detail the alternative plans proposed by the Joint Protesters.”) (citing *Bethany*, 727 F.2d at 1136)).



## **V. AGI ASSESSMENT OF PROMPT AND SEASONAL MARKET BENEFITS**

For the better part of two decades, New England has relied on its Forward Capacity Market to send price signals that induce economically efficient entry, retention, and exit of resources to meet the region's resource adequacy requirement. However, as the Initial FCA 19 Delay Filing discussed, over the course of the region's evaluation of the new resource capacity accreditation design, there has been growing interest from certain parties within the New England stakeholder community, the ISO, and the ISO's External Market Monitor, in re-examining the current capacity market construct. A number of factors, including the clean energy transition's impact on New England's resource mix, the forecasted increase in winter load levels, challenges in completing the accreditation redesign in the current forward annual construct, and the acknowledged complexity of the forward annual construct, have produced calls to examine whether the region should transition to a prompt and seasonal capacity market design. Under such a design, capacity auctions would be held close in time to the delivery period, and the region would replace the current procurement of an annual capacity obligation with the procurement of seasonal capacity obligations (*e.g.*, winter and summer).<sup>23</sup>

In response to this interest, in the fall of 2023, the ISO engaged the Analysis Group to assess the benefits and costs of moving to a prompt seasonal market structure, to make a recommendation on whether such a transition should be pursued, and to provide guidance on how it could be achieved. AGI worked with the ISO and regional stakeholders over a series of months to develop and discuss its analysis, which culminated in a report presented to stakeholders early in 2024.<sup>24</sup>

In its assessment, AGI recommends New England transition to a prompt seasonal market for the 19<sup>th</sup> capacity auction. AGI supports this recommendation based on a range of benefits AGI observes, both quantitatively and qualitatively, with a transition to a prompt seasonal market. These benefits relate to a prompt seasonal market's ability to better accommodate the clean energy transition's changing resource mix and seasonal demand profile, the improved market efficiency of a prompt seasonal market compared to the existing forward market, and opportunities for improved system reliability in a prompt seasonal structure. Based on its assessment of these benefits, AGI highlights the potential benefit of transitioning to a prompt seasonal market construct as soon as practicable—for the delivery period associated with FCA 19.

The following sections summarize at a high level several of the benefits addressed by AGI, which are more comprehensively discussed in the AGI Assessment included as Attachment B to this filing.

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<sup>23</sup> Initial FCA 19 Delay Filing, transmittal letter at 3, and McBride Testimony at 7.

<sup>24</sup> See ISO-NE, Assessing FCM Commitment Horizons, presentation by Dr. Christopher Geissler to NEPOOL Markets Committee (Oct. 11–12, 2023), *available at* [https://www.iso-ne.com/static-assets/documents/100004/a11\\_mc\\_2023\\_alternative\\_fcm\\_commitment\\_horizons\\_scope\\_analysis\\_group.pdf](https://www.iso-ne.com/static-assets/documents/100004/a11_mc_2023_alternative_fcm_commitment_horizons_scope_analysis_group.pdf).

### **A. Potential Benefits of the Prompt Market Design**

**Prompt Market Better Accommodates New Resource Development Horizons.** As explained by AGI, a prompt auction will likely accommodate the development horizons of the region’s changing resource mix better than the existing forward market. As AGI explains, in practice, the three-year forward timeline of the current auction structure has not aligned with new resource development timelines in New England, and this disconnect is heightened by the clean energy transition and the associated rapid growth of offshore wind, energy storage, and solar photovoltaics.<sup>25</sup> The development timeline of an offshore wind project tends to be longer than three years, while solar photovoltaic and energy storage resource development timelines tend to be less than three years.<sup>26</sup> As AGI discusses, this mismatch can lead to higher capacity prices as longer lead-time resources factor the potential for non-performance risk into their capacity offers, and can lead to lower revenues for shorter lead-time resources that may only participate in the generally less liquid (*i.e.*, lower-priced) reconfiguration auctions until their Capacity Supply Obligation (“CSO”) year arrives.<sup>27</sup> The AGI Assessment concludes that both of these sub-optimal outcomes would be removed under a prompt market construct, as developers can participate in the capacity auction once their resource is able to provide electricity—no sooner and no later.

**Prompt Market Improves Demand Forecast Accuracy.** As explained by AGI, the closer proximity of the prompt market auction to the capacity delivery period allows the auction to clear based on more accurate projections of electricity demand, which can be calculated closer in time to the delivery period.<sup>28</sup> This would help reduce the inherent risk, present in the forward construct, of over- or under-procuring capacity when four-year forward forecasts of demand

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<sup>25</sup> AGI Assessment at 25–26 (observing that “[n]o new natural gas resources have cleared the four most recent FCAs, while battery storage has been the largest category of new entry (excluding imports) for the most recent three FCAs with 1,118 MW”).

<sup>26</sup> *Id.* at 27 (describing generic project development timeline estimates by resource type).

<sup>27</sup> *Id.* at 26–30, 38–40. Annual reconfiguration auctions have historically cleared at lower prices than the corresponding FCA (for the same Capacity Commitment Period). This affects compensation of resources with development timelines of less than three years that nonetheless begin building once they have received their CSO.

<sup>28</sup> *Id.* at 35–37. In a similar vein, AGI explains that a prompt market can more accurately capture the impact of investments in demand-side resources by largely removing the need to forecast demand-side program participation far in advance, a complicated and challenging endeavor under the current three-year forward market. AGI Assessment at 63. As New England continues to make these investments, a prompt market would ensure the load and reliability impacts of demand-side investments are more accurately accounted for.

made prior to the current FCAs are higher or lower than the actual need during the capacity delivery period.<sup>29,30</sup>

**Prompt Market Reduces Impact of Supply Uncertainty.** In the forward market, it is not uncommon for proposed new resources that obtain a CSO three years before the delivery period to face substantial construction delays, or fail to be developed altogether.<sup>31</sup> These resources, often referred to as “phantom entry,” disrupt price formation and market efficiency. Additionally, as the region moves toward MRI-based accreditation, under which accreditation values will vary as a function of the resource mix and resource-type penetration, forward market assumptions about the resource mix may not reflect the actual resource penetration during the delivery period, resulting in the potential for further market inefficiencies.<sup>32</sup> In a prompt market, the reduced period between the auction and Capacity Commitment Period would minimize the potential inefficiencies associated with supply uncertainty.<sup>33</sup>

Reducing supply uncertainty also has the potential to enhance system reliability compared to the forward annual construct, particularly when combined with the transition to MRI-based accreditation. AGI attributes this enhanced system reliability to more accurate forecasts of supply during the auction; the ability to accurately accredit and price energy-limited

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<sup>29</sup> In practice, forecasted demand has generally declined during the period between New England’s forward auction and the capacity delivery period, often resulting in the procurement of more demand than necessary to meet the region’s resource adequacy objective. In some cases, this decline in demand has been substantial. See AGI Assessment at 35–37 (citing ISO New England Inc., Investigation of Bias in the Installed Capacity Requirement (ICR), FCA 1 through FCA 10, May 29, 2018 Presentation to the Power System Planning Committee, *available at* [https://www.iso-ne.com/staticassets/documents/2018/05/a6\\_pspc\\_rev\\_icr\\_bias\\_invtgn\\_05292018.pdf](https://www.iso-ne.com/staticassets/documents/2018/05/a6_pspc_rev_icr_bias_invtgn_05292018.pdf)). See also ISO New England Inc., Independent Market Monitor Thoughts on a Prompt and Seasonal Capacity Market (Jan. 31, 2024) (“IMM Prompt and Seasonal Market Assessment”), at 2–3, *available at* [https://www.iso-ne.com/static-assets/documents/100009/a02b\\_mc\\_2024\\_03\\_12\\_13\\_imm\\_perspective\\_alternative\\_fcm\\_commitment\\_horizons.pdf](https://www.iso-ne.com/static-assets/documents/100009/a02b_mc_2024_03_12_13_imm_perspective_alternative_fcm_commitment_horizons.pdf) (comparing net Installed Capacity Requirement of forward auction to net Installed Capacity Requirement during annual reconfiguration auctions between FCA 9 and FCA 14, finding that “[i]n all but one of the 18 [annual reconfiguration auctions], [the Net Installed Capacity Requirement] was lower than in the primary forward auction . . . [with] the differences rang[ing] from - 2,160 MW to + 490 MW”).

<sup>30</sup> As AGI explains, while annual reconfiguration auctions can help to mitigate these impacts, “in practice, adjustments to procured capacity in the [annual reconfiguration auctions] have been relatively small compared to the changes in Net [Installed Capacity Requirement] between the FCA and the final [annual reconfiguration auction] . . . . As a result, during the Commitment Period, there has frequently been more capacity committed than the amount that would have likely cleared in a corresponding prompt auction based on the final Net [Installed Capacity Requirement] values for the Commitment Period.” AGI Assessment at 38–40 (citations omitted).

<sup>31</sup> *Id.* at 28–30 (observing that “[i]n the three-year period covering the Commitment Periods for 2020-21 to 2022-23, over 90% of new cleared capacity from generators (*i.e.*, excluding DCR) was unable to fulfill CSOs for their first Commitment Period”).

<sup>32</sup> *Id.* at 32–34. This is particularly true for intermittent renewables and battery storage. See AGI Assessment at 2. As compared to a forward market, a prompt market may also more closely align with a resource’s need to make fuel procurement arrangements for the winter season under the MRI-based accreditation construct. See *id.* at 32–34, 46–49.

<sup>33</sup> *Id.* at 33 (“[U]sing more accurate capacity accreditation in a prompt market would ensure that the lowest cost resources are procured to achieve resource adequacy.”).

resources such as energy storage, non-firm gas, and oil resources; and closer alignment of the auction timeline with fuel procurement timing.<sup>34</sup>

**Prompt Market Improves Retirement Decision-making.** Under New England’s existing forward market framework, Market Participants must submit capacity market retirement “de-list” bids four years and three months before they intend to retire a resource.<sup>35</sup> Under this forward horizon, resource owners may have imperfect information about the status of an aging resource more than four years in advance, leading owners to misjudge the remaining life, future energy market conditions, or the future economic value of their resource; this may lead them to retire either too early or too late, both of which are inefficient and potentially costly to the region.<sup>36</sup> As the AGI Assessment observes, decoupling the retirement process from the capacity market under a prompt construct may promote more efficient capital decisions by resources contemplating retirement.<sup>37</sup> As explained above, the ISO plans to prioritize this work in developing the prompt seasonal market.

**Prompt Market Has Potential to Lower Capacity Costs.** AGI found that transitioning from the forward annual market framework to a prompt seasonal market framework for the 2028–2029 Capacity Commitment Period may result in a reduction in capacity market prices and payments of approximately 13.7%, or \$208 million.<sup>38</sup> A substantial portion of this improved market efficiency is attributable to the prompt market’s elimination of risk associated with a resource having to commit to perform more than three years in the future, a cost that is borne by resources and passed on to load in the form of higher offer prices.<sup>39</sup> Importantly, AGI’s quantification of market efficiency improvements does not include potential cost savings attributable to improved accuracy in forecasting regional demand,<sup>40</sup> or more cost-effective winter fuel-firming decisions, both of which are likely to occur in a prompt seasonal market.<sup>41</sup>

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<sup>34</sup> *Id.* at 31–33, 46–48.

<sup>35</sup> Tariff Section III.13.1.10(b); *see also* AGI Assessment at 41.

<sup>36</sup> IMM Prompt and Seasonal Market Assessment at 4 (explaining that of approximately 2,000 MW of resource retirements reviewed by the IMM, “38% (740 MW) retired a year or more sooner than the [Capacity Commitment Period] associated with their retirement”). It is notable that New England’s far-forward timeline and bid-based retirement process is unique among neighboring RTOs, with NYISO requiring only 365 days of notice, MISO requiring one year of notice, and PJM requiring two quarters of notice. AGI Assessment at 42–43; *see also* NYISO Tariff Section 38; MISO Tariff Section 38.2; and PJM Tariff Section 113, and Manual 14D, Section 9.

<sup>37</sup> AGI Assessment at 3.

<sup>38</sup> *Id.* at 95–98.

<sup>39</sup> *Id.* at 7, 91–92. AGI further delineated this risk into two different quantifications: a forward delivery premium and a deficiency risk premium. The forward delivery premium accounts for reduced optionality and increased financial risk taken on by market participants when they commit resources more than three years in advance. The deficiency payment risk accounts for the risk of a deficiency payment taken on by market participants when committing resources three years in advance. *See Id.* at 87–88 (discussing the forward premium) and 117–118 (discussing the deficiency risk).

<sup>40</sup> *Id.* at 95.

<sup>41</sup> *Id.* at 95, 101–102.

The potential for a prompt seasonal market to lower overall capacity market costs is of particular importance given the potential impacts of the region's planned transition to MRI-based accreditation. As the ISO has previously observed, the transition to MRI-based accreditation will likely result in an overall increase in the per unit price of capacity.<sup>42</sup> To the extent the transition to MRI-based accreditation does raise overall capacity costs,<sup>43</sup> the market efficiency gained by transitioning to a prompt seasonal market during the same auction has the potential to offset some portion of that cost increase, thereby diminishing rate impacts associated with the transition.<sup>44</sup>

**Prompt Market Simplifies Market Administration and Participation.** A prompt market is likely to simplify aspects of market administration and participation, thereby resulting in improved market efficiency and lower costs.<sup>45</sup> For example, under the current forward market construct, the resource qualification process is exceedingly complex for both new and existing resources. In a prompt auction construct, resources would generally be in commercial operation when they offer in the auction, reducing or eliminating the need for a separate qualification process for new resources or the need to monitor new resource development.<sup>46</sup> Furthermore, in a prompt market, the region would avoid the need to delay the implementation of market rule enhancements until the next forward auction cycle three-to-four years hence, and could instead

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<sup>42</sup> See ISO-NE, Resource Capacity Accreditation in the Forward Capacity Market, Presentation by Dr. Steven Otto and Dr. Feng Zhao to the Joint NEPOOL Markets and Reliability Committees, at Slide 35 (Dec. 6–8, 2022) (stating that “[b]ecause most resources will have less accredited capacity, their cost per unit of accredited capacity will also increase . . . likely lead[ing] to higher capacity offers, which in turn will likely increase capacity clearing price compared to the current design”), available at [https://www.iso-ne.com/static-assets/documents/2022/12/a02a\\_mc\\_2022\\_12\\_06\\_08\\_rca\\_iso\\_design\\_presentation.pptx](https://www.iso-ne.com/static-assets/documents/2022/12/a02a_mc_2022_12_06_08_rca_iso_design_presentation.pptx).

<sup>43</sup> In fact, the AGI Assessment does project that \$/kW-month clearing prices will be higher for the 2028–2029 Capacity Commitment Period than they were in the year prior (the period associated with FCA 18) for all scenarios. AGI Assessment at 96 (modeling clearing prices for the 2028–2029 Capacity Commitment Period of \$4.45/kW-month in the forward annual scenario, and \$3.83/kW-month in the prompt seasonal scenario; these clearing prices are both higher than the \$3.58/kW-month clearing price in FCA 18).

<sup>44</sup> This increase in offer prices per unit of accredited capacity, if not fully offset by an overall decrease in accredited capacity demand, has the potential to raise overall capacity market costs. Importantly, the AGI Assessment assumes MRI-based accreditation for all scenarios it compares, including both the forward annual market scenario and the prompt seasonal scenarios. As a result, the potential cost reduction from moving to a prompt seasonal design does not capture the incremental cost impacts associated with the transition from today's status quo to an MRI-based accreditation framework. See *id.* at 85 (“The supply and demand curves in *each market design* incorporate current rules and account for the proposed changes based on the Resource Capacity Accreditation (‘RCA’) marginal reliability impact (‘MRI’) design and associated revisions to the resource accreditation factors.”) (emphasis added); *id.* at 95–98 (comparing 2028–2029 forward annual model to prompt seasonal model and finding a \$208 million (13.7%) reduction in annual payments).

<sup>45</sup> *Id.* at 64; see also *PJM Interconnection, L.L.C.*, 186 FERC ¶ 61,080 (2024), Commissioner Christie Concurrence at P 6 (invoking Dante Alighieri's *The Divine Comedy* while describing the complexity of PJM's capacity market construct).

<sup>46</sup> AGI Assessment at 64; see also ISO New England FCA 18 Schedule (describing auction timeline and requirements), available at <https://www.iso-ne.com/static-assets/documents/2021/02/fca-18-market-timeline-02-10-2021.pdf>.

implement rule changes responsive to market conditions effective with the next-occurring prompt delivery period.<sup>47</sup>

## **B. Potential Benefits of a Seasonal Market Design**

**Seasonal Market Improves Resource and Demand Accuracy.** As explained by AGI, a seasonal market’s ability to differentiate between seasonal risks, account for seasonally-variable resource performance, and properly value resources with strong seasonal supply are major benefits of the seasonal market construct. As the clean energy transition, and, in particular, efforts throughout the region aimed at electrification of heating loads, drive New England toward a winter peaking system, a seasonal capacity market will drive demand for those resources most capable of cost-effectively accommodating changing seasonal risks.<sup>48</sup> Similarly, market entry of clean resources with capacity factors that vary significantly between winter and summer (*e.g.*, offshore wind and solar photovoltaics) continues to grow substantially; a seasonal market will better account for their contributions to meeting system reliability needs.<sup>49</sup> As AGI concludes, transitioning to a seasonal capacity market can better accommodate these increasingly seasonally-differentiated market inputs, and more efficiently signal resource entry and exit during seasons when those resources are most needed—improving overall system reliability.<sup>50</sup>

**Seasonal Market Facilitates Improvements to Gas Fleet Accreditation and Compensation.** The ISO has observed that capturing the impact of New England’s constrained natural gas pipeline system on the accreditation of gas-fired resources is optimally achieved by modeling that supply constraint in the capacity auction, in a manner that is similar to the way in which transmission constraints are captured in the auction.<sup>51</sup> This methodology—which, as

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<sup>47</sup> AGI Assessment at 64–65.

<sup>48</sup> *Id.* at 78; *see also* ISO New England Inc., “2023-2032 Forecast Report of Capacity, Energy, Loads, and Transmission” (May 1, 2023) (describing winter load growth as leading to a 2033 winter peak load within one GW of 2032 summer peak load), *available at* [https://www.iso-ne.com/staticassets/documents/2023/05/2023\\_celt\\_report.xlsx](https://www.iso-ne.com/staticassets/documents/2023/05/2023_celt_report.xlsx).

<sup>49</sup> AGI Assessment at 73 (describing illustrative summer and winter relative MRI values based on values across RTOs, including offshore wind values of 0.222 in the summer and 0.349 in the winter, solar values of 0.167 in the summer and 0.012 in the winter, and two hour duration energy storage values of 0.69 in the summer and 0.504 in the winter); *see also* ISO New England Inc., March 2024 COO Report, Slide 52 (describing 41.6 GW of interconnection queue projects by fuel type as including: 17.6 GW of wind, 6 GW of solar, 17.8 GW of battery storage, and 255 MW of other resources), *available at* <https://www.iso-ne.com/static-assets/documents/100009/mar-2024-coo-report.pdf>. This seasonal differentiation is particularly impactful for resources with performance only during parts of the year, such as demand response, as such resources may not be able to take on a CSO that spans both heating and cooling seasons. AGI Assessment at 79. *See also* New England Conference of Public Utilities Commissioners (“NECPUC”) Retail Demand Response and Load Flexibility Working Group website (describing a 12 month working group convened by NECPUC beginning in February 2024 to explore retail demand response program design and how those retail programs may interact with wholesale markets), *available at* <https://www.necpuc.org/necpuc-retail-demand-response-and-load-flexibility-working-group/>.

<sup>50</sup> AGI Assessment at 69–71.

<sup>51</sup> ISO January 2024 Gas Resource Accreditation Memorandum at 3 (describing constrained gas pipelines as similar to constrained transmission interfaces and stating that “[t]ransmission constraints are shared physical constraints in that the amount of energy that can flow across the constraint is limited, and, when the constraint binds, more energy

noted above, is referred to as the market constraint approach—is likely only possible when developed in the context of a seasonal market framework and represents a key potential benefit of developing a seasonal market construct.<sup>52</sup> Without a transition to a seasonal market, and the additional development time attributable to the further delay requested herein, implementing a market constraint approach to gas resource procurement and accreditation will not be possible.<sup>53</sup>

**Seasonally Variable Cost Accuracy.** As explained by AGI, under a seasonal market that allows resources to specify their season-specific costs, the market can separately determine the most cost-effective set of resources to meet resource adequacy needs in each season. Thus, for example, a seasonal market would enable suppliers to more accurately account for their resources’ seasonal differences in avoidable costs, net energy market revenues, and expected pay-for-performance revenues/costs. This seasonally variable accounting of resources’ costs has the potential to improve overall market efficiency, thereby lowering overall costs to consumers.<sup>54</sup>

**Alignment of Auction Timeline with Fuel Procurement Timing.** As explained by AGI, the proximity of the auction to the delivery period in a prompt seasonal market is more likely to facilitate cost-effective fuel-firming, resulting in system reliability improvements.<sup>55</sup> In a forward market, fuel is generally procured several years after a resource obtains a CSO, injecting uncertainty regarding whether that resource will be able to acquire fuel (and at what cost) to satisfy its contribution to system reliability at the times of greatest system stress. As observed by AGI, a prompt seasonal market would likely greatly reduce or alleviate this uncertainty because it better aligns auction processes with fuel procurement timelines in commercial markets ahead of each winter season, leading to improved prospects for fuel-firming, and relatedly, enhanced system reliability.<sup>56</sup>

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provided by one resource behind the constraint must come at the expense of the energy provided by another resource behind the constraint”).

<sup>52</sup> Potomac Economics, External Market Monitor Comments [to NEPOOL Markets Committee] re the Proposal to Transition the FCM to a Prompt Seasonal Market (Mar. 6, 2024) (supporting the transition to a prompt seasonal market and indicating that “[e]ven with improvements in capacity accreditation, the timing of the FCM and its lack of seasonal obligations limit its ability to provide efficient incentives”), *available at* [https://www.iso-ne.com/static-assets/documents/100009/a02c\\_mc\\_2024\\_03\\_12\\_13\\_emm\\_perspective\\_alternative\\_fcm\\_commitment\\_horizons.pdf](https://www.iso-ne.com/static-assets/documents/100009/a02c_mc_2024_03_12_13_emm_perspective_alternative_fcm_commitment_horizons.pdf).

<sup>53</sup> ISO January 2024 Gas Resource Accreditation Memorandum at 4 (observing the need for substantial detailed design work before implementing the market constraint approach, the likelihood that the market constraint approach is only implementable within a seasonal capacity market, and the need for auction software development and testing).

<sup>54</sup> AGI Assessment at 69–71.

<sup>55</sup> *Id.* at 47 (“Within the New England region historically, arrangements made by generators [for gas] have typically been made in the summer or fall prior to the upcoming winter period. This timing reflects the fact that there is substantial uncertainty in the value and pricing of these arrangements, these arrangements impose substantial financial risk because profitability depends on cold winters and tight pipeline natural gas markets, and generators have borne the full financial risk of these arrangements.”).

<sup>56</sup> *Id.* at 48–49. This is particularly true as the region moves towards an MRI-based accreditation framework that may accredit and compensate resources with firm fuel differently than those without firm fuel.

### **C. AGI Assessment's Recommendation**

Based on the range of factors addressed in the AGI Assessment, AGI recommends that the region pursue a prompt seasonal market for implementation for the 19<sup>th</sup> capacity delivery period, concluding that “both a prompt market and a seasonal market offer many advantages to the current forward-annual capacity market that will make the market better suited to a system in which resource adequacy is achieved by the wide and changing mix of technologies and the reliability risks arise throughout the year in evolving patterns.”<sup>57</sup> They highlight that “a prompt-seasonal market can flexibly adjust to changes in resource mix and seasonal reliability risk profiles, and thus provide a sustainable resource adequacy platform for the foreseeable future,” and conclude that “the technical risks of developing a prompt-seasonal market appear manageable.”<sup>58</sup>

## **VI. PROPOSAL TO FURTHER DELAY FCA 19 TO DEVELOP PROMPT SEASONAL CAPACITY MARKET**

In light of AGI's assessment, the joint filing proposes to further delay FCA 19 for an additional two years beyond the initial delay accepted by the Commission earlier this year, in order to provide the region time to work toward transitioning the capacity market to a prompt seasonal design, with compatible capacity accreditation reforms, to be implemented for the 19<sup>th</sup> capacity auction for the 2028–2029 capacity delivery period. In light of the benefits established by AGI, the ISO believes it is best to make this transition now.

### **A. Delaying FCA 19 Will Facilitate Development of a Market Design that Can Better Accommodate the Rapidly Changing Resource Mix and Seasonal Demand Profiles Than a Forward Annual Market**

Working to develop a prompt seasonal market design for the next capacity auction—and delaying FCA 19 to provide the time to complete the redesign—is preferable to continuing with the current forward annual market while the ISO completes the redesign work. The vast majority of the resources in the ISO's interconnection queue have development timelines that are ill-suited to the current market's three year and four month forward auction.<sup>59</sup> As discussed above in Section V, this mismatch has multiple adverse consequences, including increased risks for resources with longer development cycles (which translates into higher capacity costs), and lower initial capacity market revenues for resources with shorter development cycles. Many of these same resources perform differently (in some cases substantially) across seasons, which

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<sup>57</sup> *Id.* at 2.

<sup>58</sup> *Id.*

<sup>59</sup> See generally ISO New England Inc., March 2024 COO Report, Slide 52 (describing 41.6 GW of interconnection queue projects by fuel type as including: 17.6 GW of wind, 6 GW of solar, 17.8 GW of battery storage, and 255 MW of other resources), available at <https://www.iso-ne.com/static-assets/documents/100009/mar-2024-coo-report.pdf>; see also AGI Assessment at 27 (citing 2023 Energy Information Administration estimated project development timeline of four years for offshore wind, 24 months for solar photovoltaics, and 12 months for battery storage).



cannot be accurately accounted for under the current annual market construct.<sup>60</sup> Further delaying FCA 19 to provide the region the time to develop the new market design avoids continuation of these suboptimal impacts and maximizes the potential for the ISO and regional stakeholders to design a prompt seasonal market framework that more accurately accredits and compensates these resources' contributions to system reliability.

### **B. Delaying FCA 19 Will Enable Implementation of MRI-based Accreditation Coincident with the Prompt Seasonal Market Framework**

The proposed delay will also afford the time necessary to reform the capacity accreditation methodology as part of the prompt seasonal market redesign. There are multiple synergies to be gained by transitioning to a prompt market, a seasonal market, and an MRI-based accreditation construct at the same time, to be effective during the same delivery period. Of particular note, transitioning to a prompt seasonal market coincident with implementation of MRI-based accreditation will allow the ISO to determine seasonal accreditation values with a greater degree of accuracy, particularly since New England may likely see a growing portion of the system's energy shortfall risk occur in the winter.<sup>61</sup>

Also of importance, as explained in Section V above, transitioning to a prompt seasonal market contemporaneous with a move to MRI-based capacity resource accreditation would allow the ISO time to develop and implement the preferred method for accrediting and valuing gas-fired resources' contributions to reliability, the market constraint approach described above. As explained above, it is likely not possible to implement such a methodology under the current annual market construct.

Finally, as AGI explains, transitioning the market to a prompt seasonal design concurrently with capacity accreditation reforms would promote market stability while reducing complexity and cost.<sup>62</sup> In AGI's opinion, a sequential approach to implementing a prompt seasonal market and MRI-based accreditation would likely be more costly and complex than if undertaken all at once, and would delay the benefits of these reforms; in comparison, AGI

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<sup>60</sup> AGI Assessment at 73 (describing illustrative summer and winter relative MRI values based on values across RTOs, including offshore wind values of 0.222 in the summer and 0.349 in the winter, solar values of 0.167 in the summer and 0.012 in the winter, and two hour duration energy storage values of 0.69 in the summer and 0.504 in the winter).

<sup>61</sup> See Potomac Economics, External Market Monitor Comments [to NEPOOL Markets Committee] re the Proposal to Transition the FCM to a Prompt Seasonal Market (Mar. 6, 2024) ("[D]elaying FCA 19 and implementing a prompt seasonal by the winter of 2028/29 would help the RCA design in two ways. First, it would allow the ISO more time to work through the details of a more efficient RCA design. Second, RCA rules will perform better in a prompt market because the prompt market allows for more precise estimates of the marginal reliability impact of each technology before the auction."), *available at* [https://www.iso-ne.com/static-assets/documents/100009/a02c\\_mc\\_2024\\_03\\_12\\_13\\_emm\\_perspective\\_alternative\\_fcm\\_commitment\\_horizons.pdf](https://www.iso-ne.com/static-assets/documents/100009/a02c_mc_2024_03_12_13_emm_perspective_alternative_fcm_commitment_horizons.pdf).

<sup>62</sup> AGI Assessment at 109–110.

observes that a single, concerted transition would promote market stability.<sup>63</sup> The ISO agrees with these observations.

**C. The Additional Two-Year Delay Is Necessary to Provide the Region the Time to Further Evaluate the Components of a Prompt Seasonal Market Design**

Delaying FCA 19 until February of 2028 will afford the region approximately three and a half years to complete and implement the capacity market redesign. Importantly, all three design components—the prompt market, the seasonal market, and the accreditation reforms—must be designed, reviewed with stakeholders, filed with the Commission, and implemented, *before* the “backstop” FCA 19 is to be run in February of 2028. This is a significant undertaking, as there are multiple design elements that the ISO and regional stakeholders will need to complete. These elements include, but are not limited to, evaluating the current descending clock auction and possible transition to a sealed bid auction structure;<sup>64</sup> considering the exact timing of the prompt auctions relative to the start of the commitment periods;<sup>65</sup> overhauling the resource qualification process,<sup>66</sup> including the appropriate market power mitigation framework,<sup>67</sup> and redesigning the resource retirement process;<sup>68</sup> the number of seasonal auctions to be held;<sup>69</sup> whether to implement sequential or simultaneous seasonal auctions;<sup>70</sup> the applicability and function of seasonally-specific demand curves;<sup>71</sup> and completing the capacity accreditation reforms. While none of these design questions are properly before the Commission in the instant filing, the further delay of FCA 19 proposed by the instant filing is necessary to complete the requisite work in time for implementation beginning with the 19<sup>th</sup> capacity auction.

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<sup>63</sup> *Id.* Notably, AGI clarifies that it may be reasonable to phase design work, stakeholder discussions, and Commission filings, even if the region decides to implement all three elements—a prompt, seasonal, and MRI-based capacity market construct—contemporaneously.

<sup>64</sup> *Id.* at 66–67.

<sup>65</sup> *Id.* at 65–66.

<sup>66</sup> The resource qualification process could be simplified and shortened by removing requirements that are specific to new resources, since within the prompt framework all resources would generally be treated as existing resources. *Id.* at 64.

<sup>67</sup> Questions relating to mitigation in a prompt seasonal framework include, for example, the assessment of what constitutes an avoidable cost in a prompt construct, how non-divisible (*i.e.*, annual) costs might be apportioned across seasons, as well as the appropriate allocation of seasonal costs on a seasonal basis and the appropriate dynamic de-list bid threshold. *Id.* at 57–58; 74–77.

<sup>68</sup> *Id.* at 65.

<sup>69</sup> *Id.* at 80–81.

<sup>70</sup> *Id.* at 81–83.

<sup>71</sup> *Id.* at 83.

## **VII. THE BENEFITS OF THE FURTHER DELAY OUTWEIGH PERCEIVED DRAWBACKS OF THE SHORTENED AUCTION TIMELINE**

As explained in Section VI, the further delay of FCA 19 provides the opportunity for substantial market efficiency improvements and reliability benefits associated with a prompt seasonal market, and allows the region to work toward those benefits as soon as possible—in the next capacity auction associated with the 2028–2029 Capacity Commitment Period. Likewise, delaying FCA 19 will also allow the ISO and regional stakeholders to benefit from synergies associated with the combined implementation of a prompt market design, seasonal market design, and MRI-based accreditation reforms, while also enabling implementation of a market constraint approach to gas-fired resources’ accreditation and valuation.

Nevertheless, the ISO acknowledges that substantially shortening the time between the auction and capacity delivery period entails tradeoffs. Of particular note, under the proposed delay, should the region run the backstop option (FCA 19, as delayed by the instant filing), Market Participants seeking to retire a resource would need to submit a delist bid in March of 2027, which is approximately one year and three months prior to the delivery period associated with FCA 19, and the date that the retirement would take effect.<sup>72</sup> Under the current auction timeline for FCA 19, retirement notifications must be submitted an additional two years in advance of the delivery period (and retirement date).

While this reduction in the retirement timeline for FCA 19 may seem significant, the ISO observes that it is not likely to substantially increase the potential for resource retentions associated with retirements during the delay period. As specified in the Tariff, such a retention is triggered only when a retirement creates transmission issues. However, as observed in the Initial FCA 19 Delay Filing, the New England transmission system is robust in nature and benefits from decades of investments that reduce the likelihood of a retirement triggering an unresolvable transmission constraint (*i.e.*, one that cannot be resolved through switching, or other means, before the resource retires).<sup>73</sup> This is reflected in the ISO’s review of de-list bids in recent auctions. For example, during FCA 18, the ISO reviewed fourteen Retirement De-List Bids totaling 871 MW and 370 Dynamic De-List Bids totaling 2,287 MW to determine whether any individual Retirement De-List Bid or Dynamic De-list Bid would result in a local transmission constraint requiring retention of the resource for reliability purposes; no such need was identified.<sup>74</sup> In addition, while delaying FCA 19 will temporarily reduce the Tariff’s required retirement notification horizon, as noted above, the ISO plans to prioritize the redesign of the

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<sup>72</sup> Tariff Section III.13.1.2.3.1.5. Notably, this retirement notification horizon is still longer than those of neighboring RTOs. AGI Assessment at 42 (describing NYISO, MISO, and PJM’s respective retirement notification horizons as one year or less).

<sup>73</sup> Initial FCA 19 Delay Filing, McBride Testimony at 26–31 (discussing robust nature of New England transmission system); *see also* AGI Assessment at 41–46 (describing reasons why the “risk that resources are retained for transmission security appears to be relatively low in New England”).

<sup>74</sup> ISO New England Inc., Forward Capacity Auction 18 Results Filing, Testimony of Alan McBride, Docket No. ER24-1290-000, at 6–7 (filed Feb. 21, 2024) (“FCA 18 Results Filing”) (indicating no units were retained due to local reliability concerns and observing Capacity Clearing Price of \$3.580/kW-month for all zones).

retirement process as part of the planned capacity market reforms. This will help to ensure those reforms can be utilized for the 19<sup>th</sup> capacity auction under a prompt seasonal design.<sup>75</sup>

Relatedly, while the Tariff does not permit the retention of resources for reasons *other than* to address a local transmission security need, the region has in recent years taken out-of-market actions to address concerns over energy adequacy—an acknowledged concern in New England.<sup>76</sup> However, the ISO has concluded that near-term energy adequacy concerns have moderated more recently due to revised load forecasts,<sup>77</sup> the continued development of new resources,<sup>78</sup> and the increased likelihood of entry by new resources capable of reducing the risks associated with winter energy adequacy.<sup>79</sup>

Additionally, the ISO and regional stakeholders are taking proactive steps to characterize and assess near-term energy adequacy risks. With the help of the Electric Power Research Institute, the ISO developed a Probabilistic Energy Adequacy Tool (“PEAT”) to better assess the region’s energy adequacy needs. Using the PEAT, the ISO has determined that the region’s energy adequacy risks remain manageable during the near-term, even during periods of extended

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<sup>75</sup> Certain aspects of the prompt seasonal market design—for example, retirement reforms—may warrant prioritization within the design process. The prioritization of key design choices would enable the ISO to segment and phase tariff filings related to the overall design. This type of phasing would allow the ISO to preserve some portion of its far-forward retirement horizon if it found the benefit of such an approach outweighed any tradeoffs.

<sup>76</sup> ISO New England Inc., Compliance Filing to Establish a Fuel Security Reliability Standard, Short-Term Cost-of-Service Mechanism, and Related Cost Allocation for Out-of-Market Compensation, Docket No. EL18-182-000, and Docket No. ER18-2364-000 (filed Aug. 31, 2018); *see also* ISO New England Inc., 165 FERC ¶ 61,202 (2018), *order on reh’g*, 173 FERC ¶ 61,204 (2020).

<sup>77</sup> *See generally* ISO New England Inc., 2024 Final Draft Energy and Seasonal Peak Forecasts, Presentation of Victoria Rojo to the Load Forecast Subcommittee (Mar. 28, 2024) (describing downward revision of peak demand and energy growth forecasts between 2023 and 2024 load forecast), *available at* [https://www.iso-ne.com/static-assets/documents/100009/1f2024\\_final.pdf](https://www.iso-ne.com/static-assets/documents/100009/1f2024_final.pdf).

<sup>78</sup> New England Winter Gas-Electric Forum, Docket No. AD22-9-000, ISO New England Opening Presentation: Winters 2023/2024 and 023/2025 in New England and the Role of Everett, at slide 2 (June 20, 2023) (asserting “limited exposure to energy shortfalls over the next two winters” due in part to “continued acceleration of behind-the-meter PV growth”).

<sup>79</sup> FCA 18 Results Filing, Attachment A, at 16–18 (identifying 146 MW of new winter Qualified Capacity attributable to Vineyard Wind and 315 MW of new winter Qualified Capacity attributable to Revolution Wind); *see also* Section 83C Informational Filing, *Mass. Dep’t. of Energy Res.*, Docket No. 23-42 (Mass. Dep’t. of Pub. Utils, Jan. 18, 2024) (extending offshore wind procurement timeline to allow for further development of indexing adjustment mechanism, with RFP responses due March 27, 2024 and execution of long term contracts by October 9, 2024); *see also* WGME, *Ask the I-Team: What’s Going on with the CMP Corridor* (describing a communication with an NECEC representative who indicated that “[t]he New England Clean Energy Connect is under construction following remobilization in Lewiston and elsewhere along the proposed route, with a projected completion date of late 2025”), *available at* <https://wgme.com/news/i-team/story/ask-the-i-team-whats-going-on-with-the-cmp-corridor-maine-central-maine-power-new-england-clean-energy-connect-canadian-hydropower-avangrid-hydro-quebec>; *see also* Commonwealth Magazine, *Utilities Pursue Contracts with Everett LNG Terminal* (Feb. 9, 2024) (describing Massachusetts LDC requests to D.P.U. for approval of gas supply agreement with Constellation LNG, lasting from June 1, 2024 through March 31, 2030), *available at* <https://commonwealthbeacon.org/energy/utilities-pursue-contracts-with-everett-lng-terminal/>.

cold spells, using the ISO's existing tools.<sup>80</sup> If in the longer-term these risks become more pressing, the ISO is working with regional stakeholders to develop a Regional Energy Shortfall Threshold ("REST") and approaches to mitigate risks when they grow beyond a level acceptable under the REST.<sup>81</sup>

In light of the ongoing work in the region to proactively address both local transmission constraints and concerns relating to energy adequacy, and therefore the low likelihood of unit retirements leading to retentions, the ISO observes that the likely benefits of further delaying FCA 19 substantially outweigh the perceived risk of increased unit retentions during the delay period.

## VIII. EXPLANATION OF THE TARIFF REVISIONS

In order to postpone FCA 19 for an additional two years, the Filing Parties are proposing Tariff revisions that adjust the elements of Tariff Section III.13.A to accommodate a three year delay, rather than the one year delay currently reflected in that section. These revisions include the extension of the Initial FCA 19 Delay Filing's one year delay to two additional years; duplication of the interim reconfiguration auction qualification for two additional years; and expansion of the mechanism that returns the market to its previous forward design if a new market design were not in place by the time the three year delayed qualification period for FCA 19 would otherwise occur.

### A. FCA 19 Further Delay

Under the current Tariff schedule, the ISO is to begin the qualification process for FCA 19 in February 2025, concluding with the auction in February 2026 (associated with the 2028–2029 Capacity Commitment Period). The Tariff revisions in this filing would delay FCA qualification and auction processes by two additional years, so that the qualification process would begin in February 2027 and the auction would be held in February 2028.<sup>82</sup>

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<sup>80</sup> ISO New England Inc., Operational Impacts of Extreme Weather Events: Final Report on the Probabilistic Energy Adequacy Tool (PEAT) Framework and 2027/2032 Study Results, at Slide 232 (Dec. 11, 2023) (stating that "[i]n the near-term, the winter energy shortfall risk appears manageable over a 21-day period" using the ISO's existing tools, which include the 21 day energy assessment and actions under Operating Procedure No. 4), *available at* [https://www.iso-ne.com/static-assets/documents/100006/operational\\_impact\\_of\\_extreme\\_weather\\_events\\_final\\_report.pdf](https://www.iso-ne.com/static-assets/documents/100006/operational_impact_of_extreme_weather_events_final_report.pdf).

<sup>81</sup> ISO New England Inc., Establishment of the Regional Energy Shortfall Threshold (REST): 2024 REST Scope of Work, Presentation to the NEPOOL Reliability Committee (Dec. 18, 2023) (describing 2024 REST scope of work and solution set development expected to follow in late 2024 and into 2025 as potentially including market designs, infrastructure investments, dynamic retail pricing, and responsiveness by end-use consumers), *available at* [https://www.iso-ne.com/static-assets/documents/100006/a04\\_rest\\_sow.pdf](https://www.iso-ne.com/static-assets/documents/100006/a04_rest_sow.pdf); *see also* ISO New England Inc. & NEPOOL Participants Comm., Answer of ISO New England Inc., Docket No. ER24-275-000 (filed Dec. 6, 2023) (identifying stakeholder interest in market rule changes that would provide for longer-duration reserve products and indicating that "the ISO will evaluate new, longer-duration reserve products in both the Day-Ahead and Real-Time markets, with stakeholder discussions targeted to begin in 2025").

<sup>82</sup> *See Revised* Tariff Section III.13.A.1.1 ("For the nineteenth Forward Capacity Auction (associated with the 2028–2029 Capacity Commitment Period), the dates, date ranges and/or deadlines for activities related to the Forward

## **B. Interim Reconfiguration Auction Qualification Process**

In the Initial FCA 19 Delay Filing, the Tariff was revised to provide an opportunity for resources to enter the market and provide capacity prior to the 2028-2029 delivery period, through participating in reconfiguration auctions and bilateral activities for earlier delivery periods.<sup>83</sup> More specifically, this interim reconfiguration auction qualification process allows those resources that do not already have a CSO the opportunity to seek to participate in annual reconfiguration auctions, monthly reconfiguration auctions, and bilateral activities during the delay period so long as they take certain actions during 2024. These actions include submission of a New Capacity Show of Interest Form, submission of a New Capacity Qualification package, and a request by the Project Sponsor for the ISO to monitor the New Capacity Resource's compliance with its critical path schedule as described in Tariff Section III.13.3.1.1.<sup>84</sup>

To ensure New Capacity Resources may seek to participate in annual reconfiguration auctions, monthly reconfiguration auctions, and bilateral activities during the further extended delay period, the interim reconfiguration auction qualification process is replicated for two additional years, allowing a Project Sponsor to take certain actions (*i.e.*, submit a New Capacity Show of Interest Form, submit a New Capacity Qualification package, and request the ISO to monitor the New Capacity Resource's compliance with its critical path schedule) during 2025,<sup>85</sup> and during 2026.<sup>86</sup>

## **C. Restoring Previous, Three-Year Forward Auction Horizon**

The Initial FCA 19 Delay Filing established interim Forward Capacity Auction schedules designed to return the two-year forward auction (resulting from the one-year delay) to a full three-year forward auction over a period of six future auction cycles. These interim Forward Capacity Auction schedules are described in Tariff Section III.13.A.1. In the instant filing, the mechanism that would return the region to a full three-year forward auction has been revised to accommodate the need to reclaim an additional two years of forward horizon.

For ease of readability, Tariff Section III.13.A.1 has been revised into subparts. As mentioned above, the first subpart, Tariff Section III.13.A.1.1, extends the pause in FCA 19 activities for an additional two years. The remainder of the new subparts, and the revised Tariff Section III.13.A.1,<sup>87</sup> expand the backstop to accommodate the further delay of FCA 19 by two additional years.

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Capacity Auction established in or pursuant to any provision of the ISO New England Operating Documents shall not apply and shall be delayed by three calendar years.”).

<sup>83</sup> Tariff Section III.13.A.2.

<sup>84</sup> Initial FCA 19 Delay Filing at 19.

<sup>85</sup> *Revised* Tariff Section III.13.A.2 (b).

<sup>86</sup> *Revised* Tariff Section III.13.A.2 (c).

<sup>87</sup> *Revised* Tariff Section III.13.A.1. The paragraphs that previously were part of Tariff Section III.13.A.1 have been organized into subparts (1)–(5) of that same section, while the overview paragraph preceding those subparts remains

In the Initial FCA 19 Delay Filing, the Filing Parties suspended the first annual reconfiguration auction for the duration of the backstop due to implementation complexities associated with the compressed auction timeline.<sup>88</sup> Based on these same implementation complexities, the instant filing revises the annual reconfiguration auction schedule so that the first reconfiguration auction is suspended for the duration of the return to the previous forward horizon, and the second and third annual reconfiguration auctions are held only when their Tariff-prescribed timing is at least six months after the primary auction.<sup>89</sup> Following this logic, annual reconfiguration auctions are suspended during the return to the previous forward horizon as follows: Tariff Section III.13.A.1.2 suspends the first annual reconfiguration auction for the nineteenth through thirty-sixth Forward Capacity Auctions (associated with the 2028–2029 through 2045–2046 Capacity Commitment Periods);<sup>90</sup> Tariff Section III.13.A.1.3 suspends the second reconfiguration auction for the nineteenth through twenty-seventh Forward Capacity Auctions (associated with the 2028–2029 through 2036–2037 Capacity Commitment Periods);<sup>91</sup> and Tariff Section III.13.A.1.4 suspends the third annual reconfiguration auction for the nineteenth through twenty-first Forward Capacity Auctions (associated with the 2028–2029 through 2030–2031 Capacity Commitment Periods).<sup>92</sup>

Finally, Tariff Section III.13.A.1.5 extends the period during which the ISO will accelerate its qualification and auction processes from six auction cycles (reclaiming one year of delay at a rate of two months per auction cycle) to reclaim three years of delay at a rate of two months per auction cycle.<sup>93</sup> More specifically, the return-to-forward construct in the instant filing mirrors that in the first delay filing accepted by the Commission, but extends the return out an additional 12 auction cycles. Thus, whereas, under the one-year delay for FCA 19, the current Tariff returns the market to a full three-year forward construct over the course of six auctions, the instant filing extends that return out an additional 12 auction cycles. This is because the instant filing’s return-to-forward mechanism must reflect the same design constraints described in the Initial FCA 19 Delay Filing, including the 10-month auction schedule, but reclaim two additional years of delay.<sup>94</sup> As a result, each subsequent forward auction after FCA 19 will be held every 10 months, rather than on a full annual timeline, meaning each subsequent auction

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in Tariff Section III.13.A.1, and has been revised to reflect the additional years of the backstop’s return to the previous forward horizon.

<sup>88</sup> Initial Delay Filing at 15.

<sup>89</sup> See Tariff Section III.13.4.5.1 (“The first annual reconfiguration auction . . . shall be held in the month of June that is approximately 24 months before the start of the Capacity Commitment Period. The second annual reconfiguration auction . . . shall be held in the month of August that is approximately 10 months before the start of the Capacity Commitment Period. The third annual reconfiguration auction . . . shall be held in the month of March that is approximately 3 months before the start of the Capacity Commitment Period.”).

<sup>90</sup> Revised Tariff Section III.13.A.1.2.

<sup>91</sup> Revised Tariff Section III.13.A.1.3.

<sup>92</sup> Revised Tariff Section III.13.A.1.4.

<sup>93</sup> Revised Tariff Section III.13.A.1.5.

<sup>94</sup> Initial FCA 19 Delay Filing at 14–18 (describing internal resource constraints and complexities of market administration as leading to proposed auction timeline, as well as suspension of first annual reconfiguration auction).

will be two months closer to the previous forward construct (*e.g.*, the auction will be one year forward after six auction cycles, two years forward after twelve auction cycles, and returned to the previous three year forward framework after eighteen auction cycles).

As the ISO noted in its Initial FCA 19 Delay Filing, the 10 month schedule represents “a balance between the practicalities of running a compressed schedule and the need to return expeditiously to the three year and four month forward schedule.”<sup>95</sup> However, while the instant filing’s interim FCA schedule provides a necessary and reasonable safeguard—in other words, a backstop—to ensure the orderly return to a forward market should events warrant such a return, the ISO is hopeful that the likelihood of having to embrace the interim FCA schedule (*i.e.*, the return to forward schedule contained in the backstop filed herein) is low. Instead, it is the ISO’s intention to propose to stakeholders and the Commission a prompt seasonal market, to which the region will transition without the need to embrace the interim FCA schedule. Furthermore, *even if* the region is not successful in replacing the current forward construct with a prompt seasonal construct for FCA 19, thus forcing the use of the backstop, it is *highly unlikely* the region would simply employ the backstop for the full 18 auction cycles. Instead, it is *highly likely* that the region would continue forward with the redesign of the capacity market, to be filed for a subsequent auction cycle, likely the 20<sup>th</sup> or 21<sup>st</sup> auction cycles for the 2029–2030 or 2030–2031 capacity delivery periods.

Nevertheless, the ISO acknowledges that there may be alternative mechanisms that would return the forward auction to its three year and four month forward horizon in less than 18 auction cycles. To the extent that the Commission may view the duration of the return to a three year and four month forward market as problematic, the ISO respectfully requests that the Commission consider the description of the interim FCA schedules (the “return-to-forward” schedule for FCAs 20 and beyond) described in revised Tariff Section III.13.A.1 as severable from the core Tariff revisions in the instant filing that effectuate the further delay of FCA 19.<sup>96</sup>

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<sup>95</sup> Initial FCA 19 Delay Filing at 16. Reclaiming three years of time at a rate of two months per auction cycle (*i.e.*, under the constraints described in the Initial FCA 19 Delay Filing) would return the region to its former forward horizon over a period of 18 years.

<sup>96</sup> See *NRG Power Mkt’g, LLC v. FERC*, 862 F.3d 108 (D.C. Cir. 2017) (“*NRG*”), *reh’g denied* 2017 U.S. App. LEXIS 18218 (D.C. Cir. July 7, 2017). In *NRG*, the U.S. Court of Appeals for the District of Columbia vacated a Commission decision that accepted an FPA Section 205 Filing subjected to compliance directives that, in the Court’s view, “transform[ed] the proposal into an entirely new rate of FERC’s own making.” *Id.* at 110. The *NRG* Court stated that the Commission is prohibited from imposing “an entirely different rate design,” or “half a proposed rate,” and that the Commission cannot employ a rate design that is “methodologically distinct” from [] a proposed rate. *Id.* at 115 (quoting *Western Res., Inc. v. FERC*, 9 F.3d 1568, 1578–79 (D.C. Cir. 1993)). But the *NRG* Court also noted that “it would be ‘empty formalism’ to require the utility to make a new filing in order to implement minor changes.” *Id.* at 114 (citing *Winnfield*, 744 F.2d at 876); *see also Renew Ne., Inc.*, 182 FERC ¶ 61,085 (2023), Commissioner Clements Concurrence at P. 13 (“ISO-NE and stakeholders should also keep in mind that the extent to which the Commission’s hands are tied under *NRG* depends in large part on how ISO-NE presents any proposed tariff revisions to the Commission. For example, should ISO-NE indicate that the elements are severable from one another, then if any single element does not meet the Federal Power Act’s standard, the Commission could approve the other elements while rejecting only the deficient portion(s), consistent with precedent.”) (citing *PacifiCorp*, 179 FERC ¶ 61,089 at P 51 (2022) (directing *PacifiCorp* to submit a compliance filing within 30 days that removes a specific portion of the proposed revisions identified by *PacifiCorp* as severable from the remainder of the filing package)).



If the Commission concludes that the Tariff revisions proposed herein, except for the return-to-forward mechanism, are just and reasonable, the ISO respectfully requests that the Commission accept the remaining provisions (*i.e.*, Section III.13.A.1.1 (delaying the for 19<sup>th</sup> auction two additional years) and Section III.13.A.2 (extending the interim reconfiguration auction qualification process for two additional years)) and premise acceptance upon the condition that the ISO file compliance Tariff revisions that eliminate the backstop's return-to-forward mechanism from Section III.13.A. The ISO would then file with the Commission an updated return-to-forward schedule either when it files the new market design with the Commission, or in a separate, stand-alone filing under Section 205 of the FPA in advance of the start of the FCA 19 qualification period (under the additional delay, that period would commence in February 2027).

## IX. STAKEHOLDER PROCESS

The FCA 19 schedule changes were considered through the complete NEPOOL Participant Processes and ultimately received NEPOOL's support. The stakeholder process to consider these changes began in July 2023, when the ISO began discussing alternative capacity market commitment horizons at the NEPOOL Markets Committee. These discussions continued on a monthly basis and, with the assistance of AGI, culminated in publication of the AGI Assessment in January 2024. The Markets Committee reviewed the specifics of the proposed Tariff revisions filed herein at its February 6–7, 2024 and March 12–13, 2024 meetings. Based on a show of hands vote, the Markets Committee voted to recommend that the NEPOOL Participants Committee support the further delay of FCA 19.<sup>97</sup> Subsequently, at its April 4, 2024 meeting, the NEPOOL Participants Committee considered a motion to support the proposed Tariff revisions, with the understanding that a vote in favor was without prejudice to any future position that may be taken by a Participant(s) with respect to a prompt seasonal market design proposal or a new capacity accreditation methodology.<sup>98</sup> Ultimately, based on a show of hands vote, the Participants Committee overwhelmingly approved the revisions filed herein, with several oppositions and abstentions noted.<sup>99</sup>

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<sup>97</sup> Two oppositions in the Generation Sector and fifteen abstentions (Generator Sector (1); Supplier Sector (6); Alternative Resources Sector (3); and End User Sector (4)) were recorded.

<sup>98</sup> See Notice to Participants Committee Members and Alternates, subject: Noticed Actions of the NEPOOL Participants Committee, at 1 (Apr. 4, 2024) (providing the form of resolution the Participants Committee used at its meeting when considering the proposal), *available at* [https://nepool.com/wp-content/uploads/2024/04/NPC\\_NOA\\_20240404.pdf](https://nepool.com/wp-content/uploads/2024/04/NPC_NOA_20240404.pdf).

<sup>99</sup> The following members opposed: Bath Iron Works Corporation, Brookfield Renewable Trading and Marketing LP, Durgin and Crowell Lumber Company, Inc., Elektrisola, Inc., Garland Manufacturing Company, Hammond Lumber Company, High Liner Foods (USA) Incorporate, The Moore Company, NextEra Energy Resources, LLC, Nylon Corporation of America, Inc., Shipyard Brewing Co., LLC, Saint Anselm College, and Z-TECH LLC. The following members abstained: Avangrid, BP Energy Company, Conservation Law Foundation, CPV Towantic, LLC, Cross-Sound Cable Company, LLC, DTE Energy Trading, Inc., Galt Power Inc., Generation Group Member, Jericho Power LLC, Mr. Jon Lamson, Long Island Lighting Company d/b/a LIPA, New Leaf Energy, Natural Resources Defense Council, PowerOptions, Inc., Sierra Club, Sunnova Energy Corporation, and Versant Power.

## **X. ADDITIONAL SUPPORTING INFORMATION**

Section 35.13 of the Commission’s regulations generally requires public utilities to file certain cost and other information related to an examination of traditional cost-of-service rates. However, the market rule changes do not modify a traditional “rate” and the ISO is not a traditional investor-owned utility. Therefore, to the extent necessary, the Filing Parties request waiver of Section 35.13 of the Commission’s regulations.<sup>100</sup> Notwithstanding its request for waiver, the Filing Parties submit the following additional information in substantial compliance with relevant provisions of Section 35.13 of the Commission’s regulations:

35.13(b)(1) – Materials included herewith are as follows:

- This transmittal letter;
- Affidavit of Dr. Todd Schatzki, sponsored solely by the ISO and provided as Attachment A to the transmittal;
- The Analysis Group Inc.’s *Assessment of Capacity Market Alternatives for a Decarbonized Grid: Prompt and Seasonal Markets*, sponsored solely by the ISO and provided as Attachment B to this transmittal;
- Redlined Tariff sections effective May 21, 2024;
- Clean Tariff sections effective May 21, 2024; and
- List of governors and utility regulatory agencies in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont to which a copy of this filing has been sent.

35.13(b)(2) – As set forth above, the ISO requests that the Tariff revisions filed herewith become effective on May 21, 2024.

35.13(b)(3) – Pursuant to Section 17.11(e) of the Participants Agreement, Governance Participants are being served electronically rather than by paper copy. The names and addresses of the Governance Participants are posted on the ISO’s website at <https://www.iso-ne.com/participate/participant-asset-listings/directory?id=1&type=committee>. A copy of this transmittal letter and the accompanying materials have also been sent to the governors and electric utility regulatory agencies for the six New England states that comprise the New England Control Area, the New England Conference of Public Utility Commissioners, Inc., and to the New England States Committee on Electricity. Their names and addresses are shown in the attached listing. In accordance with Commission rules and practice, there is no need for the Governance Participants or the entities identified in the listing to be included on the

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<sup>100</sup> 18 C.F.R. § 35.13 (2023).

Commission's official service list in the captioned proceeding unless such entities become intervenors in this proceeding.

35.13(b)(4) – A description of the materials submitted pursuant to this filing is contained in this Section X of this transmittal letter.

35.13(b)(5) – The reasons for this filing are discussed in Sections V through VII of this transmittal letter.

35.13(b)(6) – The ISO's approval of these changes is evidenced by this filing. These changes reflect the results of the Participant Processes required by the Participants Agreement and reflect the support of the Participants Committee.

35.13(b)(7) – Neither the ISO nor NEPOOL has knowledge of any relevant expenses or costs of service that have been alleged or judged in any administrative or judicial proceeding to be illegal, duplicative, or unnecessary costs that are demonstrably the product of discriminatory employment practices.

35.13(b)(8) – A form of notice and electronic media are no longer required for filings in light of the Commission's Combined Notice of Filings notice methodology.

35.13(c)(1) – The market rule changes herein do not modify a traditional "rate," and the statement required under this Commission regulation is not applicable to the instant filing.

35.13(c)(2) – The ISO does not provide services under other rate schedules that are similar to the wholesale, resale and transmission services it provides under the Tariff.

35.13(c)(3) – No specifically assignable facilities have been or will be installed or modified in connection with the revisions filed herein.

## **XI. CONCLUSION**

For the reasons set forth above, the Filing Parties respectfully request that the Commission accept the revisions filed herein without condition or delay to become effective on May 21, 2024, as described above.

Respectfully submitted,

**ISO NEW ENGLAND INC.**

By: /s/ Brian D. Buckley

Christopher J. Hamlen, Esq.  
Brian D. Buckley, Esq.  
ISO New England Inc.  
One Sullivan Road  
Holyoke, MA 01040-2841  
Tel: (413) 540-4736  
Fax: (413) 535-4379  
Email: Chamlen@iso-ne.com  
BBuckley@iso-ne.com

**NEW ENGLAND POWER POOL  
PARTICIPANTS COMMITTEE**

By: /s/ Rosendo Garza, Jr.

Sebastian Lombardi, Esq.  
Rosendo Garza, Jr., Esq.  
Day Pitney LLP  
Goodwin Square  
225 Asylum Street  
Hartford, CT 06103  
Tel: (860) 275-0660  
Fax: (860) 881-2493  
E-mail: slombardi@daypitney.com  
rgarza@daypitney.com

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

ISO New England Inc. and	)	
New England Power Pool	)	Docket No. ER24-____-000
Participants Committee	)	

**AFFIDAVIT OF TODD SCHATZKI  
ON BEHALF OF  
ISO NEW ENGLAND INC.**

1 My name is Todd Schatzki, and I am a Principal at Analysis Group Inc. (“Analysis Group”). I  
2 am submitting this affidavit in support of the proposal by ISO New England Inc. (“ISO-NE”) to  
3 delay its Nineteenth Forward Capacity Auction and related market activities, providing the ISO  
4 the opportunity to further assess a potential prompt and seasonal capacity market design.

5  
6 In my position with Analysis Group, I apply microeconomics, econometrics, and data analysis to  
7 complex business, market and regulatory problems, particularly in the areas of energy and  
8 environmental economics and regulation. I have over 25 years of experience as an economist in  
9 energy and environmental economics and regulation, finance and antitrust. My experience in  
10 energy markets and regulation includes wholesale and retail electricity markets, natural gas  
11 markets, and other fuels markets. I have extensive experience in wholesale electricity markets in  
12 many regions of North America, including work in markets for energy, capacity and ancillary  
13 services. My work has considered market design and analysis of economics, market  
14 performance, and reliability in many organized and non-organized wholesale electricity markets,  
15 including Alberta Electric System Operator, California Independent System Operator, ISO-NE,

1 Midcontinent Independent System Operator, Inc., New York Independent System Operator, PJM  
2 Interconnection, Southwest Power Pool and Western US wholesale electricity markets. Across  
3 engagements, I have worked on behalf of system and system and market operators, market  
4 monitors, and market participants. I have submitted testimony to federal, state and provincial  
5 (Canada) regulatory commissions.

6  
7 Prior to joining Analysis Group, I held positions at LECG, LLC and National Economic  
8 Research Associates, Inc., where I performed economic analysis. I earned a Ph.D. in Public  
9 Policy from Harvard University, an M.C.P. from the Massachusetts Institute of Technology in  
10 Environmental Policy and Planning, and a B.A. from Wesleyan University in Physics. A  
11 complete list of my qualifications, publications, reports, and prior experience is set forth in  
12 Appendix 1 of my affidavit.

13  
14 In September 2023, ISO-NE retained Analysis Group to assess the tradeoffs between prompt and  
15 forward capacity markets, as well as annual and seasonal capacity markets. Analysis Group's  
16 assessment is set forth in a report entitled "Capacity Market Alternatives for a Decarbonized  
17 Grid: Prompt and Seasonal Markets" (the "Capacity Market Horizons Assessment"). A copy of  
18 that assessment is provided as Attachment B to this filing. The assessment recommends New  
19 England pursue a prompt and seasonal capacity market for the nineteenth Capacity Commitment  
20 Period (*i.e.*, 2028-29) and provides extensive qualitative and quantitative analysis regarding this  
21 recommendation. The Capacity Market Horizons Assessment was prepared under my direct  
22 supervision and that the facts set forth therein are true to the best of my knowledge, information,  
23 and belief.

1

A handwritten signature in black ink, appearing to read "Todd Schatzki", written over a faint, horizontal oval line.

2

3 Dr. Todd Schatzki, Principal, Analysis Group Inc.

4 Executed on April 3, 2024

## **TODD SCHATZKI, PH.D.**

### **Principal**

Phone: 617 425 8250  
Fax: 617 425 8001  
todd.schatzki@analysisgroup.com

111 Huntington Avenue  
14th Floor  
Boston, MA 02199

Dr. Schatzki has a broad range of expertise in energy, environment, finance, and competition matters. He supports clients in a range of contexts, including regulatory and rulemaking proceedings, litigation, policy analysis, and strategic and financial advice.

Dr. Schatzki has deep experience in energy markets and systems, including electricity, natural gas, petroleum, and renewable energy. His expertise in the electricity sector includes wholesale electricity market design; market conduct and competitive analysis; utility regulation and ratemaking; economic impact analysis of new market rules, regulations, and infrastructure investments; contract analysis and disputes; and financial issues, including valuation and cost of capital. His clients include electricity system operators, market monitors, generation, transmission and distribution companies, government agencies, and non-government agencies. Dr. Schatzki has testified before U.S. state and federal, as well as Canadian provincial, regulatory commissions. He has also provided testimony at bankruptcy court and arbitration.

Dr. Schatzki works extensively on environmental economics, policy, and regulation. Recently, he has focused on the intersection of climate policy and energy markets, and disputes involving water resources and environmental contamination. His research has been published in distinguished energy- and environment-related publications, and he has provided research for prominent organizations such as the Electric Power Research Institute, the Edison Electric Institute, and the Federal Energy Regulatory Commission.

## **EDUCATION**

- |      |   |
|------|---|
| 1998 | Ph.D., public policy, Harvard University<br>Specialized fields: Microeconomics, econometrics, industrial organization, natural resources, and environmental economics <ul style="list-style-type: none"><li>– Doctoral Fellow, Harvard University (1993–1995)</li><li>– Crump Fellowship, Harvard University (1995–1996)</li><li>– Pre-doctoral Fellow, Harvard Environmental Economics Program</li></ul> |
| 1993 | M.C.P., environmental policy and planning (urban studies and planning), Massachusetts Institute of Technology   |
| 1986 | B.A., physics, Wesleyan University  |

## **PROFESSIONAL EXPERIENCE**

- |              |   |
|--------------|---|
| 2005–Present | Analysis Group, Inc.<br><i>Principal</i>                                |
| 2001–2005    | LECG, LLC<br><i>Managing Economist</i>                                  |
| 1998–2001    | National Economic Research Associates, Inc.<br><i>Senior Consultant</i> |



1997–1998	Harvard Institute for International Development <i>Consultant</i>
1996–1997	Department of Economics, Harvard University <i>Teaching Fellow and Research Assistant</i>
1994	International Institute for Applied Systems Analysis (IIASA)
1992	Toxics Reduction Institute, University of Massachusetts
1987–1991	Tellus Institute <i>Research Associate</i>

## SELECTED CONSULTING AND LITIGATION EXPERIENCE

### Energy

- **ISO New England**  
Assessment of prompt and seasonal capacity market approaches for New England’s capacity market in light of region’s grid resource transition.
- **ISO New England**  
Analysis of the cost of capital of new entry for the ISO New England Forward Capacity Market.
- **Distributed energy resource company**  
Evaluation of market impact associated with a distributed energy resource business.
- **Xcel Energy**  
Evaluation of causes and potential remedies to growing system congestion, including transmission rights, interconnection and transmission planning market rules and procedures.
- **ISO New England**  
Updating rate and developing indexed rate approach for ISO New England’s Inventoried Energy Program in light of volatile fuel markets.
- **ISO New England**  
Study of economic and market consequences of alternative policy approaches to future decarbonization of New England’s electricity system.
- **Portland General Electric**  
Analysis of electricity trading.
- **Cheniere Energy**  
Analysis of life-cycle emissions associated with liquefied natural gas usage given substitution of existing energy sources.
- **Crescent Dunes Solar Energy Project**  
Analysis of economic issues associated with the future economic viability of the Crescent Dunes Solar Energy Projects.
- **New York ISO**  
Demand curve reset for the New York ISO ICAP market including development annual updating process between resets and ICAP Demand Curve parameters.
- **Public Generating Pool and PacifiCorp**  
Develop a white paper evaluating mechanisms for the electricity sector to comply with zero-carbon emission requirements.
- **ISO New England**  
Assistance to market monitor in evaluating capacity market offers with respect to consideration of proposed Energy Security Improvements market rules changes.

- **Continental Buchanan**  
Analysis regarding contractual dispute over synthetic gypsum produced at coal-fired power generation facilities.
- **Singapore Electric Power Generators**  
Analysis of need for and design of proposed capacity market for Singapore's wholesale electric power market.
- **Ameren Missouri**  
Assessment of reliability and accuracy of evaluation, measurement and verification (EM&V) analysis of Ameren's energy efficiency programs performed by third-party consultant.
- **ISO New England**  
Assessment of the economic and operational impact of proposed Energy Security Improvements, market rule changes designed to address energy security concerns.
- **ISO New England**  
Assistance to market monitor in evaluating capacity market offers with respect to consideration of ISO New England's inventoried energy program.
- **Ameren Missouri**  
Assessment of economic issues associated with participation of baseload (coal-fired) power plants in RTO/ISO markets, including self-commitment and incremental energy offers.
- **ISO New England**  
Analysis of costs of securing energy inventory, including forward LNG contracts, for purposes of establishing the rate for ISO New England's inventoried energy program.
- **Capital Power**  
Analysis of design of proposed capacity market for Alberta, Canada.
- **New England Electricity Markets**  
Confidential analyses related to natural gas supply contracts, including contracts from liquefied natural gas terminals, and market rules to mitigate fuel security challenges.
- **Global Crude Oil Producer**  
Analysis of alternative approaches and contractual structures for marketing crude oil, including econometric analysis of customer price responsiveness.
- **New York ISO**  
Evaluation of performance issues associated with capacity market resources and potential changes to market designs.
- **Merced v. Barclays**  
Analysis of alleged monopolization of western US electric power markets.
- **ISO New England**  
For the New England Power Pool (NEPOOL) 2016 Economic Analysis, analysis of Forward Capacity Market implications of alternative scenarios with varying assumptions about retirements and clean energy resources.

- **New England Electricity Markets**  
Confidential assessment of interactions between state policies affecting electric power resources, including long-term contracts, and wholesale electricity markets.
- **FERC v. Barclays**  
Analysis of alleged manipulation of western US electric power exchange markets.
- **New York ISO**  
Demand curve reset for the New York ISO ICAP market including development annual updating process between resets and ICAP Demand Curve parameters.
- **Confidential Client**  
Analysis of factors contributing to assessment of fines associated with an operational incident in the context of a shareholder derivative suit.
- **ISO New England**  
Assessment of framework for evaluating capacity market offers from elective transmission projects for market mitigation.
- **Southwest Power Pool Power Suppliers**  
Analysis and testimony related to the types of costs are appropriately short-run marginal costs and thereby should be incorporated into energy market resource offers.
- **New York ISO**  
Evaluation of capacity market rule changes including a forward market structure and multi-year price lock-in, including quantitative economic analysis of changes in market outcomes under alternative market structures.
- **Ameren Missouri**  
Analysis of the economic impact of the Mark Twain Project, a new transmission project designed to support renewable energy requirements and other objectives (using PROMOD).
- **ISO New England**  
Assistance to the ISO New England market monitor in the development of a de-list offer model consistent with new market rules.
- **Zaremba v. Encana**  
Evaluate operating agreements, the structure of the oil and gas industry, and trends in gas pricing in regards to antitrust claims in the market for oil and gas leases.
- **ISO New England**  
Assistance in the development of winter fuel assurance programs for 2013/2014, 2014/2015 and 2015/2016, including oil inventory, dual fuel, liquefied natural gas and demand response programs
- **Ameren Transmission**  
Analysis of the impact of Multi Value Project No. 16, a new transmission project, on energy market competition in Illinois (using PROMOD).
- **Vancouver Energy**  
Assessment of economic impacts of a new energy distribution terminal, including change in economic activity, property value impacts, and changes in rail congestion.
- **ISO New England**  
Assessment of the economic costs associated with winter 2013/2014 reliability programs, including oil inventory, dual fuel, liquefied natural gas, and demand response programs.
- **ISO New England**  
Assessment of and testimony regarding the economic and reliability impacts of proposed capacity market rules introducing new performance incentives.

- **ITC Midwest**  
Analysis of and testimony regarding the LMP and production cost impacts of new transmission infrastructure (using PROMOD).
- **Entergy**  
Evaluation of economic damages associated with an alleged contract breach.
- **Ameren Transmission**  
Analysis of the impact of the Illinois River Project, a new transmission project, on energy market competition in Illinois (using PROMOD).
- **Dayton Power and Light**  
Evaluation of the aggregate benefits created by a proposed rate plan.
- **Corporation with Distribution Companies Across Multiple Jurisdictions**  
Regulatory assessment considering current ratemaking models, regulatory environment, and alternative ratemaking structures.
- **ISO New England**  
Assessment of the costs, feasibility, and effectiveness of technical options to securing fuel supply for gas-fired generators.
- **ISO New England**  
Assessment of reliability risks and potential market and regulatory solutions to electric-gas interdependencies.
- **Pacific Gas and Electric**  
Assessment of ratemaking issues, including cost of capital adjustments, associated with a gas pipeline safety plan
- **Confidential Technology Company**  
Analysis of the regional economic impacts of a prototype biofuels production facility at two potential development sites (using the IMPLAN model).
- **ISO New England**  
Statistical analysis of the performance of resources responding to system contingencies.
- **Direct Energy**  
Assistance developing regulatory options for promoting retail competition in Pennsylvania, including development of customer service auctions.
- **ISO New England**  
Assistance developing design enhancements for the region's Forward Reserve Markets.
- **Confidential Client**  
Analysis of energy and capacity market implications of a potential asset agreement (using GE's Multi-Area Production Simulation Software).
- **Confidential Client**  
Analysis of fleet turnover decisions and outcomes (using GE's Multi-Area Production Simulation Software).
- **Confidential Regulated Utility**  
Development of a white paper on transmission planning and policy needed to support legislative and regulatory goals for renewable development.
- **Commonwealth Edison**  
Analysis of appropriate ratemaking tools (cost of equity adjustment) in light of energy efficiency program requirements.
- **New England Power Generators Association**  
Analysis of impacts of proposed electric power company merger.

- **Confidential Technology Company**  
Development of a quantitative model of energy savings associated with end-use technological modifications.
- **National Grid**  
Development of an internal white paper assessing the potential for alternative ratemaking tools to mitigate multiple utility capital, load, and service challenges.
- **EDF Group**  
Analysis of financial and credit implications of the sale of a portion of power generation assets.
- **Niagara Mohawk**  
Assistance developing ratemaking plans including revenue decoupling and associated revenue adjustments.
- **New England States Committee on Electricity**  
Technical support and analysis related to design of regulations and wholesale electricity markets to achieve resource adequacy.
- **Rhode Island Energy (National Grid)**  
Assistance developing ratemaking plans including revenue decoupling and associated revenue adjustments.
- **Massachusetts Electric (National Grid)**  
Assistance developing ratemaking plans including revenue decoupling and associated revenue adjustments.
- **NARUC and FERC**  
Analysis of “best practices” in state policies for competitive procurement of retail electricity supply.
- **New York ISO**  
Analysis of single-clearing-price versus pay-as-bid market designs.
- **Confidential System Operator**  
Analysis of metrics for characterizing the economic value provided by regional transmission organizations.
- **TransCanada**  
Assessment of regulatory and finance issues involved in fuel adjustment clauses within long-term standard offer service contracts.
- **New York ISO**  
Analysis of market implications of fuel diversity issues.
- ***Vitol S.A. Inc. vs. BP Products North America, Inc.***  
Analysis of damages from breach of commodity swap contract (petroleum).
- **Confidential**  
Analysis of alleged exercise and extension of market power in a wholesale electricity market, including statistical analysis of spot and real-time electricity markets and statistical modeling of outages using hazard model methods to examine potential physical withholding.
- **Confidential**  
Financial and strategic analysis of gas supply contracting alternatives.
- **Confidential**  
Analysis of value of generating assets using real options analysis.
- **Confidential**  
Statistical analysis of prices in the spot and forward markets using time-series methods for an energy trading firm in a federal proceeding related to the reasonableness of the terms of certain forward market contracts.

- **Confidential**  
Financial and strategic analysis of renewable generation technologies.

## Environment

- **Western States Petroleum Association**  
Analysis of the design and initial performance of Washington GHG cap-and-trade market rule, particularly with regard to linkage and cost containment provisions.
- ***Koch Industries, Inc. and Koch Supply & Trading, LP v. Government of Canada***  
Evaluation of market design, market participant, policy issues and compensation associated with termination of Ontario's GHG cap-and-trade program.
- **Economic Impact of Lotusland Resort Development**  
Analysis of the employment, income and tax benefits of a new resort development in Napa Valley, California.
- **Novartis**  
Evaluation of global greenhouse gas emission impacts associated with alternative asthma treatments and greenhouse gas emission impacts of asthma exacerbations.
- **California State Auditor**  
Assist the Auditor in its assessment of GHG-related transportation regulation and program evaluations performed by the California Air Resources Board.
- **Western States Petroleum Association**  
Analysis of approaches to transitioning to long-run efficient climate policies.
- **Western States Petroleum Association**  
Analysis of the implications of a GHG cap-and-trade market rule for other climate policies for the state of Oregon.
- **Greater Boston Real Estate Board**  
Development of a white paper evaluating mandatory residential energy labeling/benchmarking policies.
- **Western States Petroleum Association**  
Analysis of key changes to California's GHG cap-and-trade market rule for the 2021–2030 compliance period.
- ***Florida v. Georgia***  
Analysis of economic issues related to current and proposed alternative apportionment of water between the states of Florida and Georgia before the US Supreme Court.
- **Western States Petroleum Association and Chevron**  
Analysis of key regulatory issues in the design of California's GHG cap-and-trade system for the 2021–2030 period
- ***New Jersey DEP v. Occidental Chemical Corp., et al.***  
One behalf of Maxus, assessment of reliability of analyses and conclusions reached regarding settlement of claims related to environmental contamination.
- **Chevron**  
Development of a white paper on post-2020 climate policy for California.
- ***C&A Carbone v. County of Rockland***  
Support of expert testimony regarding a violation of the dormant commerce clause.
- ***New Jersey DEP v. ExxonMobil***  
Assessment of methods for valuation of environmental contamination.

- **American Petroleum Institute**  
Assessment of issues related to the impact of changes to National Ambient Air Quality Standard Requirements on oil and gas exploration and production.
- **Greater Boston Real Estate Board**  
Development of a white paper on mandatory building energy labeling/benchmarking policies.
- **Little Hoover Commission**  
Analysis of the economic and environmental consequences of a local climate policy plan implemented in the context of a state-wide cap-and-trade system.
- **Exelon**  
Analysis of the economic and market consequences of EPA's Clean Air Transport Rule.
- ***In the Matter of Current and Future Conditions of Baltimore Gas and Electric Company***  
Analysis of financial and credit implications of the sale of a portion of power generation assets.
- **Chevron**  
Assessment of lessons learned from federal requirements for regulatory review for the potential development of state requirements.
- **Western States Petroleum Association and Chevron**  
Regulatory support and analysis related to climate policy in California, including submission of various comments and reports to the Air Resources Board.
- **Honeywell**  
Analysis of proposed limits on HFC consumption under domestic climate policy.
- **Electric Power Research Institute**  
Analysis of three 2006 studies on the economic impact of meeting the California carbon emissions reduction targets (in the California Global Warming Solutions Act of 2006).
- **Confidential**  
Analysis of alleged monopolization of energy price indices.
- **Mirant**  
Analysis of long-term contracts for electricity supply entered into following the California Electricity Crisis.
- **Confidential**  
Assessment of various policy issues in the design of national climate change policies, including market-based policies, approaches to cost containment, offset projects, and non-CO<sub>2</sub> GHGs.
- **Confidential**  
Quantitative analysis of the impacts for technology, consumers, and asset owners of a market-based domestic climate policy.
- **Toyota**  
Analysis of the economic value of emissions for a major auto manufacturer associated with alleged non-compliance with emissions control requirements.
- **Barajas Airport**  
Evaluation of the regional economic impacts of runway expansions at the Barajas airport in Spain.

#### **Finance and Commercial Damages (Non-Energy)**

- ***K.C. Company, Inc. v. Pella Corp.***  
Assessment the business structure of a potential regional distributor for consistency with the distribution system and strategy.
- ***Todd J. Mortier et al. v. LivaNova USA, Inc.***  
Analysis of economic framework for medical device investments and strategic and economic considerations related to investment in certain heart valve replacement technologies.

- ***Anderson, et al. v. American Family Insurance***  
Analysis of reliability of methodologies to estimate diminution in property value associated with remediated property damage.
- **Confidential Client**  
Support during settlement, including analysis of factors contributing to assessment of fines associated with an operational incident in the context of a shareholder derivative suite.
- ***Becarra, et al. v. The Argentine Republic***  
Analysis of bond pricing, transactions, and holdings related to default of sovereign bonds.
- ***Capital One Financial v. Commissioner of Internal Revenue***  
Analysis of transfers between financial institutions within credit card networks.
- **Confidential Client**  
Analysis of the impact of product taxes on firm market shares related to determination of payments under a settlement agreement.
- ***Kourosch A. Dastgheib v. Genentech***  
Analysis of damages related to breached contract and appropriation of trade secrets in the development of a pharmaceutical product.
- **Confidential Client**  
Analysis of allegations regarding mutual fund day trading, including analysis of trading patterns and calculation of dilution.

#### **Antitrust (including Financial Markets)**

- ***City of Philadelphia, et al. v. Bank of Am. Corp., et al.***  
Analysis of alleged manipulation of variable rate demand obligation market.
- ***Nypl et al. v. JPMorgan Chase & Co., et al.***  
Analysis of impact of alleged manipulation of foreign exchange benchmarks on retail transactions.
- **BlackRock**  
Analysis of potential impact of common ownership on competition, including econometric analysis of such impacts in the commercial airline industry.
- ***Allianz Global Investors GmbH et al. v. Bank of America Corporation et al.***  
Analysis of economic issues associated with alleged manipulation of foreign exchange benchmarks.
- ***Central Garden & Pet v. Monsanto***  
Estimation of damages associated with an alleged monopolization and foreclosure resulting from a distribution agreement.
- ***In re: Vitamins Antitrust Litigation***  
In a price-fixing case across multiple markets in the pharmaceutical industry, estimated overcharges and cartel periods based on a time-series analysis of price data.
- **Confidential Retail Consumer Product Company**  
Analysis of multiple antitrust claims (including foreclosure, monopolization, and vertical restraints) related to an alleged collusive distribution arrangement.
- ***Michlin Diazo Products v. Océ-USA and Océ Printing Systems***  
Analysis of alleged tying of aftermarket products and the provision of service, including evaluation of the alleged tie, competitive effects, and damages.
- **Confidential Petrochemical Company**  
Analysis of liability, timing, geographic scope, and damages issues for a petrochemical company facing potential price-fixing charges by the Department of Justice (DOJ) and private parties.



- **Confidential Scientific Equipment Company**  
Analysis of tying, monopolization, and patent abuse claims involving a patent licensing scheme for process and instrument patents.
- ***Endobionics, Inc. v. Medtronic, Inc.***  
Analysis of foreclosure, attempted monopolization of innovation markets, and damages claims arising from the termination of an investment/licensing agreement.
- **Confidential Scientific Equipment Company**  
Estimation of damages related to alleged invalid patents and tying of products to patent rights associated with a process patent.

## TESTIMONY AND OTHER FILINGS

- **Direct Testimony on Behalf of Ameren Illinois and Ameren Transmission Company of Illinois**  
*Illinois Commerce Commission, Docket No. 24-0088*  
February 5, 2024
- **Affidavit on Behalf of the New England Independent System Operator**  
*Federal Energy Regulatory Commission, Docket No. ER24-401-000*, Targeted Adjustments to Certain Forward Capacity Market Parameters to Reflect the Minimum Offer Price Rule Elimination, Analysis of the After-Tax Weighted Average Cost of Capital of New Entry for the ISO New England Forward Capacity Market, November 15, 2023
- **Declaration on Behalf of Distributed Energy Resource Company**  
*Federal Energy Regulatory Commission*, Declaration in Response to Preliminary Findings (confidential), September 2023
- **Testimony on Behalf of ISO New England**  
*Federal Energy Regulatory Commission, Docket No. ER23-1588-000*, Revisions to Update the Inventoried Energy Program, April 7, 2023
- **Testimony**  
*In re: Tonopah Solar Energy LLC, Case No. 20-11884 (KBO), in the U.S. Bankruptcy Court for the District of Delaware*, November 20, 2020
- **Affidavit on Behalf of the New York Independent System Operator**  
*Federal Energy Regulatory Commission, Docket No. ER21-502-000*, 2021-2025 ICAP Demand Curve Reset Proposal, November 18, 2020
- **Affidavit on Behalf of the New England Independent System Operator**  
*Federal Energy Regulatory Commission, Docket No. EL18-182-000*, Filing of Energy Security Improvements, April 14, 2020
- **Expert Report**  
*Continental Buchanan, LLC v. GenOn Mid-Atlantic LLC*, American Arbitration Association, Case No. 01-19-0002-8683, April 3, 2020.
- **Testimony on Behalf of Ameren Missouri**  
*Missouri Public Service Commission, Case No. ER-2019-0335*, Regarding Unit Commitments and Unit Offers, January 21, 2020
- **Testimony (Additional Evidence) on Behalf of Capital Power**  
*Alberta Utilities Commission, Proceeding No. 23757*, Regarding the Design for Alberta's Capacity Market, April 4, 2019
- **Testimony on Behalf of ISO New England**  
*Federal Energy Regulatory Commission, Docket No. ER19-1428-000*, Inventoried Energy Program, March 25, 2019

- **Testimony (Evidence) On Behalf of Capital Power**  
*Alberta Utilities Commission, Proceeding No. 23757, Regarding Design for Alberta's Capacity Market, February 28, 2019*
- **Direct Testimony on Behalf of Ameren Transmission Company of Illinois**  
*Missouri Public Service Commission, Case No. EA-2017-0345*  
September 14, 2017
- **Supplemental Affidavit on Behalf of New York Independent System Operator**  
*Federal Energy Regulatory Commission, Docket No. ER17-386-000*  
December 21, 2016
- **Affidavit on Behalf of New York Independent System Operator**  
*Federal Energy Regulatory Commission, Docket No. ER17-386-000, Proposed ICAP Demand Curve and Parameters for Annual Updates, November 18, 2016*
- **Testimony and Pre-Filed Testimony on Behalf of Vancouver Energy**  
*Washington Energy Facilities Site Evaluation Council, Case No. 15-001*  
May 2016
- **Surrebuttal Testimony on Behalf of Ameren Transmission Company of Illinois**  
*Missouri Public Service Commission, Case No. EA-2015-0146*  
November 16, 2015
- **Affidavit on Behalf of Joint Filing Group, Southwest Power Pool**  
*Federal Energy Regulatory Commission, Docket No. ER15-2268-000*  
August 31, 2015
- **Direct Testimony on Behalf of Ameren Transmission Company of Illinois**  
*Missouri Public Service Commission, Case No. EA-2015-0146*  
May 29, 2015
- **Rebuttal Testimony on Behalf of Ameren Transmission Company of Illinois**  
*Illinois Commerce Commission, Docket No. 14-0514*  
March 5, 2015
- **Rebuttal Testimony on Behalf of MidAmerican Transmission Company**  
*Illinois Commerce Commission, Docket No. 14-0494*  
March 5, 2015
- **Direct Testimony on Behalf of Ameren Transmission Company of Illinois**  
*Illinois Commerce Commission, Docket No. 14-0514*  
August 21, 2014
- **Direct Testimony on Behalf of MidAmerican Transmission Company**  
*Illinois Commerce Commission, Docket No. 14-0494*  
August 4, 2014
- **Rebuttal Testimony on Behalf of ITC Midwest LLC**  
*Minnesota Public Utilities Commission, Docket No. CN-12-1053*  
April 25, 2014
- **Direct Testimony on Behalf of ITC Midwest LLC**  
*Minnesota Public Utilities Commission, Docket No. CN-12-1053*  
February 24, 2014
- **Testimony on Behalf of ISO New England**  
*Federal Energy Regulatory Commission, Docket No. ER14-1050-001*  
February 12, 2014

- **Affidavit on Behalf of ISO New England, Performance Incentives Market Rule Changes**  
*Federal Energy Regulatory Commission, Docket No. ER14-1050-001*  
January 14, 2014
- **Comments Regarding AB 32 Cap-and-Trade Program Amendments Related to Allowance Allocations (with Robert N. Stavins)**  
*California Air Resources Board*  
August 2013
- **Comments Regarding on the Proposed Regulation to Implement the AB 32 Cap-and-Trade Program (with Robert N. Stavins)**  
*California Air Resources Board*  
August 2011
- **Comments Submitted to the Little Hoover Commission’s Study of Regulatory Reform in California (with Robert N. Stavins)**  
January 2011
- **Comments Regarding on the Proposed Regulation to Implement the AB 32 Cap-and-Trade Program**  
*California Air Resources Board*  
December 2010
- **Comments Regarding Cost Containment Provisions of Preliminary Draft Cap-and-Trade Regulation**  
*California Air Resources Board*  
July 2010
- **Comments Regarding the Draft Report “Allocating Emissions Allowances Under California’s Cap-and-Trade System” (with Robert N. Stavins)**  
*Economics and Allocation Advisory Committee, California Air Resources Board*  
December 1, 2009

## ARTICLES AND PAPERS

"Performance and Prospects for Washington State’s Cap-and-Invest Program,” with Daniel Stuart and Rob Stavins, 2024.

“Impact of Choice of Inhalers for Asthma Care on Global Carbon Footprint and Societal Costs: A Long-term Economic Evaluation,” with Kponee-Shovein, K., et al, *Journal of Medical Economics*, 25(1):940-953, 2022.

“Carbon footprint and associated costs of asthma exacerbation case amount UK adults,” with Kponee-Shovein, K., et al, *Journal of Medical Economics*, April 26, 2022.

“Transitioning to Long-Run Effective and Efficient Climate Policies”, with Robert Stavins and Rebecca Scott, The Harvard Project on Climate Agreements, Discussion Paper 19-94, April 2019.

“GHG Cap-and-Trade: Implications for Effective and Efficiency Climate Policy in Oregon,” with Robert N. Stavins, The Harvard Project on Climate Agreements, Discussion Paper 18-92, November 2018.

“Key Issues Facing California’s GHG Cap-and-Trade System for 2021-2030,” with Robert N. Stavins, M-RCBG Faculty Working Paper 2018-02, Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School, July 2018.

“Beyond AB 32: Post-2020 Climate Policy for California,” with Robert N. Stavins, Regulatory Policy Program, Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School, January 2014.

“Three Lingering Design Issues Affecting Market Performance in California’s GHG Cap-and-Trade Program,” with Robert N. Stavins, Regulatory Policy Program, Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School, January 2013.

“Using the Value of Allowances from California’s GHG Cap-and-Trade System,” with Robert N. Stavins, Regulatory Policy Program, Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School, August 27, 2012.

“Implications of Policy Interactions for California’s Climate Policy,” with Robert N. Stavins, Regulatory Policy Program, Mossavar-Rahmani Center for Business and Government, Harvard Kennedy School, August 27, 2012.

“The Interdependence of Electricity and Natural Gas: Current Factors and Future Prospects,” with Paul Hibbard, *The Electricity Journal*, May 2012.

“California’s Cap-and-Trade Decisions,” *Forbes.com*, August 19, 2010.

“Competitive Procurement of Retail Electricity Supply: Recent Trends in State Policies and Utility Practices,” with Susan F. Tierney, *The Electricity Journal*, March 2009.

“Pay-as-Bid vs. Uniform Pricing: Discriminatory Auctions Promote Strategic Bidding and Market Manipulation,” with Susan F. Tierney and Rana Mukerji, *Public Utilities Fortnightly*, March 2008.

“Free Greenhouse Gas Cuts: Too Good to Be True?” with Judson Jaffe and Robert Stavins, VoxEU.org, January 3, 2008.

“Too Good to Be True? An Examination of Three Economic Assessments of California Climate Change Policy,” with Robert N. Stavins and Judson Jaffe, AEI-Brookings Joint Center for Regulatory Studies, Related Publication 07-01. Jan 2007.

“Options, Uncertainty and Sunk Costs: An Empirical Analysis of Land Use,” *Journal of Environmental Economics and Management*, Vol. 46, p. 86-105, 2003.

“The database on the economics and management of endangered species (DEMES),” with David Cash, Andrew Metrick, and Martin Weitzman, in *Protecting Endangered Species in the United States: Biological Needs, Political Realities, Economic Choices*. Cambridge University Press, 2001.

“The Issue of Climate,” *Fundamentals of the Global Power Industry, Petroleum Economist*, 2000.

“Review of “Sustainable Cities: Urbanization and the Environment in International Perspective,” *Environmental Impact Assessment Review*, (Vol. 12, No, 4), 1993.

“Bottle Bills and Municipal Recycling,” *Resource Recycling*, June 1991.

## SELECTED CONSULTING REPORTS

*Capacity Market Alternatives for a Decarbonized Grid: Prompt and Seasonal Markets*, prepared for ISO New England, with Joseph Cavicchi, Phillip Ross, January 2024.

*Pathways Study, Evaluation of Pathways to a Future Grid*, prepared for ISO New England, with Llop C., et al., April 2022.

*Study to Establish New York ICAP Demand Curve Parameters for the 2021/2022 through 2024/2025 Capability Years - Final Report*, prepared for the New York Independent System Operator, Hibbard, P., Schatzki, S. Wu, C. and Llop, C., September 9, 2020.

*Energy Security Improvements Impact Assessment*, prepared for ISO New England, with Llop, C., Wu, C., and Spittle, T., April 2020.

*Achieving Western States Greenhouse Gas (GHG) Reduction Objectives: Least-Cost Compliance in a Constantly Evolving Policy Environment*, with Joseph Cavicchi, prepared for the Public Generating Pool and PacifiCorp, August 2020.

*Capacity Resource Performance in NYISO Markets, An Assessment of Wholesale Market Options*, with Hibbard, P. and Bolthrunis, S., prepared for the New York Independent System Operator, October 2017.

*Capacity Market Impacts and Implications of Alternative Resource Expansion Scenarios, An Element of the ISO New England 2016 Economic Analysis*, with Llop, C., prepared for ISO New England, July 3, 2017.

*Study to Establish New York Electricity Market ICAP Demand Curve Parameters*, with Hibbard, P., Aubuchon, C., Berk, E., and Llop, C., prepared for the New York Independent System Operator, June 2016.

*NYISO Capacity Market: Evaluation of Options*, with Hibbard, P., Aubuchon, C., and Wu, C., prepared for the New York Independent System Operator, May 2015.

*Assessment of the Impact of ISO-NE's Proposed Forward Capacity Market Performance Incentives*, with Hibbard, P., prepared for ISO New England, September 2013.

*LMP Impacts of Proposed Minnesota-Iowa 345 kV Transmission Project: Supplemental Analysis*, with Frame, R. and Darling, P., Appendix M, ITC Midwest LLC, Application to the Minnesota Public Utilities Commission for a Certificate of Need, Docket No. ET6675/CN-12-1053, April 9, 2013.

*LMP Impacts of Proposed Minnesota-Iowa 345 kV Transmission Project*, with Frame, R., and Darling, P., Appendix M, ITC Midwest LLC, Application to the Minnesota Public Utilities Commission for a Certificate of Need, Docket No. ET6675/CN-12-1053, March 22, 2013.

*Analysis of Reserve Resources: Activation Response following Contingency Events*, prepared for ISO New England, May 29, 2012.

*Economic and Environmental Implications of Allowance Benchmark Choices*, with Stavins, R., prepared for the Western States Petroleum Association, October 2011.

*Next Steps for California Climate Policy II: Moving Ahead under Uncertain Circumstances*, with Stavins, R., prepared for the Western States Petroleum Association, April 2010.

*Options for Addressing Leakage in California's Climate Policy*, with Borck, J. and Stavins, R., prepared for the Western States Petroleum Association, February 2010.

*Addressing Environmental Justice Concerns in the Design of California's Climate Policy*, with Stavins, R., prepared for the Western States Petroleum Association and the AB 32 Implementation Group, November 2009.

*Next Steps for California with Federal Cap-and-Trade Policy On the Horizon*, with Stavins, R. and Borck, J., prepared for the Western States Petroleum Association, July 2009.

*Evolving GHG Trading Systems Outside Its Borders: How Should California Respond?* with Stavins, R. and Borck, J., prepared for the Western States Petroleum Association, July 2009.

*Competitive Procurement of Retail Electricity Supply: Recent Trends in State Policies and Utility Practices*, with Tierney, S., prepared for the National Association of Regulatory Utility Commissioners in collaboration with the Federal Energy Regulatory Commission, July 2008.

*Uniform Pricing versus Pay-as-bid: Does it Make a Difference?* with Tierney, S. and Mukerji, R., prepared for the New York Independent System Operator, March 2008.

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ANALYSIS GROUP

# Capacity Market Alternatives for a Decarbonized Grid: Prompt and Seasonal Markets

## Authors:

Todd Schatzki, Ph.D.

Joseph Cavicchi

Phillip Ross, Ph.D.

January 2024

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## Glossary of Terms

Abbreviation	Definition
ARA	Annual Reconfiguration Auction
CSO	Capacity Supply Obligation
CCP	Capacity Commitment Period
CELT	Capacity, Energy, Loads, and Transmission
CM	Capacity Market
CONE	Cost of New Entry
CVC	Common Value Component
DCR	Demand Capacity Resources
EFORd	Equivalent Forced Outage Rate demand
EIA	U.S. Energy Information Administration
ELCC	Effective Load Carrying Capability
EMS	Energy Market Simulation
ES	Energy Storage
FCA	Forward Capacity Auction
FCM	Forward Capacity Market
FERC	Federal Energy Regulatory Commission
GADS	Generating Availability Data System
GFC	Going Forward Cost
GT	Gas Turbine
ICAP	NYISO installed capacity
ICR	Installed Capacity Requirement
IOU	Investor Owned Utility
IRM	Installed Reserve Margin
ISO	Independent System Operator

ISO-NE	ISO New England Inc.
IT	Information Technology
LMP	Locational Marginal Price
LNG	Liquid Natural Gas
LOLE	Loss of Load Expectation
LSE	Load Serving Entity
MaxGen Event	Maximum Generation Emergency
MISO	Midcontinent ISO
MRI	Marginal Reliability Impact
NEAS	Net Energy and Ancillary Service
NEPOOL	New England Power Pool
NYCA	New York Control Area
NYISO	New York ISO
NIMBY	Not In My Backyard
NECEC	New England Clean Energy Connect
NERC	North American Electric Reliability Corporation
ORTP	Offer Review Trigger Price
ONW	Onshore Wind
OFW	Offshore Wind
O&M	Operations and Maintenance
PFP	Pay-for-Performance
PJM	PJM Interconnection
PPR	Capacity Performance Payment Rate
PRA	MISO's Planning Resource Auction
PV	Photovoltaic
QC	Qualified Capacity



QMRIC	Qualified Marginal Reliability Impact Capacity
RA	Resource Adequacy
RCA	Resource Capacity Accreditation
RMR	Reliability Must Run
rMRI	Relative Marginal Reliability Impact
RPM	PJM Reliability Pricing Model
RTO	Regional Transmission Organization
SNL	SNL Energy
STAR	NYISO Short-Term Assessment of Reliability
SSR	System Support Resources
WSR	Winter-to-Summer Ratio

# Capacity Market Alternatives for a Decarbonized Grid:

## Prompt and Seasonal Markets<sup>1</sup>

### I. Executive Summary

To maintain reliable system operations and resource adequacy, ISO New England Inc. (“ISO-NE”) operates a Forward Capacity Market (“FCM”) to ensure the region has sufficient resources to reliably meet load throughout the year. The current design of the FCM reflects market and system conditions at the time when the market was being developed, including concentration of peak loads and reliability risks in the summer months and the expectation that new capacity would primarily use gas-fired technologies with predictable development timelines of three years or less.

However, today’s electricity grid is evolving in a different direction due to a combination of state policies aimed at decarbonizing the system and advances in performance and cost of technologies that can achieve these decarbonization objectives. While the “grid of the future” will continue to evolve over the coming decades, three important changes have meaningful consequences for suitability of the region’s current capacity market design to achieve resource adequacy:

- *First*, the mix of resources in and entering the system is more diverse than the heavy reliance on gas-fired generation resource technology that dominated development when the FCM was designed. These new resources’ contributions to resource adequacy vary and depend on the mix of resources on the grid, and their development timelines are both shorter and longer than gas-fired resources.
- *Second*, development risks associated with contracting, supply chains, environmental permitting, and local opposition are greater than they were historically, creating greater uncertainty about whether projects get constructed and the timing of resource activation.
- *Third*, the profile of resource adequacy risks is spread across the year, with growing risks in the winter months due to shifting seasonal peak loads and persistent concerns about longer-duration winter energy constraints.

To adapt its capacity market to these changes, ISO-NE is already undertaking enhancements to its resource capacity accreditation (“RCA”) to better account for contributions to resource adequacy given the performance properties of resources in the system and changes in seasonal risks.

This report evaluates two additional potential changes being contemplated by ISO-NE to better adapt its capacity market to these changes in its evolving grid: the adoption of a prompt market and the adoption of a seasonal market. To assist in ISO-NE’s ongoing evaluation of alternative capacity market designs, this report aims to inform ISO-NE, stakeholders, and the New England states (“the States”) about these options to assist the region in evaluating whether it should pursue either or both options. To this end, we describe the general features of prompt and seasonal markets and evaluate the tradeoffs between prompt and forward markets, and annual market and seasonal markets. This evaluation of tradeoffs is informed by quantitative modeling to illustrate how prompt and seasonal markets would work and provide indicative quantification of potential impacts. Critically, our evaluation focuses on whether

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<sup>1</sup> The full project team includes: Todd Schatzki, Ph.D., Joseph Cavicchi, Phillip Ross, Ph.D., Grace Howland, Redina Tahaj, Ph.D., Sam Wascher, Ph.D., Andrew Fixler, Yash Lalwani, Akinan Basar, Sam Churchill, and Mitch Patton.

prompt and/or seasonal market approaches would provide a long-term platform for effectively achieving resource adequacy given the ongoing and expected changes to the region's grid, including those arising from state environmental policies.

Based on our review of the evidence, we recommend that the region pursue a prompt-seasonal market for Capacity Commitment Period ("CCP") 19 (*i.e.*, 2028-29). This recommendation reflects many considerations that we describe in the report. Both a prompt market and a seasonal market offer many advantages to the current forward-annual capacity market that will make the market better suited to a system in which resource adequacy is achieved by the wide and changing mix of technologies and the reliability risks arise throughout the year in evolving patterns. A prompt-seasonal market can flexibly adjust to changes in resource mix and seasonal reliability risk profiles, and thus provide a sustainable resource adequacy platform for the foreseeable future. However, adoption of a prompt-seasonal market would not be without some drawbacks and risks. In particular, none of the regions with such a heavy reliance on its capacity market to achieve resource adequacy have a prompt-seasonal capacity market. However, other regions have, or are in the process of assessing or implementing, prompt and seasonal market designs, and the technical risks of developing a prompt-seasonal market appear manageable.

### Forward and Prompt Market Tradeoffs

A prompt market would structure the capacity market on the foundation of a spot market, similar to most energy and commodity markets. Under this framework, the primary auction clears at actual demand and supply, rather than forecast demand and commitments to supply. Like other markets, if market participants want to hedge financial risks, they can do so through various forward hedging options rather than requiring forward procurement (and associated risks and costs) of all market participants.

Adoption of a prompt market would provide a number of important benefits:

- **Market clearing based on more accurate information about demand.** With the current forward market, demand curves reflect forecasted capacity requirements to meet the reliability criterion (*i.e.*, Installed Capacity Requirement ("ICR")). Because forecasts are uncertain, a forward market may either procure too much or too little capacity compared to the requirements needed at the commitment period, which has adverse economic and potential reliability consequences. Thus, for example, a prompt market would lower costs if the forward market over-procures capacity when forecasts are too high. By comparison, a prompt market uses information about demand shortly before the commitment period, when that information most accurately reflects demand during the commitment period.
- **Market clearing based on more accurate information about resource supply.** With a prompt market, capacity supply would reflect resources' contributions to reliability measured immediately prior to the commitment period based on the actual mix of activated resources. However, with a forward auction, these contributions are measured three years prior to the commitment period based on forecast contributions. These forecast contributions would be uncertain because many factors can affect the actual resource mix during the commitment period, including delays in new resource development and new resources entering in reconfiguration auctions (after the forward capacity auction ("FCA")). While year-to-year changes in accreditation were minimal in the past, with the shift to enhanced capacity accreditation, resource accreditation will now be more sensitive to the mix of resources assumed on the system, particularly for intermittent renewables and battery storage. Thus, like demand uncertainty, effective reliability could be lower or higher than realized under the prompt market. For example, the forward market may result in lower effective reliability if resource contributions at the commitment period are lower than assumed (three years prior) in the FCA. In addition, changes in accreditation between the FCA and the commitment period may result in awarding of Capacity Supply Obligations ("CSO"s) to less cost-effective resources, if, for example, the reliability contributions of resources awarded CSOs decline materially relative to other resources that were not awarded CSOs.

- **Reduced delivery risk and market uncertainty.** With a prompt market, resources will face less risk that they will be unable to fulfill their capacity obligations due to a failure of new resources to develop capacity in a timely way or due to unexpected plant failures. These risks have been growing in recent years, with large shares of new resources unable to deliver capacity in a timely way to fulfil their CSOs. In addition, resources face less uncertainty when estimating offer prices in a forward market compared to a prompt market.
- **Retirement notification requirements that allow more efficient capital decisions.** Under the FCM, decisions to retire assets are made four-plus years from the date of deactivation. However, this timing likely does not reflect the most cost-effective time frame for requiring notification given the many relevant considerations as it primarily reflects only one criterion: the need for timely information about retirements prior to the forward auction to provide opportunities for competitive supply responses. In principle, the preferred time frame for retirement notification should reflect many other considerations, with some indicating greater net benefits from longer time frames and others indicating shorter time frames. A shorter time frame would support more efficient capital decisions given more accurate information and estimates of expected future net income, and supply offers that more accurately reflect deliverable capacity (given the risk that resources experience major maintenance events that lead a resource to shut down after the FCA). However, a shorter time frame could increase the duration of any market effects from resource retentions necessitated by transmission security needs, although these risks are modest given the robustness of the region's transmission grid. A prompt market provides the option to modify retirement notification requirements, but such modifications are not *per se* a requirement of the prompt market approach.
- **Better alignment with time frame for operational decisions that affect resource capability, particularly winter fuel arrangements.** A prompt market aligns with the timing in which gas-fired resources (dual fuel and gas-only) generally make winter fuel arrangements. By comparison, committing to these arrangements prior to the forward market would result in avoidable financial risks, which would raise costs and decrease the likelihood these arrangements are made. Thus, a prompt market would be expected to improve reliability through increased winter firm gas arrangements by lowering the cost of responding to incentives created by the enhanced resource capacity accreditation, which will award higher qualified capacity to gas-fired resources with firm fuel supplies.
- **Technology-neutral competitive platform for new investment.** By requiring a forward commitment, the current forward market benefits certain resources at the expense of others and requires that the market bear the cost of this forward commitment. This arrangement allows some resources the option to enter prior to investing capital, which benefits technologies with longer development timelines. However, this may disadvantage resources with development timelines of less than three years (e.g., solar photovoltaic ("PV") and battery storage). For example, if they enter upon clearing the FCA, FCM revenues in the first one to two years of operation may be limited given the reliance on Annual Reconfiguration Auctions ("ARA"s). These auctions have historically not cleared all offered supply and clear at lower prices than the corresponding FCA (for the same commitment period). Under a prompt market, all technologies compete on comparable competitive terms and all new resources bear the cost of hedging risks (if beneficial, for example, to support financing), which may differ across technologies. Thus, a prompt market may result in a more cost-effective mix of resources (and/or lower the cost of state programs to support entry of clean resources).
- **Simpler and less costly capacity market procedures.** With a prompt market, the process of administering and participating in the capacity market could be simplified which would lower costs. These changes would reflect future design decisions, but could include elimination of certain elements of the current FCM (e.g., ARAs), potential elimination or simplification of other elements (new resource pre-qualification and progress monitoring) and/or simplification and shortening of certain procedures (e.g., existing resource accreditation).

While the prompt market offers many benefits, the move to a prompt market has certain potential consequences. However, in comparison to the benefits offered, these potential consequences are likely to either be less consequential or can be reasonably managed through appropriate market design and operation:

- **Primary capacity auction would not provide a price hedge.** The current FCM provides a price hedge that can mitigate financial risks for some market participants. While the forward commitment required to achieve this hedge creates costs for many market participants, for some market participants the value of the forward market in hedging price risks may outweigh these costs. While the hedge can provide benefits, in general, the transfer in risk to provide the hedge (from suppliers to customers) is unlikely to be efficient, because requiring suppliers to bear these risks may lower costs, as they are in a better position to manage and mitigate such risks. Moreover, market participants have options available to mitigate these risks, including futures markets, financial instruments (e.g., heat rate call options) and bilateral transactions.

For new capacity, the FCM allows resources to lock in prices prior to development. However, this hedge is limited to one year and thus does relatively little to mitigate risk over the project's financial lifetime. As a result, new project development often relies on financial instruments to mitigate price risks and support project financing. Thus, the forward nature of the FCM is not necessary for financing new resources. For retail electricity suppliers, the FCM plays a more important role because it fixes capacity prices for all or much of the contract periods for which they provide supply. Thus, a prompt market would expose these suppliers to greater risk, which would likely affect rates charged to consumers. However, retail suppliers have options to mitigate these risks, including bilateral contracts with generators or other market participants and futures/forward instruments. Moreover, these risks have been managed in New York, Illinois and Michigan, states with retail competition and prompt capacity markets.

- **Long-run price formation.** One concern raised by stakeholders about a prompt market is that it limits suppliers' ability to include certain costs in their offer prices and thus would lead to lower long-run prices. For example, with a prompt auction, new capacity could not include the (amortized value of) plant capital investment in offers but would need to offer at its net avoidable costs when online (which would likely be lower). However, for a combination of reasons, this concern seems unlikely to lead to a change in long-run prices. In particular, this change does not affect long-run market fundamentals including demand for capacity and the long-run costs of supplying capacity that would be expected to drive entry and exit decisions, and thus prices. In addition, market prices can be set at the value of demand rather than supply offer prices, such that the specific value of offer prices does not affect the market-clearing prices. Nonetheless, it will be important to carefully develop market mitigation processes for existing resources consistent with a prompt market to avoid making these processes too stringent, potentially inadvertently leading to lower (short-run) prices, while maintaining review and mitigation processes to ensure competitive market outcomes.
- **More volatile prices.** In principle, a prompt market may be more volatile than a forward market because of unexpected shocks to capacity supply. Thus, the tradeoff to having the market clear using more accurate information about supply is that this information may cause more variation in prices. In practice, however, any difference in volatility appears modest. The empirical data suggests that the prompt market of New York ISO ("NYISO") has comparable volatility to the forward markets in ISO-NE and PJM Interconnection ("PJM").

### Annual and Seasonal Market Tradeoffs

As with any commodity market, as differences in product definition or temporal variation in prices emerge, redefining the product more granularly can improve quality, produce more accurate pricing and result in more efficient economic outcomes. However, the tradeoff to these benefits is the cost of developing and maintaining more highly-differentiated markets and potential complications associated with more granular products definitions.

Given the increased importance of seasonal variation in resource adequacy and capacity accreditation, adoption of a seasonal market would improve outcomes through several mechanisms.

- **Accounting for differences in the value of capacity in reducing resource adequacy risks across seasons.** A seasonal market can account for differences in the value of capacity in reducing reliability risks

across seasons. By accounting for these differences when procuring capacity in each season, so that the demand for capacity reflects marginal reliability risks, a seasonal market can lower costs and improve resource adequacy. A seasonal market also creates price signals that incentivize investments to benefit reliability in the seasons when it is most needed.

- **Accounting for differences in resource accreditation across seasons.** A seasonal market can better account for differences in the contributions made by different types of resources to resource adequacy across seasons. Through accurate individual resource accounting, a seasonal market also ensures that the market is clearing an accurate measure of aggregated supply in each season to support reliable price formation. It also ensures that compensation to individual resources reflects the value of the services offered, and thus provides appropriate incentives for resources to develop and supply capacity in each season given its relative market value.
- **Accounting for differences in costs across seasons.** A seasonal market allows resources to account for differences in their net going forward costs of supplying capacity in each season, accounting for differences in avoidable costs, net energy market revenues, expected pay-for-performance costs and qualified capacity. As a result, it can lower costs by awarding CSOs to resources able to support resource adequacy in each season at the lowest cost.

In sum, a seasonal market would lower costs and improve reliability by procuring capacity in seasons when it provides the most reliability benefit, selecting resources able to supply reliability at the lowest seasonal cost, and providing price signals for investments in resources able to supply reliability when most needed.

A complication with a seasonal market arises because of “non-divisible” costs – that is, fixed costs to operate the unit regardless of whether the unit operates for the entire year or only a portion of the year. This issue has implications for whether resources will earn sufficient revenues to cover their annual costs, whether resources will have flexibility to make offers reflecting both annual and seasonal components (and the rules for market mitigation), and the design of the seasonal auction. In particular, a seasonal auction can be run sequentially, with each auction procuring capacity for the immediate seasonal period but no others. If run simultaneously, capacity for each season in the year would be cleared in one auction that is designed to procure capacity across all seasons in the year at the lowest cost. The simultaneous approach can accommodate both annual and seasonal offer components and can lower costs by better accounting for these annual costs when procuring capacity. However, a simultaneous auction with these properties would be substantially more complex to design and operate each year.

The development of a seasonal market would involve substantial ISO-NE staff and stakeholder attention to address many design decisions (e.g., number of seasons, seasonal demand curves). The development of auction software would also be a substantial effort if a simultaneous auction is pursued.

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Our recommendation that New England pursue a prompt-seasonal market reflects the complementary benefits provided by the prompt and seasonal market approaches. These benefits are largely an outgrowth of the resource transition the region is undergoing in response to evolving policy preferences and technology capabilities. The prompt-seasonal market complements and supports this transition in multiple ways, including:

- By providing a technology-neutral platform for competition among resource types, a prompt market supports the competitiveness of resources with development profiles that differ from traditional gas-fired resources, including those important to the States’ energy policy goals such as certain intermittent renewables (e.g., solar PV), energy storage, and demand-side and distributed energy resources.
- A prompt market better accounts for the impact on forecast energy demand of state energy policy initiatives aimed at expanding behind-the-meter technologies, energy efficiency and other demand-side efforts by

estimating demand shortly before the commitment period rather than three-plus years prior to the commitment period.

- A prompt market supports a reliable system by better accounting for evolving changes in system resource contributions to resource adequacy, particularly as the region adopts enhanced RCA to more accurately measure these contributions. While the prompt market would measure these contributions based on actual, activated resources, the forward market would rely on projections, including assumptions about new resources entering the system. Thus, as intermittent resources, battery storage and other clean resources expand with the region's energy transition, the prompt market will more accurately account for their contributions and the contributions of other resources (given the more diverse resource mix).
- A seasonal market better accommodates the reliability impacts of state policies aimed at electrification of heating loads, which are projected to increase winter reliability risks. A seasonal market complements these initiatives by dynamically adjusting demand for resources that can provide winter reliability as seasonal risk profiles evolve over time given the actual pace of electrification. A seasonal market also provides price signals to incentivize resources able to support reliable operations in each season as needed given seasonal demands and the other resources operating on the system.
- A seasonal market better accommodates the varying and complex reliability consequences of new technologies, such as intermittent renewables and energy storages, under enhanced RCA. A seasonal market provides price signals for the development of resources to complement the operational features of resources expected to be particularly important to state's efforts to decarbonize New England's grid, such as solar PV and offshore wind, given the seasonal variation in their contributions to reliability.

## Quantitative Analysis

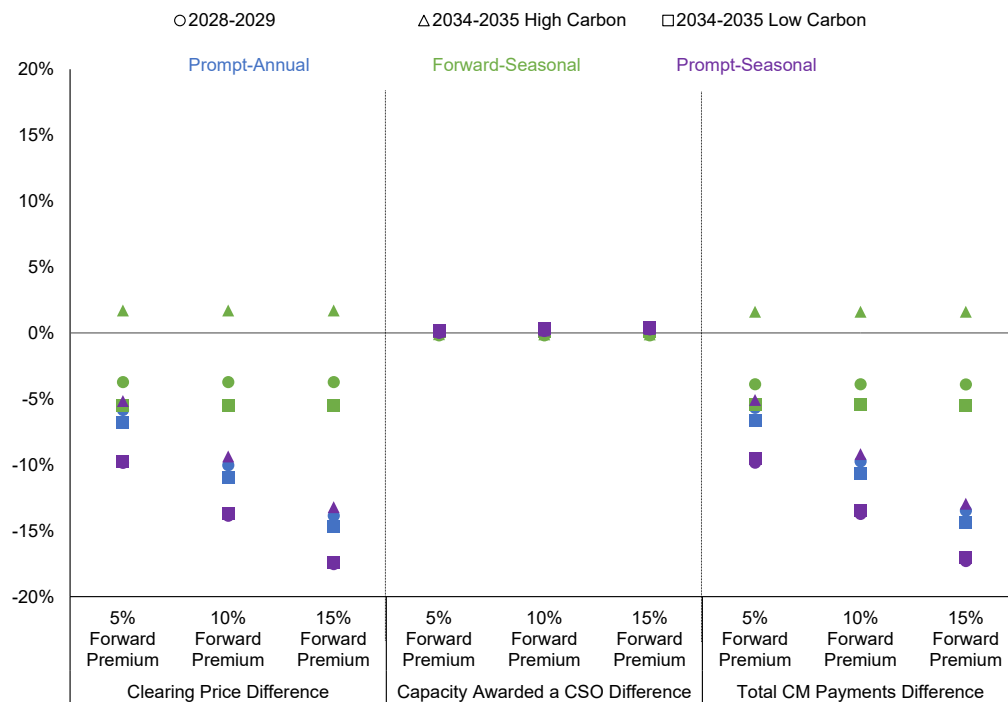
We quantitatively analyze market outcomes under the current FCM and the prompt and seasonal market approaches. The results of this analysis generally confirm our economic and analytic findings, but also provide indications of the order of magnitude of potential changes in prices, quantities, and payments, and highlight certain findings through quantitative comparisons.

Key findings include:

- Prompt and seasonal market alternatives to the current FCM tend to lower prices and total payments, while producing comparatively small changes in the quantity of CSOs awarded. The figure below shows scenarios for each market alternative to the FCM (prompt-annual, forward-seasonal, and prompt-seasonal) for different commitment periods/resource mixes (2028-29, 2034-35 High Carbon, 2034-35 Low Carbon) and different assumptions about forward offer forward premiums (5%, 10%, 15%). Our analysis makes certain conservative assumptions that tend to understate the reductions in price and payments from prompt and seasonal markets, such as assumptions regarding forward demand forecasting uncertainty and winter gas firming.
- A prompt market (with current annual products) reduces prices and total payments by 10.5% and 10.2%, on average, respectively, across all the scenarios evaluated. A seasonal market (with current forward procurement) lowers prices and total payments in 6 of 9 scenarios. In the six scenarios with reductions, prices are lower by 3.7 to 5.5 percent and payments lower by 3.9 to 5.5 percent. Across all nine scenarios, prices are lower by 2.5 percent on average, and payments are lower by 2.6 percent on average.



## Impact of Alternative Market Concepts on Price, Quantity and Payments (Relative to FCM)



- The prompt-seasonal market results in the lowest prices and total payments. Across the range of assumptions tested (*i.e.*, assumptions about commitment period, resource mix, and forward premium), on average prices are lower by \$0.59 per kW-month (12%) and payments are lower by \$208 million annually (12%). Prices and payments are lower in all scenarios, with payment reductions ranging from 5% to 17% and prices reductions ranging 5% to 18% compared to the current FCM.
- Uncertainty in demand under the forward market has meaningful impacts on prices, quantities, and payments. Across the range of demand uncertainty considered ( $\pm 1,000$  MW), costs ranged by approximately 10%, relative to no demand uncertainty. When forecast demand is lower than final demand (at the commitment period), procured quantities were below ICR which could lead to reliability concerns. Such a deficit is potentially mitigated through procurement of additional supplies (at additional cost) through reconfiguration auctions but is not accounted for in our analysis.
- Results are sensitive to a range of assumptions tested (*i.e.*, commitment periods, resource mixes, forward premiums), but these tests encompass only a subset of relevant uncertainties. Our analysis does not account for all differences between market alternatives and do not account for certain market dynamics (*e.g.*, entry/exit in response to changes in prices), and thus does not account for the full range of potential outcomes. As such, it is possible that the move to a prompt and/or seasonal market could increase costs under some conditions compared to the current FCM, but such scenarios are not captured in our analysis. Further, it also does not reflect a particular market design or represent a full impact analysis of a design proposal.



## II. Background

### A. Context and Proposed Market Enhancements

#### 1. Resource Adequacy in New England

System operators establish resource adequacy targets to ensure that there are sufficient system resources available to meet established reliability criteria.<sup>2</sup> Within ISO-NE resource adequacy criteria reflect the common standard of a “1-in-10” loss of load expectation (“LOLE”) – that is, the system should be designed so that, in expectation, there is no more than one loss of load event every ten years. Because revenues from ISO-NE energy and ancillary services markets appear insufficient to support the development and maintenance of sufficient resources to meet this reliability standard, the regulatory structure in the ISO-NE system includes additional mechanisms to ensure that resource adequacy standards are met.<sup>3</sup> In particular, the New England markets include a capacity market that procures sufficient capacity on a forward basis to satisfy the 1-in-10 reliability standard.

The ISO-NE Forward Capacity Market (“FCM”) is designed to provide additional revenues – the “missing money” – to ensure there are sufficient system resources to maintain resource adequacy.<sup>4</sup> Without the FCM, the ISO-NE energy and ancillary services markets would incent resources to enter the market, but the equilibrium quantity of resources would be insufficient in expectation to achieve the 1-in-10 reliability standard. The FCM provides additional revenues intended to ensure that new capacity has sufficient revenues to fully recover its costs when the equilibrium quantity of resources in the market equals the quantity needed to meet the 1-in-10 reliability standard.

The ISO-NE FCM has been in operation since 2008.<sup>5</sup> The FCM procures capacity supply obligations (“CSOs”) through an annual Forward Capacity Auction (“FCA”) run three-plus years in advance of the 12-month commitment period.<sup>6</sup> The FCA clears offers to supply capacity against a sloped, administratively-determined demand curve.<sup>7</sup> This demand curve is designed to ensure revenues sufficient to cover the net cost of new entry (“Net CONE”) when

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<sup>2</sup> 18 CFR Part 40, FERC, Order, Planning Resource Adequacy Assessment Reliability Standard, March 17, 2011.

<sup>3</sup> Other mechanisms that ensure system reliability include long-term planning procedures that identify reliability risks and develop solutions to mitigate these risks.

<sup>4</sup> “Missing money” is the term often used to describe the revenue needed above and beyond energy and ancillary services market revenues to attract new – or retain existing – economic resources sufficient to meet resource adequacy targets. See, e.g., Cramton, Peter and Steven Stoft, “The Convergence of Market Designs for Adequate Generating Capacity with Special Attention to the CAISO’s Resource Adequacy Problem,” MIT Center for Energy and Environmental Policy Research, 07-007, April 2006.

<sup>5</sup> For general information on the FCM, see ISO-NE, “Forward Capacity Market,” 2023, available at <https://www.iso-ne.com/markets-operations/markets/forward-capacity-market>.

<sup>6</sup> This summary of ISO-NE’s FCA design reflects the design as defined in the ISO-NE Tariff. FERC recently approved a one-year delay to FCA 19, which will shorten the time between the forward auction and commitment period, reduce the number of reconfiguration auctions, and impact other auction timelines. See, FERC, “Letter order accepting ISO New England Inc.’s et al. 11/03/2023 filing of proposed revisions to its Transmission, Markets and Services Tariff to delay the nineteenth Forward Capacity Auction, etc. under ER24-339,” Docket No. ER24-339-000, January 2, 2024. See also, ISO New England, Inc., “Market Rule Changes to Delay Nineteenth Forward Capacity Auction and Related Capacity Market Activities,” Docket No. ER24-339-000, November 3, 2023, available at [https://www.iso-ne.com/static-assets/documents/100005/changes\\_to\\_delay\\_19th\\_fca\\_and\\_related\\_capacity\\_mtk\\_activities.pdf](https://www.iso-ne.com/static-assets/documents/100005/changes_to_delay_19th_fca_and_related_capacity_mtk_activities.pdf).

<sup>7</sup> Throughout the report, we use the term “clears” to mean that a resource’s offer to supply capacity in the FCA, a capacity auction, or an ARA is selected, and it is awarded a CSO.

market-clearing capacity equals the quantity needed to meet the 1-in-10 reliability standard (referred to as the Installed Capacity Requirement (“ICR”)).

Following the FCA and before the commitment period, three Annual Reconfiguration Auctions (“ARAs”) are run to allow for a rebalancing of capacity supply and demand. Rebalancing can occur for several reasons, including: (1) allowing a new capacity resource that enters the market after the FCA an opportunity to supply capacity, (2) enabling a resource that clears the FCA (or a prior ARA) the opportunity to sell back its CSO (e.g., if it is unable to fulfill their CSO), and (3) accommodating changes in demand (i.e., changes in the ICR, which anchors the administrative demand curve).

The design of the FCM reflected market and system conditions at the time when the market was being developed. In the mid-2000s, resource adequacy concerns primarily reflected the risk that there would be inadequate resources to meet peak summer loads. Thus, the market was designed to procure resources on an annual basis reflecting their ability to contribute to meeting summer loads. At the time, most resources being developed were gas-fired resources relying on either combustion turbine or combined-cycle technology, which had key permit issuance and construction timelines that could be completed within approximately three years. The region had also just undergone a period of substantial build of merchant generation, following restructuring of the region’s industry, which created a demand for a market design that would limit further build while also supporting investment when needed given the apparent financial risks. Given these circumstances, the market was designed to procure an annual capacity product three years forward of the commitment period to help coordinate the development of new resources.

Since the FCM first started, the market has undergone several important changes over time. These changes reflect important innovations designed to improve the market’s operation and performance. In 2014, the Federal Energy Regulatory Commission (“FERC”) approved the Pay-for-Performance market design, which creates incentives for resources awarded CSOs to perform when the system is facing stressed system conditions.<sup>8</sup> These design principles were subsequently adopted by PJM Interconnection (“PJM”) in its pay-for-performance market rules.<sup>9</sup> In 2016, the FERC approved FCA demand curves based on estimates of marginal reliability impact (“MRI”) of capacity resources on the risk of loss of load.<sup>10</sup> This MRI approach now serves as an important foundation for the Resource Capacity Accreditation (“RCA”) project, and, as we discuss below, would support the development of seasonal market demand curves. At present, in the RCA project, ISO-NE and stakeholders are in the process of enhancing the approach to determining the capacity credit resources receive in the FCM to better reflect the actual contribution their resources provide to achieving resource adequacy.<sup>11</sup>

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<sup>8</sup> Initial Order: ISO-NE, 147 FERC ¶ 61,172, Order on Tariff Filing and Instituting Section 206 Proceedings, May 30, 2014, Docket Nos. ER14-1050 et al., denying reh’g 153 FERC ¶ 61,223, Order Denying Rehearing, November 19, 2015, Docket Nos. ER14-1050-002 et al.; Order on Compliance: ISO-NE, 149 FERC ¶ 61,009, Order on Compliance Filing, October 2, 2014, Docket Nos. ER14-2419-000 et al., denying reh’g, 153 FERC ¶ 61,224, Order Denying Rehearing, November 19, 2015, Docket Nos. ER14-2419-003 et al.; ISO-NE & NEPOOL Participants Comm., 147 FERC ¶ 61,172 (2014), reh’g denied 153 FERC ¶ 61,223 (2015).

<sup>9</sup> PJM, 151 FERC ¶ 61,208, reh’g granted in part, denied in part, 151 FERC ¶ 61,208 (2016) (denying rehearing on all but one issue relating to force majeure, and accepting compliance filings).

<sup>10</sup> ISO-NE, 155 FERC ¶ 61,319, Order Accepting Filing, June 28, 2016, Docket No. ER16-1434-000.

<sup>11</sup> See, generally, ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market Key Project,” available at <https://www.iso-ne.com/committees/key-projects/resource-capacity-accreditation-in-the-fcm/>.

These market changes illustrate that ISO-NE and the region have a history of adjusting its capacity market to account for actual market outcomes (e.g., the performance of resources under the market) and opportunities to improve market design.

## 2. *Changes in Market and System Conditions*

Like many regions of the U.S., New England is undergoing several changes affecting energy use throughout the region's economy and the region's electricity system and markets. These changes are arising from a combination of factors including state policies aimed at decarbonizing the region's economy and grid, and technological innovation that increases performance and decreases costs of new technologies. The factors driving these market and system changes include:

- Federal and state policies aimed at reducing emissions throughout the economy, and particularly the electricity sector through the substitution of existing fossil-fired resources (coal, fuel oil and natural gas) for non-emitting resources (e.g., hydropower, solar photovoltaic ("PV"), and onshore and offshore wind power) and complementary technologies (e.g., battery storage resources).<sup>12</sup>
- Technological innovation that has substantially decreased investment costs and increased performance for a range of technologies, including solar PV, onshore and offshore wind, and battery storage.<sup>13</sup> With these innovations, certain technologies can be cost-competitive with fossil generation (given federal subsidies) for new entry.
- State policies aimed at electrifying heating, transportation and other activities currently relying on liquid fossil fuels. These changes increase electricity demand while the region is simultaneously trying to shift generation toward non-emitting generating resources.

Together, these trends have had several important consequences for resource adequacy and the performance of the region's current capacity market design:

- ***Changes in the mix of resources in and entering the system.*** Given state policies and technology changes, the region's grid is experiencing increases in intermittent resources (e.g., solar PV and wind), increases in storage resources (i.e., battery storage) and reductions in dispatchable fossil resources. These trends are expected to continue for the coming decades assuming state policies achieve their objective of decarbonizing the electricity system. However, the details of the transition (e.g., which technologies, the pace of change) are unknown and will evolve over time.
- ***Changes in the process by which new resources enter the system.*** In recent years, the process by which new resources enter the system has become increasingly complicated and uncertain, including longer

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<sup>12</sup> Connecticut: An Act Concerning Climate Change Planning and Resiliency (2018), Global Warming Solutions Act (2008); Maine: 38 MRSA §576-A (2019); Massachusetts: Global Warming Solutions Act (2008); Rhode Island: Resilient Rhode Island Act of 2014, 2021 Act on Climate; Vermont: Global Warming Solutions Act (2020). For further discussion of state-level programs and requirements from New England states as they affect New England grid, see Schatzki, Todd, et al., Pathways Study, Evaluation of Pathways to a Future Grid, April 2022, available at <https://www.iso-ne.com/static-assets/documents/2022/04/schatzki-et-al-pathways-final.pdf>.

<sup>13</sup> LBNL, "Utility-Scale Solar, 2023 Edition," October 2023, pp. 19-27, available at [https://emp.lbl.gov/sites/default/files/utility\\_scale\\_solar\\_2023\\_edition\\_slides.pdf](https://emp.lbl.gov/sites/default/files/utility_scale_solar_2023_edition_slides.pdf); LBNL, "Land-Based Wind Market Report: 2023 Edition," August 2023, pp. 36-38, 43-48, available at <https://emp.lbl.gov/wind-technologies-market-report>; NREL, "2021 Cost of Wind Energy Review," December 2022, p. 22, available at <https://www.nrel.gov/docs/fy23osti/84774.pdf>.

and more uncertain development timelines given challenges in supply chains (reflecting increased demand for new technologies and hold-over effects of COVID-related supply chain disruptions), project cancellations due to financing limitations or contracting constraints, uncertainties in regulatory permitting, and uncertainties in local opposition to any new infrastructure (not in my backyard, “NIMBYism”) including both non-emitting and emitting resources, transmission and other energy infrastructure.

- **Changes in the profile of resource adequacy risks over the year.** Historically, resource adequacy risks were primarily concentrated in summer months when the system experience peak annual loads. However, resource adequacy risks are shifting toward winter months given persistent concerns about longer-duration energy constraints during winter months (given constraints to energy storage at fossil-fired resources)<sup>14</sup> and increasing winter peaks relative to summer peaks, particularly as building heating demands, at their peak in winter months, shift toward the electricity sector.<sup>15</sup>

These changes to market and system conditions are expected to have important consequences for the region’s markets and systems, including the processes through which ISO-NE maintains resource adequacy. An important ongoing response to these changes is the RCA project initiated by ISO-NE. The RCA project aims to improve system reliability and the FCM’s cost-effectiveness by more accurately capturing resource’s contributions to supporting resource adequacy.<sup>16</sup> If adopted, the project will change the process for measuring the quantity of capacity that resources receive credit for in the FCM so that the market compensates resources for their reliability contributions and the market in aggregate procures sufficient resources to achieve the 1-in-10 reliability criteria.

With the likely adoption of the RCA enhancements and the ongoing changes to the region’s resource mix, the process by which resources enter the system, and the growing shift in risk from summer to winter, ISO-NE has begun to evaluate whether other FCM changes might improve market performance. In particular, ISO-NE is considering whether to develop proposals for two potential changes to its capacity market:

- **Prompt market.** Under this concept, the timing of the primary capacity auction would occur shortly before the commitment period rather than three-plus years in advance of the commitment period.
- **Seasonal market.** Under this concept, the capacity market would include multiple markets and products in each year, as compared to the current annual market and product.

ISO-NE initiated discussions of these approaches in July 2023 and these discussions are ongoing.<sup>17</sup> If ISO-NE develops proposals for prompt and/or seasonal market elements, if feasible, it expects to propose that such changes

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<sup>14</sup> For example, ISO-NE has been working with the Electric Power Research Institute to conduct a probabilistic energy-security study for the New England region under extreme weather events, given that weather, particularly changing extremes and range of variability, is a key factor affecting resource (*i.e.*, energy) availability, demand patterns, and related reliability concerns. See, ISO-NE, “Operational Impacts of Extreme Weather Events Key Project,” available at <https://www.iso-ne.com/committees/key-projects/operational-impacts-of-extreme-weather-events>.

<sup>15</sup> ISO-NE, “2023 Regional System Plan,” Draft November 1, 2023, available at <https://www.iso-ne.com/static-assets/documents/100004/10-2023-draft-rsp23-public-meeting.pdf>; ISO-NE, “2023-2032 Forecast Report of Capacity, Energy, Loads, and Transmission,” May 1, 2023, (hereafter “2023 CELT Report”) available at [https://www.iso-ne.com/static-assets/documents/2023/05/2023\\_celt\\_report.xlsx](https://www.iso-ne.com/static-assets/documents/2023/05/2023_celt_report.xlsx).

<sup>16</sup> ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market Key Project,” available at <https://www.iso-ne.com/committees/key-projects/resource-capacity-accreditation-in-the-fcm/>.

<sup>17</sup> Geissler, Chris, and Andrew Gillespie, “Tradeoffs with Alternative FCM Commitment Horizons,” ISO-NE NEPOOL Markets Committee, July 11, 2023, available at [https://www.iso-ne.com/static-assets/documents/2023/07/a09a\\_mc\\_2023\\_07\\_11\\_prompt\\_seasonal\\_tradeoffs\\_presentation.pdf](https://www.iso-ne.com/static-assets/documents/2023/07/a09a_mc_2023_07_11_prompt_seasonal_tradeoffs_presentation.pdf).

would go into effect alongside the RCA enhancements for Capacity Commitment Period (“CCP”) 19 for the year 2028-29.

## B. Assignment

To assist in ISO-NE’s ongoing evaluation of alternative capacity market designs, Analysis Group was asked to evaluate the prompt and seasonal market concepts for ISO-NE’s capacity market. This report aims to inform ISO-NE, stakeholders, and the New England states about these options to assist in region in evaluating whether it should pursue these options for the capacity market. To achieve these ends, this report is designed to achieve multiple objectives:

- Describe in general terms the features of prompt and seasonal markets, but not develop detailed designs for either alternative (which would be required in subsequent stages if ISO-NE opts to pursue either option);
- Provide information on the tradeoffs involved in switching to a prompt and/or seasonal market;
- Identify issues that would need to be addressed in a subsequent design process if the region pursues one or both alternatives; and
- Provide recommendations.

A key element of the study is the evaluation of tradeoffs from pursuing a prompt and/or seasonal market. To evaluate the tradeoffs involved in exercising these design options, we use a variety of analytic, quantitative, and non-quantitative approaches and many sources of information:

- Economic principles, including the factors affecting: supply costs, risks and offers; demand for capacity (and associated demand curves); market-clearing in auction-based markets; and alignment with and support for State policy goals;
- Experience from and ongoing developments in ISO-NE and other regional transmission organizations (“RTOs”), including Midcontinent ISO (“MISO”), New York ISO (“NYISO”), and PJM;
- Quantitative metrics and information related to new resource entry, resource development timelines, retirements, existing resource participation, price volatility, price formation, resource accreditation, and ICR values; and
- Quantitative analysis of the impact of change in market on various market metrics, including prices, quantities of capacity awarded CSOs, and costs.

The evaluation reflects multiple criteria, including economic efficiency, costs, reliability, and alignment with and support for the States’ policy goals.

Prompt and seasonal market alternative are complementary as they relate to different dimensions of the current capacity market. Thus, the study will consider potential combinations of prompt and seasonal markets, given opportunity to adopt one but not the other:

- Forward-annual market (*i.e.*, status quo)
- Prompt-annual market
- Forward-seasonal market

- Prompt-seasonal market

Along with evaluating these various combinations, the study will also consider transition issues given the practical realities of designing new market rules within a stakeholder process and developing software and procedures to operationalize the market design. In particular, we consider how the region might proceed with a prompt-seasonal market design (if pursued), and whether to develop this market in a single phase (*i.e.*, transitioning immediately to a prompt-seasonal market) or in two phases (in particular, first adopting a prompt market and later adopting a seasonal market).

Throughout the assessment, we assume the region adopts some form of RCA market enhancements.<sup>18</sup> The RCA project is an important initiative to improve the system reliability by more accurately capturing resource's contributions to supporting resource adequacy. Enhanced RCA methodologies would more accurately estimate capacity accreditation through MRI analyses that better account for the correlation of expected high demand hours with expected capacity resource availability/output.<sup>19</sup> Future capacity accreditation values capture the expected impact of ISO-NE's shift to MRI.

While the specific details of the RCA market enhancements are still being developed within the New England Power Pool ("NEPOOL") stakeholder process, the basic RCA design principles have been developed and, as described above, are an important factor affecting the tradeoffs of the prompt and seasonal markets. Our assessment relies on our current understanding of rules and procedures under development; because these rules are currently under development, assumptions made in our analysis may not reflect the rules that are ultimately pursued. While our assessment reflects these general design principles, the specific accreditation values (called "relative marginal reliability impacts" or "rMRI's") we show and use in our quantitative analysis *do not* reflect the ongoing work in the RCA project. Instead, we assume proxy values for accreditation factors consistent with the RCA design principles and reflecting various publicly available analyses, including those from other RTOs. Thus, the values we report and use are reasonable proxies but do not reflect all factors specific to the New England markets and system, and thus these values do not provide useful benchmarks for the ongoing deliberations in the RCA project.

While our report provides a thorough assessment of the tradeoffs between the current FCM and the prompt and seasonal market options, our study is not intended to be an impact assessment of these options. In particular, the region has not yet decided to pursue either option, and our assessment does not reflect a particular market design reflecting many important design details.

## C. Overview of Prompt and Seasonal Capacity Market Designs

This report evaluates alternative market designs for the FCM, with two key design features in question. First, we consider the timing of the "primary" capacity auction, with the choice between the current three-year forward auction and a "prompt" auction that occurs immediately prior to the delivery period. We define the primary capacity auction

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<sup>18</sup> See, generally, ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market Key Project," available at <https://www.iso-ne.com/committees/key-projects/resource-capacity-accreditation-in-the-fcm/>.

<sup>19</sup> Notably, ISO-NE, NYISO, and PJM are all moving toward estimation of capacity accreditation using MRI analysis. NYISO completed and published informational capacity accreditation based on the results of MRI analyses (see NYISO, "Capacity Accreditation," available at <https://www.nyiso.com/accreditation>). PJM recently filed proposed capacity market modification with FERC that seek approval of an MRI analysis to estimate capacity accreditation (Affidavit of Dr. Patricio Rocha-Garrido on Behalf of PJM, Interconnection, L.L.C., October 13, 2023, available at <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-98-000.ashx>).



as the first auction for a future commitment period under each approach, which in practice clears most capacity and awards most CSOs. Second, we consider the number of market periods within the year, with the choice between the current annual market and a seasonal (e.g., winter/summer) market.

Our evaluation considers each of these markets under the assumption that the region adopts enhanced resource accreditation rules through the RCA project. Because these enhanced rules are currently under development, the details of these rules are not known. However, many of the broad contours of these rules are known to some degree and thus we evaluate the prompt and seasonal alternatives in light of these basic RCA design principles.

### **1. Prompt Capacity Market**

Under ISO-NE's current capacity market, the FCM, capacity is initially procured through an auction that occurs three-plus years prior to the commitment period. This auction is designed to satisfy resource adequacy obligations, with existing resources subject to "must offer" obligations and demand based on forecasts of future capacity needed to meet the reliability criterion (the Net ICR). To account for changes in supply between the FCA and the commitment period (e.g., new supplies, unexpected curtailments in operational capability or changes in ICR), subsequent "reconfiguration" auctions allow the market to rebalance demand and supply.

With a prompt market, capacity would be procured through a single auction held shortly before the commitment period. Thus, in effect, the primary auction would be shifted forward in time to occur shortly before the commitment period. While the exact timing of the prompt capacity auction would be determined through a thorough market design process, the timing would likely occur at roughly the same time as the last reconfiguration under the current FCM.

With the prompt market, there would be a single auction prior to the commitment period. As a result, there would be no need for the annual reconfiguration auctions that allow rebalancing of supply and demand in the FCM.<sup>20</sup>

An important change with a prompt auction is the way in which new resources participate. Under the current FCM, new resources can offer supply into the FCA before being online and activated. However, with a prompt market, all resources participating in the market would need to be activated in order to participate in the primary auction, including all "new" resources participating in the prompt auction for the first time.<sup>21</sup> Thus, under the prompt market, new resources are developed and financed without clearing in the FCA.

**Figure 1** illustrates the timing of key events prior to each commitment period under the current FCM and under the prompt market approach. Under the FCM, the process of securing capacity for a future commitment period starts more than four years prior to the commitment period with the initial phases of resource qualification and submission of offers to supply capacity (generally referred to as "de-list" offers for existing resources). Under the current FCM, this includes many procedures, including: qualification of new and existing resources (which includes evaluation of each resource's performance to determine its contribution to resource adequacy and certain requirements for new resources, including posting of credit), and the submission and review of de-list offers when resources seek to retire

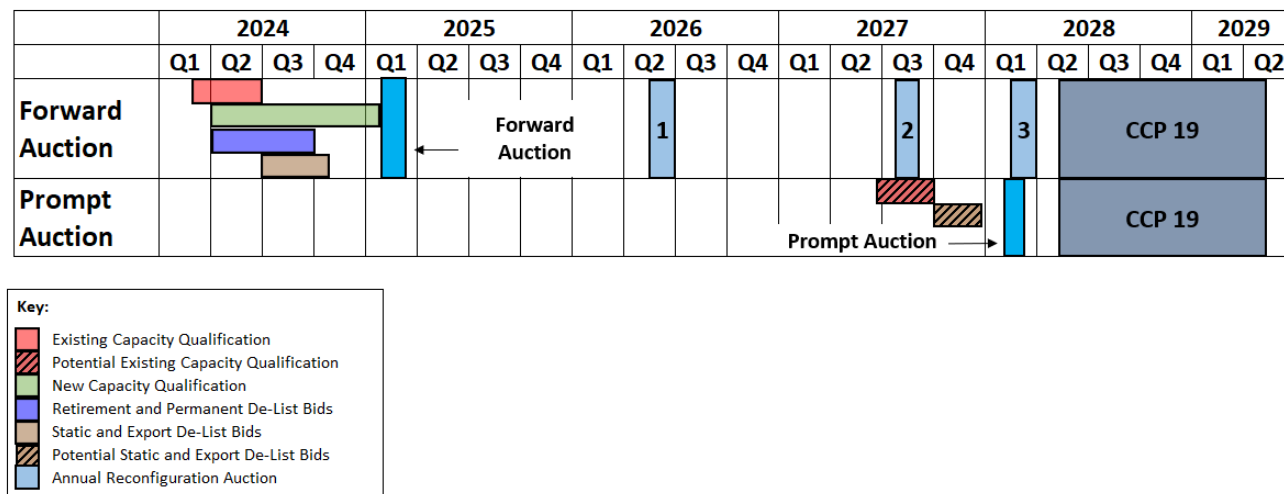
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<sup>20</sup> The market would still require mechanism for resources to substitute capacity supply on a month-to-month basis given unexpected, intra-year changes in resource's ability to fulfill CSOs.

<sup>21</sup> The specific criteria for participation in a prompt capacity auction would need to be determined as part of the market design process. Precisely how the design would define a unit as "activated," "operational," or "in service" is an important design element that is outside of the scope of this report.

from operation (“deactivation”) or seek to submit offers above a predetermined threshold (“dynamic de-list threshold”), at which concern over the exercise of market power arises.<sup>22</sup>

**Figure 1. Current FCM Timeline and Illustrative Prompt Market Timeline**



Under a prompt market, these steps involved in procuring capacity for each commitment period would change. *First*, the primary capacity auction would occur shortly before the commitment period and annual reconfiguration auctions (before the commitment period) would be eliminated.

*Second*, certain processes currently occurring within the FCM could potentially be eliminated or moved outside the FCM. For example, the process for retiring and deactivating resources currently occurs within the FCM because these decisions have implications for the supply offers into the FCA, particularly from new resources that can respond to resource retirements. With a prompt market, the process by which resources seek to retire and deactivate could be moved outside the FCM because retirement notification for an upcoming commitment period would presumably need to occur with more advance warning than the timing of the prompt auction. Similarly, with a prompt auction, “new” resource qualification could be eliminated or substantially simplified, as all resources would be operational and activated before participating in the prompt auction.

*Third*, a prompt auction may allow certain qualification processes to be shortened, although whether shorter time frames are feasible is uncertain and would depend on factors such as the extent to which a prompt market reduces administrative burdens on ISO-NE and stakeholders and whether the timing of any current qualifications processes are contingent on steps that may be eliminated.

## 2. Seasonal Capacity Market

At present, the FCM achieves resource adequacy through an annual capacity product procured through a single, annual auction. Seasonality can be introduced into different features of a capacity market, including the auction frequency, capacity product, the auction demand curve, and the supply offer terms (both the quantity that can be

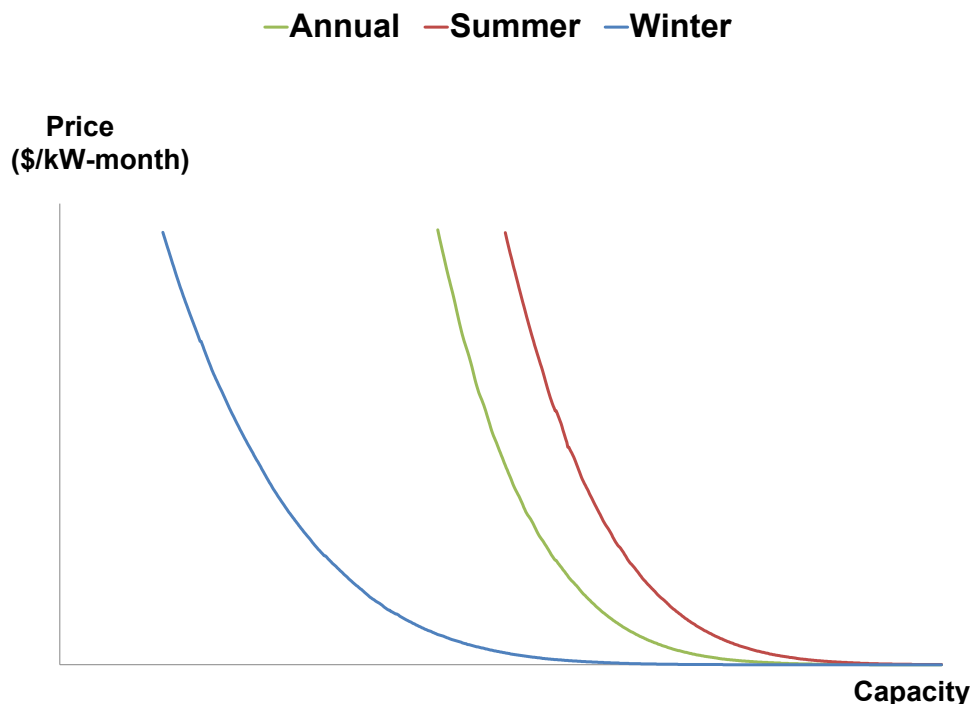
<sup>22</sup> See, ISO-NE, “Forward Capacity Auction 18 Schedule,” January 4, 2023, available at <https://www.iso-ne.com/static-assets/documents/2021/02/fca-18-market-timeline-02-10-2021.pdf>.



supplied and rules for cost-based offers). In particular, a fully seasonal market could include season-specific capacity products and auctions that clear seasonal supply offers against a seasonal demand curve, where both the demand curve and capacity supply offers reflect season-specific considerations.

**Demand.** With seasonal demand curves, the demand for capacity in each season – as reflected in administrative demand curves – can be designed and estimated to reflect season-specific factors and thus may differ across seasons. For example, **Figure 2** shows illustrative annual and seasonal demand curves that reflect different demand for capacity in summer and winter. If pursued, the design of seasonal demand curves would be among the more important steps in the design process.

**Figure 2. Illustrative Annual, Summer, and Winter Demand Curves**



In principle, seasonal demand curves could reflect the same considerations used in designing annual demand curves – that is, demand curves need to ensure adequate revenues for new resources to enter the market at the annual 1-in-10 reliability criterion while also appropriately pricing additional capacity beyond (and short of) this reliability criterion. This would have several consequences for seasonal demand curves:

- *First*, seasonal demand curves can reflect resource adequacy risks specific to that season. In principle, there are multiple approaches to account for seasonal resource adequacy risks. One approach is to extend the current capacity market construct, with demand curves reflecting annual MRIs, to develop seasonal demand curves based on marginal reliability impacts specific to each season. This approach has sound economic foundations that translate to a seasonal framework. Thus, if marginal reliability impacts differ across seasons, these differences appropriately translate into seasonal demand curves with different shapes, as illustrated in **Figure 2**.
- *Second*, resource adequacy outcomes reflect expected risks (*i.e.*, unserved energy) across seasons, rather than reflecting the outcome of a single annual market. A consequence of this is that MRI curves in each season should be scaled equally when translating to a demand curve since impacts in either season

contribute to meeting the 1-in-10 resource adequacy criterion. Further, the reliability outcomes under the seasonal demand curves can reflect different quantities of capacity in each season and, in turn, different quantities of expected unserved energy in each season.

- *Third*, revenue adequacy would reflect the total revenues earned from capacity market prices across all seasons. Thus, in constructing the demand curves, the curves would need to be calibrated so the new entry reference unit earns sufficient revenues to cover its costs of entry when the quantity of capacity aligns with the annual 1-in-10 resource adequacy requirement. Determining this criterion would potentially be more complex than with the current FCM, because the calibration would reflect market revenues and reliability outcomes over all seasons, rather than over only a single annual auction.

We discuss the implications of these decisions further in **Section IV**.

**Supply offers.** With a seasonal capacity market, supply offers can reflect seasonal costs and seasonal contributions to resource adequacy (*i.e.*, seasonal rMRI values). In principle, seasonal capacity offer prices reflect the avoidable going forward costs if the unit were not to operate in a given season. As we discuss in **Section IV**, seasonal costs can vary due to many factors: some costs are incurred in some seasons but not others (*e.g.*, winter weatherization costs); energy and ancillary service revenues can vary by season; and resource accreditation can vary across seasons, thus affecting the estimated cost per unit of capacity. Differences in capacity accreditation also affect the quantity of qualified capacity that resources can offer in each season.

The design of a seasonal capacity market would require many questions to be addressed. We list these below and discuss these and others in further detail in **Section IV**.

- **Simultaneous vs. sequential auctions.** A seasonal market can be designed to procure capacity through a single joint auction that clears all seasons simultaneously or through sequential auctions in which each auction is cleared independent of other auctions. A simultaneous auction would likely be more complex to design and administer than a sequential auction.
- **Number of seasons, and the duration of each season.** In principle, a seasonal capacity market could be designed for any number of seasons with each season having equal or varying duration. For example, a seasonal market could include two seasons (winter, summer), four seasons (winter, spring, summer, fall) or even more seasons. Similarly, for example, a market with two (summer and winter) seasons could have equal six-month seasons or durations that differ across seasons (*e.g.*, eight months for summer and four months for winter). As we discuss below, a number of considerations affect these choices, particularly the distribution of reliability risks across the calendar year and the cost of complexity introduced by additional seasons.
- **Demand curves.** In estimating the demand curve, multiple factors will need to be considered, including how seasonal ICR will be determined, whether (and how) MRI values will be determined in each season, and the basis and criteria for price caps.

### **3. Experience with Prompt and Seasonal Markets in Other RTOs**

Several RTOs have capacity markets with prompt and/or seasonal market features. Below, we provide an overview of these market features in three RTOs – NYISO, MISO and PJM – to provide context for the options facing New England and identify experience that could inform the decision to pursue a prompt or seasonal market approach.

**a. NYISO**

The NYISO installed capacity (“ICAP”) market is a mechanism to achieve resource adequacy in the state by meeting the annual installed reserve margin (“IRM”) requirement set to ensure that the probability of loss of load events is no more than 1-in-10 years on average.<sup>23</sup> Due to transmission constraints to flowing power throughout the state, NYISO has established four nested locational reserve requirements in the following areas: New York City (Load Zone J), Long Island (Load Zone K), Lower Hudson Valley (Load Zones G-J), and New York Control Area (“NYCA”)-wide.<sup>24</sup>

NYISO’s ICAP market includes prompt capacity auctions with a seasonal component. Capacity is procured through several different auctions that occur shortly before the commitment period. The market is anchored by a spot auction held two days prior to the start of each month. However, NYISO also operates two voluntary auctions: a “strip auction” that clears six-month strips of capacity and, after the strip auction takes place, monthly auctions that facilitate transactions for obligations for any particular month in the current six-month strip period.<sup>25</sup>

Like the ISO-NE FCM, the ICAP market has an administrative demand curve. The ICAP demand curve is a critical component of the NYISO ICAP market, determining capacity prices, and thus revenues to generators with capacity supply obligations.<sup>26</sup> Under the current structure, each geographic locality has its own ICAP demand curve. These demand curves include a seasonal adjustment to account for seasonal differences in capacity available from resources in the system and their impact on the prices that would prevail, all else equal, between seasons. Specifically, there is one annual reference point that anchors each locational demand curve, and seasonality considerations are introduced through the winter-to-summer ratio (“WSR”) to reflect the different volumes of capacity available in the summer versus winter capability periods.<sup>27</sup>

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<sup>23</sup> Johnson, Owain, and Adila McHich, “Introducing the NYISO Electricity Capacity Market,” CME Group, June 25, 2018, available at <https://www.cmegroup.com/education/articles-and-reports/introducing-the-nyiso-electricity-capacity-market.html>.

<sup>24</sup> Johnson, Owain, and Adila McHich, “Introducing the NYISO Electricity Capacity Market,” CME Group, June 25, 2018, available at <https://www.cmegroup.com/education/articles-and-reports/introducing-the-nyiso-electricity-capacity-market.html>.

<sup>25</sup> Stegmann, Kelly, “Installed Capacity (ICAP) Market,” NYISO, October 17-20, 2023, pp. 73-75, available at <https://www.nyiso.com/documents/20142/3037451/8-ICAP.pdf/da39103d-df67-e44c-ecee-8535eaec2a3c>.

<sup>26</sup> NYISO ICAP demand curves are similar in many respects to FCM demand curves, with a price cap, a price floor, and a demand curve slope that intersects the zero-crossing point (with a price equal to zero) and the reference price, reflecting the IRM (or local minimum capacity requirements) and Net CONE. Specifically, “[t]he ICAP Demand Curves are designed with three basic elements: a cap on the maximum allowable prices, a floor on prices (at zero), and a sloped demand curve that determines prices for varying levels of capacity between this cap and floor. In principle, the ICAP Demand Curve slope reflects the declining marginal value of additional capacity in terms of incremental improvements in reliability – that is, as the quantity of capacity increases. Incremental capacity provides diminishing value in terms of reductions in loss of load expectation (LOLE).” Hibbard, Paul, et. al., “Independent Consultant Study to Establish New York ICAP Demand Curve Parameters for the 2021/2022 through 2024/2025 Capability Years Final Report,” Analysis Group, Inc. and Burns & McDonnell, September 9, 2020, p. 108, available at <https://www.nyiso.com/documents/20142/14526320/Analysis-Group-2019-2020-DCR-Final-Report.pdf>.

<sup>27</sup> The ICAP demand curves are anchored by the reference point, which accounts for seasonal differences in capacity available through the WSR. Specifically, “The WSR captures differences in the quantity of capacity available between winter and summer seasons given differences in seasonal operational capability. The ICAP Demand Curves account for differences in the prices that would prevail, all else equal, between seasons due to these seasonal differences in capacity. The WSR is calculated as the ratio of total winter ICAP to total summer ICAP in each year.” Hibbard, Paul, et. al., “Independent Consultant Study to Establish New York ICAP Demand Curve Parameters for the 2021/2022 through 2024/2025 Capability Years Final Report,” Analysis Group, Inc. and Burns & McDonnell, September 9, 2020, available at <https://www.nyiso.com/documents/20142/14526320/Analysis-Group-2019-2020-DCR-Final-Report.pdf>.

NYISO is recently updated the demand curve for capability period 2025-2026 to calculate separate seasonal reference points, resulting in separate demand curves by locality for the summer and winter capability periods.<sup>28</sup> Specifically, the proposed tariff revisions update reference point calculations to reflect seasonal differences in reliability risk (a different winter and summer LOLE) and seasonal differences in the “level of excess,” an adjustment to account for the price impact of new entry.<sup>29</sup> The updates also results in calculating seasonal maximum allowable prices for the seasonal demand curves.<sup>30</sup>

New York’s resource adequacy construct differs from ISO-NE in important ways. In particular, load serving entities in New York procure electricity supply for non-shopping retail customers using a managed portfolio approach that provides some flexibility to directly procure capacity outside the NYISO ICAP through bilateral arrangements with resource owners and/or other market sellers. Thus, resource adequacy needs are met through a combination of forward, bilateral arrangements, ICAP (voluntary)\_forward markets and the ICAP spot market. This approach differs from resource adequacy in ISO-NE, where capacity is procured primarily through the ISO-NE auctions.<sup>31</sup> However, NYISO’s ICAP spot market plays a critical price discovery role informing all (or nearly all) of those transactions. In addition, New York’s planning process offers greater opportunity for transmission owners to pursue non-transmission backstop opportunities than is available in ISO-NE, although, in practice, NYISO has found the regulated non-transmission backstops unnecessary.<sup>32</sup>

#### **b. MISO**

MISO’s Planning Resource Auction (“PRA”) is the mechanism used to ensure resource adequacy in the region, where the planning reserve margin that must be met is set through a LOLE study.<sup>33</sup> The PRA uses a prompt market structure, with auctions occurring annually, a short period before the commitment period. On August 31, 2022, FERC approved MISO’s seasonal capacity market construct.<sup>34</sup> The shift to a seasonal market structure is motivated by a number of factors. Specifically, “MISO explains that reliability risks associated with resource adequacy have

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<sup>28</sup> Mohrman, Maddy, “2025 - 2029 ICAP Demand Curve Reset: Seasonal Reference Point Price Proposal,” ICAPWG/MIWG, August 24, 2023, p. 17, available at <https://www.nyiso.com/documents/20142/39593642/3%202025-2029%20DCR%20Reference%20Point%20Price%20Proposal%20-%20ICAPWG%2008242023.pdf/a20a1914-69bf-f1d8-f39c-068c0cf40857>; NYISO, “Re: Proposed Installed Capacity Demand Curve Enhancements,” FERC, Docket No. ER24-701-000, December 19, 2023.

<sup>29</sup> Mohrman, Maddy, “2025 - 2029 ICAP Demand Curve Reset: Seasonal Reference Point Price Proposal,” ICAPWG/MIWG, August 24, 2023, pp. 18-20, available at <https://www.nyiso.com/documents/20142/39593642/3%202025-2029%20DCR%20Reference%20Point%20Price%20Proposal%20-%20ICAPWG%2008242023.pdf/a20a1914-69bf-f1d8-f39c-068c0cf40857>.

<sup>30</sup> Mohrman, Maddy, “2025 - 2029 ICAP Demand Curve Reset: Seasonal Reference Point Price Proposal,” ICAPWG/MIWG, August 24, 2023, p. 23, available at <https://www.nyiso.com/documents/20142/39593642/3%202025-2029%20DCR%20Reference%20Point%20Price%20Proposal%20-%20ICAPWG%2008242023.pdf/a20a1914-69bf-f1d8-f39c-068c0cf40857>.

<sup>31</sup> Hibbard, Paul, et al., “NYISO Capacity Market, Evaluation of Options,” May 2015, pp. 25-26, available at [https://www.analysisgroup.com/uploadedfiles/content/insights/publishing/nyiso\\_capacity\\_market\\_evaluation\\_of\\_options.pdf](https://www.analysisgroup.com/uploadedfiles/content/insights/publishing/nyiso_capacity_market_evaluation_of_options.pdf).

<sup>32</sup> Hibbard, Paul, et al., “NYISO Capacity Market, Evaluation of Options,” May 2015, available at [https://www.analysisgroup.com/uploadedfiles/content/insights/publishing/nyiso\\_capacity\\_market\\_evaluation\\_of\\_options.pdf](https://www.analysisgroup.com/uploadedfiles/content/insights/publishing/nyiso_capacity_market_evaluation_of_options.pdf); NYISO, “2020 RNA Report,” November 2020, p. 12, available at <https://www.nyiso.com/documents/20142/2248793/2020-RNAReport-Nov2020.pdf>.

<sup>33</sup> MISO, “Resource Adequacy,” available at <https://www.misoenergy.org/planning/resource-adequacy/#t=10&p=0&s=FileName&sd=desc>.

<sup>34</sup> MISO, 180 FERC ¶ 61,141, Order Accepting Proposed Tariff Revisions Subject to Condition, August 31, 2022, Docket Nos. ER22-495-000, ER22-495-001.

shifted from 'Summer only' to a year-round concern, noting that, since 2016, MISO has declared 40 Maximum Generation Emergencies ('MaxGen Events'), with more than 60% occurring outside of the summer months. MISO states that the significant increase in MaxGen Events is being driven by the confluence of: the retirement of traditional, baseload generation resources; planned and forced generator outages in non-summer months; an increased reliance on intermittent generation such as wind and solar; and extreme weather events resulting in numerous forced generator outages, including multiple polar vortex and Arctic storms.<sup>35</sup> Emergency events have occurred in shoulder seasons (spring, fall) as well as summer and winter: from 2016/17 to mid-2021/22, 15 of 40 generation emergencies occurred during shoulder months, although only 1 of 17 events from 2019/20 to mid-2021/22.<sup>36</sup> The main reforms to the PRA include: (1) a seasonal resource adequacy construct, and (2) capacity accreditation based on availability in periods with expected capacity tightness, and thus potential for loss of load.<sup>37</sup> Functionally, MISO will operate one prompt market per year, where capacity is procured separately for each of the four seasons in that given year.<sup>38</sup>

As the first main reform, MISO's seasonal resource adequacy requirements mean undertaking seasonal loss-of-load expectation studies that determine seasonal reserve margins, seasonal local reliability requirements, and seasonal capacity import/export limits.<sup>39</sup> The four seasonal periods are defined as follows: winter is December to February, spring is March to May, summer is June to August, and fall is September to November.<sup>40</sup> One motivation for defining four seasons is to ensure that excess capacity never needs to be procured, for example in the spring and fall shoulder periods. Specifically, the FERC order accepting the seasonal capacity market construct states that, "by providing a more granular assessment of seasonal resource adequacy needs, MISO's proposal will ensure that LSEs [load serving entities] are not required to procure capacity beyond what is necessary to ensure resource adequacy in a given Season."<sup>41</sup> The independent market monitor, Potomac Economics, discusses two further benefits to the four season structure in its comments submitted to FERC in the process of evaluating MISO's seasonal capacity market proposal: (1) coordinating outages, and (2) retirement/suspension flexibility.<sup>42</sup> In terms of coordinating outages, Potomac states that, "[r]esources whose availability or capability varies significantly by season would receive revenues that reflect these seasonal differences. This could include resources that are not equipped for the freezing

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<sup>35</sup> MISO, 180 FERC ¶ 61,141, Order Accepting Proposed Tariff Revisions Subject to Condition, August 31, 2022, Docket Nos. ER22-495-000, ER22-495-001, pp. 3-4.

<sup>36</sup> These data define event as a max gen alert, warning or event. MISO, "MISO's Response to the Reliability Imperative," Updated, January 2022, available at <https://cdn.misoenergy.org/MISO%20Response%20to%20the%20Reliability%20Imperative504018.pdf>.

<sup>37</sup> MISO, 180 FERC ¶ 61,141, Order Accepting Proposed Tariff Revisions Subject to Condition, August 31, 2022, Docket Nos. ER22-495-000, ER22-495-001, p. 4.

<sup>38</sup> MISO, "MISO Planning Resource Auction (PRA) Timeline for Planning Year 2023-2024," p. 3, available at <https://cdn.misoenergy.org/2023-2024%20PRA%20Timeline626264.pdf>.

<sup>39</sup> MISO, "Resource Adequacy Reforms Conceptual Design DRAFT," December 10, 2021, pp. 2-4, available at <https://cdn.misoenergy.org/20211201%20RASC%20Updated%20Seasonal%20RA%20Conceptual%20Design%20Document619550.pdf>.

<sup>40</sup> MISO, "Resource Adequacy Reforms Conceptual Design DRAFT," December 10, 2021, p. 4, available at: <https://cdn.misoenergy.org/20211201%20RASC%20Updated%20Seasonal%20RA%20Conceptual%20Design%20Document619550.pdf>.

<sup>41</sup> MISO, 180 FERC ¶ 61,141, Order Accepting Proposed Tariff Revisions Subject to Condition, August 31, 2022, Docket Nos. ER22-495-000, ER22-495-001, p. 29.

<sup>42</sup> Potomac Economics, Ltd., "Motion to Intervene Out of Time and Comments of the MISO Independent Market Monitor," January 16, 2022, Docket No. ER22-495-000, available at <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=E156AB83-7DF8-C489-90E6-7E6CA6900000>.

temperatures associated with winter operations or hydro resources with very different seasonal water conditions. In addition, relatively high-cost resources would have an opportunity to achieve savings by taking seasonal outages during shoulder seasons.”<sup>43</sup> Potomac further comments on the four-season structure’s impact on efficient resource retirement decisions, where, “[r]esources retiring mid-year would have more flexibility to select a retirement or suspension date without having to procure significant replacement capacity to satisfy post-retirement capacity obligations.”<sup>44</sup>

Second, MISO has implemented a seasonal accredited capacity proposal, whereby specific resources are accredited based on availability in RA (“resource adequacy”) hours in each season.<sup>45</sup> Resource accreditation is adjusted annually based on quantitative analysis similar to that being developed in ISO-NE’s RCA project. MISO’s adoption of seasonal capacity accreditation has occurred in parallel to its adoption of a seasonal capacity market construct. Altogether, MISO has fully implemented both prompt and seasonal constructs into their capacity market structure.

### c. PJM

PJM’s capacity market, the Reliability Pricing Model (“RPM”), consists of a forward auction, roughly three years prior to the commitment period, of an annual capacity obligation. On February 24, 2023, PJM established a Critical Issue Fast Path – Resource Adequacy stakeholder process to address “resource adequacy challenges in the PJM Reliability Pricing Model or capacity market,” with a proposal due for submission to FERC in October 2023.<sup>46</sup> This process was undertaken to address multiple issues, including enhanced risk modeling, particularly in accounting for winter risk, potential modifications to the Capacity Performance construct, improved resource capacity accreditation, and coordination of any RPM changes with other options for securing resource adequacy (*i.e.*, Fixed Resource Requirements).<sup>47</sup>

As PJM undertook this process, one option evaluated was the transition to a seasonal market structure. PJM prepared proposals for both an annual capacity market including limited seasonal components and a more-extensive seasonal market proposal.<sup>48</sup> Pursuit of a seasonal capacity market design was in part motivated by the increased

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<sup>43</sup> Potomac Economics, Ltd., “Motion to Intervene Out of Time and Comments of the MISO Independent Market Monitor,” January 16, 2022, Docket No. ER22-495-000, p. 3, available at <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=E156AB83-7DF8-C489-90E6-7E6CA6900000>.

<sup>44</sup> Potomac Economics, Ltd., “Motion to Intervene Out of Time and Comments of the MISO Independent Market Monitor,” January 16, 2022, Docket No. ER22-495-000, pp. 3-4, available at <https://elibrary.ferc.gov/eLibrary/filedownload?fileid=E156AB83-7DF8-C489-90E6-7E6CA6900000>.

<sup>45</sup> RA hours are seasonal, and defined as, “a 65-hour target that include all hours with declared MaxGen Events and the remaining hours with the tightest operating margin, subject to a maximum operating margin threshold of 25%.” MISO, 180 FERC ¶ 61,141, Order Accepting Proposed Tariff Revisions Subject to Condition, August 31, 2022, Docket Nos. ER22-495-000, ER22-495-001, p. 35.

<sup>46</sup> PJM, “Critical Issue Fast Path – Resource Adequacy,” available at <https://www.pjm.com/committees-and-groups/cifp-ra>.

<sup>47</sup> PJM, “Critical Issue Fast Path – Resource Adequacy, Issue Charge,” available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/postings/cifp-ra-issue-charge.ashx>.

<sup>48</sup> PJM, “Critical Issue Fast Path – Resource Adequacy, Executive Summary: PJM Seasonal and Annual Proposals,” available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230823/20230823-item-01a---20230823-cifp-stage-4---pjm-exec-summary.ashx>.



impact of extreme winter weather events on the PJM system and generator outages, such as the 2014 Polar Vortex and the 2022 Winter Storm Elliott.<sup>49</sup>

The basic principles of PJM's contemplated seasonal market followed most of the basic concepts described above in **Section II.C.2.**<sup>50</sup> PJM would meet its annual resource adequacy requirement through procurement of summer and winter capacity products, with resource adequacy reflecting outcomes across both seasons. Capacity resources would submit offers reflecting summer, winter and annual cost components and seasonal resource accreditation, with offers clearing against seasonal demand curves.<sup>51</sup>

At this stage, in its proposal to FERC filed October 13, 2023, PJM retained an annual capacity market design proposal, included certain seasonal enhancements outside the auction structure, and indicated that it would "allow for further stakeholder discussion on transition to a more granular capacity market design."<sup>52</sup>

Despite proposing to retain a forward, annual capacity market structure, PJM's proposal includes certain enhancements reflecting seasonal considerations. Key components of the seasonal reforms introduced capacity performance testing requirements, including (1) Seasonal Capacity Performance Testing, requiring physical demonstrations of generator capability in each season, and (2) Seasonal Operational Performance Testing, which, "[a]llows PJM-initiated testing of generators' availability status to better ensure they are capable of operating if and

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<sup>49</sup> PJM, "Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy," FERC Docket No. ER24-99-000, October 13, 2023, PDF p. 619, available at <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-99-000.ashx>.

<sup>50</sup> PJM, "Critical Issue Fast Path – Resource Adequacy, Executive Summary: PJM Seasonal and Annual Proposals," pp. 5-6, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230823/20230823-item-01a---20230823-cifp-stage-4--pjm-exec-summary.ashx>. See also, PJM's July 2023 presentation in the Critical Issue Fast Path – Resource Adequacy stakeholder process for an illustration of the mechanics of resource offers under the seasonal capacity market design proposal. PJM, "Capacity Market Reform: PJM Proposal," CIFP – Resource Adequacy, July 27, 2023, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230727/20230727-item-02a---cifp---pjm-proposal-update---july-27.ashx>.

<sup>51</sup> PJM, "Critical Issue Fast Path – Resource Adequacy, Executive Summary: PJM Seasonal and Annual Proposals," pp. 5-6, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230823/20230823-item-01a---20230823-cifp-stage-4--pjm-exec-summary.ashx>. See also, PJM's July 2023 presentation in the Critical Issue Fast Path – Resource Adequacy stakeholder process for an illustration of the mechanics of resource offers under the seasonal capacity market design proposal. Specifically, "[e]ach resource offers in the way that best reflects its economic going-forward avoidable costs of accepting a capacity supply obligation," through some combination of an annual, summer, and winter cost offer components. The composition of annual, or seasonal, or both types of costs included in a resource's bid are recovered as the resource clears in one or both of the seasonal commitment periods under the seasonal market construct, where:  $(P_{\text{summer}} \times Q_{\text{summer}}) + (P_{\text{winter}} \times Q_{\text{winter}}) \geq \text{Cost}_{\text{summer}} + \text{Cost}_{\text{winter}} + \text{Cost}_{\text{annual}}$ . Through this stakeholder proceeding, PJM has actively considered how to structure a seasonal auction, and considered simultaneous designs. PJM, "Capacity Market Reform: PJM Proposal," CIFP – Resource Adequacy, July 27, 2023, pp. 18-19, 21, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230727/20230727-item-02a---cifp---pjm-proposal-update---july-27.ashx>.

<sup>52</sup> "The Board also expressed support for continued evolution of the capacity market, 'including a more granular approach to the market' such as a seasonal market construct, as it continues to 'focus on evolving our markets to meet the energy transition.' PJM and stakeholders discussed sub annual market design approaches but ultimately the Board, pursuant to stakeholder feedback, elected to allow more time for discussion on the design and implementation of such an approach." PJM, "Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy," FERC Docket No. ER24-99-000, October 13, 2023, p. 22, available at <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-99-000.ashx>. PJM, "Critical Issue Fast Path – Resource Adequacy, Executive Summary: PJM Seasonal and Annual Proposals," p. 2, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230823/20230823-item-01a---20230823-cifp-stage-4---pjm-exec-summary.ashx>.

when needed for reliability, up to twice in each season (summer and winter), excluding re-tests following a failed test.”<sup>53</sup>

PJM indicates that it is continuing to evaluate future changes to the capacity market, including the possibility that it will adopt a seasonal capacity market in the future.<sup>54</sup> Specifically, “[...] there are a number of elements that PJM anticipates will continue to evolve in the pursuit of ‘more perfect’ markets, including, at least: seasonal or other more granular capacity market design; evolution in understanding of distribution of potential delivery-year weather patterns and related enhancements to risk assessments; and accreditation enhancements to more accurately value the expected contribution to reliability of different resources.”<sup>55</sup>

### III. Evaluation of the Key Tradeoffs Between a Forward and Prompt Market

Forward and prompt markets both create price signals that incentivize the entry of new resources and the exit (retirement) of existing resources. Assuming the demand for and supply of capacity is the same and assuming a competitive market, both markets should result in (more or less) the same prices, quantities and entry and exit decisions in the long run. That is, given the same underlying supply and demand fundamentals, the price signals from a prompt and forward market lead to similarly efficient market outcomes.

In practice, these stylized conditions do not reflect reality in several respects. In particular, uncertainties in supply and demand at the time of the FCA may lead to differences in forward and prompt market outcomes and auction timing can affect which resources can compete to supply capacity (and the terms of their offers). These differences presented a basic choice. On the one hand, the market could operate like a prompt market, determining the price for capacity based on supply and demand at the time of delivery. In this regard, the prompt market would operate much like spot markets do for most commodities, providing a price signal reflecting resources’ ability to supply, and cost of supplying, capacity when needed. On the other hand, the market could operate on a forward basis given the unique features of capacity as a product, particularly the large investment costs, financial risks, and multi-year investment horizons, as well as the potential benefits of competition between offers to supply new capacity.

Given the potential benefits of forward procurement, in the mid-2000s, the region opted to develop a capacity market based on forward procurement of capacity through a centralized, must-offer auction. However, these potential benefits were premised on plant development relying on particular technologies – gas-fired combined cycle and combustion turbine plants – with relatively predictable development timelines. We start our evaluation of forward and prompt markets by examining whether current market conditions align with this premise. We provide background on the evolving mix of resources in the ISO-NE system and the development timelines and processes

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<sup>53</sup> PJM, “Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy,” FERC Docket No. ER24-99-000, October 13, 2023, Attachment D, p. 10, available at: <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-99-000.ashx>.

<sup>54</sup> PJM, “Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy,” FERC Docket No. ER24-99-000, October 13, 2023, PDF pp. 635-680, available at <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-99-000.ashx>.

<sup>55</sup> PJM, “Capacity Market Reforms to Accommodate the Energy Transition While Maintaining Resource Adequacy,” FERC Docket No. ER24-99-000, October 13, 2023, Attachment D, p. 44, available at <https://www.pjm.com/-/media/documents/ferc/filings/2023/20231013-er24-99-000.ashx>.



for new resources to assess whether new plant development continues to rely heavily on gas-fired technologies and whether these and other plants can predictably be developed within a three-year period following the FCA.

Following this background, we evaluate the forward and prompt markets along several important dimensions: uncertainty in supply and demand; financial risk; market competition and price discovery; and administrative and operational considerations. We end by identifying certain key issues the region would need to address if pursuing a prompt market.

On balance, we find that a switch to a prompt market would provide the region with benefits that outweigh expected costs. These benefits include but are not limited to: reduced supply and demand uncertainty when clearing the primary auction; opportunities to relax constraints on resource retirements; better alignment of auction timing with the window for making winter fuel arrangements; simplified and lower cost auction process; and uniform alignment of capacity market timing with the development timelines of all resources.

## A. Background on Evolving Mix of New System Resources

When the FCM was developed in the mid-2000's, a key rationale for procuring resources three years in advance of the commitment period was to align with the typical timelines for new power generation projects. At this time, the typical new entry unit was a gas-fired generator with typical development timelines on the order of three years. Given this development timeline, the auction was set to occur three years in advance of the commitment period to provide new resources with the opportunity to clear in the capacity market before beginning plant development (*i.e.*, making certain significant financial commitments). By making development conditional on clearing the capacity market, the view was that the project would be easier to finance because there would be greater revenue certainty and the auction could coordinate entry and use capital more efficiently by clearing the least costly projects, avoiding over- or under-build of new plants and promote competition through head-to-head competition for new entry. The validity of this reasoning was predicated on three years being an accurate timeline for new entry development.

Since the FCM was developed, several important changes have occurred to the types of new capacity resources entering the system and the development process. First, the mix of resources that has recently entered (and is anticipated to enter) the ISO-NE grid is not comprised primarily of gas-fired resources, but instead includes a broad mix of resources with development timelines that are both longer and shorter than three years.

The changing mix of new resources reflects a combination of factors. One factor is state and federal policies aimed at decarbonizing the electric grid, which have affected the mix of resources entering the system in recent years and will require a wide mix of non-emitting resources if New England state decarbonization goals are to be achieved. A second key factor is technological innovation that has led to reductions in cost and increases in performance of onshore and offshore wind power, solar PV, and storage technologies.

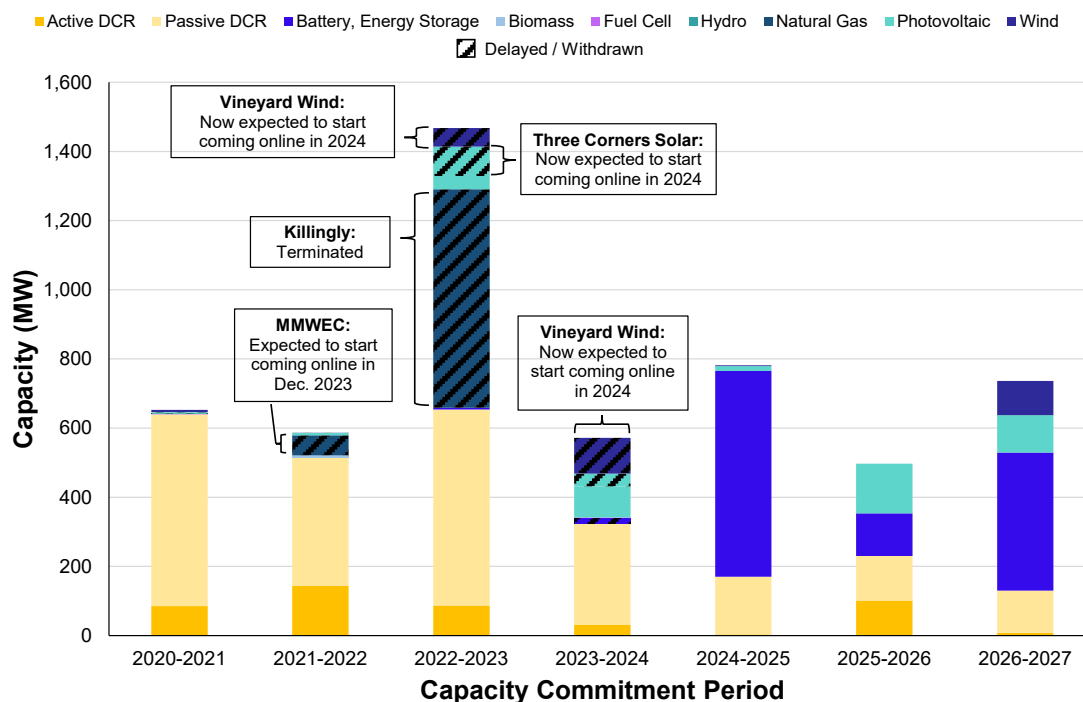
This change in system resources can be seen from the mix of resources that has cleared the FCA, illustrated in **Figure 3**. Over the past seven auctions, 5,293 MW of new capacity (excluding imports) has obtained a CSO through the ISO-NE FCA.<sup>56</sup> Much of this capacity was non-gas-fired resources, including demand capacity resources ("DCR"), battery storage, and solar PV. The largest category of cleared new entry is passive DCR which accounts for 2,201 MW which is over 40% of new cleared capacity (excluding imports) in the last seven auctions. Following passive DCR are battery storage, natural gas-fired generation and solar PV, with 1,139 MW, 690 MW and 527 MW,

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<sup>56</sup> Throughout our discussion, we refer to summer qualified capacity unless otherwise specified.

respectively. The remaining 736 MW capacity consists of active DCR, as well as wind, biomass, fuel cell, and hydro generators.

**Figure 3. Summer Qualified Capacity of Cleared New Entry Generation and Demand Capacity Resources for FCA 11 through FCA 17**



**Notes:**

[1] Excludes import resources.

[2] Resources included here are those that (a) have “New” status in sheet “4.3 Qualified & Cleared Capacity” of the CELT report, and (b) do not have an in-service date that pre-dates the start of their CCP by five or more years, according to sheet “2.1 Generator List” of the same CELT report.

[3] For CCPs 2020-2021 through 2023-2024, generators are considered delayed/withdrawn if they are not listed as generators in sheet “2.1 Generator List” of the CELT report for that CCP, or if the in-service date for that unit occurred after the start of the commitment period for which they had a CSO.

**Sources:**

[A] ISO-NE, 2017-2023 CELT Reports, sheets “2.1 Generator List” and “4.3 Qualified & Cleared Capacity,” available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt/>.

[B] Avangrid, “Avangrid Completes Installation of First Five Turbines, Prepares to Deliver First Power from Nation-Leading Vineyard Wind 1 Project,” December 6, 2023, available at <https://www.avangrid.com/w/avangrid-completes-installation-of-first-five-turbines-prepares-to-deliver-first-power-from-vineyard-wind-1>.

[C] Young, Colin A., “1 turbine working but no power yet from lagging Vineyard Wind project,” NBC Boston, January 2, 2024, available at <https://www.nbcboston.com/news/local/1-turbine-working-but-no-power-yet-from-lagging-vineyard-wind-project/3233564/>.

[D] S&P Capital IQ, “Killingly Energy Center: Power Plant Profile,” July 11, 2023, available at <https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=22148>.

[E] S&P Capital IQ, “MMWEC Simple Cycle Gas Turbine Plant, Project Details,” available at <https://www.capitaliq.spglobal.com/web/client?auth=inheri#powerplant/PowerPlantProjectDetails?ID=57842>.

[F] Jaynes, Cristen Hemingway, “Construction Begins on Maine’s Largest Solar Project,” EcoWatch, November 18, 2022, available at <https://www.ecowatch.com/maine-largest-solar-project.html>.

[G] EIA, Form EIA-860-M, “Monthly Update to Annual Electric Generator Report,” November 2023, sheet “Planned,” available at [https://www.eia.gov/electricity/data/eia860m/xls/november\\_generator2023.xlsx](https://www.eia.gov/electricity/data/eia860m/xls/november_generator2023.xlsx).

Recent trends suggest a reduced reliance on new natural gas capacity. No new natural gas resources have cleared the four most recent FCAs, while battery storage has been the largest category of new entry (excluding imports) for

the most recent three FCAs with 1,118 MW. Looking forward, other technologies may have growing roles. For example, offshore wind resources may increase given Massachusetts, Connecticut, and Rhode Island have collectively committed to procure more than 8 GW of nameplate offshore wind capacity through the early 2030s, and with Maine committed to procure contracts for an additional 2.8 GW by 2035.<sup>57</sup>

Looking forward, the recent trends in new resources entering the system appear likely to continue assuming continued policy preferences and technology development. However, the details and timing of this transition is uncertain due to a myriad of factors. Thus, it is important that the capacity market provide technology-neutral incentives for new resources, including both non-fossil and fossil resources, particularly to the extent that new gas-fired resources are required to maintain resource adequacy until no-emission peaking technologies are more commercially viable.

The development timelines for the mix of technologies being increasingly relied on in the region vary widely and are both shorter and longer than the original three-year benchmark for gas-fired resources. **Figure 4** provides estimates of the “engineering” timelines to develop various types of new generation resources.<sup>58</sup> These estimates appear to assume no development delays, which are increasingly common, as we discuss below. Estimated development timelines range from 20 to 40 months for gas turbines and from 32 to 48 months for combined cycle generators. Non-gas technologies are both shorter and longer than these ranges. On the shorter end, development timelines range from 9 to 24 months for battery storage and from 18 to 24 months for solar PV. On the longer end, offshore development timelines can be up to 48 months. Overall, these estimates demonstrate a range of timelines that are both shorter and longer than the three-year time period between the FCA and the corresponding commitment period.

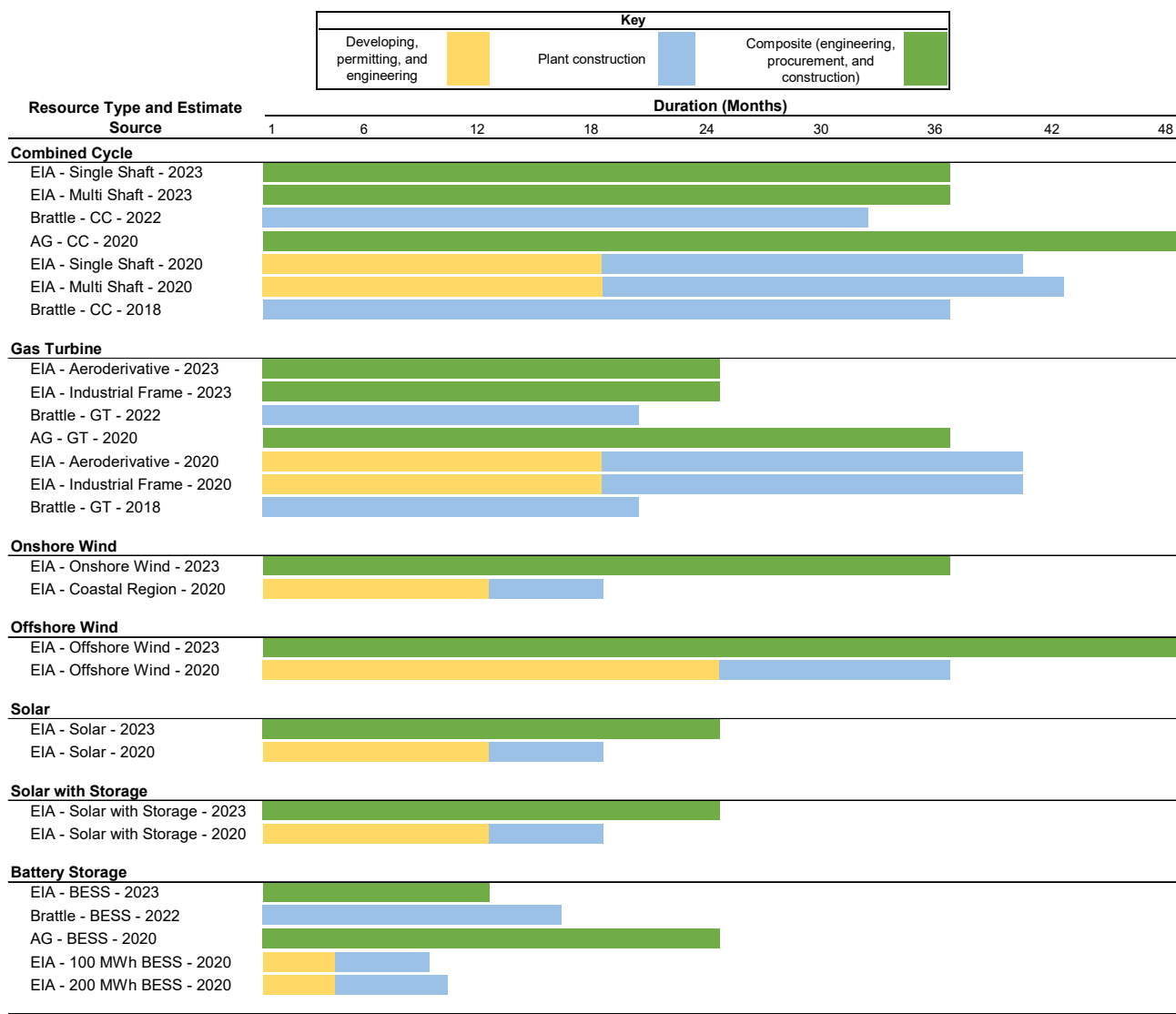
Along with the changing mix of new capacity resources, a variety of circumstances have led to increases in the risks associated with plant development. These risks include interruptions and delays that extend the time required to develop new infrastructure and termination of projects that have cleared the FCA. Multiple factors have contributed to these risks. One factor is delays and challenges to environmental and other regulatory permitting, and delays and legal challenges from local groups opposing development of the resources (*i.e.*, “NIMBY-ism”). A second factor relates to supply chains and the ability of project developers to secure needed project equipment and personnel to develop the project. A third set of factors relates to plant financing and economics, with some projects failing to secure financing after clearing the FCA and other projects terminating contracts that were intended to support plant economics after subsequent changes in market conditions.

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<sup>57</sup> The Commonwealth of Massachusetts, Department of Public Utilities, “Notice of Filing and Request for Comments,” D.P.U. 23-42, May 10, 2023. RI.gov, “Raimondo calls for up to 600 MW of new offshore wind energy for Rhode Island,” October 27, 2020, available at <https://www.ri.gov/press/view/39674>; Faulkner, Tim and ecoRI News staff, “Massive Solar Facility Would Displace Farmland, Forest,” November 25, 2020, available at <https://www.ecori.org/renewableenergy/2020/11/23/conn-solar-farm-criticized-for-displacing-farmland-and-woodlands>. State of Connecticut, Substitute House Bill No. 7156, Public Act No. 19-71, “An Act Concerning the Procurement of Energy Derived from Offshore Wind,” available at <https://www.cga.ct.gov/2019/act/pa/pdf/2019PA-00071-R00HB-07156-PA.pdf>.

<sup>58</sup> 131<sup>st</sup> Maine Legislature, “An Act Regarding the Procurement of Energy from Offshore Wind Resources,” Legislative Document No. 1895, S.P. 766, May 4, 2023, available at <https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0766&item=1&snum=131>.

<sup>58</sup> The estimates in **Figure 4** include initial engineering, permitting, and financing phases, as well as plant construction. The sources do not, however, provide details sufficient to confirm that they account for the same development steps.

**Figure 4. Estimated Engineering Timelines for Development of New Power Generation****Sources:**

- [A] U.S. Energy Information Administration, "Cost and Performance Characteristics of New Generating Technologies, Annual Energy Outlook 2023," March 2023, available at [https://www.eia.gov/outlooks/aeo/assumptions/pdf/elec\\_cost\\_perf.pdf](https://www.eia.gov/outlooks/aeo/assumptions/pdf/elec_cost_perf.pdf).
- [B] Newell, Samuel A., et. al., "PJM CONE 2026/2027 Report," April 21, 2022, available at <https://www.brattle.com/wp-content/uploads/2022/05/PJM-CONE-2026-27-Report.pdf>.
- [C] Hibbard, Paul, "Independent Consultant Study to Establish New York ICAP Demand Curve Parameters for the 2021/2022 through 2024/2025 Capability Years – Final Report," Analysis Group and Burns & McDonnell, September 9, 2020, available at <https://www.analysisgroup.com/globalassets/insights/publishing/2021-analysis-group-study-to-establish-new-york-icap-demand-curve-parameters.pdf>.
- [D] Sargent & Lundy, "Capital Cost Study: Cost and Performance Estimates for New Utility-Scale Electric Power Generating Technologies," December 2019, as presented in "Capital Cost and Performance Characteristic Estimates for Utility Scale Electric Power Generating Technologies," US Energy Information Administration, February 2020, available at [https://www.eia.gov/analysis/studies/powerplants/capitalcost/pdf/capital\\_cost\\_AEO2020.pdf](https://www.eia.gov/analysis/studies/powerplants/capitalcost/pdf/capital_cost_AEO2020.pdf).
- [E] Newell, Samuel A., et. al., "PJM Cost of New Entry: Combustion Turbines and Combined-Cycle Plants with June 1, 2022 Online Date," April 19, 2018, available at <https://www.pjm.com/~media/committees-groups/committees/mic/20180425-special/20180425-pjm-2018-cost-of-new-entry-study.ashx>.

The various challenges and risks of energy infrastructure development are illustrated in **Figure 3** above. While the FCA cleared offers for substantial new resources over the past seven auctions, these resources are often not developed in time to supply capacity in the commitment period for which they initially cleared. In the three-year period covering the commitment periods for 2020-21 to 2022-23, over 90% of new cleared capacity from generators (*i.e.*, excluding DCR) was unable to fulfill CSOs for their first commitment period. These projects included both gas-fired and renewable plants. Thus, even with 3-year forward clearing, project delays (or other factors) prevented these projects from fulfilling awarded CSOs, suggesting that the premise that resources could reliably be developed in the three years *after* clearing the FCA may be less valid now than when the FCA was first developed. However, developing market rules to mitigate fully the risk that resources fail to deliver capacity on time is challenging, because increasing deficiency penalties for delayed delivery (which we discuss in **Section III.B.1.c**) raises costs to all new projects being developed under a forward market because, *ex ante*, developers cannot determine whether they will face such risks. **Box 1** discusses these development challenges in greater detail with specific examples of the types of delays various types of projects face and the implications for potential development timelines.

Given these changes, the timing of new resource development and uncertainty faced in this process does not align with the expectations about development when the FCM was developed that new resources would clear the market and be online for the commitment period three years in the future.<sup>59</sup> New resources have development timelines both shorter and longer than three years and development uncertainties create a meaningful risk that any undeveloped resource clearing in the FCA will be unable to provide timely delivery of capacity for its first commitment period.

In this regard, the prompt market aligns better with the realities of development in today's markets. The implications of this better alignment would vary for different types of technologies being developed to achieve the decarbonized grid. For technologies with shorter development timelines, such as battery storage and solar PV, a prompt auction would allow these resources to participate in the primary capacity market auction when they first become operational, which may increase revenues. For example, a resource developed in two years likely has not cleared its capacity in the FCA for the first and possibly second years of its operation. While it could sell capacity in the ARAs, as we show below, these auctions have historically cleared only a fraction of offered supply and prices are lower than initial FCA prices. Thus, for these resources, a prompt market could provide additional revenues that would further incentivize development.

For resources with longer development times or relying on technologies with larger development risks (*e.g.*, offshore wind, gas-fired resources), clearing in the FCA before developing the project would provide reduced value (*e.g.*, if development starts prior to the FCA) or uncertain value (*e.g.*, if the project clears before starting development despite large development timing risks). We discuss these risks in the following section. Thus, the opportunity for developers to offer new capacity before committing capital is of less value in today's market given the types of technologies being developed and the development risks they face than it was when the FCM was initially designed.

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<sup>59</sup> ISO-NE and New England Power Pool, Testimony of Alan McBride on Behalf of ISO New England Inc., FERC Docket ER 24-339-000, November 2, 2023, pp. 25-26, available at [https://www.iso-ne.com/static-assets/documents/100005/changes\\_to\\_delay\\_19th\\_fca\\_and\\_related\\_capacity\\_mtk\\_activities.pdf](https://www.iso-ne.com/static-assets/documents/100005/changes_to_delay_19th_fca_and_related_capacity_mtk_activities.pdf).

### Box 1. Recent Energy Developments in New England

Recent new generation in New England has exhibited a wide range of development timelines, many of which differ from the estimates displayed in **Figure 4**. Take, for example, the CPV Towantic Energy Center, a combined-cycle plant in Oxford, CT. It first secured a CSO in February 2015 for the 2018-19 commitment period, began its air permitting process in September 2014, and was commissioned by May 2018 in time to fulfill its CSO. Permitting through construction and commissioning took about 4 years, somewhat longer than the combined-cycle development timeline estimates in **Figure 4**.

Another recent combined-cycle project's timeline falls well outside **Figure 4**'s estimates. The Killingly Energy Center began its permitting process in August 2016 but faced multiple delays and opposition from environmental groups and even the Governor of Connecticut. The plant did not retain the CSO it secured in 2019, being unable to become operational by 2022. Between late February 2022 and July 2023, the plant's development was terminated.

The estimated timelines for wind projects may be similarly optimistic. The Vineyard Wind project, currently under construction off the coast of Massachusetts, has far exceeded the maximum, three-year development estimate for offshore wind shown in **Figure 4**. The offshore wind farm's permitting process alone, which it began in December 2017, took over three years to complete. It is now in its second year of construction and recently installed the first five, out of an expected total of 62, turbines. Another offshore wind project, Park City Wind, has similarly had difficulties. It has been engaged in its permitting process for over three years and in October 2023, citing unexpected construction costs contributed to by recent supply chain issues and inflation, Park City Wind canceled its power purchase agreements in hopes of obtaining more lucrative contracts. Now, over three years into development, it has no power offtake contract for its supplies.

Onshore wind has faced even stronger headwinds. Of three recent large prospective projects in New England, one is abandoned, and one took nearly six years between the start of its permitting process and its commissioning. The project that was successful, Weaver Wind, had a total development timeline of approximately 71 months, again well outside the estimates in **Figure 4**.

See **Table 1** for a more comprehensive list of the development history of certain recent New England energy projects.

**Table 1. Recent Construction Projects' Timelines**

Resource Type	Name	First ISO-NE Capacity Market Participation	Permitting Overview	Construction Overview	Other Issues	Status as of Dec. 2023	Approximate Total Lead Time
CC	Killingly Energy Center <i>Killingly, CT</i>	- Bid, unsuccessfully, for capacity obligation in Feb. 2017 for FCA 11 and Feb. 2018 for FCA 12 - Awarded CSO in Feb. 2019 for FCA 13	- Permitting terminated before completion	- Construction has not begun	- Environmental group opposition - State executive branch opposition - Litigation - Canceled ISO-NE contract	- Terminated between late Feb. 2022 and July 2023	N/A
CC	Salem Harbor Power Station <i>Salem, MA</i>	- Awarded CSO in Feb. 2013 for FCA 7	- Permitting granted after 13 months	- Construction delays	- Litigation - \$17+ million in fines - Chapter 11 bankruptcy proceeding	- Active - In service May 2018	64 months (5+ years)
CC	CPV Towantic Energy Center <i>Oxford, CT</i>	- Awarded CSO in Feb. 2015 for FCA 9	- Permitting granted after 14 months	N/A	N/A	- Active - In service May 2018	43 months (~3.5 years)
GT	Peabody Power Plant (MMWEC) <i>Peabody, MA</i>	- Unsuccessfully bid for capacity obligation in Feb. 2017 for FCA 11 - Awarded CSO in Feb. 2018 for FCA 12	- Permitting granted after 44 months	N/A	- Location change - Local opposition - Project redesigns	- Construction complete, expected to be in service Dec. 2023	83 months (~7 years), and counting
Battery Storage	Medway Grid Battery Storage <i>Medway, MA</i>	- Awarded CSO in Feb. 2021 for FCA 15	- Majority of required permitting granted after 15 months	N/A	- Local opposition	- Under construction	21 months, and counting
PV	Three Corners Solar <i>Kennebec County, ME</i>	- Awarded CSO in Feb. 2019 for FCA 13	- Permitting granted after 3 months	N/A	- Site rezoning	- Under construction - Expected to be in service by May 2024	22 months, and counting
PV	Farmington Solar Array <i>Farmington, ME</i>	- Unsuccessfully bid for capacity obligation in Feb. 2019 for FCA 13 - Awarded CSO in Feb. 2020 for FCA 14	- Permitting granted after 7 months	N/A	N/A	- Active - In service Oct. 2021	41 months (~3.5 years)
ONW	Number Nine Wind Farm <i>Aroostook County, ME</i>	- Never bid for capacity obligation - Power purchase with ISO-NE in Sept. 2013	- Permitting suspended before approval was granted	N/A	- Difficulties building new transmission lines	- Suspended	N/A
ONW	Bowers Wind Project <i>Penobscot County, ME</i>	- Never bid for capacity obligation	- Multiple applications, all rejected after 6 years	N/A	- Location change - Reduction in number of turbines - Local opposition	- Terminated	N/A
ONW	Weaver Wind <i>Hancock County, ME</i>	- Never bid for capacity obligation	- Permitting granted after ~4 years	N/A	- Environmental group opposition	- Active - In service Dec. 2020	71 months (~6 years)
OFW	Vineyard Wind 1 <i>Off the coast of MA</i>	- Awarded CSO in Feb. 2019 for FCA 13	- Citing and permitting completed after ~3 years	N/A	- Local opposition	- Under construction - 5 of 62 turbines installed as of Dec. 2023	72 months, and counting (~6 years)
OFW	Park City Wind <i>Off the coast of MA</i>	- Never bid for capacity obligation	- Permitting ongoing	- Unexpected construction costs	- Canceled power purchase agreements - Litigation	- Paused while negotiating new power purchase agreements	41 months, and counting (3+ years)
Import	New England Clean Energy Connect (NECEC) <i>Built through ME</i>	- Never bid for capacity obligation	- Permitting granted after ~3.5 years	- Construction delays of 21 months due to litigation	- Environmental group opposition - Litigation	- Under construction	76 months, and counting (6+ years)

**Notes:**

[1] All information is as of December 2023.

[2] Lead time is calculated as the difference between the plant's commissioning and the initiation of its permitting process. This represents an underestimate of total lead time, as the formulation of permit applications requires prior work that is not captured in this timeline.

**Sources:** Provided in **Appendix C**.



## B. Uncertainty in Supply and Demand

A key difference between the forward and prompt markets is the uncertainty created by the need to forecast market conditions more than three years in advance of the commitment period, which affects both offers for supply and demand for capacity (as reflected in the administrative demand curve). In addition, with a forward market, capacity resources need to make commitments to deliver capacity more than three years in advance of the commitment period despite uncertainties in future market conditions. Given this uncertainty, the commitment imposes opportunity costs on resources as it limits resources' ability to respond to future changes in market conditions. This cost is particularly high for resources contemplating retirement because current rules require retirement notice more than 4 years prior to the commitment period (at the outset of the FCA qualification period).

### 1. *Uncertainties in Supply Under Forward and Prompt Markets*

With a forward auction, there is greater risk that the supply of capacity offered in the forward auction changes over the three-plus year period between the forward auction and the commitment period. Uncertainties in supply reflect at least three factors: *first*, development risks, unexpected outage events, and other factors that prevent resources from delivering capacity with a CSO; *second*, new supply that enters the market after the forward auction; and *third*, changes to the value of capacity in supporting resource adequacy between the FCA and the commitment period.

By contrast, under a prompt auction, these uncertainties are largely mitigated by design. That is, a prompt auction requires that resources be activated at the time of the auction and measures qualified capacity based on the most-recent accreditation assessments. While capacity would still be subject to unexpected outages during the commitment period, uncertainty of supply is substantially reduced.

The greater uncertainty under a forward auction has multiple consequences, which we describe below. *First*, deliverability risk is imposed on capacity owners, which they will be expected to include in their offer prices. *Second*, reliability may be compromised if the market is unable in the short run to supply capacity resources to replace those resources that withdraw. *Third*, the process of reviewing and assessing if new resources are meeting development milestones and determining whether action is needed in the event they are not can be contentious, time-consuming and prevent ISO-NE from working on other high value initiatives.

#### a. *Uncertainties in Deliverability of Supply*

With a forward auction three-plus years prior to the commitment period, both new and existing resources face uncertainty about their ability to deliver supply to fulfill CSOs awarded through the auction. **Section III.A** described the many uncertainties recently faced by new resources entering the market given challenges securing financing, uncertain permitting timetables, and local opposition. As a result, some resources that clear in the FCA never get built and other resources are delayed in delivering capacity to the system. Thus, in recent years, many new resources cannot fulfill CSOs cleared in the FCA.

**Section III.A** focused primarily on generation plants, but other types of resources face similar uncertainties in supply. For example, a forward market allows for demand-side resources, such as energy efficiency, to take on a CSO without having contracted for the quantities of reductions in energy use needed to fulfill the CSO. Because demand-side resources, such as energy efficiency projects, are not typically aggregated until after the procurement, there is uncertainty in the quantity that entities with these CSOs can actually procure. Thus, demand-side providers can secure either too few or too many resources compared to their obligation. If, for example, too few resources are



secured compared to the CSO, similar to generation resources that experience delays, additional capacity resources may need to be procured and/or the entity will incur deficiency penalties.<sup>60</sup>

Existing resources also face uncertainties in their ability to deliver capacity offered three plus years prior to the commitment period. Under a forward market, existing resources typically submit offers assuming their resources are able to operate at full capacity. However, in practice, resources may experience outages (e.g., equipment failures) or other operational constraints that limit their ability to fulfill capacity supply obligations.<sup>61</sup> These risks are particularly large for older units, which face a higher likelihood of experiencing major equipment failures.

By contrast, with the prompt market, these uncertainties in supply offered into the market are largely resolved prior to the auction. That is, because new resources must be on-line and operational, existing resources must be operational and not encountering major outages, and demand-side resources must be procured and active, the risk that they cannot fulfill CSOs is limited (*i.e.*, limited to events that occur during the commitment period).

#### **b. Uncertainties in Resource Capacity Accreditation**

If new resource capacity accreditation rules are approved, capacity accreditation would be updated annually based on system loads and the mix of resources in the system, as well as each individual resource's actual performance. While qualified capacity is updated annually under current market rules, these changes reflect only resource-specific factors and are generally small in comparison to the expected changes in the enhanced RCA rules. Thus, under these new rules, a resource's capacity accreditation could change meaningfully between the time of the FCA and the commitment period due to many factors.

Under the current RCA proposal, the qualified capacity each resource can offer would be estimated prior to the FCA, based on the resource's rMRI value (and its qualified capacity). Under this approach, FCA accreditation values and qualified capacity would be calculated prior to the FCA based on an assumed resource mix, including new resources that clear in the prior FCA. However, as discussed in **Section III.A**, there is substantial uncertainty in whether resources that clear the FCA are developed in time to deliver capacity during the commitment period. In addition, additional resources may enter the system between the FCA and the commitment period (e.g., through ARAs). Thus, the mix of resources assumed when calculating accreditation values for the forward auction may not align with a resource's actual contribution during the commitment period.<sup>62</sup> Given ongoing and expected changes in the resource mix in the ISO-NE system, including increasing quantities of intermittent and storage resources, the differences between assumed and realized changes in resource mixes between the FCA and the commitment period could be large. This is a change compared to current rules for calculating qualified capacity.

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<sup>60</sup> By contrast, if demand-side resource managers secure a *larger* quantity of capacity than was cleared in the FCA, then they may be able to offer these resources in subsequent ARAs. However, as we discuss below, the ability to sell this new supply of capacity and the price awarded for this supply is uncertain and historically has been lower than what was earned in the FCA.

<sup>61</sup> Within the ISO-NE market, these events are referred to as significant decreases in capacity and reflect particular criteria under which the resource supplier must either obtain replacement capacity or face de-rating of capacity. ISO-NE Tariff, Market Rule 1, Section III.13.1.2.2.4. Adjustment for Significant Decreases in Capacity Prior to the Existing Capacity Retirement Deadline, Docket # ER23-911-000, Effective Date: March 21, 2023.

<sup>62</sup> For some resources, accreditation depends on the resource mix and the resources' penetration. As time passes, FCA accreditation will be based on an assumed resource mix and particular resources' penetration that will likely differ closer to the commitment period. See, e.g., "2022 Assessment of the ISO New England Electricity Markets," Potomac Economics, June 2023, p. 68.

ISO-NE has not determined how any change in rMRI values between the FCA and the commitment period would be accounted for under RCA enhancements. Regardless of the market rules selected, changes in capacity accreditation between the FCA and the commitment period would have consequences for and potentially add complexity to the capacity market. For example, if rMRI values were held fixed, the contributions provided by resources procured through FCA (individually and in aggregate) would differ from that assumed when the FCA was conducted. On the other hand, if rMRI values used to determine qualified capacity are updated between the FCA and commitment period, rules for making those adjustments and any potential changes to procured quantities could be considered.

By contrast, under a prompt market design, capacity accreditation would be set prior to the primary auction, which would occur shortly before the commitment period when the resource is obligated to deliver its capacity. With this approach, capacity accreditation awards would reflect activated resource mixes shortly before the commitment period, and thus would reflect more accurate estimates of each resource's contribution to resource adequacy.

The use of less current capacity accreditation with the forward market could have several potential implications. *First*, the actual contributions of the resources procured through the capacity market to support resource adequacy would differ from the contributions assumed when CSO awards are made. Thus, for example, if accreditation values are meaningfully lower at the commitment period, reliability risks would be greater than the levels implied by the FCA outcomes (absent subsequent adjustments of some sort). In this case, if the values used in the forward auction had better reflected resources' final reliability contributions (at the commitment period), the auction would have procured additional capacity.<sup>63</sup> By contrast, with a prompt market, reliability procured through the auction would be consistent with the most-current assessment of resources' reliability contributions. *Second*, changes in capacity accreditation could affect the cost-effectiveness of auctions if accreditation values affect the rank-ordering of offers in the offer supply curve.<sup>64</sup> Thus, using more accurate capacity accreditation in a prompt market would ensure that the lowest cost resources are procured to achieve resource adequacy.

The RCA enhancements may also lead to uncertainty in accreditation values when those values depend on actions taken by resources to improve their reliability. In particular, going forward, RCA accreditation will account for the risk that gas-fired resources without firm fuel supply may not be available during the periods of greatest system need. Thus, given this risk, capacity resources with a less-firm fuel supply will have a lower accreditation than resources with firm supply. Unlike many factors affecting capacity accreditation which are 'fixed' well in advance of the delivery period (*i.e.*, the technology type), the firmness of gas-fired resource's fuel supply depends on ongoing resource owner decisions, such as on-site fuel oil storage (for dual fuel resources) and agreements for firm gas supply (for gas-only resources). Thus, for gas-only resources, capacity accreditation would require resource owners to indicate whether they would secure firm fuel for the commitment period, despite substantial uncertainties in whether the market participant will be able to secure firm fuel supply.

As we discuss further in **Section III.B.4.c**, with a prompt market, these arrangements can be made with lower risk because these commitments are made immediately prior to the commitment period when resource owners can rely on more liquid markets to make supply decisions. By contrast, with the forward market, these commitments would be made three to four years in advance, when there is substantial uncertainty about fuel markets in the commitment

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<sup>63</sup> In the opposite case in which capacity accreditation values are too low in the auction, the auction could lead to procurement of more capacity than would have been procured with accurate values for the commitment period.

<sup>64</sup> Accreditation values would affect resource offers when the offer reflects the resource's fixed avoidable costs relative to its qualified capacity.

period. These resource accreditation decisions affect a large quantity of resources, as there is more than 9,100 MW of winter qualified capacity of existing natural gas-only fired resources in the ISO-NE system that bid into FCA 17, and thus have a consequential impact on resource adequacy.<sup>65</sup>

With a prompt market, ISO-NE resource qualified capacity is set a few months prior to the auction, thus avoiding potential misalignment between the values that clear in the auction and the most up-to-date values for the commitment period. Thus, establishing accreditation values immediately prior to a commitment period under the prompt auction ensures that the quantity of capacity resources procured reflects the most accurate and up-to-date reliability contribution the procured resources would be expected to make.

### **c. Potential Financial Consequences of Deficiency Risk**

As described above, because more than three years pass between the FCA and the commitment period under the current forward market, new and existing resources face the risk that they will be unable to fulfill the CSO, leading to a “deficiency” risk. The nature of this risk differs for new and existing resources. Because new generation plants can take on a CSO without being built or operational, their deficiency risk reflects the likelihood that the new resource is not operational by the commitment period. As discussed above (e.g., **Box 1**), the recent development timelines in New England are uncertain and can stretch beyond three years, suggesting that these risks are meaningful. For non-traditional resources, such as demand-side resources, the risks would depend on the developer’s experience reliably developing resources to fulfill awarded CSOs. For existing resources, risks may be lower, although for older resources with higher risk of experiencing major equipment failures, the risk could be meaningful.

The financial cost of deficiency risk reflects the costs incurred if the resource fails to deliver capacity under the CSO. If a resource with a CSO is not developed by the commitment period, the resource would incur deficiency penalties unless it can sell the CSO to other capacity suppliers in reconfiguration auctions or through other bilateral trades.<sup>66</sup> The financial consequences of deficiency penalties are complex to determine (e.g., given rules regarding forfeiture of financial assurance when failing to deliver capacity). Thus, while resources unable to fulfill their CSO have been able to cover the CSO with other capacity, determining the associated cost is complex, including when the CSO is covered at a price below the clearing prices in the original FCA.

In contrast, under a prompt market, deficiency risk would be minimal. The prompt market would likely require that the new resources are operational prior to participation in the capacity market, which significantly reduces the risk that the unit is not developed and activated for the commitment period. The reduced deficiency risk for new entry in a prompt market relative to a forward market is expected to result in a lower offer price, particularly for new units when there is greater uncertainty about their development timeline. The prompt market would also lower deficiency risk for existing resources, particularly older resources with higher risk of equipment failures.

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<sup>65</sup> ISO-NE, 2023 CELT Report, sheet “2.1 Generator List” and sheet “4.3 Qualified, Cleared Capacity.” Generators are assumed to burn only natural gas if their primary fuel is listed as “NG” and they have no secondary fuel listed.

<sup>66</sup> A “failure to cover charge” is applied if a resource does not demonstrate the ability to deliver the full amount of its CSO. The failure to cover charge is calculated as the difference between the monthly CSO and the capacity the resource is able to deliver (its “Demonstrated Output”), multiplied by the Failure to Cover Charge Rate, set based on a second clearing of ARA3 and intended to produce a rate exceeding the ARA3 price to incentive resources to cover their CSO rather than pay the failure to cover charge. ISO-NE, “Market Rule 1 – Section 13, Forward Capacity Market,” March 21, 2023, 13.3.4. Covering Capacity Supply Obligations, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf). See also, ISO-NE and NEPOOL Participants Comm., 165 FERC ¶ 61,266 (2018), available at [https://www.ferc.gov/sites/default/files/2020-05/E-15\\_14.pdf](https://www.ferc.gov/sites/default/files/2020-05/E-15_14.pdf).

**d. Potential Market and Reliability Impacts From Failure to Deliver**

From a reliability standpoint, a failure to deliver could diminish reliability if the undelivered resources were not replaced by other resources either because new supply resources were not available or ARA prices were too low to incentivize new capacity. Reconfiguration auctions and an elastic source of short-term new supply can potentially mitigate the likelihood of this outcome, particularly if the ARAs produce sufficiently high prices to incentivize additional capacity supplies. The increasing availability of resources with shorter development timelines (e.g., storage) would mitigate these risks.

As we discuss below, in practice, this risk has not materialized in prior auctions, as the market has cleared sufficient quantities of resources (relative to Net ICR) in the FCAs to avoid shortages of supply. ARAs have mitigated individual resource's failure to deliver through new capacity resources entering the market and downward adjustments to demand. However, the quantity of supply offers in the ARAs has been modest (typically less than 250 MW), with ARAs for CCP 14 (2023-24) being a noted exception (with quantities of nearly 1 GW). And, reliance on downward adjustment to demand depends on original forward forecasts being higher than final demand (at the commitment period). By contrast, a prompt market mitigates these risks by reducing the likelihood that capacity resources are not delivered.

**e. Administrative Costs of Monitoring New Resource Progress**

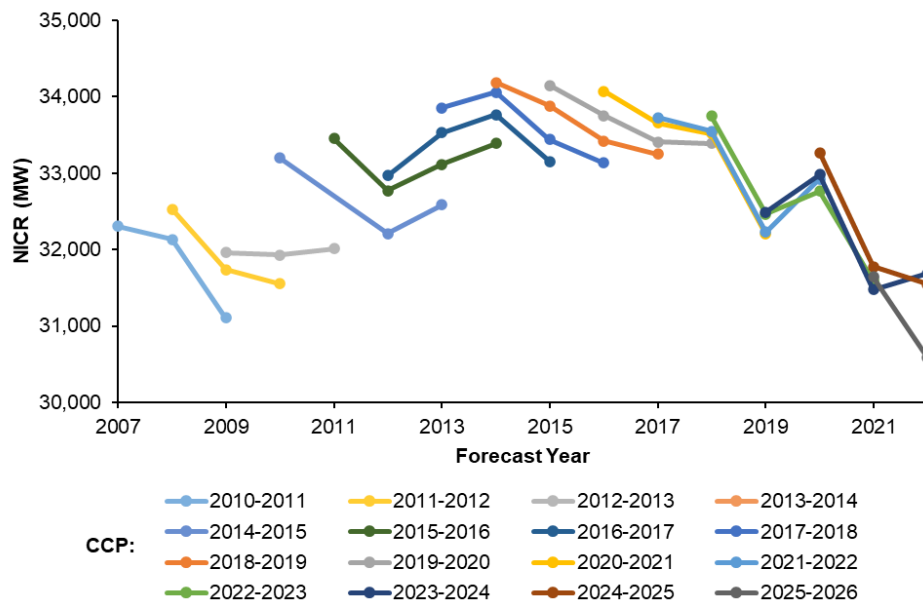
Under the current FCM, new resources can clear the FCA before being developed. Under current market rules, development progress is monitored to determine if the resource is making sufficient progress toward development to being on-line to fulfill the CSO. For ISO-NE, this process is time-consuming and may take attention away from other valuable projects. It can also be controversial because it requires the ISO to determine whether the resource is making the progress necessary to remain in the market, and the ISO's information and judgment could differ from that of the developer. With a prompt market, this process is likely avoided because resources would be expected to be operational (or nearly operational) before they participate in the capacity auction.

**2. Uncertainties in Demand Under Forward and Prompt Markets**

Under the current forward market structure, FCAs take place over three years prior to the commitment period, requiring that a forecast of ISO-NE's peak energy demands be developed to determine the quantity of capacity necessary to meet ISO-NE's resource adequacy requirements (*i.e.*, Net ICR).<sup>67</sup> Like any forecast, forecasted Net ICR is uncertain and forecasted values may be higher or lower than final values (*i.e.*, those calculated immediately prior to the commitment period). Given the three-plus year time lag between when FCA forecasts are developed and the commitment period, differences between forecast and final values are potentially large. **Figure 5** and **Figure 6** show that the forecast Net ICR—not surprisingly—has changed between the time of the FCA and the start of the commitment period. While the Net ICR has gone both up and down during the time-lag between the FCA and the commitment period, in recent years the Net ICR has typically declined compared to initial forecasts.

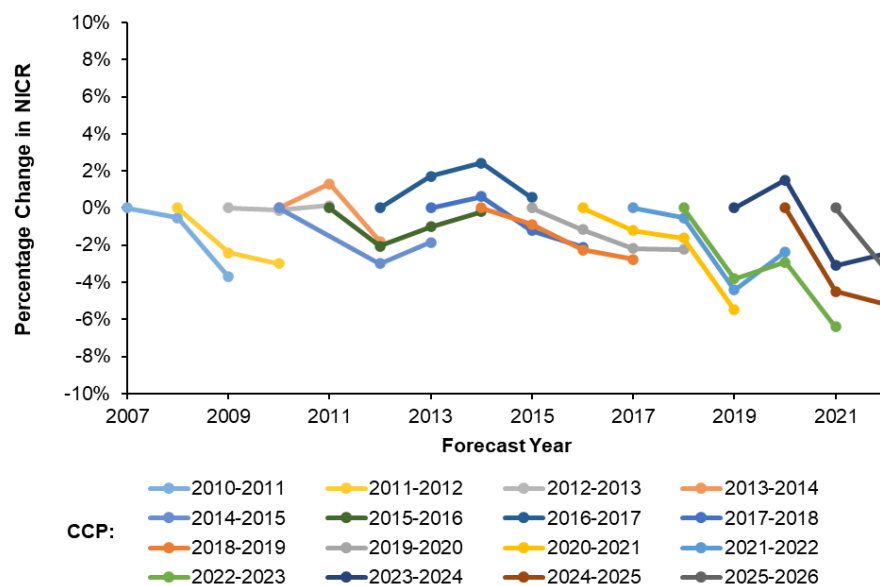
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<sup>67</sup> The Net ICR – set in the fall prior to the annual FCA in February of the following year – is a key input into the setting of ISO-NE's administrative demand curve schedule used in the FCA auctions. See ISO-NE, "Installed Capacity Requirement," available at <https://www.iso-ne.com/system-planning/system-plans-studies/installed-capacity-requirement>.

**Figure 5. Comparison of ISO-NE Net ICR by CELT Forecast and Commitment Period**

**Note:** For CCP 2014-2015, the FCA was based on the 2010 CELT Forecast, while the ARAs were based on the 2012 and 2013 CELT Forecasts.

**Source:** ISO-NE, "Summary of Historical Installed Capacity Requirements and Related Values," available at [https://www.iso-ne.com/static-assets/documents/2016/12/summary\\_of\\_historical\\_icr\\_values.xlsx](https://www.iso-ne.com/static-assets/documents/2016/12/summary_of_historical_icr_values.xlsx).

**Figure 6. Percentage Changes in ISO-NE Net ICR from FCA by CELT Forecast and CCP**

**Notes:**

[1] Percentage changes for the FCAs are plotted at zero.

[2] For CCP 2014-2015, the FCA was based on the 2010 CELT Forecast, while the ARAs were based on the 2012 and 2013 CELT Forecasts.

**Source:** ISO-NE, "Summary of Historical Installed Capacity Requirements and Related Values," available at [https://www.iso-ne.com/static-assets/documents/2016/12/summary\\_of\\_historical\\_icr\\_values.xlsx](https://www.iso-ne.com/static-assets/documents/2016/12/summary_of_historical_icr_values.xlsx).

Changes in Net ICR between the FCA and the commitment period can reflect normal forecast uncertainty. In particular, unforeseen supply/demand shifts can lead to changes in Net ICR between the FCA and the commitment period.<sup>68</sup> For example, the economic forecasters relied on by ISO-NE didn't predict the magnitude and duration of the U.S. financial crisis that began in late 2008. Thus, ISO-NE's original Net ICR projections did not capture the financial crisis' economic impact on energy use and the Net ICR values fell for several future commitment periods to reflect the fact that the projected impact of the crisis on Net ICR was more severe than originally projected. More recently, ISO-NE demand forecasts didn't fully capture the impact of rapid growth of behind the meter solar resources and new equipment codes and standards that materially reduced Net ICR over time. As ISO-NE revised its demand forecasts to account for unforeseen demand reductions, Net ICRs declined between the FCAs and the commitment period.<sup>69</sup>

By its design, a forward market has greater demand forecast uncertainty than occurs under a prompt market. Under the prompt market, demand (as reflected in the demand curve) is determined based on "final" resource adequacy requirements estimated immediately prior to the commitment period.<sup>70</sup> As a result, there is no uncertainty in demand because there are no subsequent adjustments to Net ICR after the prompt market clears for the upcoming commitment period.

In contrast, under the forward market, supply offers clear against a demand curve based on forecast demand which likely differs from final demand given changes in market fundamentals over time. As result, final demand prior to the commitment period could be higher or lower than the original forecast. If the forecast turns out to be too high compared to the eventual demand, then price, quantity and cost are higher than they otherwise would have been if the "correct" forecast had been made, which may result in greater costs being incurred; by contrast, if the forecast turns out to be too low, then the price, quantity and cost is lower than it otherwise would be, and reliability may therefore be adversely impacted.<sup>71</sup>

In comparison to the current FCM, a prompt market would avoid such uncertainty, as well as the corresponding impacts on costs and reliability. Instead, the prompt auction relies on demand curves reflecting the most current capacity requirements (given current estimates of demand) and thus can achieve more efficient market outcomes.

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<sup>68</sup> See, e.g., Scibelli, Maria, "Investigation of Bias in the Installed Capacity Requirement (ICR), FCA 1 through FCA 10," ISO-NE, Agenda Item 6.0 | PSPC Meeting No. 330, May 29, 2018, available at [https://www.iso-ne.com/static-assets/documents/2018/05/a6\\_pspc\\_rev\\_icr\\_bias\\_invtn\\_05292018.pdf](https://www.iso-ne.com/static-assets/documents/2018/05/a6_pspc_rev_icr_bias_invtn_05292018.pdf).

<sup>69</sup> Net ICR forecasts also fell over time as ISO-NE enhanced its methodologies for determining Net ICR. These enhancements have generally caused Net ICR to decline over time. While reducing the quantity of capacity procured in FCAs incorporating these enhancements, they have also resulted in downward adjustments to Net ICR estimates for commitment periods relying on prior methodologies. In addition, changes to market parameters, such as operating reserve requirements, can change Net ICR.

<sup>70</sup> Here, "final" demand or Net ICR refers to the demand and underlying demand parameters (*i.e.*, Net ICR) that would be estimated at or shortly before the start of the CCP. Under the current FCM structure, this "final" demand is analogous to estimated demand for the third annual reconfiguration auction.

<sup>71</sup> Reconfiguration auctions do not attempt to directly adjust for changes in demand. Instead, the reconfiguration auctions clear offers among suppliers to buy and sell CSOs against a demand curve reflecting an updated Net ICR given changes to demand.

### **3. Effectiveness of Annual Reconfiguration Auctions in Mitigating Impact of Uncertainty on Market Outcomes**

In the intervening years between the FCA and the commitment period, ISO-NE runs three ARAs which allow capacity suppliers to change their capacity market positions. Capacity suppliers looking to shed CSOs can submit demand bids, while suppliers looking to take on additional CSOs can submit supply offers.<sup>72</sup>

The auctions fulfill several roles in the forward market. *First*, these auctions provide a means to indirectly readjust anticipated demand for capacity through a recalculated Net ICR based on an updated load forecast. However, these adjustments do not result in a change of procured quantities that correspond directly to changes in demand when re-clearing the market. *Second*, capacity resources can shed CSOs, which may be necessary for resources that are unable (or concerned about their ability) to fulfill their capacity obligations. *Third*, ARAs can allow resources with qualified capacity that did not clear in the FCA to supply capacity for the corresponding commitment period. This supply can include recently qualified capacity that was not available for the FCA or capacity that was available but did not sell capacity in the FCA. Thus, ARAs provide a means for incremental resources to provide resource adequacy support, including replacement of CSOs shed by resources that cannot fulfill their CSOs.

**Table 2** summarizes the results of the ARAs and FCAs for the last seven commitment periods for which all three ARAs were completed. Overall, the net quantities cleared in the ARAs are both positive and negative and the total MW transacted only make up a small fraction of the FCA clearing quantities. **Table 2** also shows that historically capacity clearing prices generally decreased from the FCA to the third ARA.<sup>73</sup> However, there is variation within some of the time periods between the FCA and the Commitment period. For example, for the 2021-2022 and 2023-2024 commitment periods, the clearing price decreased relative to the FCA price for the first two ARAs, but then increased in the third ARA. Overall, ARA clearing prices are notably lower than the corresponding FCA clearing prices.

In principle, the ARAs can adjust for changes in Net ICR between the FCA and the commitment period, when the initial forecast is higher or lower than the final Net ICR values. Thus, the ARAs may to some degree mitigate the economic impacts from procurement of more or less capacity than needed relative to amounts that would be procured through a prompt auction based on final Net ICR values. The forward market outcomes to date generally illustrate the potential impacts when the Net ICR used in the FCA is higher than the final demand, resulting in procured quantities that are greater than may have occurred if the primary procurement reflected ARA demand.

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<sup>72</sup> The ARA clearing mechanism accounts for both market participant offers and bids and a revised demand curve that accounts for changes in the forecast Net ICR. ISO-NE, "Overview and Timeline of Reconfiguration Auctions and CSO Bilateral Periods," available at <https://www.iso-ne.com/markets-operations/markets/forward-capacity-market/fcm-participation-guide/overview-and-timeline>.

<sup>73</sup> The ARA clearing prices are determined by the interaction of auction bids and offers and an updated demand curve based on the revised Net ICR. We did not separately assess the drivers of the historical ARA prices.



**Table 2. Forward Capacity Auction (FCA) and Annual Reconfiguration Auction (ARA) Results by Capacity Commitment Period (CCP): 2017-2018 – 2023-2024**

CCP	Auction	Total Supply Offers Submitted (MW)	Total Demand Bids Submitted (MW)	Total Supply Offers Cleared (MW)	Total Demand Bids Cleared (MW)	Net Capacity Cleared (MW)	Clearing Price
2023-24	FCA					33,956	\$2.00
	ARA1	974	1,636	195	-235	-40	\$1.93
	ARA2	231	1,134	42	-82	-40	\$0.80
	ARA3	785	1,594	256	-131	125	\$1.35
2022-23	FCA					34,839	\$3.80
	ARA1	156	1,808	124	-781	-657	\$1.11
	ARA2	100	1,508	88	-494	-406	\$1.34
	ARA3	57	1,094	28	-527	-499	\$0.40
2021-22	FCA					34,828	\$4.63
	ARA1	203	820	184	-3	180	\$2.90
	ARA2	138	1,048	40	-141	-101	\$0.30
	ARA3	173	1,677	134	-150	-16	\$1.57
2020-21	FCA					35,835	\$5.30
	ARA1	155	584	102	-1	101	\$3.67
	ARA2	188	535	149	-8	140	\$2.00
	ARA3	71	862	60	-89	-29	\$0.40
2019-20	FCA					35,567	\$7.03
	ARA1	257	1,335	209	-75	133	\$5.87
	ARA2	183	1,522	111	-129	-18	\$3.50
	ARA3	148	851	144	-134	10	\$2.99
2018-19	FCA					34,695	\$9.55
	ARA1	N/A	N/A	N/A	N/A	N/A	N/A
	ARA2	132	1,125	118	-20	98	\$5.32
	ARA3	89	1,522	86	-121	-36	\$4.06
2017-18	FCA					33,712	\$15.00 new \$7.025 existing
	ARA1	N/A	N/A	N/A	N/A	N/A	N/A
	ARA2	168	929	134	-32	102	\$7.13
	ARA3	164	962	137	-111	26	\$3.50

**Notes:**

[1] Quantities reported in the table are Rest-of-Pool quantities and exclude imports and exports.

[2] In auctions with location-specific prices, System-wide or Rest-of-Pool prices are reported. All ARA clearing prices are Rest-of-Pool prices.

[3] A value of "N/A" indicates that results were not available for that reconfiguration auction.

**Sources:**

[A] ISO-NE, "FCM Reconfiguration Auction and CSO Bilateral Period Results," available at <https://www.iso-ne.com/markets-operations/markets/forward-capacity-market/fcm-auction-bilateral-results>.

[B] ISO-NE, "Results of the Annual Forward Capacity Auctions," available at <https://www.iso-ne.com/about/key-stats/markets#fcareults>.

While the ARAs can in theory help to mitigate these impacts, in practice, adjustments to procured capacity in the ARAs have been relatively small compared to the changes in Net ICR between the FCA and the final ARA. In general, capacity suppliers are unwilling to sell back CSOs at prices that would clear demand in the ARAs. For the 2022-23 commitment period, the adjustment was relatively large – the ARAs led to a 1,562 MW reduction in capacity



procured relative to the FCA, while Net ICR declined by 2,160 MW between the FCA and the ARA3.<sup>74</sup> By contrast, in the 2020-21 commitment period, procured capacity increased by 212 MW while Net ICR decreased by 1,870 MW between the FCA and the ARA3.<sup>75</sup> As a result, during the commitment period, there has frequently been more capacity committed than the amount that would have likely cleared in a corresponding prompt auction based on the final Net ICR values for the commitment period.

ARAs can also mitigate impacts when Net ICR in the FCA is lower than the final value prior to the commitment period. In this instance, procured capacity and auction prices would be lower than if demand in the FCA has reflected the higher realized final demand. In this case, in principle, the ARAs could procure additional capacity needed to account for the higher demand. However, as noted above, in past ARAs, incremental supply offers have been limited, except for certain commitment periods.

In contrast, with a prompt market, the inefficiencies associated with load forecast and ICR uncertainty are significantly reduced. Under the prompt market, Net ICR will be estimated much closer to the commitment period and thus capacity market auction outcomes will more closely reflect the amount of capacity needed and the price will be set in alignment with the marginal supplier of capacity.

The ARAs have allowed suppliers to manage their CSO positions, allowing them to shed CSOs given changes in their ability to fulfill a CSO and allowing new resources (and existing resources that did not clear in earlier auctions) a means to take on a CSO. If a supplier needs to decrease a CSO because of a significant decrease in capacity or inability to develop the capacity resources, the ARAs provide an opportunity to buy out of a CSO rather than face a failure-to-cover charge for the deficiency.<sup>76</sup> If a supplier has new capacity to offer, the ARAs provide a means to take on a CSO. Experience to date shows that the flexibility offered by the ARA has led to some adjustments to supplier positions, with larger changes in some years than others (see **Table 2**). In general, it appears that suppliers with resources that experience significant decreases in capacity or fail to meet development timelines have been able to secure replacement capacity through the ARAs.

However, the low prices historically experienced in ARAs compared to the corresponding FCA may disadvantage new resources that take less than three years to develop relative to other new and existing resources. For example, utility scale solar PV and battery storage, which represent most of the recent new entry in New England (**Figure 3**), have engineering timelines of less than three years. If resources are awarded a CSO in the FCA and then begin to develop the resource, the resource may be operational and activated prior to the commitment period for which the resource cleared in the FCA. In this case, the resource would not have a CSO during the first year (or two) of operation unless one was obtained through an ARA. However, as shown in **Table 2**, only a fraction of offered supply has cleared in past ARAs and the prices are generally lower than in the FCA. Thus, resources with development timelines less than 3 years may reasonably expect that they will not have the same opportunity for capacity market revenues as under a prompt market. The result is that a forward market discourages the development of new resources with shorter development timelines relative to a prompt market, holding all else equal.

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<sup>74</sup> ISO-NE, "Summary of Historical Installed Capacity Requirements and Related Values," available at [https://www.iso-ne.com/static-assets/documents/2016/12/summary\\_of\\_historical\\_icr\\_values.xlsx](https://www.iso-ne.com/static-assets/documents/2016/12/summary_of_historical_icr_values.xlsx).

<sup>75</sup> ISO-NE, "Summary of Historical Installed Capacity Requirements and Related Values," available at [https://www.iso-ne.com/static-assets/documents/2016/12/summary\\_of\\_historical\\_icr\\_values.xlsx](https://www.iso-ne.com/static-assets/documents/2016/12/summary_of_historical_icr_values.xlsx).

<sup>76</sup> Under certain circumstances ISO-NE may need to submit a buy bid into an ARA in instances where a supplier is not meeting developmental milestones. See, ISO-NE, "Market Rule 1, Section III.13.3.4," pp. 145-148, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf).

#### 4. Opportunity Cost of Forward Commitments

When a resource commits to a capacity supply obligation three years in advance, there is an opportunity cost from the reduced optionality for the resource to take certain actions in the future. For example, the reduced optionality can affect when the resource elects to retire and which capacity market to supply into. Under a prompt market, this opportunity cost is reduced because plant owners have better information about market conditions given the short time horizon from the time the commitment is made to the commitment period.

##### a. Retirements

Under the FCM, resources must give notice of an intent to retire ahead of the FCA – that is, more than 4 years in advance of the commitment period – and ISO-NE publishes data about retirements and the outcome of reliability reviews in the early phases of the FCA qualification process to ensure transparency and provide information to the market.<sup>77</sup> Specifically, the current retirement and permanent de-list bid process begins about 10 months prior to the forward capacity auction (more than four years before the start of the CCP) when resources submit their de-list bids and ISO-NE publicly identifies the resources that have submitted bids to retire or permanently de-list.<sup>78</sup> Following a reliability review by ISO-NE, resources are notified two months later whether their request is accepted. This determination is reported by ISO-NE, providing the market at least eight months prior to the FCA to respond with other sources of supply.<sup>79</sup> If the de-list bid triggers a local transmission security need, the request is rejected and ISO-NE begins a process of identifying solutions to mitigate the reliability need and potentially retain the resource past its retirement date.<sup>80</sup> As a result of this timing, resources seeking retirement through permanent or retirement bids must submit these bids more than four years before the relevant capacity commitment period.<sup>81</sup>

**Figure 7** shows recent resource retirements and announced retirements in New England, with resource retirements announced as far out as 2027. Major recent retirements include Mystic 7 in 2022 (575 MW summer qualified capacity (“QC”) of oil generation),<sup>82</sup> Pilgrim Nuclear in 2019 (677 MW), and Bridgeport Harbor in 2021 (383 MW). Major announced future retirements include Mystic 8 & 9 in 2024 (1,413 MW of natural gas generation), West Springfield 3 in 2024 (94 MW), and Potter 2 in 2024 (72 MW). Recent retirements in 2018, 2019, and 2021 also include demand capacity resources.

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<sup>77</sup> ISO-NE, “CCP Information Releases and FCM De-list Bids,” available at <https://www.iso-ne.com/isoexpress/web/reports/auctions/-/tree/fcm-del-list-bids>.

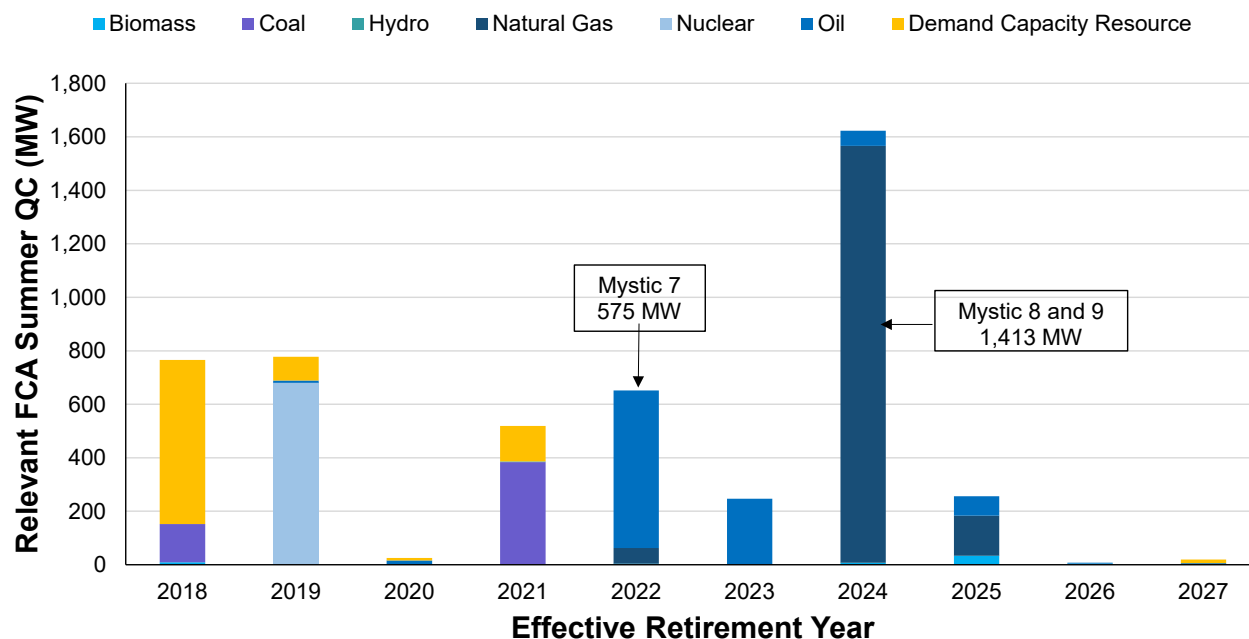
<sup>78</sup> This process refers to permanent and retirement de-list bids. ISO-NE, “Master Forward Capacity Market Schedule,” January 4, 2023, available at <https://www.iso-ne.com/static-assets/documents/2022/02/fcm-schedule-01-26-2022.pdf>.

<sup>79</sup> See, e.g., ISO-NE, “2027-2028 CCP Resource 16750: Norden #2 Reliability Review Determination Letter for the FCA 18 Retirement De-List Bid,” August 18, 2023, available at [https://www.iso-ne.com/static-assets/documents/2023/08/norden-2\\_2027-28.pdf](https://www.iso-ne.com/static-assets/documents/2023/08/norden-2_2027-28.pdf); ISO-NE, “Planning Procedure No. 10, Planning Procedure to Support the Forward Capacity Market,” Section 7.0, June 2, 2023, available at <https://www.iso-ne.com/static-assets/documents/2020/02/pp-10.pdf>.

<sup>80</sup> ISO-NE, “Planning Procedure No. 10, Planning Procedure to Support the Forward Capacity Market (PP 10),” Section 7.5, June 2, 2023, pp. 32-33, available at <https://www.iso-ne.com/static-assets/documents/2020/02/pp-10.pdf>.

<sup>81</sup> Resources could also retire if they do not clear in the FCA (e.g., through a price de-list) and then subsequently seek retirement through a permanent de-list or retirement bid or a non-price retirement request.

<sup>82</sup> Throughout this paragraph, MW quantities are in summer qualified capacity unless otherwise specified.

**Figure 7. Retiring Resources by Resource Category and Retirement Year, Summer Qualified**

**Note:** All resources are generators except for Demand Capacity Resources which are colored yellow. Imports are excluded.

**Sources:**

[A] ISO-NE, 2016-2023 CELT Reports, available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt/>.

[B] ISO-NE, "ISO New England Status of Non-Price Retirement Requests, Retirement De-list Bids and Substitution Auction Demand Bids," updated August 22, 2023, available at: [https://www.iso-ne.com/static-assets/documents/2016/08/retirement\\_tracker\\_external.xlsx](https://www.iso-ne.com/static-assets/documents/2016/08/retirement_tracker_external.xlsx).

NYISO, MISO, and PJM all have shorter retirement notification requirements than the requirements in ISO-NE. Both MISO and NYISO, which operate prompt markets, have notification requirements of roughly one year. NYISO requires resources that wish to retire or mothball to give at least a 365-day notice, which starts on the date of the next quarterly Short-Term Assessment of Reliability ("STAR") after the resource submits its deactivation notice.<sup>83</sup> Similarly, MISO requires resources planning to suspend operations of all or any portion to submit their deactivation notices at least four full quarters prior to changing status. MISO also allows certain resources that suspend operations to be designated as System Support Resources ("SSRs") to maintain reliability.<sup>84</sup> In PJM, which has a forward capacity market, plant owners considering retirement or mothballing only need to notify PJM at least two quarters before the proposed deactivation date. However, resources considering retirement would either need to: (1) find replacement capacity if the resource cleared in a forward capacity auction and decides to retire before the commitment period; or, (2) seek an exemption from PJM's forward capacity auction must offer requirement.

Each RTO includes processes for evaluating whether retiring resources create reliability problems that it would seek to mitigate. For example, in PJM, after a resource submits a retirement notification, PJM completes a reliability

<sup>83</sup> New York Independent System Operator, Inc., Open Access Transmission Tariff, Attachment FF, available at <https://nyisoviewer.etariff.biz/ViewerDocLibrary/MasterTariffs/9FullTariffNYISOOATT.pdf>.

<sup>84</sup> MISO, FERC Electric Tariff, Section 38.2.7, available at <https://docs.misoenergy.org/legalcontent/TariffAsFiledVersion.pdf>.

analysis in the subsequent quarter to determine if the retirement causes reliability concerns that would require transmission upgrades. PJM may also request that resources continue operating until these upgrades are completed to maintain reliability with the plant operating under a reliability must run (“RMR”) contract.<sup>85</sup>

The change to a prompt market would provide the opportunity for – but not require – ISO-NE and stakeholders to modify retirement notification requirements to provide resource owners with more flexibility regarding retirement timing. At present, the retirement notification requirements primarily reflect one criterion: providing information about retirements prior to the primary capacity auction to ensure that the market has sufficient time to respond to retirements with new resources that can enter via the FCA. Given this criterion, permanent de-list bids must be submitted more than 4 years prior to the commitment period when the resource requests to deactivate.

However, the choice of retirement notification requirements involves other important considerations, including two key factors: the optimization of asset value (given tradeoffs between fixed operating costs, revenue opportunities, option values given uncertain market futures, and the risk of major equipment failures); and the potential need to retain a resource seeking to retire to maintain local or system transmission security until solutions can be implemented through an out-of-market, RMR contract. With a prompt market, this period could potentially be reduced, thus allowing the region to develop retirement notification periods unconstrained by a single consideration to account for the potential benefits of a shorter retirement notification period.

If the region pursued a prompt market, modifications to the retirement notification process (if any) would need to evaluate many important considerations and tradeoffs. Below, we provide a brief discussion of the key tradeoffs, which is not intended to be a full assessment.

Shorter notification requirements can improve the use of capital by providing suppliers with greater flexibility when making retirement decisions. With greater flexibility about timing, retirement decisions can be made closer to the commitment period when access to better market information can improve revenue and cost forecasts used as the basis for retirement decisions and provide more accurate assessment of asset operational condition. Given the irreversible nature of retirement decisions, this flexibility is particularly important, and can improve use of capital and increase asset value.<sup>86</sup>

The prompt market also improves retirement decisions by not forcing older units into forward commitments for capacity three years prior to the commitment period. Because older units face a greater risk of experiencing major equipment failures that may prompt a rational decision to retire the unit, a prompt market can allow these units to make more informed retirement decisions without taking on a capacity supply obligation.

While shorter notification requirements provide resource owners with greater flexibility, there are tradeoffs. One key tradeoff is that, if retirements occur with shorter notice, the market may have less time to respond with alternative sources of capacity supply. However, many factors support the market’s ability to respond to retirements: (1) the market currently includes many types of capacity resources with relatively short timelines for development, including demand-side and storage resources, which could respond to opportunities created by information about retirements or temporary periods of higher prices; (2) resource retirement announcements often follow a multi-year period of revealed weak performance, non-retirement de-listing and/or challenges to meeting regulatory requirements, which are may be observable to other market participants, thus providing the market with advance signals of potential

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<sup>85</sup> “Explaining Power Plant Retirements in PJM,” PJM Learning Center, available at <https://learn.pjm.com/three-priorities/planning-for-the-future/explaining-power-plant-retirements.aspx>.

<sup>86</sup> Dixit, Avinash and Robert Pindyck, *Investment Under Uncertainty*, Princeton University Press: Princeton, New Jersey, 1994.

retirements; (3) retirements that cause periods of higher capacity prices would, in turn, provide incentives for other resources nearing retirement to defer retirement decisions; and (4) information about market and system conditions can support efficient responses by participants to resource retirements. On the latter point, with shorter notification requirements, ISO-NE could continue to provide information to the market that would affect retirement and developer decisions, such as information releases related to each commitment period.<sup>87</sup> Further, ISO-NE could develop processes to disseminate additional information to facilitate efficient developer decisions related to entry of new resources to meet needs in a timely manner when they emerge. For example, NYISO provides information to the market regarding projected future conditions, including their STAR five-year forward reliability assessments as well as other projections of future conditions.<sup>88</sup>

A second key tradeoff is that a shorter retirement notification could also increase the duration of any resource retentions to maintain local reliability until solutions can be developed to mitigate the reliability concern. Retention of resources seeking to retire has potential market consequences, including the potential for out-of-market RMR contracts that compensate the resource through a cost-of-service agreement rather than through market revenues that cause distortions in the wholesale energy and capacity markets.

Under current market rules, if a resource's retirement is rejected by ISO-NE and the resource remains in the market (through a cost-of-service arrangement), the resource continues to be represented as a capacity seller in the capacity market until the retirement is accepted. Importantly, the decision to reject the de-list request and the transmission solutions needed to mitigate the transmission security concern are independent of auction timing. That is, the likelihood that a retirement request is rejected and the duration of time required to implement a solution if the resource is retained would be the same under a forward and prompt auction.

Differences in the duration of time a resource is retained between a forward and prompt auction, if any, would depend on particulars, including the assumed timing of retirement notification under the prompt auction and the time needed to implement transmission solutions. If a resource is retained, shortening the retirement notification requirement, as would be possible under a prompt market, could extend the duration of any impacts on the ISO-NE markets. In general, reducing the notification period by "X" years would extend retentions at most by "X" years, but possibly less. For example, if retirement notifications were reduced from 3.5 to 2.5 years, then resource retentions would generally increase by at most one year.

Empirically, RMR contracts are seen in both forward and prompt markets. Despite operating a forward market, PJM has utilized RMR contracts to retain resources beyond requested retirement dates.<sup>89</sup> Thus, the forward market does

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<sup>87</sup> ISO-NE, "CCP Information Releases and FCM De-list Bids," available at <https://www.iso-ne.com/isoexpress/web/reports/auctions/-/tree/fcm-del-list-bids>.

<sup>88</sup> NYISO issues quarterly short-term assessments of reliability ("STAR Reports") that evaluate system reliability over the next five years considering forecasts of peak power demand, planned upgrades to the transmission system, and changes to the generation mix. See, e.g., NY ISO, "Short-Term Assessment of Reliability: 2023 Quarter 2," July 14, 2023, available at <https://www.nyiso.com/documents/20142/16004172/2023-Q2-STAR-Report-Final.pdf/5671e9f7-e996-653a-6a0e-9e12d2e41740>. In addition to short-term reliability assessments, NYISO also conducts ten-year reliability planning analyses through their Comprehensive Reliability Plans. See, e.g., the latest draft, NYISO, "Draft 2023-2031 Comprehensive Reliability Plan," October 2, 2023, available at [https://www.nyiso.com/documents/20142/40370875/09a\\_NYISO\\_2023-2032\\_CRP\\_Draft3\\_forOct2ESPWG-TPAS.pdf/dfd49d18-1398-cf6e-3dff-c65822910feb](https://www.nyiso.com/documents/20142/40370875/09a_NYISO_2023-2032_CRP_Draft3_forOct2ESPWG-TPAS.pdf/dfd49d18-1398-cf6e-3dff-c65822910feb); NYISO, "2021-2030 Comprehensive Reliability Plan," December 2, 2021, available at <https://www.nyiso.com/documents/20142/2248481/2021-2030-Comprehensive-Reliability-Plan.pdf>.

<sup>89</sup> For example, PJM has an active RMR contract with Indian River 4 from June 2022 to December 2026. Overall, PJM has entered into 10 RMR agreements since 2005. See Table 5-29 Part V reliability service summary for a history of PJM RMR contracts from 2005 to present: Monitoring Analytics, "2023 Quarterly State of the Market Report for PJM: January through September,"

not mitigate the risk of RMR contracts. NYISO's prompt market, like PJM, has also had to rely on RMR contracts, but resource retirement and market responses in the NYISO region have often balanced out as new resources were brought on-line to replace retiring resources in constrained regions.<sup>90</sup>

While shorter notification periods may increase the likelihood, duration and market impact of RMR contracts, several factors suggest that these increases may not be meaningful in New England. *First*, in the vast majority of cases, retirement requests in ISO-NE do not cause reliability risks. Over the past 15 commitment periods, of the 280 retirement requests evaluated in reliability review by ISO-NE, only six were rejected (Brayton Point 1-4 for 2017-18, and Salem Harbor 3 & 4 for 2014-15) solely for transmission system security risks, while two units (Mystic 7 and 8) were retained for fuel security risks but also would have been retained for transmission security risks.<sup>91</sup> However, while these stations were large plants and could have sought RMR contracts, the stations were instead retired. Thus, in general, retirements have not led to the retention of resources for transmission security.

*Second*, in recent years, the region has made substantial investments in transmission infrastructure that would mitigate the likelihood that retirement requests are rejected for reliability concerns.<sup>92</sup> These investments have proactively mitigated many transmission reliability issues in the region before they are triggered by resource retirements that then require mitigation and potential retention of the resource.<sup>93</sup> Over the past two decades, over \$12 billion in transmission system investments have been made through these planning efforts.<sup>94</sup> Past retentions were more likely when the system was less robust. While some retentions occurred in earlier commitment periods, only two retirement requests (Mystic 7 and 8, representing 1,278 MW) failed tests transmission security over the past nine FCAs, covering 130 units and 4,486 MW of capacity.<sup>95</sup> Over the past 11 FCAs, none of the 589 dynamic

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November 9, 2023, Section 5 Capacity, p. 362, available at [https://www.monitoringanalytics.com/reports/PJM\\_State\\_of\\_the\\_Market/2023.shtml](https://www.monitoringanalytics.com/reports/PJM_State_of_the_Market/2023.shtml).

<sup>90</sup> For example, new generation resource additions (CPV Valley and Cricket Valley) offset the impact of Indian Point's retirement and in New York City and Long Island resources have been added in-situ and via new transmission lines. See NYISO, "Generator Status Update 9-13-23," (available at <https://www.nyiso.com/documents/20142/37573170/Generator-Status-Update-09-13-2023.xlsx>) compared against NYISO 2023 Gold Book existing generation unit online dates (see NYISO, 2023 Gold Book, April 27, 2023, available at <https://www.nyiso.com/documents/20142/2226333/2023-Gold-Book-Public.pdf>).

<sup>91</sup> ISO-NE, "ISO New England Inc. Forward Capacity Auction Results," FERC Docket No. ER11-3891-000, June 27, 2011, available at [https://www.iso-ne.com/static-assets/documents/regulatory/ferc/filings/2011/jun/er11\\_3891\\_000\\_06\\_27\\_11\\_fca\\_5\\_results\\_filing.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/ferc/filings/2011/jun/er11_3891_000_06_27_11_fca_5_results_filing.pdf); ISO-NE, "Eighth Forward Capacity Auction Results Filing," FERC Docket No. ER14-1409-000, February 28, 2014, available at [https://www.iso-ne.com/static-assets/documents/regulatory/ferc/filings/2014/feb/er14\\_1409\\_000\\_fca8\\_results\\_filing\\_2\\_28\\_2014.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/ferc/filings/2014/feb/er14_1409_000_fca8_results_filing_2_28_2014.pdf). ISO-NE, "Testimony of Stephen J. Rourke on Behalf of ISO New England Inc.," FERC, Docket ER18-940-000, February 28, 2018, p. 15-16, available at [https://www.iso-ne.com/static-assets/documents/2018/02/fca\\_12\\_results\\_filing.pdf](https://www.iso-ne.com/static-assets/documents/2018/02/fca_12_results_filing.pdf).

<sup>92</sup> ISO-NE and New England Power Pool, "Testimony of Alan McBride on Behalf of ISO New England Inc.," FERC, Docket ER24-339-000, November 2, 2023, pp. 26-29, available at [https://www.iso-ne.com/static-assets/documents/100005/changes\\_to\\_delay\\_19th\\_fca\\_and\\_related\\_capacity\\_mtk\\_activities.pdf](https://www.iso-ne.com/static-assets/documents/100005/changes_to_delay_19th_fca_and_related_capacity_mtk_activities.pdf).

<sup>93</sup> ISO-NE and New England Power Pool, "Testimony of Alan McBride on Behalf of ISO New England Inc.," FERC, Docket ER24-339-000, November 2, 2023, p. 27, available at [https://www.iso-ne.com/static-assets/documents/100005/changes\\_to\\_delay\\_19th\\_fca\\_and\\_related\\_capacity\\_mtk\\_activities.pdf](https://www.iso-ne.com/static-assets/documents/100005/changes_to_delay_19th_fca_and_related_capacity_mtk_activities.pdf).

<sup>94</sup> ISO-NE and New England Power Pool, "Testimony of Alan McBride on Behalf of ISO New England Inc.," FERC, Docket ER24-339-000, November 2, 2023, p. 28, available at [https://www.iso-ne.com/static-assets/documents/100005/changes\\_to\\_delay\\_19th\\_fca\\_and\\_related\\_capacity\\_mtk\\_activities.pdf](https://www.iso-ne.com/static-assets/documents/100005/changes_to_delay_19th_fca_and_related_capacity_mtk_activities.pdf). ISO-NE, "Testimony of Stephen J. Rourke on Behalf of ISO New England Inc.," FERC, Docket ER18-940-000, February 28, 2018, p. 15-16, available at [https://www.iso-ne.com/static-assets/documents/2018/02/fca\\_12\\_results\\_filing.pdf](https://www.iso-ne.com/static-assets/documents/2018/02/fca_12_results_filing.pdf).

<sup>95</sup> ISO-NE, "ISO New England Status of Non-Price Retirement Requests, Retirement De-list Bids and Substitution Auction Demand Bids, and Status of Permanent De-list Bids," updated August 22, 2023, available at: [https://www.iso-ne.com/static-assets/documents/2016/08/retirement\\_tracker\\_external.xlsx](https://www.iso-ne.com/static-assets/documents/2016/08/retirement_tracker_external.xlsx).



de-list bids covering 10.45 GW of capacity have been rejected for transmission security.<sup>96</sup> Thus, the likelihood that new transmission security issues arise from new retirement requests appears to be low and has diminished over time.

Thus, the risk that resources are retained for transmission security appears to be relatively low in New England. To the extent resources are retained, potential market impacts (*i.e.*, possible price suppression) could result regardless of the capacity market structure. The duration of any market impacts will reflect the timing of solutions to retirement related reliability impacts that will depend on specific, complex circumstances and any differences in the duration in market impacts between forward and prompt markets would generally be limited to the reduction in the notification requirement period. Offsetting these potential risks would be the expected substantial economic benefit of providing owners with greater flexibility to determine the timing of resource retirements.

#### **b. Opportunities to Supply Capacity Across Markets**

The ISO-NE capacity market allows resources outside the ISO-NE control area to supply capacity (imports) and allows resources within the control area to supply their capacity to other markets (exports). Imports and exports can improve market efficiency by allowing resources to flow to where they are most needed (as reflected by market prices).

The primary market competing with New England for capacity is the NYISO ICAP market. This competition includes resources in each system, as well as resources from other systems, primarily Hydro-Quebec.<sup>97</sup> At present, the timing of delivery in these capacity markets is not aligned because ISO-NE operates a forward market while NYISO operates a prompt market. Thus, under the current forward market, resources in New England, New York and Quebec must decide three years in advance between committing resources through ISO-NE's market or holding resources to supply at a later period into NYISO's market. This arrangement does not necessarily benefit either ISO-NE or NYISO, but may lead to a less-efficient allocation of capacity supply than if the markets were better aligned.

Under a prompt market in ISO-NE, the timing of delivery of capacity in the two markets would be better aligned. This alignment would reduce uncertainty about price signals between the two capacity markets and thus result in more efficient allocation of capacity resources between the two regions, with capacity flowing into the region where it is most valuable.

#### **c. Prompt Market Facilitates Improved Resource Accreditation for Winter Fuel-Dependent Resources**

New England has well documented winter fuel security concerns primarily tied to pipeline constraints for the supply of natural gas.<sup>98</sup> Given these pipeline constraints, gas-fired generators looking to secure a firm supply of fuel for the

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<sup>96</sup> Includes re-evaluations of the same units year-after year due to changing system topology. ISO-NE, "Forward Capacity Auction Capacity Obligations," available at [https://www.iso-ne.com/static-assets/documents/2018/02/fca\\_obligations.xlsx](https://www.iso-ne.com/static-assets/documents/2018/02/fca_obligations.xlsx). See also, annual Forward Capacity Auction summaries of results, ISO-NE Reliability Committee, available at <https://www.iso-ne.com/committees/reliability/reliability-committee/>.

<sup>97</sup> ISO-NE and NYISO each have multiple neighboring system from which resources can supply, but the only system able to supply both ISO-NE and NYISO directly is Hydro-Quebec.

<sup>98</sup> ISO-NE, "Operational Fuel-Security Analysis," January 17, 2018, available at <https://www.iso-ne.com/committees/key-projects/implemented/operational-fuel-security-analysis>.

coldest days of the winter period need to make arrangements prior to the winter. The nature of these arrangements depends on the technology at the gas-fired plant. In particular, gas-only generators can enter into forward contracts with natural gas suppliers for gas supplies, including firm transportation service or contracts for stored natural gas with liquid natural gas (“LNG”) terminals.

Historically, decisions to make these arrangements reflect market economics, given the returns to low-cost fuel supplies when fuel markets are tight, and ISO-NE programs to incentivize additional fuel storage. In general, contractual arrangements offered by LNG terminals take many forms and may vary across suppliers given the LNG terminal’s technology (e.g., fixed terminals vs. floating vessels) and other demands for the supplier’s services.<sup>99</sup> Within the New England region historically, arrangements made by generators have typically been made in the summer or fall prior to the upcoming winter period. This timing reflects the fact that there is substantial uncertainty in the value and pricing of these arrangements, these arrangements impose substantial financial risk because profitability depends on cold winters and tight pipeline natural gas markets, and generators have borne the full financial risk of these arrangements. Moreover, these gas-only generators have not needed to establish fuel availability to receive full capacity accreditation.

Under ISO-NE’s enhanced RCA rules, accreditation factors for gas-only capacity resources would depend on fuel supply arrangements. Thus, natural gas-fired only resources (~9,100 MW<sup>100</sup> of winter qualified capacity in ISO-NE) that want capacity accreditation reflecting firm fuel supplies for the CCP would commit to enter into such fuel arrangements if their FCA offers are accepted. Uncertainty in market conditions for a commitment period three years in the future will make it costly for a resource owner to commit to firm fuel supply that achieves a higher accreditation factor, as compared to a prompt market.<sup>101</sup>

This uncertainty is illustrated by **Figure 8**. **Figure 8** shows Dutch TTF natural gas futures price curves (a proxy for the cost to secure LNG supply for delivery in New England)<sup>102</sup> as of each September from 2021 to 2023 for delivery in winter months December to January over two upcoming winter periods (2023-2024 and 2024-2025). The figure shows that TTF gas futures prices varied from ~\$7/MMBTU to just over \$50/MMBTU — reflecting expectations of winter delivery prices rising and falling significantly as of the first September trading date in 2021, 2022 and 2023.

Under a forward market with a firm fuel contract requirement, gas-only generators would commit to having firm fuel arrangements for a winter three plus years in the future. If these arrangements are made in advance, the cost will reflect LNG and natural gas futures prices at the time when the fuel supply obligations are agreed to or reflect formulas based on fuel market indices at a future date (e.g., the delivery period). Alternatively, generators could wait until the season before the delivery period before entering into arrangements. However, this approach also

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<sup>99</sup> LNG resources able to supply New England include: two fixed LNG terminals, Saint John’s and Everett; and two floating buoys able to support floating storage regassification units, Northeast Gateway and Neptune (which has a suspended operating license).

<sup>100</sup> Based on generators that bid into FCA 17. ISO-NE, 2023 CELT Report, sheet “2.1 Generator List” and sheet “4.3 Qualified, Cleared Capacity.” Generators are assumed to burn only natural gas if their prime fuel is listed as “NG” and they have no secondary fuel listed.

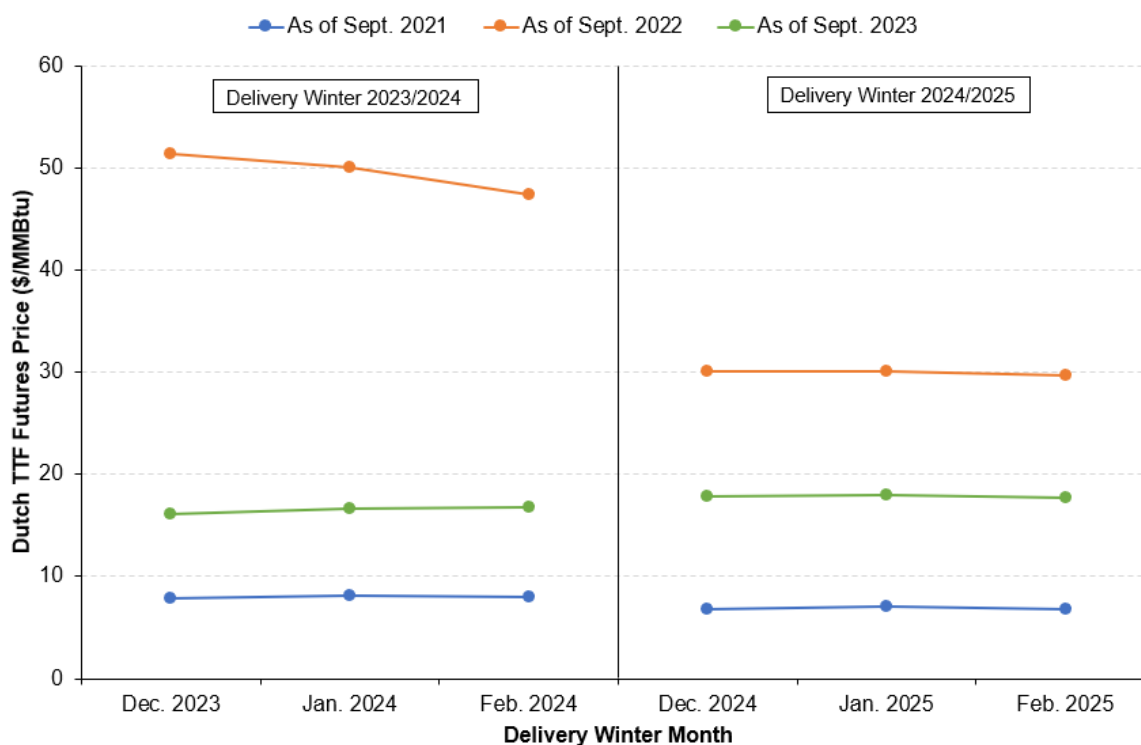
<sup>101</sup> The conclusion that a prompt market would result in lower offer prices from resources offering capacity backed by firm fuel arrangements compared to a forward market does not depend on the particular rules by which such incremental capability participates in the auction (*i.e.*, whether it participates as incremental supply associated with the arrangement or participates as an increase in the qualified capacity of a gas-fired resource).

<sup>102</sup> “In recent years, Dutch TTF prices have represented a good proxy for LNG prices in the Atlantic Basin.” ISO-NE and New England Power Pool Participants Committee, Revisions to ISO New England Inc. Transmission, Markets and Services Tariff to Update the Inventoried Energy Program, Docket No. ER23-1588-000, Document Accession #: 20230407-5030, April 7, 2023, Attachment D, Testimony of Todd Schatzki on Behalf of ISO New England Inc., pp. 5-6.



exposes the generator because the cost and value of the arrangements may differ from that assumed when setting the offer price and the contract sellers may be aware of the generator's need to enter into the arrangement to fulfill its commitment. Thus, committing to firm fuel arrangements three years prior to delivery exposes the generator to additional risks and costs because the value of its forward market contract at delivery may be markedly different than the value at the time the purchase is agreed.<sup>103</sup>

**Figure 8. Monthly Dutch TTF Futures, As of First September Trading Date 2021 to 2023 for Delivery Winters 2023-2024 and 2024-2025**



**Note:** Prices are converted from \$/MWh to \$/MMBtu using the following conversion factor: 1 MWh = 3.4121 MMBTU (ICIS, "European Spot Gas Markets Methodology," 2022, available at <https://cjp-rbi-icis-compliance.s3.eu-west-1.amazonaws.com/wp-content/uploads/2022/08/02133719/European-Spot-Gas-Markets-Methodology-26-July-2022.pdf>.)

**Source:** Decembers 2023-2024 Delivery Dutch TTF Futures Prices (Tickers "TZTZ3 Comdty" and "TZTZ4 Comdty"), Januarys 2024-2025 Delivery Dutch TTF Futures Prices (Tickers "TZTF4 Comdty" and "TZTF5 Comdty"), and Februarys 2024-2025 Delivery Dutch TTF Futures Prices (Tickers "TZTG4 Comdty" and "TZTG5 Comdty"), Bloomberg L.P.

A prompt market would reduce the lag between the primary auction, when market participants would commit to firm fuel arrangements, and the season when these arrangements have historically been made by about three years. Thus, the prompt market better aligns the capacity market with the least-cost means for gas-only generators to firm

<sup>103</sup> The value of these contracts reflects many factors including the spread between global LNG prices and regional pipeline gas prices and the likelihood of tightness in regional pipeline supplies that cause spikes in these regional prices.

fuel supplies.<sup>104</sup> Prompt market capacity offers will reflect expected fuel market conditions close to the time of resource operation, reducing uncertainty, increasing the likelihood that accredited capacity associated with such arrangements is cleared, and lowering consumer costs relative to an FCA.

## C. Risk and Financial Consequences of Uncertain Prices

The prior section discussed how differences in uncertainty in demand and supply under forward and prompt auctions affects the market outcomes and opportunity costs to market participants. In this section, we focus on how differences in these uncertainties affect differences in the financial risks faced by capacity suppliers.

### 1. Risk Mitigation from Forward Positions

A forward market provides a forward price signal that allows resources to hedge some financial risks. With a forward market, prices are locked in three plus years prior to the commitment period, which can mitigate financial risk from uncertain revenue to capacity resources and uncertain prices to customers. The nature of this hedge and thus the value it provides to market participants varies depending on the market participant's circumstances. By contrast, because a prompt market clears the market shortly before the commitment period, it acts like a commodity "spot" market and, in contrast to the forward market, exposes market participants to more financial risk. From an economic perspective, the transfer in risk under a forward market (from suppliers to customers) is not generally warranted, as requiring suppliers to bear these risks may lower costs because they are in a better position to manage and mitigate such risks. While, in principle, a forward market (or other contractual support) might be important to enable certain investments that would otherwise not occur, as we show, this is not the case for New England's capacity market, as a prompt market would be expected to incentivize new entry, when economic.

In theory, a forward market can benefit new resources by providing some revenue certainty before the decision to build the plant is made. If this revenue certainty lowers the project's financial risk and lowers the cost of financing the plant, the resource's net cost of new entry will be lower. Previously, the FCM had allowed new resources to lock-in FCM prices at the clearing price in the new resource's first FCA for seven years, although this provision was eliminated starting with FCA 15 in 2021.<sup>105</sup> Thus, under the current FCM, new resources have some price certainty for only the first year of the plant's operation (through clearing at or above its minimum offer price) but in none of the subsequent years, when it earns the market price. By contrast, a plant's economic lifetime (amortization period) is typically around 20 years. As a result, the price certainty offered by the forward market is limited, although some further benefit may be gained if capacity market prices are serially correlated over time. Therefore, the benefits of a forward market relative to a prompt for certainty in capacity market payments three years in advance is limited.

Experience with forward and prompt markets indicates that both can support the development of new resources and the forward commitment for new resources is not necessary to incentivize new investment. For example, between March 2018 and March 2023, 2.3 GW (in winter capacity) of new merchant entry has come into service under the

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<sup>104</sup> To the extent that market conditions for LNG peaking services change and these services can command more favorable terms, including multi-year commitments, such arrangements are not precluded by a prompt market.

<sup>105</sup> While this provision increased incentives for new entry, it did so by preferentially treating new resources relative to existing resources, which would be expected to result in inefficient use of capital (*i.e.*, economically premature resource retirement). See FERC Docket EL20-54.

NYISO prompt market.<sup>106</sup> By comparison, over the same period, 2.9 GW (in winter capacity) of new merchant entry came into service in ISO-NE.<sup>107</sup> In both regions, developers can rely on various bilateral financial arrangements (e.g., revenue puts, heat rate call options) to hedge revenue risks and provide greater revenue certainty.

Under the forward market, many new resources may not make their entry into the market conditional on their clearing in the FCA. If development timelines are greater than three years, then resources must begin development prior to knowing if they will be awarded a CSO for the commitment period three years ahead. Even for gas-fired resources, going forward, uncertainties in the development timeline may cause developers to start the development process prior to the FCA to ensure that they are online by the commitment period.

The forward market may also hedge financial risks for existing capacity resources and for competitive retail supplies. Some existing resources may benefit from locking-in capacity market revenues in advance, as it can allow them to make ongoing investment and maintenance decisions with better information about impacts on plant finances. When plant investment and maintenance decisions need to be scheduled in advance, a forward market would provide information about capacity revenues for the upcoming commitment period. However, like new plant investment decisions, consequential investment decisions typically reflect forward-looking estimates of revenues over many years, not revenues for one (or two) commitment periods. Thus, while a forward price may provide a hedge for these investment and maintenance decisions, this hedge would be limited.<sup>108</sup> A forward market may also benefit market participants that need to refinance generation facilities. With a forward market, refinancing would be made with knowledge of several years of capacity market prices, thus potentially lowering the cost of refinancing. With a prompt market, generators would bear the costs associated with this price risk.

More importantly, under the FCM, competitive retail suppliers know capacity market prices when submitting offers to supply default retail service. This reduces their financial risk and thus lowers the rates charged to customers for default retail service. Under a prompt market, these competitive retail suppliers may not know capacity market prices prior to submitting offers to supply default service, which may raise risks and rates for default service.

Financial markets and transactions among market participants offer various means to mitigate these financial risks. Plant developers in all regions with centralized capacity markets rely on various financial contracts to mitigate revenue risks to support project financing, including revenue puts and heat rate call options.<sup>109</sup> Competitive retail suppliers can manage capacity market price risk through bilateral agreements with capacity suppliers and other

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<sup>106</sup> This total includes new storage and fossil resources. NYISO, 2023 Gold Book, April 27, 2023, p. 74, available at <https://www.nyiso.com/documents/20142/2226333/2023-Gold-Book-Public.pdf>; NYISO, 2022 Gold Book, April 2022, p. 72, available at <https://www.nyiso.com/documents/20142/2226333/2022-Gold-Book-Final-Public.pdf/cd2fb218-fd1e-8428-7f19-df3e0cf4df3e>; NYISO, 2021 Gold Book, April 2021, p. 72, available at <https://www.nyiso.com/documents/20142/2226333/2021-Gold-Book-Final-Public.pdf/b08606d7-db88-c04b-b260-ab35c300ed64>; NYISO, 2020 Gold Book, April 2020, p. 63, available at <https://www.nyiso.com/documents/20142/2226333/2020-Gold-Book-Final-Public.pdf/9ff426ab-e325-28bc-97cf-106d792593a1>; NYISO, 2019 Gold Book, April 2019, p. 43, available at <https://www.nyiso.com/documents/20142/2226333/2019-Gold-Book-Final-Public.pdf/a3e8d99f-7164-2b24-e81d-b2c245f67904?t=1556215322968>.

<sup>107</sup> This total includes new storage, fuel cell and fossil resources. 2023 CELT Report, sheet “2.1 Generator List.”

<sup>108</sup> Moreover, economically, a market participant that bears the costs and risks of reinvestment and maintenance decisions generally makes more efficient decisions, as the participant bears the full cost of these actions. If shielded from the costs and risks of plant maintenance and reinvestment, the participant may overinvest in existing assets when retirement or replacement (repowering) would be more efficient.

<sup>109</sup> Budofsky, Daniel, Michael Reese, and Olivia Matsushita, “Financial Hedges for United States Gas-Fired Power Generation Facilities,” Pillsbury, June 5, 2017, available at: <https://www.pillsburylaw.com/en/news-and-insights/financial-hedges-for-us-gas-fired-power-generation-facilities.html>.

market participants that want to hedge their price risk. In addition, if there is substantial demand for instruments to hedge capacity market price risks, futures/forward markets could emerge to replace the ISO-NE FCA forward prices.

New York's capacity market provides an example of how markets have evolved to provide wholesale and retail market participants with options to hedge risks, as market participants rely on a mixture of bilateral and NYISO capacity markets for buying and selling capacity. In New York, roughly 50% of the electric generating capacity that buyers (LSEs, utilities, retailers, etc.) need to meet NYISO's capacity obligations is obtained bilaterally through negotiated agreements and NYISO voluntary multi-month capacity auctions, with most transactions occurring outside the NYISO markets.<sup>110</sup>

FERC data show that New York electric generation owners, investor owned utilities ("IOU"s), municipal utilities, and retail suppliers enter into short- and long-term<sup>111</sup> capacity transactions,<sup>112</sup> thus demonstrating that generators and capacity buyers have options to procure capacity and hedge risks other than in the NYISO spot market. This data shows that multiple electric generators (Exelon, Dynegy, NRG, New Athens), state IOUs and other wholesale and retail market participants (e.g., Mercuria, Direct Energy, NextEra Energy) buy and sell capacity outside of NYISO's spot market capacity auctions. Other disclosures indicate that market participants enter into bilateral transactions given the "short-term nature" of NYISO's capacity markets.<sup>113</sup> Thus, these data show that New York has an active bilateral capacity market.

Futures markets also provide a means to hedge future capacity market price risk. With a futures contract, the parties agree to trade capacity at a fixed price in exchange for future settlement at the spot auction price, with contracts available 12 to 36 months in advance of the spot month.<sup>114</sup> Open positions of several hundred megawatts indicate some trading activity in NYISO.<sup>115</sup> Thus, a portion of the capacity that is bought and sold in the spot auction is hedged based on futures prices.

The activity of New York's wholesale and retail market participants demonstrates that they rely on a mixture of approaches to hedge capacity purchase and sales. If the New England region pursues a prompt market, there may be a transition period in which market participants adjust to the changes in financial risk and develop alternative means to mitigate these risks. Thus, these changes in financial risks appear manageable, particularly given options

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<sup>110</sup> Potomac Economics, "2022 State of the Market Report for the New York ISO Markets," May 2023, p. A-178, Figure A-123: Auction Procurement and Price Differentials in NYCA, available at [https://www.potomaceconomics.com/wp-content/uploads/2023/05/NYISO-2022-SOM-Full-Report\\_\\_5-16-2023-final.pdf](https://www.potomaceconomics.com/wp-content/uploads/2023/05/NYISO-2022-SOM-Full-Report__5-16-2023-final.pdf).

<sup>111</sup> Long term transactions refer to contracts reported in Electric Quarterly Reports with durations of one year or greater. Contracts with shorter durations are short term (see "Electric Quarterly Report Data Dictionary Version 3.5," November 23, 2020, p. 5, available at [https://www.ferc.gov/sites/default/files/2020-11/Data\\_Dictionary\\_V3\\_5\\_Clean.pdf](https://www.ferc.gov/sites/default/files/2020-11/Data_Dictionary_V3_5_Clean.pdf)).

<sup>112</sup> FERC Electric Quarterly Report transactions data for which the buyer is a New York state investor owned or municipal utility, the seller holding company has over 1 GW of nameplate capacity in NY-ISO, and the Delivery Balancing Authority is NYISO, was obtained from Velocity Suite. Electric and Gas Utility Service Territory by County, available at <https://dps.ny.gov/system/files/documents/2022/10/nys-electric-and-gas-utilities-by-county.pdf>.

<sup>113</sup> Vistra (Dynegy's owner) notes in its recent Securities and Exchange Commission 10-k annual report: "Due to the short-term nature of the NYISO-operated capacity auctions and a relatively liquid bilateral market for NYISO capacity products, our Independence facility sells a significant portion of its capacity through bilateral transactions. The balance is cleared through the seasonal and monthly capacity auctions." Vistra Corp., "Form 10-k," for the fiscal year ended December 31, 2021, February 25, 2022, available at <https://investor.vistracorp.com/sec-filings?o=50&year=2022>.

<sup>114</sup> See, e.g., ICE, Futures Daily Market Report for Financial Power, 22-Dec-2023, NYC-NYISO In-City Capacity Calendar-Month Future with open interests through April 2026, available at <https://www.theice.com/marketdata/reports/142>.

<sup>115</sup> Id.

for bilateral transactions and potential financial instruments, where it may take some time for the new markets and products to support such activity to materialize and emerge.

## **2. Financial Risk from Forecasting Going Forward Costs**

In principle, offers into the capacity market reflect resources' estimate of their net going forward costs. These estimates reflect forecasts in operating costs and particularly net energy and ancillary service revenues and account for many uncertain factors, including temporary plant outages (e.g., equipment failures), current energy market conditions (e.g., wholesale energy prices), external market factors affecting resource participation (e.g., offers by distributed resources, including energy efficiency, that reflect actual projects not speculative forecasts), current capacity market conditions (e.g., opportunity costs from participation in other markets), and fuel costs. Under a forward market, these offers are made three years in advance, while offers under a prompt market are made shortly before the commitment period when offers can better reflect current asset and market conditions in their FCA offers. Given the greater uncertainties faced in a forward market, resources may include a premium to account for this risk, which could affect market-clearing prices.

## **D. Competition, Price Formation and Price Volatility**

### **1. Competition and Coordination of New Entry**

When originally designed, an important rationale for the FCM's design was to improve the efficiency of capital investments in new plants through a centralized, forward procurement that created competition among generators to supply new capacity and produced appropriate levels of investment in new plants. By clearing new resources in a centralized auction, the FCM could secure the lowest-cost new generation and avoid the risk that too much or too little new capacity would be developed. One hope was to avoid the boom-and-bust cycles of plant development, as the New England region (and other restructured electricity markets) had recently experienced a period of substantial investment following the initial restructuring of electricity markets and appeared to be leading into a period of low investment given the excess supply.

While the FCM has been successful in promoting competition among capacity resources (including new capacity) and procured appropriate quantities of resources (given their costs), the fact that procurements are forward rather than prompt has not been critical to achieving these outcomes. There is little evidence that forward procurement has been important in weeding out low-cost suppliers from high-cost suppliers, particularly since the first-year FCA offer price reflects a small portion of total plant revenue streams. Entry and exit of resources have been relatively orderly. Many factors have contributed to the limited effect of forward procurement on these outcomes, including slow growth in the need for new plants given flattening of capacity requirements and the growth in state policies as a key driver of much of the new capacity entering the region. Given these changes, we would not expect a switch to a prompt market to have much effect on competition among new entrants to the capacity market and the coordination of new capital investment to avoid over- or under-procurement.

A prompt market can improve competition by providing a neutral platform on which alternative technologies can compete to supply capacity. Under the FCM, the impact of forward procurement on new resource economics can vary with the project's expected developing timing. In theory, a forward market can benefit new resources that can make entry contingent on clearing the FCA (although, as noted above, this option may be less beneficial to entry decisions under current market conditions than it was in the past). However, this timing may be detrimental or have limited benefit to other market participants. Under the FCA, resources with short development timelines are likely disadvantaged because capacity market participation in the first year or two of operations may be limited to the ARAs. In general, the ARAs will be less liquid than the primary auctions, and historically, as discussed in **Section**

**III.B.3**, they have cleared a fraction of all offered supplies at prices below the corresponding FCAs.<sup>116</sup> In contrast, technologies with long development timelines may see little advantage in the option to make entry contingent on clearing if investment commitments must be made prior to the FCA in order to be online for the initial commitment period.

A switch to a prompt market should maintain effective competition so long as the market has access to good information about market and system conditions and sufficient time to respond competitively to these changes in market conditions. The current FCM provides information about new entry and retirement that would be available to the market at a later time under the prompt market. For example, retirement notifications may occur with less notice than under the current market and the financial commitment (through awarding of CSOs) to new resources would only occur shortly before the commitment period.

However, the market has other means to obtain information about the timing of new entry that can inform when new resources are entering the market: new resources often clear in state-sponsored utility procurements for new resources (e.g., renewable resources), and interconnection queues and applications for environmental permits provide information about new resource construction.<sup>117</sup>

In addition, ISO-NE can provide the market with information about current and future market conditions. Under the FCM, the market receives a rich set of information future market conditions, with many of these metrics being important parameters in the FCA. Currently, 3-4 years in advance of the commitment period, market participants have information used in the FCA (e.g., Net ICR and underlying calculations, information about retirement de-list bids and qualified capacity) and information from other ISO-NE planning processes and other third parties. This information supports the efficiency of long-term investment decisions regardless of whether the capacity auction is run on a forward or prompt basis. To the extent that certain information supporting the FCA is particularly valuable to undertaking such decisions, ISO-NE can develop processes to continue to provide such information on a forward basis outside of the capacity market if the region moves to a prompt market structure.

Finally, capacity resources incentivized by New England state clean energy market policies and programs would likely benefit under a prompt market. Resource developers would no longer face the prospect of clearing in FCAs, but then encountering delays that could lead to cost increases. And, as noted above, capacity resources with shorter development timelines can participate in auctions without delay. At the same time, as the next section explains, over the long-run capacity market prices should be expected to reflect market supply and demand fundamentals under either a forward or prompt market.

## **2. Price Formation in Forward and Prompt Markets**

Forward and prompt markets both create price signals that incentivize the entry of new resources and the exit (retirement) of existing resources. Assuming demand for and supply of capacity is the same, and assuming a competitive market, both a forward and prompt market should result in (more or less) the same prices, quantities, and entry and exit decisions in the long run. That is, within a competitive market with the same underlying supply

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<sup>116</sup> If resources with development timelines of less than three years first enter the market through the ARAs, the forward market structure has the effect of indirectly excluding these resources from participating in the primary auction for the commitment periods when they first enter the market. All else equal, this effect will raise the price in the forward auction and cause the new resource to clear at a lower price in its initial years of operation.

<sup>117</sup> See also, **Section III.C.1**. These market data can inform market participants' expectations of future supply/demand balance and likely support the evolution of New England capacity futures/forward markets.



and demand fundamentals, the price signals from a prompt and forward market should lead to efficient market outcomes that reflect these market fundamentals.

The prior sections identified many ways in which the use of a forward or prompt market could cause differences in supply and demand, particularly due to differences in uncertainty and risk. However, setting these differences aside, the question has been raised if differences in the way offer prices are determined in the forward and prompt market could cause persistent differences in market-clearing clearing prices.

One issue is if differences in net going forward costs for new resources between a forward and prompt auction would be expected to affect long-run capacity prices. With a forward auction, developers that have not sunk capital into the project have the option to include the one-time capital costs of building the plant when calculating offer prices because these costs can still be avoided. However, with a prompt auction, these costs are sunk, not avoidable and thus cannot be included in competitive offers. The question is whether this difference in offer prices from new resources between a forward and prompt auction would lead to differences in long-run capacity market prices.

A second potential difference in going forward costs between a forward and prompt auction could arise for existing resources that have differences in avoidable costs given their ability to reduce or “avoid” costs over different time frames. In some circumstances, costs that are avoidable three plus years prior to the commitment period may not be avoidable shortly before the commitment period. For example, major maintenance activities may need to be scheduled one year or more prior to the date of the maintenance. Scheduled activities may not be cancelled without incurring penalties, and thus some costs (e.g., penalties) may not be avoidable. In this case, if offer prices from existing resources differed because of how resource owners’ avoidable costs are calculated, the question is whether this would lead to a change in long-run capacity market prices.

For several reasons that we outline below, differences in offer prices should not lead to meaningful changes in long-run capacity market prices if a prompt market is adopted.

*First*, as described above, the forward or prompt nature of the auction does not change the underlying demand or supply fundamentals. Thus, in the long run, in a competitive market, one would expect (more or less) the entry and exit decisions to reflect these fundamentals and thus result in the same quantity and price outcomes. These entry decisions reflect forward-looking expectations of capacity market (and energy market) prices over the plant’s economic lifetime, such that entry occurs when expected revenues cover expected costs. The prompt market may change the mechanics of the capacity market auction, but it does not change the revenue expectations required to incentivize new entry. The same logic and considerations hold for retirement decisions.<sup>118</sup> Given this logic, if prices were higher, this would incentivize new entry that would push prices down until the market reached the equilibrium price. Similarly, if prices were lower, this would incentivize retirements or reductions in new entry that would push prices up. These decisions do not reflect the clearing prices in particular auctions but expected discounted net income across new plants’ economic lifetimes and existing plants’ planning horizons given forecasts of future market revenues.

*Second*, forward auctions in both ISO-NE and PJM have cleared new capacity resources at relatively low prices, far lower than estimated Net CONE values. This outcome suggests that the perception that new resources offer supply at “high” prices is inconsistent with actual bidding behavior of many market participants. For example, in the PJM

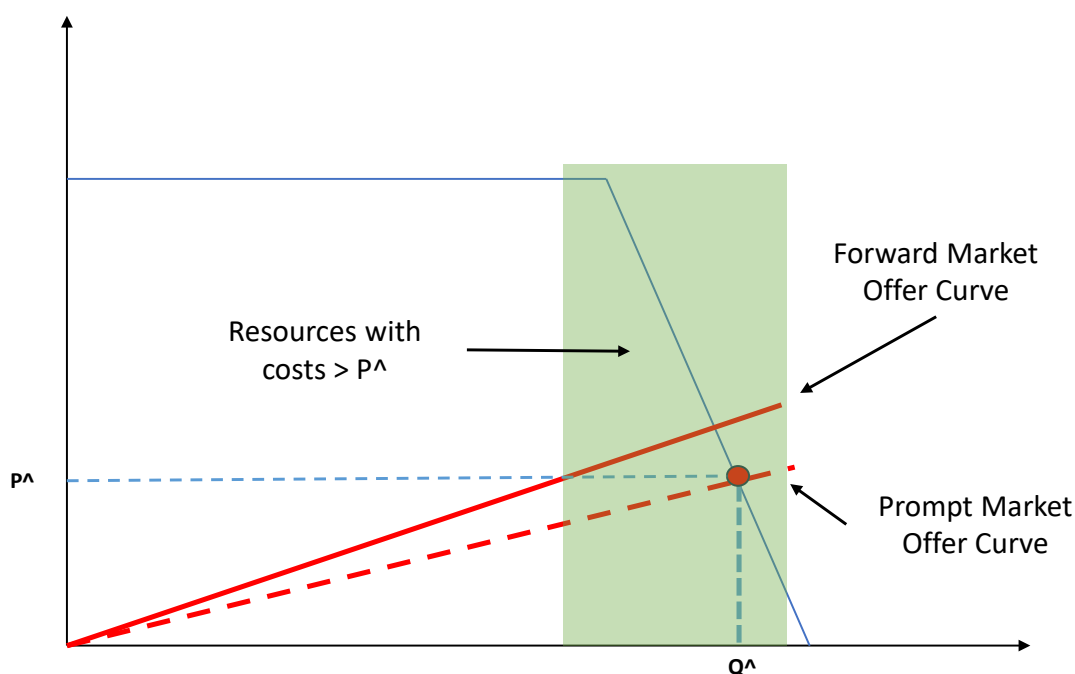
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<sup>118</sup> That is, an existing resource considering retirement will consider future costs and revenue streams, where revenue streams will reflect forward-looking expectations of capacity prices (among other things).

region numerous new capacity resources have cleared in capacity auctions at prices well below estimated Net CONE values.<sup>119</sup>

Third, the prompt market will not sustain equilibrium prices and quantities that do not allow resources to recover their going forward costs. Assume, consistent with stakeholders' concerns, that resource offer prices in a prompt market are constrained below offer prices that would be allowed under a forward market. **Figure 9** illustrates this hypothetical scenario, with the forward offer curve above the prompt offer curve. Under these assumptions, the prompt market clears at a price ( $P^A$ ) and quantity ( $Q^A$ ). However, this outcome is not sustainable because the price ( $P^A$ ) is below the costs of some resources in the market. Faced with prices below going forward costs, some resources would retire to reduce supply so that the total supply in the market is below the market-clearing quantity. These resources would take this action because they do not expect to receive revenues that would allow them to recover their investment or operations and maintenance costs.

**Figure 9. Illustration: Unsustainable Equilibrium with Constrained Offers**



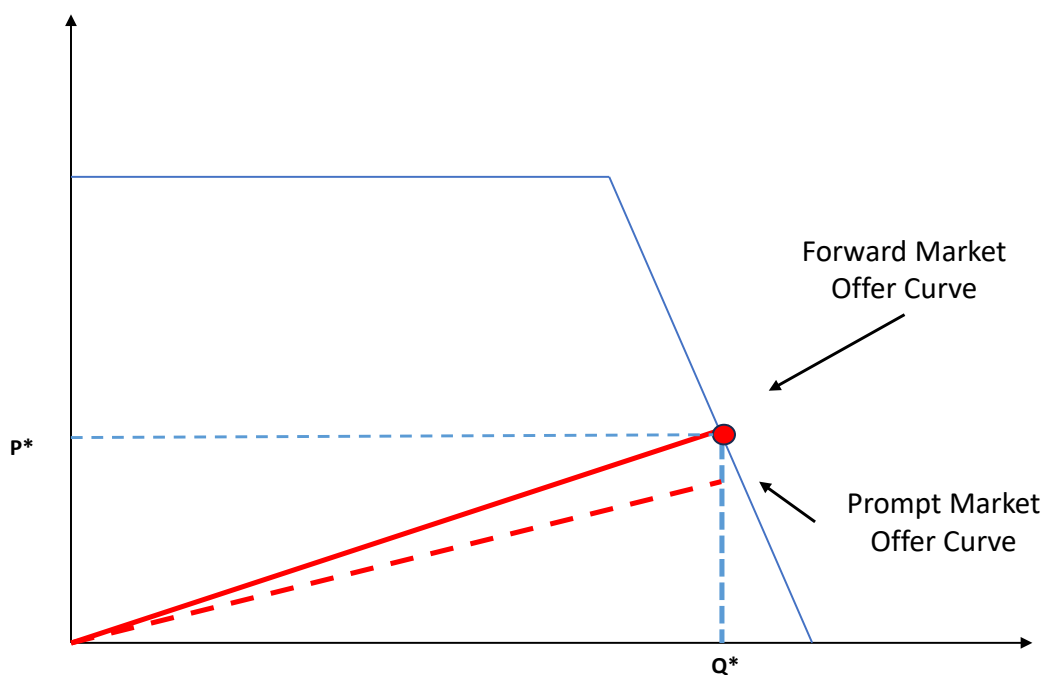
Under these circumstances, a long-run equilibrium would sustain fewer resources and higher prices compared to **Figure 9**. **Figure 10** illustrates such an outcome, in which price and quantity is the same for the forward and prompt market. In the forward market, the market clears where the demand curve and offer supply curve intersect. However, in the prompt market, assuming offers are constrained, the market does not clear where the marginal supply offer intersects the demand curve, but instead based on the demand curve. When all supply offer prices fall below their corresponding demand curve prices, the price is set at the price on the demand curve that corresponds with the

<sup>119</sup> PJM's capacity auctions cleared more than 27,000 MW of new gas fired capacity in its 2015-2021 forward capacity auctions with market prices approximately 60% below the net cost of new entry. See, The Brattle Group and Sargent and Lundy, "PJM Cost of New Entry" Combustion Turbines and Combined-Cycle Plants with June 1, 2022 Online Date," April 19, 2018, pp. 5-6, available at [https://www.brattle.com/wp-content/uploads/2021/05/13896\\_20180420-pjm-2018-cost-of-new-entry-study.pdf](https://www.brattle.com/wp-content/uploads/2021/05/13896_20180420-pjm-2018-cost-of-new-entry-study.pdf).



quantity of offered supply (*i.e.*, the vertical intercept from the quantity offered to the demand curve). Because market outcomes are set at the demand curve when the offer curve is below the demand curve, the market does not depend on supply offers covering a resources' total costs to create prices that are sufficient to cover these costs. Thus, under these circumstances, any differences in offers prices between a forward and prompt auction would not affect market-clearing prices.

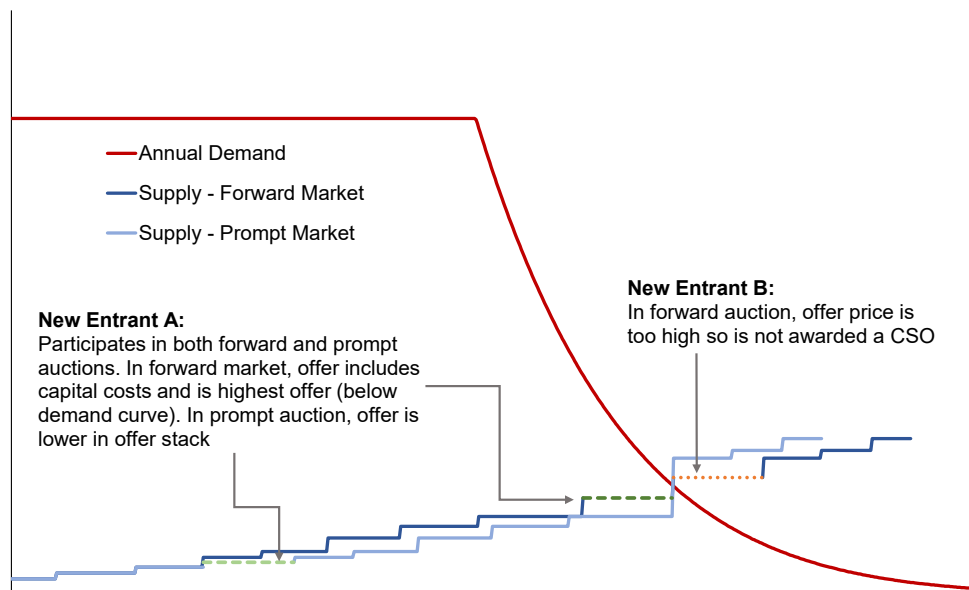
**Figure 10. Illustration of Market Clearing at Demand Curve**



**Figure 10** illustrates that the market may clear at a point on the demand curve that does not correspond with a supply offer. **Figure 11** illustrates that this circumstance can even arise when the market clears at new entry. In the illustration, under the forward market, the offer from the new entry is highest offer in the bid stack, so the market clears at the demand curve, not at the new entrant offer price. The next-highest offer is above the demand curve, and thus does not clear. Under the prompt auction, the new capacity resource is developed prior to the auction, and thus its offer price is further down in the offer stack and shifts (to the right) all of the other offers in the offer stack. Under the assumptions in the example, the market still clears at the vertical intercept to the demand curve, which results in the same price as under the forward market. Thus, this example illustrates that the prompt and forward can clear at the same price even when the marginal resource is new capacity.

*Fourth*, given many resources' development timelines, some new capacity may be poorly positioned to take advantage of the option to include upfront capital costs in their offers. Resources with longer development timelines (including the gas-fired resources for which the FCM was originally designed) may need to commit to development, financing, and construction before the FCA. Having already decided to proceed with the project, owners may not want to risk submitting high offer prices that do not clear in the auction, causing them to lose capacity market revenues.

Together, these factors lead us to conclude that meaningful differences in long-run price formation between forward and prompt markets are unlikely to emerge.

**Figure 11. Illustration of Market Clearing at Demand Curve with New Entry**

### 3. Market Mitigation

Capacity markets include market mitigation procedures aimed at ensuring that bidders cannot exercise market power, including requirements that market participants submit offers for review and potential mitigation if their offer prices exceed certain thresholds (“dynamic de-list bid thresholds”); and procedures for determining mitigated offer prices if requested offer prices are deemed not to reflect going forward avoidable costs. Market mitigation is a common practice in capacity markets with many different designs, including prompt markets such as the NYISO’s ICAP market, and is generally effective at deterring the exercise of market power in these markets.

Market efficiency can depend on the implementation of market mitigation, with excessive or lax mitigation affecting the competitiveness of market outcomes. Given the need to maintain this balance, these procedures should and do vary across markets given their region-specific considerations. In addition, these procedures have changed over time, in part reflecting experience gained from actual performance of the market. For example, ISO-NE recently modified the method for setting dynamic de-list bid thresholds so they are updated annually based on FCA prices.<sup>120</sup>

Given the balance required for effective market mitigation, with any change in market structure, some changes in market mitigation may be necessary. Thus, if the region pursues a prompt market, an important part of the process will be reviewing existing market mitigation procedures to determine whether they require modification. The prior section concluded that differences in long-run price formation between forward and prompt markets are unlikely to emerge in competitive markets. However, this conclusion depends on appropriate market mitigation for a prompt

<sup>120</sup> ISO-NE, “Market Rule 1 Change to Implement New Methodology for Calculating Forward Capacity Market Dynamic De-List Bid Threshold,” December 31, 2020, available at [https://www.iso-ne.com/static-assets/documents/2020/12/ddbt\\_filing.pdf](https://www.iso-ne.com/static-assets/documents/2020/12/ddbt_filing.pdf).

market and potential adjustments to existing procedures to the extent that unexpected impacts to competition and price discovery emerge. Thus, maintaining this balance is important. However, while the details of review and mitigation procedures may require modification, the overall structure of capacity market mitigation (e.g., review and potential mitigation of offers meeting certain criteria) would not need to significantly change with a prompt market as compared to the current FCA.

Thus, if the region were to shift from a forward to prompt auction, it may be important to revisit market mitigation rules and procedures to ensure they are appropriate for the specific circumstances of the revised auction format. One set of issues will be the determination of avoidable costs. For example, as noted above, the short time horizon between the prompt auction and of the commitment period could have implications for determining which costs are avoidable and which costs are not given the many considerations relevant to such determinations.<sup>121</sup>

A second set of issues could involve dynamic de-list bid thresholds, particularly if rules for determining avoidable costs constrain the portion of fixed costs that can be incorporated into offers. If the region were to pursue a prompt market, it might consider potential changes to this design and its requirements at the outset of the effort or at a later date to the extent that actual price dynamics under the prompt market differ meaningfully from the current FCAs.

A third set of issues could arise if opportunities to exercise market power in a prompt market differ from the current FCM due to the absence of some offers from new entry. Given this possibility, development of a prompt market should assess whether this possibility poses a meaningful incremental risk from the current FCM and, if so, how to develop mitigation procedures for these circumstances.<sup>122</sup> We do not explore any of these issues further but include assessment of market mitigation as an issue to be addressed if the prompt market is pursued.

#### **4. Price Volatility in Forward and Prompt Markets**

In principle, prompt and forward auction capacity price volatility could differ.<sup>123</sup> In commodity markets, spot market prices can quickly rise or fall in response short-term (transient) supply and demand shocks. Large spot market price increases or decreases lead to high price volatility. In contrast, forward market prices (*i.e.*, prices for future dates) rise and fall based on longer-term changes in expected supply and demand fundamentals. Forward market buyers and sellers can evaluate the longer-term impact of spot market supply and demand shocks to determine whether they reflect changes in fundamentals or transient effects. As a result, forward market price movements and volatility are generally lower.

However, capacity markets differ in important respects from typical commodity markets. First, forward and prompt capacity markets differ in the timing of the primary auction for CSOs. They are not sequential auctions for the same

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<sup>121</sup> Important considerations include, for example, the extent to which expenditures can be foregone if the plant does not accept a CSO, but also medium-run considerations (e.g., allowances for inclusion of depreciated plant investment in years after the investment is made).

<sup>122</sup> In the NYISO ICAP, all offers in mitigated capacity zones (*i.e.*, currently zones other than Rest of State and Long Island) are subject to market power mitigation given concerns that limited market size creates opportunities to exercise market power (NYISO, Market Administration and Control Services Area Tariff (MST), 23 MST Attachment H ISO Market Power Mitigation Measures, 23.4.5 MST Attachment Installed Capacity Market Mitigation Measures, Section 23.4.5.2, available at <https://nyisoviewer.etariff.biz/ViewerDocLibrary/MasterTariffs/9FullTariffNYISOMST.pdf>).

<sup>123</sup> Note that in this section we consider capacity price volatility (measured as the standard deviation of the price changes). While prompt and forward capacity price levels will also vary over the long-term, the expected prices under either market design must be high enough to incentivize entry. A market design anchored with demand curves should ensure that in expectation it can support new resource development when it is needed to satisfy the region's resource adequacy objectives.

delivery period with two-part settlement. Second, and more importantly, transient shocks to demand and supply are more limited within capacity markets in comparison to other commodity markets. For example, consider first capacity market supply. Capacity market supply resources are almost all existing at the time auctions are run, regardless of whether the auction is prompt or forward, and generally *must* offer their full capability, which generally changes little over time, except for events like unexpected or long-term outages. Some volatility could arise from entry and exit to the extent that prompt markets provide less time for the market to respond with new capacity (given retirement notification requirements). Similarly, while forecast capacity demand also varies during the time between when a forward auction is run and the commitment period, the capacity demand forecasting process is stable and year-to-year changes in Net ICR are likely to be similar with forward market three-year-ahead forecasts and prompt market one-year-ahead forecasts. Thus, since there are few significant supply and demand shocks that would affect prompt auctions rather than forward auctions, prompt market price volatility would not necessarily be expected to be substantially greater than forward market price volatility.<sup>124</sup>

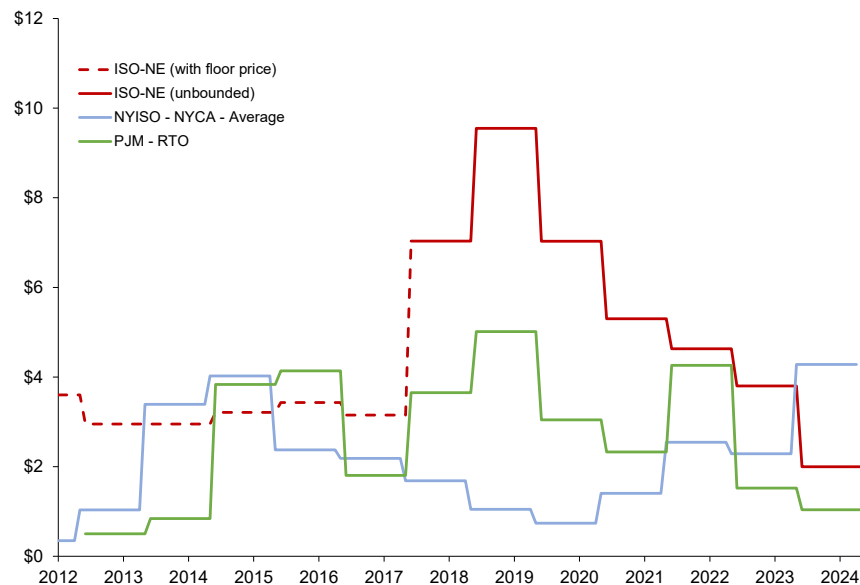
To evaluate actual price volatility differences, we compare the results of PJM's and ISO-NE's forward capacity auctions against the results of NYISO's prompt capacity auctions. We compare the market clearing prices and price volatilities for the following capacity market auctions: 1) four zonal, prompt-seasonal NYISO auctions, each held just over six months prior to their delivery periods of either the coming summer or winter; 2) four zonal, forward-annual PJM auctions, held three years prior to their delivery years; and 3) ISO-NE's rest-of-pool annual forward auctions, a little over three years prior to their delivery years. Of course, prices in these markets differ due to many factors, including changes in administrative demand curves, regulatory changes that impact CSO obligation costs, and particular circumstances specific to each market. Our comparisons do not account for all of these differences but are intended to assess whether forward and prompt market structures are associated with obvious and large differences in volatility.

For delivery years 2012-2024, **Figure 12** shows the auction clearing prices of three unconstrained geographic regions: ISO-NE's rest-of-pool, NYISO's NYCA region, and PJM's RTO region. All three markets are comparable in their variations, independent of each market's status as either a forward-annual or prompt-seasonal market. **Figure 13** shows a similar result for constrained markets.

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<sup>124</sup> **Section III.B** provides a more in-depth review of ISO-NE supply/demand changes during the time between when the forward auction occurs and the delivery period.

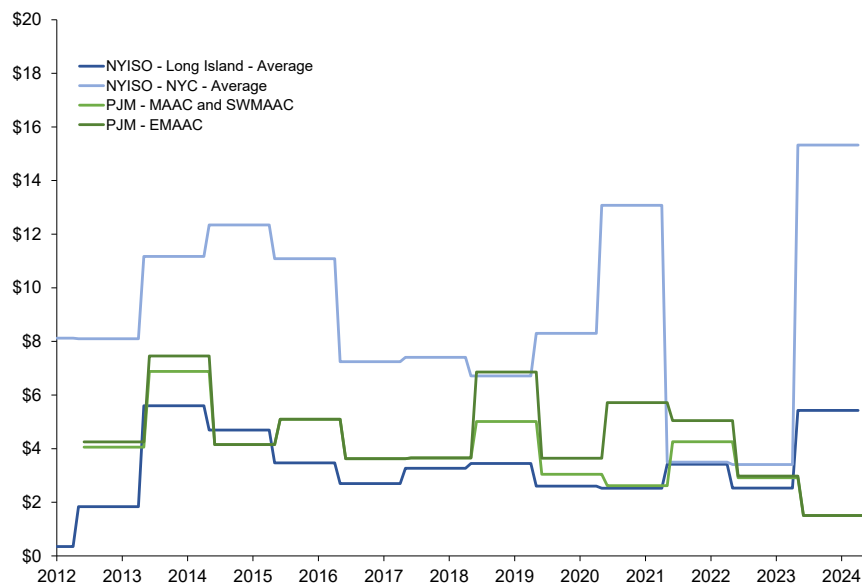
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**Figure 12. Capacity Prices for Unconstrained RTO Regions, Delivery Years 2012-2024****Sources:**

[A] ISO-NE, "Markets," available at <https://www.iso-ne.com/about/key-stats/markets#fcaresults>.

[B] NYISO, "Installed Capacity: View Strip Auction Summary," available at [http://icap.nyiso.com/ucap/public/auc\\_view\\_strip\\_detail.do](http://icap.nyiso.com/ucap/public/auc_view_strip_detail.do).

[C] PJM, "Capacity Market (RPM)," available at <https://www.pjm.com/markets-and-operations/rpm.aspx>.

**Figure 13. Clearing Prices of Constrained Zonal RTO Regions, Delivery Years 2012-2024****Sources:**

[A] ISO-NE, "Markets," available at <https://www.iso-ne.com/about/key-stats/markets#fcaresults>.

[B] NYISO, "Installed Capacity: View Strip Auction Summary," available at [http://icap.nyiso.com/ucap/public/auc\\_view\\_strip\\_detail.do](http://icap.nyiso.com/ucap/public/auc_view_strip_detail.do).

[C] PJM, "Capacity Market (RPM)," available at <https://www.pjm.com/markets-and-operations/rpm.aspx>.

In **Table 3**, we formalize these comparisons with a statistical measure of each capacity market's clearing price volatility.<sup>125</sup> **Table 3** shows that prompt and forward capacity market prices have comparable volatility. When annualized, the volatility of NYISO's auctions is comparable to those of PJM's forward market auctions. ISO-NE's volatility was calculated for only the 2017 through 2024 delivery year auctions due to the application of a price floor for all prior delivery years (which kept prices artificially stable). When measured over this same time period, volatilities in areas outside of local zones in NYISO and PJM, which are most comparable to the ISO-NE prices, were lower than reported in **Table 3**: 52.3% in NYCA (NYISO) and 53.7% in RTO (PJM).<sup>126</sup>

**Table 3. Capacity Market Price Volatility by ISO Region**

ISO Market	Volatility
<b>NYISO - Annualized</b>	
Long Island	72.0%
NYCA	64.7%
NYC	57.0%
G-J Locality	44.3%
<b>PJM (Annual)</b>	
RTO	72.3%
EMAAC	47.8%
MAAC	40.4%
SWMAAC	40.4%
<b>ISO-NE - ROP (Annual)</b>	
	33.3%

**Notes:**

[1] Volatility was calculated as the standard deviation of the natural logs of the ratio of each year's price to the previous year's price.

[2] For each region, the maximum range of data was selected. From earliest to latest, the years are as follows: NYISO's Long Island, NYCA, and NYC markets from 2006-2023; ISO-NE's ROP market from 2017, the first year without a floor price, through 2024; PJM's markets from 2012-2024; and NYISO's G-J Locality market from 2014-2023.

[3] NYISO data are for 6-month strip auction prices, with summer and winter deliveries beginning May 1 and November 1, respectively, of each given year.

**Sources:**

[A] ISO-NE, "Markets," available at <https://www.iso-ne.com/about/key-stats/markets#fcaresults>.

[B] NYISO, "Installed Capacity: View Strip Auction Summary," available at [http://icap.nyiso.com/ucap/public/auc\\_view\\_strip\\_detail.do](http://icap.nyiso.com/ucap/public/auc_view_strip_detail.do).

[C] PJM, "Capacity Market (RPM)," available at <https://www.pjm.com/markets-and-operations/rpm.aspx>.

In summary, based on the available historical data, capacity auction price volatilities of ISO-NE's forward-annual auctions, PJM's forward-annual auctions, and NYISO's prompt-seasonal auctions appear comparable. Our comparisons do not account for all of the factors that differ across these markets but assist with assessing whether there are large differences in volatility between forward and prompt market structures. While prompt auctions may

<sup>125</sup> These estimates reflect relatively small samples and thus the differences between estimates in **Table 3** may not be statistically significant.

<sup>126</sup> Volatilities in local load zones would be subject to locational constraints that would, all else equal, tend to increase volatility.

introduce greater price volatility in some cases, the historical capacity market price volatilities fall into similar ranges and pose comparable financial risks to market participants.

### **5. Price Discovery During Transition to a Prompt Market**

If the region transitions to a prompt auction, consideration should be given to price discovery as the region makes this transition. Under the present schedule, the next primary capacity auction (reflecting capacity with must offer requirements) would occur in February 2024 for the 2027-28 commitment period.<sup>127</sup> If the region adopts a prompt auction, the next auction would not occur until late 2027 or early 2028.<sup>128</sup> Thus, three to four years could pass with no primary auction, which would create uncertainty for stakeholders about capacity market prices for the 2028-29 commitment period given ongoing changes to demand and supply. At present, regular annual auctions provide information to the market about capacity prices that informs asset decisions, including retirement of existing resources and development of new resources. Thus, the gap in price discovery during the transition period to a prompt market would create uncertainty that could affect these decisions.

ISO-NE should consider options to supplement information available to the market to facilitate price discovery during the transition to a prompt market, if pursued. Continued information reporting about new resource capacity entering the market and retirement of existing resources will inform market participants about the supply resources in the market, which would inform assessments of future capacity prices. ISO-NE could also continue to produce demand curve parameters and indicative demand curves to allow market participants to assess how changes in demand could affect pricing. Information about qualified capacity, given enhanced RCA, for CCP 19 would also provide valuable information about supply. With sufficient information available market participants can form expectations and seek hedging options.

## **E. Complementarity with New England Resource Transition**

As discussed in **Section II**, the New England region's grid is undergoing a transition in the types of resources entering the system. State policies and technological advances are leading to an increasingly diverse mix of resources in the system, including various intermittent renewables (e.g., onshore and offshore wind, solar PV), battery storage, and distributed/demand-side technologies. However, the timing and nature of this transition is uncertain, and may include and require new and emerging technologies (e.g., non-emitting peaking technologies) or existing fossil technologies (i.e., gas-fired combustion turbines) to maintain a reliable operating system.

Our assessment identifies multiple ways in which the switch to a prompt market would be expected to support and accommodate the transition of New England's grid.

- **Prompt market provides technology-neutral competition that benefits many non-emitting technologies.** A prompt market provides technology-neutral incentives to supply capacity that support the competitiveness of resources with development profiles that differ from traditional gas-fired resources. While a forward market provides a financial hedge that, in theory, may be beneficial for new project

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<sup>127</sup> ISO-NE, "Forward Capacity Auction 18 Schedule," available at <https://www.iso-ne.com/static-assets/documents/2021/02/fca-18-market-timeline-02-10-2021.pdf>. FERC recently approved a one-year delay to FCA 19 to no earlier than February 2026. FERC, "Letter order accepting ISO New England Inc.'s et al. 11/03/2023 filing of proposed revisions to its Transmission, Markets and Services Tariff to delay the nineteenth Forward Capacity Auction, etc. under ER24-339," Docket No. ER24-339-000, January 2, 2024.

<sup>128</sup> The exact timing of the prompt auction under these assumptions would depend on future market design decisions.

development using certain technologies, this hedge may be of little value or come with costs (e.g., reduced or riskier revenues in initial years of operation) for other technologies. As discussed in **Section III.D.1**, resources with short development timelines may be adversely affected because capacity market participation in the first year or two of operation may be limited to the ARAs, which have historically offered lower revenues. Other resources with long or risky development time frames may need to start development before the three-year ahead forward auction, thus limiting any benefit from the forward hedge. By contrast, a prompt market requires offers backed by deliverable capacity, thus treating all resource offers on equal terms.

A prompt market's technology-neutral incentives support all types of resource types. Thus, if new merchant dispatchable units, relying on natural gas or non-emitting fuels, are needed to maintain reliable system operations under the transition, a prompt market can provide incentives for such resources to be developed, if needed. For example, experience in NYISO's ICAP market demonstrates that new gas-fired resources can be developed under a prompt market. The ability to support new merchant development may be particularly important if the system experiences substantial increases in loads from electrification.

- **A prompt market better accounts for technology adoption that affects demand.** Decarbonization of the grid includes many technology decisions that impact system loads, including expanding distributed non-emitting technologies (e.g., solar PV, wind, battery storage), increasing energy efficiency, and the electrification of heating and transportation.<sup>129</sup> These technology decisions are often the target of state energy policies that aim to affect these decisions through a variety of initiatives. However, the pace of adoption of these technologies is inherently uncertain and often made more so by the introduction of new policy measures.

With a forward market, the net impact of these initiatives must be forecast three-plus years prior to the commitment period, which creates empirical and conceptual challenges given the uncertainty in program participation rates and requirements to maintain reliability. By contrast, with a prompt market, the gap in time between estimating demand and the commitment period is shorter, thus reducing uncertainty in measuring the impact these initiatives have on resource adequacy needs. Thus, a prompt market can more reliably account for the impact of state initiatives and the uncertain pace of adoption of these demand-side technologies.

- **A prompt market provides a more reliable system given contributions of technologies important to the clean energy transition.** A prompt market supports a reliable system by better accounting for evolving changes in system resource contributions to resource adequacy, particularly as the region adopts enhanced RCA to more accurately measure these contributions. While the prompt market would measure these contributions based on actual, activated resources, the forward market would rely on projections, including assumptions about new resources entering the system. Thus, as intermittent resources, battery storage and other clean resources expand with the region's energy transition, the prompt market will more accurately account for their contributions and the contributions of other resources (given the more diverse resource mix).

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<sup>129</sup> Demand-side or distributed resources may also participate in the capacity market as supply-side resources, rather than reductions in demand.



## F. Administrative and Operational Considerations

Several administrative and operational considerations are relevant to the tradeoffs between a forward and prompt market.

*First*, with a prompt market, the process of administering and participating in the capacity market could be simplified in a number of respects:

- **Certain elements of the FCM process could be eliminated.** With a prompt auction, certain aspects of the current FCM process could be eliminated. For example, a prompt market would not require either (1) annual reconfiguration auctions or (2) procedures to pre-qualify new resource offers, ensure that these offers have provided sufficient assurances regarding their offers (e.g., credit requirements), and monitor the development progress of these new resources. Other elements might also be eliminated (e.g., elimination of price-based review of retirement notifications).
- **Certain elements of the resource qualification could potentially be simplified and/or performed on a shorter timeline.** With a prompt auction, certain aspects of the capacity market process could potentially be simplified or shortened compared to the current design. For example, qualification processes for existing resources and review of de-list offers might be performed on a shortened time frame, assuming that the elimination of other elements of the processes leading up to the primary auction either reduces the number of steps required before the auction or reduces burdens on ISO-NE staff.
- **Shifts certain elements of the current capacity market to other processes.** Under the current FCM, retirement notification occurs in the earliest phases of the FCA. With a prompt auction, this process could be moved outside the capacity market, which would not reduce administrative burdens but shift them within ISO-NE. In addition, to conform with FERC Order 2023, ISO-NE also plans to move key elements of the interconnection process outside the capacity market. These changes will happen independent of any decision to pursue a prompt or seasonal market.<sup>130</sup>

On the whole and in the long-term, the prompt market would lower administrative costs and burdens for ISO-NE and market participants by reducing the number of auctions and eliminating administrative steps currently required under the FCM given its forward nature (e.g., new entry financial and qualification requirements). However, we do not quantify the magnitude of these savings, particularly in relation to other changes in economic benefits and costs associated with a change to a prompt market.

*Second*, with a prompt market, development of enhancements to the capacity market for future commitment periods could occur in a more-timely manner. At present, under the FCM, the impact on capacity market enhancements on outcomes during the commitment period occur four or more years after the market rule changes have been approved.<sup>131</sup> For example, the pay-for-performance rules were approved in 2014 to impact CSOs for the 2018/19 commitment period.<sup>132</sup> This lag between enactment of new market rules and the date when those rules affect

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<sup>130</sup> ISO-NE, "ISO-NE Responses to Capacity Related Questions Raised in the Context of Order No. 2023 Compliance Discussions," November 17, 2023, available at [https://www.iso-ne.com/static-assets/documents/100005/2023\\_11\\_17\\_order\\_no\\_2023\\_capacity\\_question\\_and\\_answer.pdf](https://www.iso-ne.com/static-assets/documents/100005/2023_11_17_order_no_2023_capacity_question_and_answer.pdf).

<sup>131</sup> This assumes that new market rule changes are approved prior to the start of qualification for the upcoming FCA, which occurs more than four years prior to the commitment period being procured in that auction.

<sup>132</sup> ISO-NE, 147 FERC ¶ 61,172, Order on Tariff Filing and Instituting Section 206 Proceedings, May 30, 2014, Docket Nos. ER14-1050 et al.

commitment period outcomes potentially constrains ISO-NE's ability to best respond to circumstances that would benefit from rule changes to affect outcomes in upcoming commitment periods (without disrupting already cleared market outcomes). This lag also affects energy and ancillary services markets, as changes to these market rules affect capacity market outcomes through estimates of going forward costs and Net CONE. With a prompt auction, this lag could be eliminated or reduced such that market enhancements could be implemented affecting the upcoming commitment period.

## **G. Key Issues in the Design of a Prompt Market**

If the New England region were to pursue the use of a prompt market, ISO-NE and stakeholders would need to undertake a process of developing a detailed design proposal and taking this proposal through a stakeholder process. This process would require addressing many detailed design issues; below, we identify several key issues to address:

### **1. Modification of the Resource Qualification Process**

As noted in **Section III.F**, the switch to a prompt market would require modifications to pre-auction processes required to qualify resources, quantify their capabilities and eligible capacity, and submit and review any offers subject to review by the market monitor. Given changes to the manner in which new resources enter into the capacity market, this would require elimination and addition of certain procedures.

### **2. Modifications to the Retirement Notification Process**

The switch to a prompt market would provide the option to modify retirement notification and would require changes to the process of “de-listing” resources from the capacity market. At present, de-listing and retirement notification occur in the same process prior to the FCA, with some de-listing decisions depending on whether the resource clears in the FCA. However, under a prompt market, the close tie between de-listing and deactivation would not be necessary. As a result, modifications to the retirement notification process can be made, which may provide resource owners with more flexibility regarding the timing of retirements.

### **3. Timing and Structure of a Prompt Auction**

The timing and structure of a prompt auction could take many different forms. While we describe the prompt auction as occurring “shortly before” the commitment period, there is discretion regarding exactly how far in advance of the commitment period (many weeks, many months, etc.) the auction would occur. Moreover, in principle, auction timing could be modified to occur at any point between the current forward auction and a prompt auction “shortly before” the commitment period, including timing a year or more ahead of the commitment period. We have not evaluated the tradeoffs offered by such an approach, which would effectively modify the current forward auctions to occur less than three years ahead of the commitment period (with fewer reconfiguration auctions).<sup>133</sup> If the region pursues a prompt auction, the design process would need to assess and specify the timing of prompt auctions given various tradeoffs. Existing prompt capacity markets take different approaches. For example, in the NYISO ICAP market,

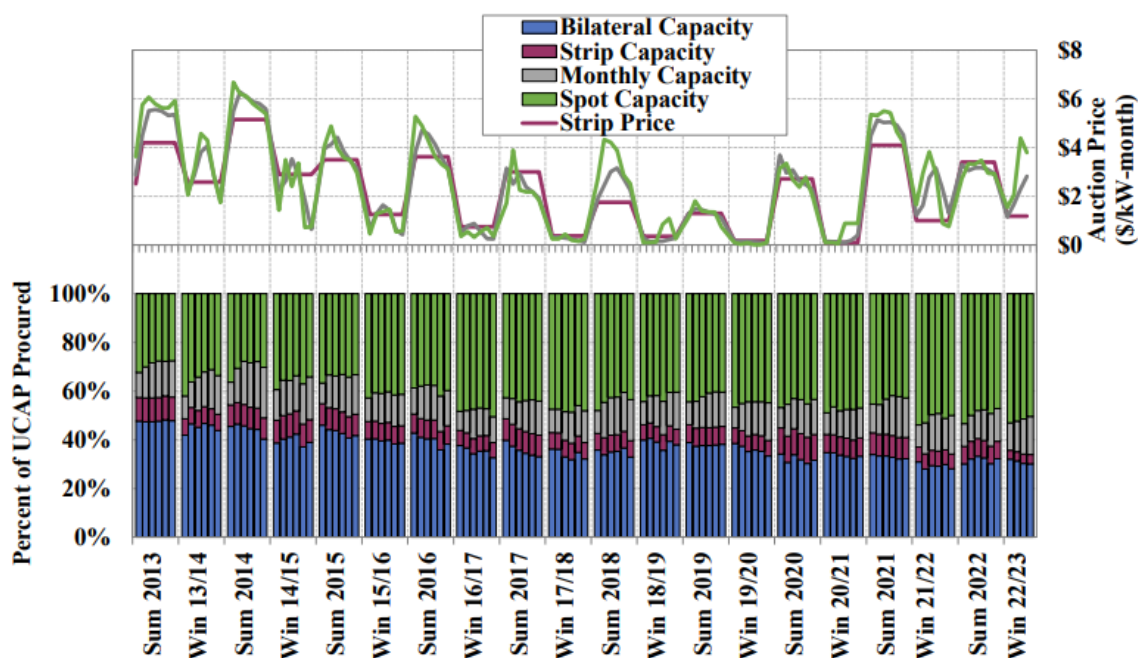
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<sup>133</sup> While we have not evaluated a modified forward market with a forward auction shorter than the current three years, we would expect that it may produce some of the benefits of the prompt auction, although it appears unlikely to offer some key benefits that are unique to a prompt auction such as the ability to require resources to be activated before participating. This does not, however, imply that the prompt auction should necessarily occur as close to the commitment period as is feasible, as there may be multiple considerations relevant to determining the appropriate timing for a prompt market.

the monthly spot auctions are held several days before the delivery month. By contrast, MISO's seasonal, prompt auctions occur in April for commitment periods starting in June.<sup>134</sup>

In principle, a prompt structure could also include forward-financial markets to promote liquidity and price discovery. For example, the NYISO ICAP market includes two voluntary auctions (the strip auction and month auctions) through which LSEs and generators can trade capacity. However, these auctions are provided in the context of monthly spot auctions for what is, in effect, a monthly capacity product, rather than annual or bi-annual auctions for a seasonal capacity product. As shown in **Figure 14**, less capacity is currently transacted in these voluntary auctions than through either the spot auction or bilateral trades outside the market.

**Figure 14. Auction Procurement and Price Differentials in NYCA, May 2013 – February 2023**



**Source:** Potomac Economics, “2022 State of the Market Report for the New York ISO Markets,” May 2023, p. A-178, Figure A-123: Auction Procurement and Price Differentials in NYCA, available at [https://www.potomaceconomics.com/wp-content/uploads/2023/05/NYISO-2022-SOM-Full-Report\\_\\_5-16-2023-final.pdf](https://www.potomaceconomics.com/wp-content/uploads/2023/05/NYISO-2022-SOM-Full-Report__5-16-2023-final.pdf).

#### 4. Auction Structure

The FCA uses a descending clock auction to clear offers to supply capacity against the administrative demand curve. One factor in adopting the descending clock auction was the view that early rounds of bidding provide information to new entrants (that have not started development) about the value of new capacity that can be valuable in forming

<sup>134</sup> MISO, “MISO Planning Resource Auction (PRA) Timeline for Planning Year 2023-2024,” available at <https://cdn.misoenergy.org/2023-2024%20PRA%20Timeline626264.pdf>.

competitive offers.<sup>135</sup> However, there are many other considerations for the choice of auction design for capacity market, including potential for bidder collusion, incentives for offers to reflect true costs, other strategic bidding considerations, and simplicity and cost.<sup>136</sup> As a result, auction design differs across capacity markets as regions face different market conditions, balance tradeoffs differently, and have different experience from other regions to draw on given when their market was developed.

A change to a prompt auction would provide the opportunity to revisit this decision to determine whether another auction structure (e.g., sealed bid auction) would be better suited and produce more efficient outcomes. In particular, because new resources are already committed prior to participation in a prompt auction, the original rationale of improving information for new resource offers may be less relevant. The reassessment could reflect the different circumstances of a prompt auction, account for evolving experience with auction design and consider other auction design elements.

### 5. Market Mitigation

As noted in **Section III.D.3**, prompt market design would require that market mitigation procedures be evaluated for potential changes. While we do not envision the need for significant changes to the basic framework, the details of the circumstances when mitigation is required and the procedures for determining mitigated offers may require adjustment.

## IV. Evaluation of the Key Tradeoffs Between an Annual and Seasonal Market

Resource adequacy has traditionally been maintained through annual procurement of capacity to address risks associated primarily with peak loads during summer months. This approach was reasonable as resource adequacy risks were concentrated almost exclusively in one season (summer) and differences in the contributions of different technologies to resource adequacy across seasons were modest and generally supported non-summer reliability.<sup>137</sup>

Market conditions, however, have changed in recent years in ways that spread resource adequacy risks across more than one season. *First*, winter resource adequacy risk has increased due to a shift in the seasonal load profile caused by a combination of factors, including electrification of heating and transportation, and the persistence of

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<sup>135</sup> Bidders of new capacity face uncertainty about its value, which is “common” across bidders — *i.e.*, they value it for the same purposes (*i.e.*, deriving profits) and not for values outside of its market value. In these circumstances, auction theory suggests that bidders unknowingly overvalue the asset that wins the auction — referred to as the “winner’s curse.” In principle, when bidders hold private information about the common value, a descending clock auction reduces common value uncertainty by revealing this information and thus can lead to higher, more efficient prices. Bulow, Jeremy and Paul Klemperer, “Prices and the winner’s curse,” *RAND Journal of Economics* 33(1): 1-22, Spring 2002. Klemperer, Paul, “What Really Matters in Auction Design,” *Journal of Economic Perspectives* 16(1): 169-189, Winter 2002.

<sup>136</sup> See, e.g., Harbord, David and Marco Pagnozzi, “Britain’s Electricity Capacity Auctions: Lessons from Colombia and New England,” *Electricity Journal* 27(5), July 2014; Holmberg, Par and Thomas Tangeras, “A Survey of Capacity Mechanisms: Lessons for the Swedish Electricity Market,” *The Energy Journal* 44(6), 2023.

<sup>137</sup> The ISO-NE capacity market has procured capacity on an installed capacity basis (*i.e.*, ICAP) rather than an unforced capacity basis. Thus, seasonal differences in qualified capacity generally reflected only seasonal differences in plant capability due to thermal (weather) performance, with higher capability in winter than summer.

long-duration winter energy security risks.<sup>138</sup> Given these changes, it's expected that ISO-NE will shift from a summer peaking system to a winter peaking system in the foreseeable future. *Second*, for many of the technologies increasingly relied on in a decarbonized grid, the contribution to resource adequacy varies between summer and winter seasons, with these contributions dependent on the overall mix of resources in the fleet and relative demand across seasons.

Given the growing importance of non-summer reliability risks, a seasonal market can more accurately account for differences in these risks, resource contributions and costs across seasons. As with any commodity market, as differentiation in product definition or temporal variation in prices emerges, offering more products in the market can provide many benefits, including more reliable quality, more accurate pricing and thus more efficient economic outcomes. However, offsetting these benefits are the costs of developing and maintaining more highly-differentiated, granular markets.

For these reasons, a seasonal capacity market can achieve resource adequacy more cost-effectively and improve reliability outcomes compared to an annual capacity market. A seasonal market may also improve reliability by incenting a resource mix better-suited to evolving season-specific reliability risks, particularly to the extent that it can automatically adjust for evolving patterns of seasonal risks over time without the need for *ad hoc* modifications to account for these changes. However, offsetting these potential benefits would be the costs to the region and system of making the transition and maintaining the more complex system, and the risk of other unintended consequences.<sup>139</sup> Thus, the decision to pursue a seasonal market should reflect whether the potential gains from the seasonal market over medium to long term offset these administrative costs and potential risks, which would likely be concentrated in the short term.

This section of the report evaluates the tradeoffs between an annual and seasonal market. We describe three key benefits to switching to a seasonal market:

- A seasonal market can reduce the costs of procuring capacity needed to meet reliability risks through separate seasonal markets (rather than one annual market) that procures resources based on demand for resources in each season;
- A seasonal market can reduce costs by better accounting for seasonal differences in resource accreditation values; and
- A seasonal market can lower costs by accounting for differences in resource (going forward) costs across seasons, thus procuring resources for resource adequacy when they can most cost-effectively supply capacity.

In evaluating each of these potential benefits, the report will also consider whether (and if so, how) the choice between a forward and prompt market affects the tradeoffs posed between an annual and seasonal market. We also consider several other issues relevant to the choice between an annual and seasonal market (e.g., market

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<sup>138</sup> ISO-NE has been working with the Electric Power Research Institute to conduct a probabilistic energy-security study for the New England region under extreme weather events, given that weather, particularly changing extremes and range of variability, is a key factor affecting resource (*i.e.*, energy) availability, demand patterns, and related reliability concerns. See, ISO-NE, "Operational Impacts of Extreme Weather Events Key Project," available at <https://www.iso-ne.com/committees/key-projects/operational-impacts-of-extreme-weather-events>.

<sup>139</sup> Another common tradeoff that does not appear to be relevant for a seasonal capacity market in ISO-NE would be sufficient market liquidity.

mitigation, and administrative and operational burdens) and some key issues that would need to be addressed with a seasonal market.

### A. Accounting for Differences in the Value of Capacity in Reducing Resource Adequacy Risks Across Seasons

When resource adequacy risks occur solely in one season (e.g., summer), the capacity market need only procure capacity for that one season to adequately address year-round resource adequacy risks for the entire system. As resource adequacy risks outside the summer season increase, however, achieving resource adequacy outcomes will depend on capacity resource contributions in each season, not only the summer. Given the growing dependence of reliability on season-specific outcomes, a seasonal market can adjust the demand for capacity to reflect the value provided by capacity in improving reliability in each season. By adjusting the demand for capacity in each season, the market can procure a more cost-effective mix of resources by varying the quantity of capacity procured in each season commensurate with the value it provides in mitigating reliability risks. Conversely, a seasonal market can achieve a more reliable supply of resources for any given expenditure on resource adequacy in the capacity market.

Introducing seasonal products to the capacity market thus accounts for the variation in the value of capacity over time. The rationale for accounting for variation in the value of capacity over time is conceptually similar to the rationale for constructing zonal capacity demand curves to account for spatial variation in the value of capacity in reducing reliability risks. ISO-NE recently modified its capacity markets to account for zonal variation in capacity demand, adopting demand curves based on the marginal reliability impact of capacity in each zone.<sup>140</sup> With zonal demand curves, differences in the zonal value of capacity in maintaining reliability lead to cost-effective procurement of resources in respective zones to achieve the aggregate, system-wide reliability objectives, while also producing price signals to incentivize future investment in locations where capacity is most valuable. Seasonal demand curves produce the same benefits, except rather than account for variation across zones, they account for variation across seasons.

The potential gains from procurement of seasonal capacity are illustrated in **Figure 15**. This example abstracts from many specifics that would likely emerge under a seasonal market, such as differences in seasonal offers to supply capacity and differences in the shape of demand curves to account for reliability impacts specific to each season. The illustration includes both an annual demand curve (blue line) and summer and winter demand curves (orange and grey lines, respectively), where these curves assume that annual marginal reliability impacts are decomposed into summer and winter components.<sup>141</sup>

The illustration shows that, with a seasonal market, prices and quantities vary by season given the differences in value of capacity and the cost to supply it in each season. In each season, capacity is procured until the cost of supply equals the value of capacity, as implied by the seasonal demand curve. In the summer, because the (marginal) value of capacity is greater than in the winter, the market procures a larger quantity of capacity and clears at a higher price. While the market pays more for capacity in the summer, because of the increasing cost of procuring

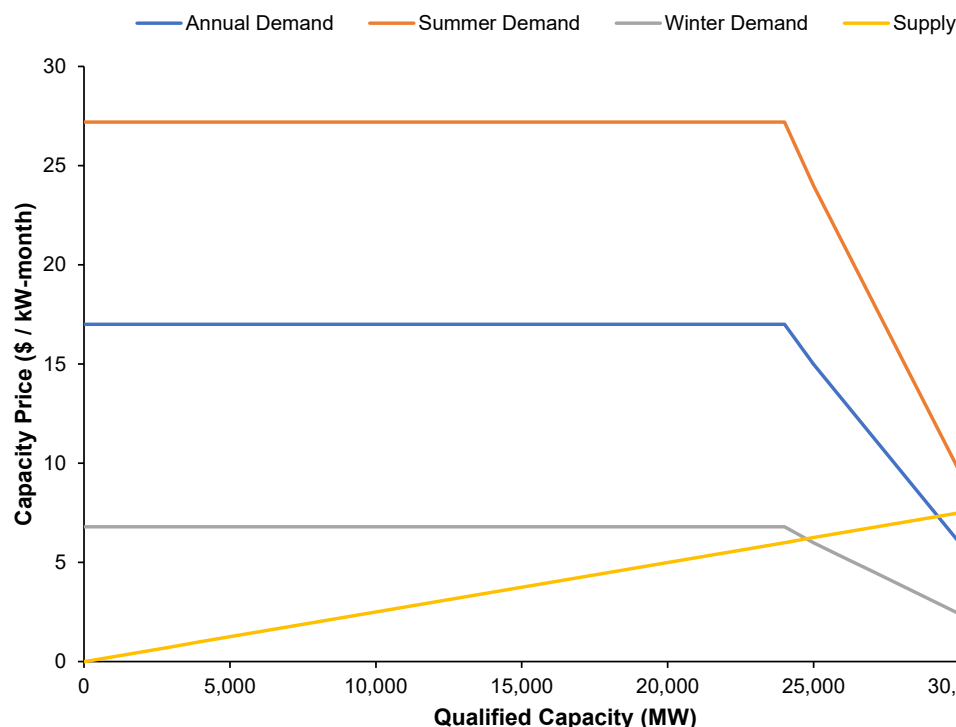
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<sup>140</sup> Testimony of Christopher Geissler and Matthew White, ISO New England Demand Curve Improvements, FERC Docket No. ER16-1434-000, April 15, 2016.

<sup>141</sup> For the purposes of this stylized exhibit, the annual demand curve is a weighted average of summer and winter impacts, where summer and winter demand impacts are assumed to account for 80% and 20% of annual impacts, respectively.

larger quantities of capacity, it provides greater reliability value (per MW) than in the winter and it is therefore cost effective to procure this additional capacity at higher cost.

**Figure 15. Illustrative Seasonal Capacity Market with Differentiated Seasonal Demand**



By differentiating capacity procurement by season, the total cost of the FCA and the average cost of reliability benefits are reduced (by approximately 9% in the illustration).<sup>142</sup> Average costs are reduced by procuring more capacity in the summer, when the value of capacity is greater, as compared to the winter. Thus, a seasonal market is able to improve market efficiency by procuring capacity consistent the reliability benefits provided by capacity in each season. The potential gains from differential procurement of seasonal capacity obligations will depend on regional market conditions, including seasonal capacity supply offers and seasonal demand curves.

Along with supporting short-run market efficiency, a seasonal market can improve long-run efficiency by creating price signals that reflect the market's value of capacity in each season given existing supplies (and their costs) and the contribution of capacity in mitigating risk in each season. These price signals provide incentives for investment in new capacity that provides contributions to resource adequacy in the seasons when it is most valued. For

<sup>142</sup> Total cost reflects the price multiplied by the quantity, while the average cost of reliability benefits is measured as the total cost divided by the consumer surplus (*i.e.*, the area under the demand curves). The 9% decrease is calculated as the percent change in this ratio of total cost to consumer surplus in the illustration of an annual versus seasonal capacity market procurement process. Seasonal market prices can lower costs and improve reliability by aligning price signals for capacity with the market's value of capacity each season given existing supplies (and their costs) and the value of capacity in mitigating risk in each season.



example, if summer capacity prices are higher than winter prices, new investment is incentivized to use technologies that offer larger summer accreditation than winter accreditation, all else equal.

Seasonal demand curves that account for the season-specific value of capacity can be developed through the application of ISO-NE's current methodology for estimating demand curves to each season. Under the FCM, the demand curve is based on estimates of the (marginal) reliability impact of capacity (*i.e.*, MRI values) corresponding to different levels of capacity resources, where the MRI values reflect the impacts across the entire calendar year.<sup>143</sup> Using these MRI curves, the demand curve is constructed by calculating the scaling factor needed to adjust the MRI curve so that the curve intersects the point where the price provides revenues sufficient to support new entry (*i.e.*, price equals Net CONE) and the quantity equals the quantity of capacity needed to achieve the 1-in-10 reliability criterion (*i.e.*, Net ICR).

With a seasonal market, this methodology can be used to derive demand curves for each season. Under this approach, MRI values would be developed in each season based on the reliability risks (*i.e.*, loss of load events) for different quantities of capacity resources. As is the current practice, these curves can be scaled to develop seasonal demand curves that reflect underlying reliability risks while still achieving the reliability criterion (*i.e.*, ensuring the market provides sufficient revenues to support new entry when expected reliability is at the 1-in-10 resource adequacy criterion).

The development of seasonal demand curves will require additional work, particularly in determining the appropriate steps to scale MRI curves to arrive at seasonal demand curves. If the region pursues a seasonal market, the development of seasonal demand curves will be an important part of the design process. We do not develop a complete methodology for such demand curves, although in **Section IV.G.4** below, we note several design principles that can guide the development of these curves.

## B. Accounting for Differences in Resource Accreditation Across Seasons

With a seasonal market, capacity market offers can reflect each resource's contributions to resource adequacy in that season, rather than an average of contributions across seasons. When contributions to resource adequacy differ meaningfully across seasons, failure to account for these differences can diminish capacity market cost-effectiveness – that is, more costly resources may be awarded CSOs in lieu of less costly resources. Historically, seasonal contributions to reliability were relatively similar and, to the extent they were not, setting accreditation at summer values did not adversely affect market outcomes. However, the contributions of many resources now in the ISO-NE system differ meaningfully across seasons.

**Table 4**, which provides illustrative average winter and summer capacity accreditation values for New England for various technologies, illustrates these differences.<sup>144</sup> These values are proxies for potential accreditation values

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<sup>143</sup> The MRI curve is calculated using a resource adequacy modeling tool, GE MARS, which uses Monte Carlo simulation to estimate the distribution of reliability outcomes subject to various resources and system contingencies. ISO-NE, "Installed Capacity Requirement (ICR) Reference Guide," September 15, 2021, p. 27, available at <https://www.iso-ne.com/static-assets/documents/2021/06/icr-reference-guide.pdf>.

<sup>144</sup> Note that the accreditation factors in this table are based on nameplate capacity for intermittent resources and qualified capacity for all other resources. In practice, under the RCA procedures, actual values will reflect unit-specific factors and would not be uniform across technology classes.



based on our research on accreditation values across RTOs (including ISO-NE) and do not reflect the ongoing work in the RCA project.<sup>145</sup> Seasonal differences in resource accreditation arise due to many factors – for example:

- For gas-fired resources, contributions to resource adequacy in the winter may be diminished if a resource does not have access to firm fuel supply when needed and thus faces the risk of interruptions in fuel supplies during stressed market conditions. As discussed in **Section III.B.4.c**, given this risk, gas-fired resources without firm fuel supplies through dual fuel capability or firm-fuel contracting arrangements (e.g., with an LNG terminal) will receive lower capacity accreditation during winter periods due their lower contribution to resource adequacy.<sup>146</sup>
- For intermittent renewable resources, including solar PV, wind power, and hydropower, resource adequacy contributions depend on many factors including the timing of energy supply (given dependence on weather conditions) and correlation of energy supplies across resources on the system during periods when resource adequacy risks are greatest. Given differences in weather conditions across seasons and the timing of peak electricity demands, resource adequacy contributions from intermittent resources can differ widely across seasons.

For solar PV, not only is supply highly dependent on weather conditions, but increasing quantities of solar generation can shift the periods of greatest reliability risk to later in the afternoon, when supply from solar PV is waning thus diminishing the solar PV's contribution to reliability. During the summer, when daylight hours are longer and the timing of peak loads still occurs in hours with daylight, solar PV provides some reliability benefit. By contrast, during the winter period, solar PV receives little credit in New England due to significantly shorter daylight hours and the timing of periods of greatest risk (peak loads) in late afternoon or early evening.

Wind generation contributions are generally more consistent throughout the year but there is still seasonal variation. Offshore and onshore wind output is dependent on weather conditions which are generally more favorable during the winter in New England. Thus, onshore and offshore wind receive higher accreditation in the winter than summer.

- For battery storage resources, resource adequacy contributions reflect many factors, some of which vary across seasons. One factor is the extent to which resource adequacy risk reflects long-duration (e.g., multi-day) or short-duration (e.g., multi-hour) events. Because current battery storage is typically limited to short durations (e.g., 2 to 4 hours), their contribution to addressing long-duration risks is limited. As a result, storage resources receive lower accreditation in the winter than summer due to, among other things, the greater prevalence of long-duration risks in the winter.

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<sup>145</sup> Assumed capacity accreditation values differ across summer and winter seasons for technologies whose performance is affected by external factors, including weather conditions and interactions with other resources on the system. For technologies not subject to such factors, capacity accreditation values are assumed to be the same in summer and winter, although in practice, seasonal differences in actual resource accreditation may arise due to asset-specific seasonal performance.

<sup>146</sup> During high-risk winter days, the availability of pipeline gas for the electricity system is considerably limited due to high demand from other natural gas customers. As a result, the region's electricity system relies on supply from LNG storage terminals during these periods. In addition, other neighboring regions may experience demand for natural gas during high-risk winter hours, further constraining pipeline gas supplies to the region. Thus, without firm fuel arrangements, the contribution of gas-only resources to winter reliability is potentially constrained. See ISO-NE, "Natural Gas Infrastructure Constraints," available at <https://www.iso-ne.com/about/what-we-do/in-depth/natural-gas-infrastructure-constraints>.

**Table 4. Assumed Illustrative Accreditation Factors by Resource Class, CCP 19**

Resource Class	rMRI		
	Annual	Summer	Winter
Coal ST	0.907	0.907	0.907
Nuclear ST	0.969	0.969	0.969
ST (other)	0.901	0.901	0.901
CC (firm fuel)	0.959	0.959	0.959
CC (non-firm gas)	0.810	0.959	0.660
CT (firm fuel)	0.899	0.899	0.899
CT (non-firm gas)	0.749	0.899	0.600
Passive DR	1.034	0.964	0.879
2 hour ES	0.644	0.690	0.504
4 hour ES	0.904	0.970	0.684
Import	0.980	0.980	0.980
Active DR	0.820	0.820	0.820
Offshore Wind	0.311	0.222	0.349
Onshore Wind	0.168	0.120	0.187
Solar	0.123	0.167	0.012
Dispatchable Hydro	0.955	0.955	0.955
Run of River Hydro	0.257	0.235	0.509

**Notes:**

[1] Acronyms: ST-steam turbine, CC-combined cycle, CT-combustion turbine, ES-energy storage, DR-demand response.

[2] For active demand, imports, dispatchable hydro, and all thermal resources, except those with non-firm winter gas, rMRI is approximated using historical average equivalent forced outage rate demands ("EFORd"s) by technology class.

[3] Energy storage rMRIs are based on ISO-NE's marginal reliability analysis.

[4] Onshore and offshore wind values are calculated using ISO-NE's blended wind results from the latest marginal reliability analysis and PJM's wind breakdown shape from their 2026-27 capacity market proposal. Offshore wind rMRI is reduced to account for the rest of Vineyard Wind coming online by 2025.

[5] Solar values are calculated using ISO-NE's results from the latest marginal reliability analysis and reduced to account for assumed utility solar PV additions coming online by 2028.

[6] For intermittent power resources (offshore wind, onshore wind, solar, and run of river hydro), rMRI is expressed in terms of nameplate capacity. For all other resources rMRI is expressed in terms of qualified capacity.

**Sources:**

[A] ISO-NE, "NERC GADS EFORd Class Averages as used by ISO New England," 2017-2021 averages, available at [https://www.iso-ne.com/static-assets/documents/genrtion\\_resrcs/gads/class\\_ave\\_2010.pdf](https://www.iso-ne.com/static-assets/documents/genrtion_resrcs/gads/class_ave_2010.pdf).

[B] ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market: FCA16 Baseline Case Accreditation," available at [https://www.iso-ne.com/static-assets/documents/2023/04/a05f\\_mc\\_2023\\_04\\_11-13\\_rca\\_impact\\_analysis.pptx](https://www.iso-ne.com/static-assets/documents/2023/04/a05f_mc_2023_04_11-13_rca_impact_analysis.pptx).

[C] PJM, "Capacity Market Reform: PJM Proposal," available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230727/20230727-item-02a---cifp---pjm-proposal-update---july-27.ashx>.

[D] Velocity Suite.

[E] PJM, "Interconnection Queue Data," available at <https://www.pjm.com/planning/service-requests/services-request-status>.

A seasonal market can account for these seasonal differences in resource accreditation. With a seasonal market, offers for supply can be based on season-specific capacity accreditation that more accurately reflects each resource's contribution to resource adequacy. Given the meaningful differences in capacity accreditation for many resources in the ISO-NE system, accurately measuring these contributions in each season would be valuable for at least two reasons. *First*, accounting for season-specific capacity accreditation will produce more accurate measures

of the aggregate contributions to resource adequacy supplied across all procured resources in each season. These more accurate measures can provide more accurate information about the level of reliability achieved in each season, particularly compared to an annual market that would rely on an average of contributions to resource adequacy across seasons but may provide less meaningful information about the balance of reliability within each season. Accurate measures of aggregate qualified capacity in each season are also necessary for developing accurate seasonal market prices.

*Second*, accounting for seasonal differences in resource adequacy results in compensation for supplying capacity that reflects the relative value of the services provided in each season as determined by the market within the auction. Like seasonal price signals, compensation based on each resource's actual seasonal contributions creates incentives for investment in resources with winter-summer accreditation that best reflects the relative value of capacity in each season.

Seasonal price signals also provide an accurate price signal for natural gas-only fired resources considering actions to firm-up their fuel supplies to receive the higher resource accreditation. With an annual market, the price signal to incent fuel-firming is muted by the averaging of winter and summer accreditation. However, with a separate winter market, the price signal and incentive will reflect winter reliability risks which may be either higher or lower than contemporaneous summer risks. Thus, a separate winter capacity market can send a comparatively high price signal for resources to firm-up fuel supplies when doing so represents a cost-effective way to improve system reliability, while also sending a comparatively low price signal when additional summer capacity provides a lower cost way to improve the region's reliability.

## C. Accounting for Differences in (Going Forward) Costs Across Seasons

A seasonal market allows resources to submit offers that reflect their season-specific going forward costs. By accounting for season-specific costs, market-clearing reflects costs that more accurately reflect the true cost to resources of supporting resource adequacy. When season-specific costs vary across resources, the seasonal market can result in a more cost-effective fleet of resources supporting resource adequacy in each season, thus lowering costs.

### 1. Seasonal Fixed Costs

Going forward costs can vary across seasons for several reasons. One potential source of variation is that ***non-variable or fixed operations costs may vary across seasons***. In principle, there may be many sources of variation in fixed costs across seasons, although we focus on an important source of potential seasonal cost variation in the New England region: actions needed to ensure reliable operations during winter ("weatherization") and actions needed to secure reliable winter fuel supplies.<sup>147</sup>

**Table 5** illustrates two general types of generator fixed costs: (1) general fixed operations and maintenance ("O&M"), and (2) costs specific to the winter, including weatherization and procuring firm fuel for reliable winter operations. Focusing on the winter seasonal costs, winter fuel arrangements and commitments are particularly important considerations in New England, where the tightness of the natural gas pipeline supply on cold winter days can

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<sup>147</sup> In principle, other components of fixed costs may vary across seasons depending on the particular resources involved. Potential costs subject to seasonal variation include: labor costs, and costs of ongoing maintenance, services and testing. Other costs are less likely to vary by season, such as major maintenance costs, insurance, and property taxes.

constrain fuel supplies to generators without a firm source of supply.<sup>148</sup> As discussed above, generators with firm fuel arrangements may have greater contributions to reliability in the winter and thus are awarded larger resource accreditation.

Along with firm fuel arrangements, resource owners can take various actions to mitigate performance risks associated with severe winter weather. **Table 5** lists multiple potential activities to improve winter operational reliability including various equipment investments, operational systems and annual winter plant and system preparations. Because weatherization costs in New England are primarily associated with winter operations, we expect that to the extent there are differences in season-specific costs for individual plants that they would be larger in the winter than summer. However, in practice, determination of seasonal costs will be plant-specific.

In principle, a seasonal market can allow resources to offer capacity at prices reflecting their season-specific going forward costs. However, determining seasonal going forward costs raises potential challenges. Thus, if the region pursues a seasonal market, an important part of the process will be establishing rules for seasonal capacity market offers. There are several important issues that need to be considered. *First*, in some cases, expenditures are clearly attributable to seasonal activities. However, many costs represent year-round activities that may or may not vary in intensity across the year. Thus, rules will need to determine how costs can be allocated to particular seasons. *Second*, many weatherization costs are capital investments. In principle, if undertaken for seasonal weatherization, then these costs could be allocated to that season based on allowed depreciation consistent with current market rules.<sup>149</sup> *Third*, many costs may be incurred annually regardless of whether the plant operates in one or all seasons. These “annual” costs are “non-divisible” in that they are not incurred in proportion to seasonal operations. Thus, determinations will need to be made about how these costs can be included in offers – for example, will seasonal offer prices be limited to a seasonal allocation of these costs or can seasonal offer prices include all annual costs in the event the resource is awarded a CSO in one season but not another? As we discuss below, some auction structures would address this concern by allowing both an annual component (compensating if the resource clears in at least one season) and a seasonal component (compensating for awards specific to that season).

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<sup>148</sup> ISO-NE, “Natural Gas Infrastructure Constraints,” available at <https://www.iso-ne.com/about/what-we-do/in-depth/natural-gas-infrastructure-constraints>.

<sup>149</sup> ISO-NE, “Market Rule 1,” Section III.13.1.2.3.2.5, Static De-List Bid Incremental Capital Expenditure Recovery Schedule, pp.48-49, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf).

**Table 5. Seasonal Weatherization Actions Required and Costs Incurred by Generation Resources**

<b>Cost Category</b>	<b>Annual Cost</b>	<b>Seasonal Cost</b>
<b>Fuel</b>		
Winter Fuel Arrangements and Commitments		X
<b>Plant Fixed O&amp;M <sup>[1]</sup></b>		
Routine Maintenance	X	[May include seasonal components]
Materials and Contract Services	X	[May include seasonal components]
General and Administrative Expenses	X	
<b>Actions for Winter Weather Readiness <sup>[A], [B]</sup></b>		
Work Management System	X	X
Critical instrumentation and equipment protection		X
Insulation, heat trace, and other protection options		X
Heat trace capability and electrical continuity/ground faults		X
Wind Breaks	X	X
Covers, enclosures, and buildings		X
Supplemental Equipment		X
Operation Supplies	X	X
Staffing	X	X
Communications	X	X
Special Operations Instruction (prior or during severe winter weather event)		X

**Notes:**

[1] Plant Fixed O&M cost categories are derived from the assumptions used by the U.S. Energy Information Administration ("EIA"), Velocity Suite, S&P Global, and Concentric.

[2] Winter readiness activities derived from various sources, including "Generating Unit Winter Weather Readiness," Reliability Guideline, and North American Electric Reliability Corporation ("NERC") EOP-012-2 Reliability Standard.

**Sources:**

[A] NERC, EOP-012-2, Technical Rationale and Justification, June 2023.

[B] NERC, Reliability Guideline, Generating Unit Winter Weather Readiness, Current Industry Practices, Version 4, June 2023.

[C] EIA Fixed O&M: EIA, Capital Cost and Performance Characteristic Estimates for Utility Scale Electric Power Generating Technologies, February 2020, pp. XII-XIII, available at [https://www.eia.gov/analysis/studies/powerplants/capitalcost/pdf/capital\\_cost\\_AEO2020.pdf](https://www.eia.gov/analysis/studies/powerplants/capitalcost/pdf/capital_cost_AEO2020.pdf).

[D] Velocity Suite Fixed O&M: ABB Ability Velocity Suite, Better Model Inputs: Estimating Fixed and Variable O&M Costs in ABB Ability Velocity Suite, 2019, available at <http://vsservices.velocitysuiteonline.com/registrationservice/getdocument.aspx?key=E926AA2A9D4A8739C5C4761E82CF1D1F>.

[E] S&P Global Fixed O&M: Generation Supply Curve on CIQ Pro help page.

[F] Concentric Fixed O&M: Concentric Energy Advisors, Inc. and Mott MacDonald, "ISO-NE Net CONE and ORTP Analysis: An Evaluation of the Net Cost of New Entry and Offer Review Trigger Price Parameters to be Used in the Forward Capacity Auction, FCA-16 and Forward," December 2020, Concentric Energy Advisors, Inc. and Mott MacDonald, p. 86.

These complications in calculating each resource's avoided costs may have implications for market mitigation. At present, offer review and potential mitigation by the internal market monitor reflects detailed determinations regarding allowable expenditures when calculating going forward costs. With a seasonal market, these determinations would potentially also need to assess allocation of costs to annual and seasonal components, and the allocation of costs across seasons.

## 2. Other Factors Affecting Seasonal Going Forward Costs

Along with seasonal variation in operating costs, seasonal capacity market offers may vary due to several other factors. **First, expected energy market net revenues may vary across seasons.** Expected energy market net revenues will reflect many factors, including expected locational marginal prices (“LMPs”), fuel costs and the timing and quantity of energy supplied. For example, for intermittent resources, expected net revenues will depend on seasonal weather conditions, with solar PV resources earning higher expected net revenues in summer than winter and the opposite likely being true for wind resources. Storage resources will have higher expected revenues when arbitrage opportunities are greater, which will depend on other resources on the system. Natural gas-fired resources’ expected net revenues in winter will depend on dual fuel capability and other factors affecting access to non-gas fuels.

**Second, seasonal differences in resource accreditation cause going forward costs per unit of capacity to vary across seasons** even if total costs in dollar terms are the same across seasons. For example, a 4-hour battery with annual going forward costs of \$2.00 per kW-month (on an annual basis) will have costs of \$2.15 and \$1.51 per kW-month for summer and winter, respectively, given the assumed accreditation values of 0.97 and 0.68 for summer and winter seasons, respectively, from **Table 4**.<sup>150</sup> Because seasonal accreditation values differ across resources (i.e., some with higher values in the winter and others with higher values in the summer), the rank order of offers within the offer curve may differ across seasons, which in turn could affect which resources are awarded CSOs in capacity market auctions.

**Third, expected pay-for-performance (“PFP”) payments may differ between seasons and may vary across individual resources.**<sup>151</sup> Under current market rules, capacity offers can include an estimate of the expected pay-for-performance payments. With the current annual FCM, expected payments reflect each resource’s expectations about annual performance and market-wide annual pay-for-performance parameters. Under a seasonal market, however, expected PFP payments would depend on expectations for resource performance and PFP parameters that would be specific to each season.

Expectations about expected PFP payments could vary by season due to many factors. First, expected reserve shortage hours and balancing ratios (the benchmark against which performance is measured) could vary by season. Second, a resource’s ability to perform during reserve shortage events can vary by season due to resource-specific factors, such as fuel security, operational risks, and duration and predictability of reserve shortages.

Given all of these factors, the avoidable costs to resources of supplying capacity will vary by seasons, and procuring capacity at the seasonal level will allow those resources with the lowest costs to supply capacity.

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<sup>150</sup> If costs were equal across seasons, seasonal going forward costs (“GFC”) could be calculated by multiplying annual GFC by the ratio of seasonal to annual accreditation:  $\text{Seasonal GFC} = \text{Annual GFC} * \text{Seasonal rMRI} / \text{Annual rMRI}$ . For the summer season:  $\text{GFC} = 2 * (0.97/0.90) = 2.15$ . For the winter season:  $\text{GFC} = 2 * (0.68/0.90) = 1.51$ .

<sup>151</sup> Under current market rules, resources receiving a CSO accept the pay-for-performance financial obligation, which could require financial payments or receipts depending on the resource’s performance during periods when the system experiences reserve shortages. To account for the expected financial consequences of the PFP obligation, resources can include an estimate of expected payments (or receipts) of accepting the PFP obligation in their FCA offers as part of going forward costs. A rational bidding strategy would not accept an offer below the expected PFP payments because the resource can earn these revenues in expectation by forgoing the CSO and earn PFP revenues in the spot market.

## D. Issues Arising from the Choice Between a Forward- and Prompt-Seasonal Market

In **Section III**, we evaluated the choice between the current forward market and a prompt capacity market. This choice has important consequences for the choice between an annual or seasonal market structure and the extent to which the potential benefits of greater market segmentation can be realized.

One important issue is the improved accuracy from greater market segmentation that can be better realized under a forward or prompt market structure. As discussed in **Section III**, an important difference between forward and prompt market structures is the greater uncertainty about supply and demand in a forward market relative to a prompt market. With three years between the auction and commitment period, there is substantially more uncertainty about the cost of supply, resource accreditation, and demand for capacity. Because a seasonal market depends on a narrower set of conditions, these factors may be more sensitive to year-to-year variation than with an annual market. If this is the case, the benefits of a seasonal market in providing greater accuracy in demand, supply, and resulting market-clearing prices and quantities may be reduced. However, as discussed in **Section III**, a prompt market, where uncertainties are lower, will reduce this concern.

A prompt market would also mitigate the opportunity cost of forward commitments to supply capacity, which may be particularly large for certain resources facing seasonal risks or operational constraints. For example, a prompt-seasonal market would better align capacity market timing with the window for gas-only fired resources to make firm fuel arrangements. Because the value of making these arrangements may depend on short-term market conditions, such as events affecting fuel markets and sources of supply to the region, a prompt market would result in more efficient market outcomes with winter fuel arrangements being made to reflect the most recent market conditions. Further, as described in **Section III.B.4.c**, a prompt market would lower the cost to gas-only fired resources of taking steps to firm-up their fuel supplies.

These considerations suggest that interactions between a prompt and seasonal market are generally complementary, with a prompt market enhancing the benefits of a seasonal market relative to an annual market.

## E. Complementarity with New England Resource Transition

As discussed in **Section II**, the resource transition is affecting both the mix of resources in the New England grid and the demand for electricity for energy needs. A seasonal market can support the variation in supply and demand across seasons that emerges as a necessary component of this transition in several respects.

- **Seasonal market better accounts for winter reliability risks associated with increased heating electrification.** Resource adequacy needs in the New England region are becoming more varied across the year and more uncertain given the uncertain prospects of many of the drivers of seasonal resource adequacy variation. In particular, many states are pursuing electrification of building heating as a key element of state decarbonization policies. However, the pace of electrification is uncertain. If electrification of heating and transportation evolves rapidly, the region could become winter-peaking within a decade, with reliability challenges becoming more pronounced in the winter. However, if electrification occurs slowly, the need for resources to meet winter reliability needs will grow more gradually. A seasonal market can better account for the impact of these policies on customer loads during the winter season, and thus may better complement these state decarbonization policies.
- **Seasonal market better accounts for seasonal variation in non-emitting technologies.** A decarbonized electricity grid must continue to supply electricity reliably and cost-effectively. Compared to many dispatchable technologies, the performance of many non-emitting technologies, such as solar PV



and wind energy, varies by season given the dependence on seasonally varying weather conditions to drive generation. Seasonal variation also affects the value of storage resources that can balance the supply from intermittent renewable resources. A seasonal market can account for this seasonal variation, ensuring that the right mix of resources is developed to complement this seasonal variation and thus more cost-effectively meeting resource adequacy requirements while pursuing state policy goals.

- **Seasonal market better supports technologies with strong seasonal supply.** A seasonal market supports the competitiveness of resources able to supply cost-effective capacity in particular seasons but not others. For example, certain demand-side resources may be well-suited to supplying capacity in certain seasons but not throughout the year. In particular, active demand response is expected to make up a significant and growing portion of the region's state-sponsored energy efficiency programs in the future,<sup>152</sup> with indications that a sizeable portion of these resources may have availability that is seasonal in nature.<sup>153</sup> A seasonal market would allow these resources to cost-effectively supply in some seasons without taking on CSO obligations throughout the year.

## F. Administrative and Operational Considerations

A seasonal market would involve more administrative cost and operational complexity than the current annual market. A substantial portion of this cost and complexity would likely be incurred through the initial development of market rules, market procedures, and software systems to implement a seasonal market. The ongoing operation of and participation in a seasonal market would be more complex than an annual market but would not necessarily involve more steps or procedures than the current market. We have not assessed the cost to ISO-NE of making this transition.

To the extent the region pursues a prompt-seasonal market, the increase in market complexity from a seasonal market would be offset (partially, fully or more than fully) by the reduced complexity of a prompt market compared to the current forward market.

RTO experience with seasonal capacity markets is limited, which would increase the cost and effort of making this transition. MISO is in the process of adopting seasonal auctions in its prompt capacity market. This experience will provide some experience to the region, although MISO relies much less heavily on its capacity market to achieve resource adequacy than the New England region.

On balance, while the switch to a seasonal market (with a forward or prompt market) would involve one-time costs and require substantial effort by the region, the resulting market would provide the region with a platform for maintaining resource adequacy for the foreseeable future, as the seasonal market provides flexibility to adapt to evolving market conditions as the region charts a path to the "grid of the future."

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<sup>152</sup> ISO-NE, "Update on the Role of Active Demand Reduction in the EE Forecast," December 6, 2021, p. 3, available at [https://www.iso-ne.com/static-assets/documents/2021/12/ee2022\\_adr\\_status.pdf](https://www.iso-ne.com/static-assets/documents/2021/12/ee2022_adr_status.pdf)

<sup>153</sup> Connecticut's Electric and Natural Gas Companies, "2022-2024 Conservation & Load Management Plan," March 1, 2022, pp.132-133, available at <https://energizect.com/sites/default/files/documents/Final%202022%202024%20Plan%20030122.pdf>.



## G. Considerations for Design of a Seasonal Market

### 1. Market Features with Seasonal Variation

The FCM has an annual capacity product procured through a single annual auction. The discussion in prior sections assumed the adoption of a seasonal capacity product, seasonal auctions with seasonal demand curves, supply offers reflecting seasonal quantities (given seasonal capacity accreditation), and seasonal price offers (reflecting seasonal going forward costs). However, in principle, a seasonal market could be developed that adopted only some of these components. An important aspect of the design of a seasonal capacity market would be determining if it is possible to only make some of these elements of the capacity market seasonal while producing a resulting design that does not create perverse incentives in auction bidding or resource operation and retains many of the benefits of a seasonal design such as those outlined above.

### 2. Number and Duration of Seasons

A key issue in the design of a seasonal market is season definition, including the number of seasons and the duration of each season. Given that the resource adequacy risk appears to currently occur entirely in summer and winter seasons, a two-season market would offer obvious advantages in accounting for these two periods of primary risk and creating markets and prices to incentivize resources to provide capacity in each season. Alternatively, the MISO market has developed four seasonal markets (summer, fall, winter, spring) in light of shoulder-season reliability issues experienced in its system (see **Section II.C.3.b**). In principle, another alternative is a three-season market with summer, winter and shoulder (*i.e.*, spring and fall) seasons.

Given these options, evaluation of the number of seasons can be undertaken in the early stages of development of a seasonal market (if pursued) to assess whether the two-season, four-season or some other model is appropriate for the region. In undertaking this assessment several considerations may be relevant:

- An important consideration for season definition is the time periods used to estimate resource accreditation. RCA enhancements will include methods to calculate resource accreditation based on and applicable to different months of the year. In principle, season definitions would reflect these resource accreditation periods, although the seasonal market would not necessarily need to account for every variation in resource accreditation within seasons. For example, the current ISO-NE RCA proposal indicates that accreditation for gas- and oil-fired resources will be measured over a four-month summer season (June-September) and an eight-month winter season (October – May), with accreditation measured using different approaches in certain winter months.<sup>154</sup> Thus, a seasonal market could be based on the four- and eight-month summer and winter seasons, with any variation in accreditation across winter months accounted for through a single season-wide metric. However, other alternatives are feasible, and development of a seasonal market would need to account for these considerations and options.
- MISO adopted a four-season market to reduce the capacity obligations of load serving entities (“LSEs”) in shoulder seasons, provide appropriate incentives to coordinate scheduled outages during shoulder seasons, and provide greater flexibility regarding the timing of resource retirement. In principle, these

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<sup>154</sup> ISO New England, “Resource Capacity Accreditation in the Forward Capacity Market, Winter Gas and Oil Qualification, Modeling, and Accreditation,” NEPOOL Markets Committee, December 12-13, 2023, slide 9, available at [https://www.iso-ne.com/static-assets/documents/100006/a02a\\_mc\\_2023\\_12\\_12\\_14\\_rca\\_proposed\\_design\\_r1.pptx](https://www.iso-ne.com/static-assets/documents/100006/a02a_mc_2023_12_12_14_rca_proposed_design_r1.pptx).

considerations may be factors when determining season definitions for an ISO-NE seasonal market. However, there are many differences between the ISO-NE and MISO capacity market that may diminish the value of these factors for New England, particularly in light of the added complexity, cost and risk of a four-season market. First, to date, ISO-NE has not experienced meaningful shoulder season risk and has not indicated that it anticipates such risks in the future. By contrast, MISO has indicated that it anticipates potential future shoulder season risks.<sup>155</sup> Second, ISO-NE relies much more heavily on its capacity market to achieve resource adequacy, whereas seasonal requirements in MISO are primarily met by each LSE, with the capacity market balancing needed supplies that are not self-supplied. Related, MISO's capacity procurements rely on a less complex sequential (independent) seasonal auction approach.

- Adopting a market with four (or more) seasons could add complexity to the market in terms the determining resource qualified capacity in each season (e.g., measuring rMRI values for 4 seasons), construction of resource offer prices (e.g., quantifying seasonal and annual price components given seasonally varying resource accreditation, net energy market revenues, and other factors), and market review and mitigation. Moreover, if the region pursues a simultaneous auction design (discussed below), auction feasibility could depend on maintaining a manageable number of seasons (given the need to find optimal solutions over a larger set of potential combinations of awards when there are more seasons).

### **3. Auction Design**

An important step in developing a seasonal market would be developing the auction structure for the market. One key auction design issue is whether to run a seasonal market with a sequential or simultaneous auction structure:

- **Sequential auction.** If run sequentially, each season's capacity is procured independently of all other seasons. For example, auctions could occur shortly before each season to procure capacity for that season and no others.
- **Simultaneous auction.** If run simultaneously, capacity for each season in the year would be cleared in one auction designed to procure capacity across all seasons in the year at the lowest cost. Thus, with a simultaneous auction, capacity across all seasons is procured in one integrated fashion.

Another key auction design issue is whether to retain the current descending clock auction or to adopt an alternative auction structure (e.g., sealed bids). This issue was discussed in **Section III.G.4**. Both of these decisions would depend on other key design decisions including whether the market retains its current forward structure or adopts a prompt market structure.

There are several important considerations in the choice between a sequential and simultaneous auction structure with a seasonal market. In theory, an integrated, simultaneous auction can achieve lower costs than a sequential auction because the simultaneous auction optimizes the selection of offers over the entire year, rather than over individual, independent seasons. The key reason a simultaneous auction can optimize the choice of resources across the year is that it can account for resources' annual, non-divisible costs that occur throughout the year and not only during particular seasons. That is, these are costs that are only avoidable if a resource shuts down for the entire year, not individual seasons. While some costs may be incurred month-to-month and thus could be avoided if the resource did not operate (e.g., certain labor, ongoing maintenance, services and materials costs), other costs

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<sup>155</sup> Testimony of Jameson Smith, MISO's Filing to Include Seasonal and Accreditation Requirements for the MISO Resource Adequacy Construct, FERC Docket No. ER22-495-000, November 30, 2021, p. 10.

may be not avoidable with seasonal shutdowns (e.g., certain maintenance, insurance, property taxes) and thus would need to be recovered regardless of whether the resource supplied capacity in one or all seasons. These annual, non-divisible costs may be particularly large for many generation facilities.

In principle, a simultaneous auction can better account for non-divisible costs through offers with both annual and seasonal components. The seasonal component would be paid when the resource clears in particular seasons. However, the annual component would be paid when the resource clears in any season in the year. This offer structure allows the auction to determine awards based on the set of resource offers that minimize costs given annual and seasonal components. It also supports recovery of resources' total fixed operating costs if the resource clears for any individual season because it would earn (at minimum) both the annual and seasonal components of its offer.

With a sequential auction, a resource that clears in one season but not the following season may not cover these annual costs when its offer reflects only its seasonal going forward costs. Thus, the sequential auction poses the risk that resource compensation may not cover ongoing costs needed to sustainably retain the resource. This risk may also lead to strategic bidding that may cause inefficiencies.<sup>156</sup> These risks may be mitigated partially through information provided by ISO-NE (along with information from prior market clearing) that can help assess *ex ante* which seasons a resource is likely to be awarded CSOs. Moreover, the scope of this concern may not be wide if most resources can reliably assess the seasons in which they will be awarded CSOs. If the region pursues a seasonal market and is considering a sequential structure, further assessment of these issues can be undertaken.

Our quantitative analysis of a seasonal market in **Section V.D.3** suggests that this concern may affect a small fraction of resources. As shown in **Table 12**, across our scenarios, the share of capacity awarded a CSO in the winter that is not awarded a CSO in the summer ranges from 3.7% to 4.0%, while the share of capacity awarded a CSO in the summer that is not awarded a CSO in the winter ranges from 0% to 2.3%.

Careful evaluation of the feasibility, cost, complexity and potential tradeoffs of a simultaneous auction that allows offers with annual and seasonal components would be a key first step in the development of a seasonal market. Auctions in other sectors use structures that enable complex interactions between auctioned goods and their value to bidders. Thus, these auctions demonstrate that similar auction design challenges have been successfully overcome. For example, spectrum auctions allow offers for combinations of spectrum, where the value of an individual spectrum depends on its complementarity with other spectrum.<sup>157</sup> A seasonal auction has a similar complementarity, because the value of a CSO to a particular resource would depend on the seasons during which it has a CSO. This complementarity is simpler than in spectrum auctions, although a capacity market has other features that differ from spectrum auctions (e.g., rationable and non-rationable offers, and capacity zones). A careful assessment should be undertaken. *First*, the assessment should determine the feasibility of a simultaneous auction that incorporates annual and seasonal offer components, while maintaining other existing capacity auction features (e.g., allowance of rationable and non-rationable offers). *Second*, if feasible, the assessment should determine whether it is desirable to implement a simultaneous auction given tradeoffs between efficiency, complexity, cost and

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<sup>156</sup> Revenue adequacy risks create uncertainties for the optimal bidding strategy. If offer prices are set to just cover annual costs, revenues may not be adequate to cover costs if the resource clears for one but not all seasons. However, if the resource submits a seasonal offer sufficient to recover its full year's costs, the offer may not be awarded a CSO when it otherwise might have been awarded a CSO in all seasons had it offered at a lower price.

<sup>157</sup> See, e.g., Ausubel, Lawrence and Oleg Baranov, "A Practical Guide to the Combinatorial Clock Auction," *The Economic Journal* 127:334-350, October 2017.

other factors (e.g., bidder strategic considerations) with other less complex auction structures, particularly sequential auctions.<sup>158</sup> *Third*, if a simultaneous auction is to be adopted, the assessment should consider timing given the practical realities of developing new, complex auction software given other ongoing projects. While it may be desirable to implement the simultaneous auction immediately, phasing in the complex auction approach for future commitment periods (i.e., after CCP 19) may be more practical and beneficial given other tradeoffs.

#### **4. Development of Seasonal Demand Curves**

If the region pursues a seasonal market, the development of seasonal demand curves will be an important part of the design process. While we do not develop a complete methodology for such demand curves, we note several design principles that can guide the development of these curves.

*First*, as described above, demand curves should reflect the underlying reliability risks in each season. Due to differences in reliability risks between seasons (and potential differences in the value of lost load between seasons), the resulting demand for capacity will differ depending on the value provided in each season. In practice, it is reasonable to expect that these curves may differ materially between seasons given the observed differences in seasonal resource adequacy risks from recent ISO-NE modeling. For example, recent modeling indicates that summer reliability risks represent 70% to 90% of total reliability risks, with winter risks representing 10% to 30% of this total.<sup>159</sup>

*Second*, when translating MRI curves into a demand curve, it is economically sensible to use scaling factors in each season that reflect the relative value of reliability risks in each season.<sup>160</sup> Assuming the objective of compliance with the 1-in-10 resource adequacy requirement, reliability risks should be valued equally across seasons, which implies the same scaling factor should be used in all seasons.

*Third*, as with the annual demand curve, the scaling factor would be selected to achieve the resource adequacy criterion – that is, the criterion that revenues be sufficient for new capacity to enter the market when system reliability is at or below the 1-in-10 reliability criterion. With an annual capacity market, this criterion leads to a unique outcome – i.e., the demand curve passes through the single point reflecting Net ICR achieving the 1-in-10 criteria and Net CONE. However, with a seasonal capacity market, this criterion is more complex because reliability reflects outcomes in both the summer and winter market and revenue adequacy for the reference unit reflects both summer and winter revenues.

#### **5. Market Mitigation**

As noted above in **Section IV.C.1**, a seasonal market would require changes to market mitigation given the change in offers under a seasonal market. These changes would include apportioning of avoidable costs across seasons and formation of annual and seasonal offer components under a simultaneous auction. A seasonal market may

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<sup>158</sup> Levin, Jonathan and Andrzej Skrzypacz, “Properties of the Combinatorial Clock Auction,” *American Economic Review* 106(9): 2528-2551, 2016.

<sup>159</sup> ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Accreditation Case,” NEPOOL Market Committee, April 11-13, 2023, p. 22.

<sup>160</sup> It can be shown that, if scaling factors differ between seasons, the same level of resource adequacy can be attained for a lower cost by substituting capacity in the season with a lower demand scaling factor for capacity from the season with a higher demand scaling factor. In effect, the higher scaling demand factor causes the capacity in that season to be over-valued compared to capacity in the season with the lower demand scaling factor.

introduce new opportunities for the exercise of market power that would need to be evaluated when developing rules for offer mitigation.

## V. Quantitative Analysis of Market Outcomes Under Alternative Market Designs

### A. Overview of the Model

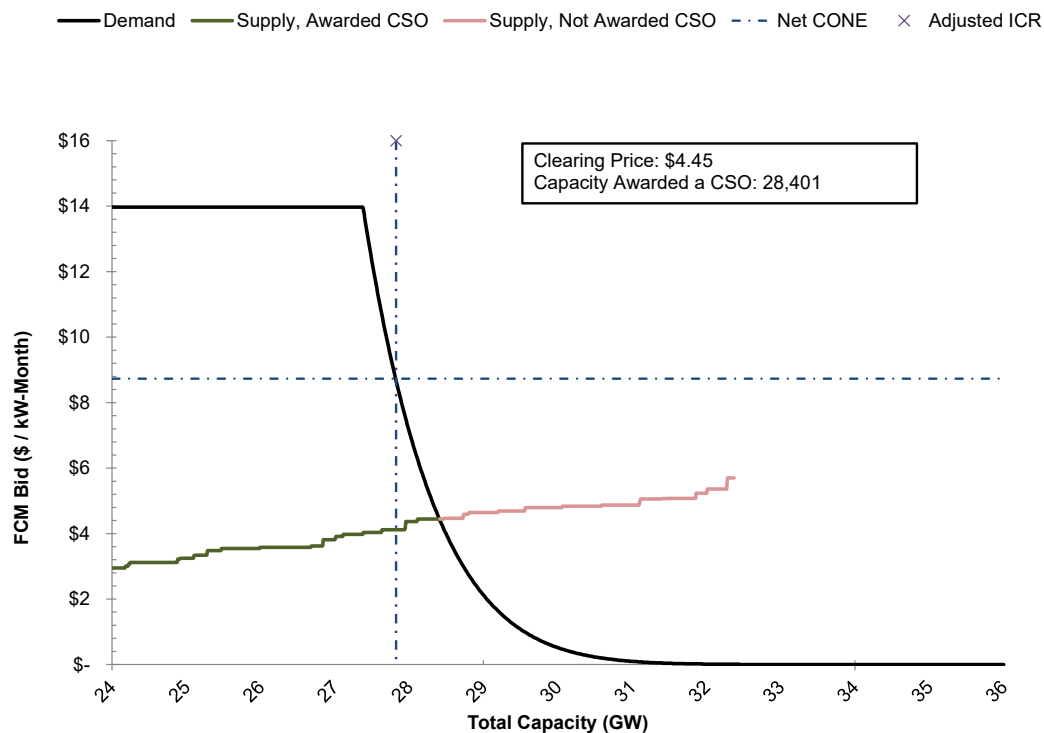
To provide information on the potential impacts of the prompt and seasonal market concepts, Analysis Group evaluated these options using a market simulation model of ISO-NE's capacity market. The model first constructs supply and demand curves and then "clears" the market by determining the prices and quantities that correspond with the intersection of the supply and demand curves. **Figure 16** illustrates market clearing for one particular scenario: the forward-annual market structure for the 2028-29 commitment period. The supply curve reflects the assumed resource mix and the factors discussed below in **Section V.C.1** that determine their offers. The demand curve, as discussed in **Section V.C.2**, is based on the adjusted Net ICR and Net CONE values. The market clears at the intersection of the two curves, which determines the clearing price and the quantity of capacity awarded a CSO.<sup>161</sup> Capacity resources on the supply curve to the left of the intersection are resources that are awarded a CSO in the auction, and resources on the supply curve to the right of the intersection are units that are not awarded a CSO.

In this section, we provide the details of how these supply and demand curves are determined.

In our analysis, we compare outcomes under the current status quo (forward-annual) market structure against hypothetical prompt and seasonal market structures, including prompt-annual, forward-seasonal, and prompt-seasonal markets. Our analysis focuses on the *differences* between these alternatives and is not intended to be a *forecast* of future market outcomes. Future market outcomes are uncertain, but by holding constant assumptions across alternatives we can develop reliable assessments of the impacts of market alternatives despite uncertainty about market dynamics. Thus, when evaluating outputs of the simulations, including market clearing prices and quantities, we consider differences in outcomes as indicative impacts of moving from the current market structure to each of the aforementioned design concepts. Where feasible, the model captures salient differences between the current forward-annual market and these alternative market design concepts, but not all aspects and changes are quantifiable. The quantitative analysis complements our analytic and qualitative assessment of these alternatives in **Sections III** and **IV**.

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<sup>161</sup> This description of market-clearing is simplified from the actual auction process, which is more complex due to non-rational offers.

**Figure 16. Simulated Forward-Annual Capacity Market, 2028-29 Commitment Period**

To simplify the analysis, we assume the entire region is represented in a single capacity zone.<sup>162</sup> The model's flexibility allows the analysis of different scenarios – below, we describe scenarios with different assumed resource mixes (*i.e.*, two resource mixes for 2034 representing different levels of electricity sector decarbonization) and varying assumptions about potential differences between forecasted and realized installed capacity requirements. To simulate market clearing, the model orders the relevant competitive supply bids of individual resources and solves for the market clearing price and quantity awarded CSOs given the relevant demand curve. The supply and demand curves in each market design incorporate current rules and account for the proposed changes based on the RCA MRI design and associated revisions to the resource accreditation factors. The revised resource accreditation factors measure a resource's contribution to resource adequacy (its MRI) relative to that of a *perfect* resource. These factors – called rMRIs – are assumed to vary based on the market design and are explained in greater detail below and in **Sections III.B.1.b** and **IV.B**.

To account for changes in market structures, the model adjusts the demand and supply curves as needed. When considering a shift from the current forward-annual capacity market to a prompt-annual market and changes in the supply curve include accounting for reduced deficiency and commitment risk. The model assumes no variation in the underlying parameters of the demand curve between a forward and a prompt market structure except for scenarios with differences in assumed Net ICR. When considering a shift to a forward- or prompt-seasonal capacity

<sup>162</sup> Across auctions, the ISO-NE capacity market has generally cleared at one price for all zones including the most recent auction and six of the last eight auctions.

market, changes in the supply curve include accounting for differences in going forward costs in each season (given seasonal differences in net energy and ancillary service revenues and assumed winterization costs) and seasonal resource accreditation (*i.e.*, rMRI). Changes in the demand curve stem from adjustments to reflect differences in reliability risks between seasons.

## B. Scenarios Evaluated

To better understand potential outcomes of a shift to a prompt and/or seasonal market, multiple scenarios reflecting a variety of market circumstances were evaluated. These scenarios are performed to evaluate the sensitivity of the modeling results to different input assumptions. More details on the input assumptions consistent across all scenarios and on the differences between scenarios are provided in **Section V.C.**

We evaluate two future commitment periods: 2028-2029 and 2034-2035. Two alternative resource mixes for the 2034-35 commitment period are evaluated given the uncertainties in projecting the resource mix more than a decade into the future. The two alternatives reflect different levels of decarbonization of the electricity sector. Both alternatives assume levels of storage and renewables consistent with state legislated procurements and legislated targets. The less aggressive “high carbon” mix makes no assumptions about additional retirements beyond those currently announced and no assumptions about resource additions beyond the state legislated procurements and targets. The more aggressive “low carbon” mix assumes resources designated as “at risk of retiring” by ISO-NE<sup>163</sup> are no longer in-service by the 2034-35 commitment period and that these retiring resources are replaced by a similarly accredited mix of renewables and battery storage resources. The “low carbon” resource mix is expected to result in lower total carbon emissions than the “high carbon” mix. We evaluate these scenarios in order to evaluate if the model’s results are sensitive to how aggressive the region decarbonizes the electricity sector.

## C. Data and Assumptions

The capacity market simulation model requires many data inputs and assumptions to simulate differences between the different market constructs. This section discusses the inputs and assumptions used to construct the two key components of the capacity market auction: (1) the offer supply curve, consisting of resource offers, and (2) the ISO-NE administrative demand curve for capacity to meet resource adequacy. Additional details on the inputs and assumptions are available in the Appendix.

### 1. Supply Curve

#### a. Going Forward Costs

The supply curve comprises bids from individual resources. When resources participate in the capacity market, they base their offers on estimates of additional revenues needed to cover their costs and achieve a financial break-even point. Under the current market rules – *i.e.*, a forward-annual market construct – this offer reflects a resource’s *Net Going Forward Costs* (“GFC”) which equal estimated avoidable costs less expected net revenues:

$$\text{Net GFC} = \text{Fixed Costs} - \text{NEAS Revenues} - \text{Net PFP Revenues} + \text{Forward Premium} + \text{Deficiency Payment Risk}$$

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<sup>163</sup> ISO-NE, “Power Plant Retirements,” available at <https://www.iso-ne.com/about/what-we-do/in-depth/power-plant-retirements>.



The *Fixed Costs* – i.e., fixed O&M costs and ongoing capital investment costs – represent the costs that could be avoided if the resource were to de-list. For new resources in a forward market, these could include annualized capital costs. In the model, estimates of each of these costs are based on publicly available sources.<sup>164</sup>

*Net Energy and Ancillary Service (“NEAS”) Revenues* are based on energy and ancillary services revenues net of variable and fuel costs. An energy market simulation (“EMS”) model is used to estimate resource-specific net revenues. The EMS model minimizes total systems costs to meet hourly demand under assumptions of load and fuel prices consistent with the future modeled commitment periods.<sup>165</sup>

*Net PFP Revenues* reflect expected pay-for-performance revenues calculated as:

$$\text{Net PFP Revenues} = \text{PPR} * (\text{Average Performance} - \text{Balancing Ratio}) * \text{Scarcity Hours}$$

where *PPR* is the capacity performance payment rate.<sup>166</sup> *Average Performance* refers to how well the resource performs on average over the course of the year during reserve shortages, and *Scarcity Hours* is a measure of the expected number of reserve shortage hours.<sup>167</sup> *Balancing Ratio* is an estimate of the average balancing ratio during reserve shortages over the course of the commitment period.<sup>168</sup> Depending on the resource, *Net PFP Revenues* may be positive or negative.

The *Forward Premium* accounts for reduced optionality and increased financial risk taken on by market participants under the current forward market structure when they commit resources more than three years in advance. Under the current forward market structure, the forward structure imposes certain costs on resources. First, the need for resources to commit capacity supply three years in advance diminishes resource value by limiting flexibility to retire, mothball, or supply capacity to another market in the future. Second, the need to take a forward position three years in advance imposes uncertainty on resources that introduces financial risk. To account for these costs of limiting the flexibility of resources to take any of these actions in the future, forward market offers include a premium calculated as 10 percent of a resource’s going forward costs.<sup>169</sup> We test the sensitivity of our results to an alternative assumption of a premium of 5 percent or 15 percent of a resource’s going forward costs.

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<sup>164</sup> Further details on fixed costs and sources are provided in the Appendix.

<sup>165</sup> Additional details on the EMS model are provided in the Appendix.

<sup>166</sup> The current capacity performance payment rate is \$9,337 / MWh. ISO-NE, “Market Rule 1,” Section 13, Docket #: ER22-1528-000, May 30, 2022, p. 205, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf).

<sup>167</sup> ISO-NE, “Estimated Hours of System Operation Reserve Deficiency for the 2027-2028 Capacity Commitment Period,” October 19, 2023, available at [https://www.iso-ne.com/static-assets/documents/100004/a04\\_2023\\_10\\_18\\_pspc\\_reserve\\_deficiency\\_hours\\_ccp2027-2028.pdf](https://www.iso-ne.com/static-assets/documents/100004/a04_2023_10_18_pspc_reserve_deficiency_hours_ccp2027-2028.pdf). We do not vary the PFP revenues seasonally.

<sup>168</sup> Capacity balancing ratio is calculated by ISO-NE using the formula (Load + Reserve Requirement)/Total Capacity Obligation. For further discussion of the calculation of PFP revenues, see ISO-NE, “Market Rule 1,” Section 13, Docket #: ER22-1528-000, May 30, 2022, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf).

<sup>169</sup> Some analyses find large increases in plant value when accounting for the option value of mothballing, although these values would be context and assumption dependent. For example, Rogues, Fabien, William Nuttal and David Newbery, “Using Probabilistic Analysis to Value Power Generation Investments under Uncertainty,” CWPE 0650 and EPRG 065, July 2006. For example, in PJM, capacity resources are allowed to apply a 10 percent cost adder to their offers, see PJM, “PJM Open Access Transmission Tariff,” Attachment DD, Section 6.8 Avoidable Cost Definition, available at <https://pjm.com/directory/merged-tariffs/oatt.pdf>. In ISO-NE, resource offers are allowed to include any additional risks and opportunity costs that are not reflected in their going forward costs but that can be quantified and supported analytically. ISO-NE, “Market Rule 1,” Section 13.1.2.3.2.1.4-5, Docket # ER23-911-000, Effective Date: March 21, 2023. By contrast, in the NYISO ICAP market, offers should not exceed a



The *Deficiency Payment Risk* accounts for the risk of a deficiency payment taken on by market participants when committing resources three years in advance. Under the current market rules, if a resource has taken a CSO but is not in-service by the corresponding commitment period, the resource faces a risk of deficiency penalties if they are not able to sell out of their commitment.<sup>170</sup> To account for the deficiency risk in a forward market, offers of certain unit types are increased based on the frequency of significant generator derates in ISO-NE from 2018-2023.<sup>171</sup>

Capacity supply offers in the model include a *Minimum Offer* reflecting PFP risk. When a resource takes a CSO, it forgoes capacity performance payments. When taking a CSO, a rational resource would take into consideration such foregone expected revenues. To account for this in the model, a resource's offer equals or exceeds a minimum offer<sup>172</sup> equivalent to these foregone expected revenues calculated as:

$$\text{Minimum Offer} = \text{PPR} * \text{Scarcity Hours} * \text{Balancing Ratio}$$

For simplicity, we assume that all offers are rationable (*i.e.*, resources may be awarded a CSO for a quantity of capacity less than their full offer).

### **b. Capacity Accreditation**

Under the current market rules, the capacity market is a market for qualified capacity. However, ISO-NE is undertaking enhancements to the procedures for capacity accreditation through its RCA project. While proposed changes are under development, we assume implementation of RCA enhancements based on the design principles developed by ISO-NE. Under these principles, the capacity market in the future will be a market for qualified marginal reliability impact capacity ("QMRIC").<sup>173</sup> In order to be consistent with the upcoming changes to capacity accreditation, the model defines resource offers, and capacity, in terms of QMRIC. Below describes the general process for determining each resource's rMRI value. As described in **Section IV.B**, the rMRI values will differ for certain unit types between the annual and seasonal market structures. The modeling assumptions that capture seasonal differences are discussed further in **Section V.C.1.e**.

Resource capacity is translated into QMRIC by scaling each resource's accreditation relative to that of a perfect resource. However, ISO-NE's ongoing RCA MRI analysis reported only preliminary resource accreditation factors, rMRIs, for the FCA-16 capacity commitment period (2025-26). The RCA MRI analysis is ongoing and rMRIs will be updated in the coming year. Thus, the model uses proxy values for seasonal and annual rMRIs that vary from year-to-year and seasonally (*i.e.*, summer/winter) consistent with assumed changes to the mix of capacity resources in the system. Using these proxy values, we can capture variation in capacity accreditation for the prompt, annual and seasonal market structures evaluated. The resulting proxy rMRI values are consistent with design principles and

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resource's going forward costs, which includes no provision for amounts other than avoided costs associated with mothballing (for one year) or retirement. NYISO, "NYISO Tariffs," Section 23.2.1, 23.4.5.2-3.

<sup>170</sup> Deficiency risks are discussed in more detail in Section III.B.1.c.

<sup>171</sup> For more on deficiency risk calculations, see Appendix Section VII.A.3.e.

<sup>172</sup> The EMS does not simulate revenues outside of the energy and ancillary service markets. To simplify the analysis, we assume that certain resource types that expect significant revenues outside of the energy simulation – *i.e.*, resources that receive state subsidies or contracts (*e.g.*, renewables and battery storage) and resources with alternative sources of revenue (*e.g.*, biomass and municipal solid waste) – offer capacity at the minimum offer. Thus, these resources are assumed to be inframarginal to the market-clearing offers.

<sup>173</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market," MRI-based conceptual design, July 12, 2022, p. 41, available at [https://www.iso-ne.com/static-assets/documents/2022/07/a02a\\_mc\\_2022\\_07\\_12-14\\_rca\\_iso\\_presentation\\_conceptual\\_design.pptx](https://www.iso-ne.com/static-assets/documents/2022/07/a02a_mc_2022_07_12-14_rca_iso_presentation_conceptual_design.pptx).

available analyses (from multiple RTOs) but are not forecasts of rMRI values and do not reflect ongoing work in the RCA project.

The model makes the following assumptions in estimating proxy rMRI values for the 2028-29 commitment period:

- For all thermal resources (except for some natural gas-only resources which are assumed to not have firm fuel contracts), imports, active demand response, and dispatchable hydro, rMRI is approximated using resource class historical EFORD values.<sup>174</sup>
- For natural gas-only resources that are assumed to not have firm fuel arrangements, rMRI is reduced to reflect the possibility of limited gas availability for some part of the year.
- For renewable resources, the latest annual values from ISO-NE's marginal reliability analysis for FCA 16 are used as a starting point.<sup>175</sup> In the model, rMRI values are changed to account for expected resource additions between 2025-26 and 2028-29. Publicly available data from other RTOs is used to inform the adjustment in rMRI values due to expected resource additions.<sup>176</sup>
- For 2-hour energy storage, the rMRI values come from the latest annual values from ISO-NE's marginal reliability analysis.<sup>177</sup> 4-hour storage rMRIs are derived from the difference between 2-hour and 4-hour rMRIs as depicted by a hypothetical storage rMRI curve in the latest ISO-NE marginal reliability analysis.<sup>178</sup>

The assumed proxy rMRIs for the 2028-2029 commitment period are shown in **Table 4** and discussed in more detail in **Section IV.B**. Additional detail and assumptions for the accreditation values used in the 2034-35 scenarios are described in the Appendix.

We do not evaluate uncertainty in rMRI values under a forward market. This uncertainty arises because the forward market must forecast resource contributions to resource adequacy given certain assumptions (e.g., new resources clearing the FCA). However, for many reasons, the actual resource mix and that assumed when calculating rMRI values may differ, including delays in bringing new resources that clear the FCA to market and new resources that enter (and do deliver capacity) in the ARAs. Thus, differences between assumed and actual resource contributions are expected with the forward market. We have not, however, attempted to quantify this uncertainty for a combination of reasons (e.g., absence of readily available data). The impact of this uncertainty could vary across different types of technologies given the way in which they enter the FCM (e.g., whether new resource generally initially in the FCA or through ARAs, and whether they face higher deliverability risks).

### c. Resource Mix

For the 2028-29 commitment period, the resources participating in the capacity auction include: (1) existing units that offered into FCA 17 without announced retirement dates, (2) new units that cleared capacity in FCA 17, and (3)

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<sup>174</sup> ISO-NE, "NERC GADS EFORD Class Averages as used by ISO New England," p. 3, available at [https://www.iso-ne.com/static-assets/documents/genrtion\\_resrcs/gads/class\\_ave\\_2010.pdf](https://www.iso-ne.com/static-assets/documents/genrtion_resrcs/gads/class_ave_2010.pdf).

<sup>175</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Case Accreditation," NEPOOL Markets Committee, April 11-13, 2023, pp. 31-33.

<sup>176</sup> Details on the methodology used to derive these factors can be found in the **Appendix Section VII.A.1**.

<sup>177</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Case Accreditation," NEPOOL Markets Committee, April 11-13, 2023, pp.31-33.

<sup>178</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Case Accreditation," NEPOOL Markets Committee, April 11-13, 2023, p. 36.

additional storage and renewables consistent with state legislated procurements and legislated targets. **Table 6** summarizes the resources in this third category.

**Table 6** also summarizes the differences between the 2028-29 resource mix and the two alternative resource mixes for the 2034-35 commitment period. The first, a high carbon resource mix, assumes that (1) additional battery storage resources will be added consistent with the average annual new capacity cleared in the three most recent capacity auctions and (2) additional renewable resources will be added consistent with current State policies. No additional retirements beyond those currently announced are assumed in the high carbon mix.

**Table 6. Assumed Capacity Market Supply Additions Incremental to Existing Units and New Units with a CSO Consistent with State Legislated Procurements and State Environmental Goals**

Commitment Period	Nameplate Capacity Additions by Resource Class (MW)				NECEC
	Solar	Storage	Offshore Wind	Onshore Wind	
<b>2028-2029</b>	2,921	405			1,090
<b>2034-2035 High Carbon</b>	1,460	2,392	7,096		
<b>2034-2035 Low Carbon</b>	6,460	6,892	18,096	2,000	

**Notes:**

[1] NECEC stands for New England Clean Energy Connect.

[2] 2028-2029 and 2034-2035 High Carbon capacity additions are based on existing state legislated procurements and environmental goals. Capacity additions in 2034-2035 High Carbon and 2034-2035 Low Carbon scenario are incremental to 2028-2029 capacity additions.

[3] 2034-2035 Low Carbon scenario additionally assumes fuel oil and coal generators identified as “at risk” by ISO-NE retire prior to the commitment period. 2034-2035 Low Carbon capacity additions are calculated to replace QMRIC of coal and some oil units which are assumed to be retired by 2034 in the low carbon scenario.

**Sources:**

[A] U.S. Department of Energy, “2022 Offshore Wind Market Report,” August 2022, available at [https://www.energy.gov/sites/default/files/2022-08/offshore\\_wind\\_market\\_report\\_2022.pdf](https://www.energy.gov/sites/default/files/2022-08/offshore_wind_market_report_2022.pdf).

[B] “About Revolution Wind – Project at a glance,” available at <https://revolution-wind.com/about-revolutionwind>.

[C] Beiter, Philipp, et. al., “Comparing Offshore Wind Energy Procurement and Project Revenue Sources Across U.S. States,” National Renewable Energy Laboratory, June 2020, available at <https://www.nrel.gov/docs/fy20osti/76079.pdf>.

[D] Massachusetts Governor’s Press Office, “Governor Baker Signs Climate Legislation to Reduce Greenhouse Gas Emissions, Protect Environmental Justice Communities,” March 26, 2021, available at <https://www.mass.gov/news/governor-baker-signs-climate-legislation-to-reduce-greenhouse-gas-emissions-protectenvironmental-justice-communities>; Massachusetts Department of Energy Resources, “Solar Massachusetts Renewable Target (SMART) Program,” 2021, available at <https://www.mass.gov/info-details/solar-massachusetts-renewable-target-smart-program>.

[E] Connecticut Office of Governor Dannel P. Malloy – Archive, “Gov. Malloy Announces Zero-Carbon Resource Selections,” December 28, 2018, available at <https://portal.ct.gov/Malloy-Archive/Press-Room/PressReleases/2018/12-2018/Gov-Malloy-Announces-Zero-Carbon-Resource-Selections>.

[F] RI.gov, “Raimondo calls for up to 600 MW of new offshore wind energy for Rhode Island,” October 27, 2020, available at <https://www.ri.gov/press/view/39674>; Faulkner, Tim and ecoRI News staff, “Massive Solar Facility Would Displace Farmland, Forest,” November 25, 2020, available at <https://www.ecori.org/renewableenergy/2020/11/23/conn-solar-farm-criticized-for-displacing-farmland-and-woodlands>.

[G] “Power Purchase Agreement for Firm Qualified Energy from Hydroelectric Generation between NSTAR Electric Company d/b/a Eversource Energy and H.Q. Energy Services (U.S.) Inc.,” Exhibit JU-3-A, June 13, 2018, available at <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/9636857>.

[H] ISO-NE, “Power Plant Retirements,” available at <https://www.iso-ne.com/about/what-we-do/in-depth/power-plant-retirements>.

The second, a low carbon resource mix, assumes a more aggressive level of electricity sector decarbonization that may better align with the States’ long-term environmental objectives. This resource mix assumes that the coal and

oil-fired generation units designated as “at risk” by ISO-NE retire prior to the 2034-35 commitment period.<sup>179</sup> This amounts to 4.5 GW of nameplate capacity and 3.9 GW of QMRIC. The retired QMRIC capacity is replaced by an approximately equivalent amount of QMRIC capacity of new storage and renewable resources that takes into account that rMRIs for these resources are adjusted to reflect their increased capacity additions in this scenario. This adjustment is performed in the same way as the adjustment under the high carbon 2034-35 resource mix. Given the lower renewable and storage rMRIs in a more decarbonized scenario, to replace the retired QMRIC, the low carbon resource mix assumes an additional 11 GW of offshore wind, 2 GW of onshore wind, 5 GW of solar, and 4.5 GW of 4-hour storage.

For both commitment periods, we assume that 2 GW of gas-only generators make offers with commitments to obtain firm fuel arrangements for the winter. While we assume an equal quantity of firm fuel contracts, in practice we may expect that the quantity of firm fuel arrangements would increase (and/or the costs associated with these contracts would decrease) under a prompt market relative to a forward market for the reasons noted in **Section III.B.4.c.**<sup>180</sup> The remaining gas-only generators are assumed to make offers without firm fuel commitments. In addition, we assume no entry of additional units.

#### **d. Changes in Supply Offers Moving from a Forward to a Prompt Market Structure**

Under a prompt market, the capacity auction occurs closer to the commitment period than under a forward market. Given this difference in timing, we assume two changes in the modeled supply curve offers under a prompt market structure relative to a forward market structure. See **Section III.B** for further discussion of these two factors.

*First*, with a prompt market, resources face less uncertainty and less financial risk regarding their ability to fulfill their CSO and do not forgo optionality constraints of cleared forward market offers. Given these changes, the forward market adjustment in the offers that includes a forward premium is removed for the prompt given that the decision to commit to providing capacity is taken closer to the delivery period. The result is that offer prices are lower under a prompt than a forward market.

*Second*, with a prompt market, deficiency risk would be minimal since a prompt market would likely require that the resource is operational to participate in the capacity market. Thus, the deficiency payment risk included in the forward market offers is removed for the prompt. Similar to the removal of the forward premium, the result is that offer prices are lower under a prompt than a forward market.

#### **e. Changes in Supply Offers Moving from an Annual to a Seasonal Market Structure**

The model under a seasonal market structure simulates two seasons – summer and winter – to represent the seasonal market structure. In principle, more than two seasons could be modeled, but two are assumed for simplicity. We assume that each season covers six months, with summer May through October and winter November through April, although we expect our conclusions would generalize to different seasonal definitions.<sup>181</sup>

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<sup>179</sup> ISO-NE, “Power Plant Retirement,” available at <https://www.iso-ne.com/about/what-we-do/in-depth/power-plant-retirements>.

<sup>180</sup> Our model results do not capture all expected differences between a forward and a prompt market, and this is one way that our quantitative analysis may understate the benefits of moving to a prompt auction.

<sup>181</sup> ISO-NE’s current RCA proposal assumes a four-month summer season and eight-month winter season. Although we assume symmetric seasonal lengths for simplicity, we do not expect our conclusions to differ qualitatively under ISO-NE’s current proposal.

Differences between the supply offer curves of annual and seasonal market structures are driven by seasonal differences in (1) NEAS revenues, (2) fixed costs, and (3) rMRIs. Other components of going forward costs, such as expected PFP revenues, are assumed to be split evenly between seasons, although in practice they may differ given difference in between assumed summer and winter risk. See **Section IV.C.2** for further discussion of seasonal differences in going forward costs that are not captured by our model.

*First*, resources differ in their seasonal revenues. For summer, NEAS revenues are estimated for May through October. For winter, NEAS revenues are estimated for November through April. For most units, net revenues in the EMS are higher in the winter than in the summer because fuel prices – and thus electricity prices – are higher in the winter than in the summer. Thus, holding all else constant, offers for most units are higher in the summer and lower in the winter. See **Section IV.C.2** for further discussion.

*Second*, fixed costs are assumed to be 10% higher in the winter than the summer due to additional operations, capital investments, and maintenance associated with winterization. See **Section IV.C.1** for further discussion.

*Third*, as discussed in **Section IV.B**, resource accreditation factors differ between seasons for certain unit types. Under a seasonal market structure, a resource's accreditation is expected to be based upon the reliability that the resource provides during each season. These differences are evident particularly for intermittent renewable resources and storage, whose output is tied to weather and system conditions. As weather patterns vary across seasons, the accreditation of these resources is assumed to vary accordingly. In addition, gas-only resources without firmed-up fuel supply are assumed to receive season-specific accreditation, with lower accreditation in the winter. This adjustment reflects the dependency of their output on gas availability, which can be limited in New England during cold winter days. Seasonal accreditation for other unit types is equivalent to their annual value. The seasonal differences for the 2028-29 commitment period are summarized in **Table 4**. Differences for the 2034-35 commitment period are summarized in the Appendix. Details on specific data used and assumptions made in calculating seasonal rMRIs for each commitment period and market scenario can be found in the Appendix. Differences in rMRI values translate to both vertical and horizontal shifts in the offer curve.

## 2. Demand Curve

The capacity market in ISO-NE clears the supply of resource offers against a downward sloping demand curve that is determined based on the system's reliability and the net cost of new entry. Under the current rules, the downward sloping demand curve is determined by a non-linear function that reflects the marginal reliability impact of increasing capacity. ISO-NE applies the GE MARS model to derive the MRI values as a function of capacity to define this curve. The MRI-quantity curve is then converted to a price-quantity curve by scaling in a way such that the price at the intersection of the curve with the Net ICR equals the cost of new entry for a reference unit. The final parameter defining the curve is a price cap set at 1.6 times Net CONE.<sup>182</sup>

The model adopts the same MRI-quantity curve structure where the starting values used to construct the demand curve in each of the market designs are the FCA 18 system-wide MRI values published by ISO-NE.<sup>183</sup> The reference unit is assumed to be a simple combustion dual fuel turbine in accordance with recommendations from the most

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<sup>182</sup> ISO-NE, "Market Rule 1," Section 13, available at [https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect\\_3/mr1\\_sec\\_13\\_14.pdf](https://www.iso-ne.com/static-assets/documents/regulatory/tariff/sect_3/mr1_sec_13_14.pdf). In the model, Net CONE is assumed to be equal to the 2026-2027 CCP Net CONE, available at [https://www.iso-ne.com/static-assets/documents/2015/09/fca\\_parameters\\_final\\_table.xlsx](https://www.iso-ne.com/static-assets/documents/2015/09/fca_parameters_final_table.xlsx).

<sup>183</sup> ISO-NE, "FCA 18 Demand Curve Values," revised August 14, 2023, available at [https://www.iso-ne.com/static-assets/documents/2023/08/a03\\_2023\\_08\\_23\\_pspc\\_fca\\_18\\_demand\\_curves.xlsx](https://www.iso-ne.com/static-assets/documents/2023/08/a03_2023_08_23_pspc_fca_18_demand_curves.xlsx).

recent Net CONE/offer review trigger price (“ORTP”) Study.<sup>184</sup> Net ICR is set at the forecasted Net ICR in the ISO-NE 2023 Regional System Plan for the 2028-29 commitment period.<sup>185</sup> The forecast is used to extrapolate Net ICR for the 2034-2035 commitment period. In each market design, the demand curve is scaled to create a QMRIC-based curve in accordance with the RCA design.<sup>186</sup> The demand curve will be anchored by an adjusted Net ICR which results from scaling Net ICR by the rMRI of the resource mix. The Appendix provides more details on the steps taken to convert the demand curve to the QMRIC-based demand curve.

#### **a. Differences in the Demand Curve for a Forward and Prompt Market**

The demand curve parameters are assumed to be unchanged between a forward and prompt market with the exception of Net ICR.

An important difference between forward and prompt markets is certainty of demand used to clear supply. With a forward market, the Net ICR reflects demand forecasts that will be higher or lower than the realized demand that would be the basis for a Net ICR in a prompt market. Thus, even if on *average* the Net ICR is similar between the forward and the prompt, in practice the forecast will be imprecise due to normal forecast uncertainty. This difference is discussed further in **Section III.B.2**.

In order to capture the uncertainty of the Net ICR for a forward relative to the prompt market, three forward scenarios with different Net ICR values are modeled: (1) no difference in Net ICR between prompt and forward, (2) Net ICR 1,000 MW *greater* in forward than prompt, and (3) Net ICR 1,000 MW *less* in forward than prompt. The differences in Net ICR will result in horizontal shifts in the demand curve.

The assumption that the distribution of forecast uncertainty is centered at zero may be conservative given the historical relationship between ICR forecasts for the FCA and the final ICR estimates prior to the commitment period. We have not, however, undertaken assessment to determine whether an expected difference between FCA and final ICR values would be appropriate for two reasons. First, as discussed in **Section III.B.2**, there have been many complex factors that affected historical forecasts, and not all these factors would be informative about “predictable” future forecast uncertainty. Second, looking forward, there are other potential factors not observed historically that may impact forecast uncertainty, such as changes in demand for electricity due to policy ambitions for economy-wide decarbonization.

#### **b. Differences in the Demand Curve for an Annual and Seasonal Market**

Under a seasonal capacity market framework, each seasonal demand curve reflects the reliability needs for that season. As a result, if there are differences in reliability risks between the seasons, there will be differences in the demand curves between seasonal and annual markets. Below, we outline an approach to deriving seasonal demand curves that we use for our modeling assumptions. The approach described below is not the only possible approach.

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<sup>184</sup> ISO-NE, “ISO-NE Net CONE and ORTP Analysis. An Evaluation of the Net Cost of New Entry Parameter to be used in the Forward Capacity Auction FCA-16 and Forward,” September 3, 2020, p. 9, available at [https://www.iso-ne.com/static-assets/documents/2020/09/a6\\_a\\_iii\\_draft\\_report\\_net\\_cone\\_and\\_orotp\\_analysis.docx](https://www.iso-ne.com/static-assets/documents/2020/09/a6_a_iii_draft_report_net_cone_and_orotp_analysis.docx).

<sup>185</sup> ISO-NE, “2023 Regional System Plan,” Appendix Table 23, available at <https://www.iso-ne.com/static-assets/documents/100004/rsp23-datasets-appendix-10-2023-draft-rsp23-public-meeting.xlsx>.

<sup>186</sup> ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market. Continued Discussion on Conceptual Design,” NEPOOL Markets and Reliability Committees, September 13-14, 2022, available at [https://www.iso-ne.com/static-assets/documents/2022/09/a05a\\_mc\\_2022\\_09\\_13-14\\_rca\\_conceptual\\_design\\_presentation\\_.pptx](https://www.iso-ne.com/static-assets/documents/2022/09/a05a_mc_2022_09_13-14_rca_conceptual_design_presentation_.pptx).



If the ISO chooses to pursue seasonal demand curves, further assessment would be necessary to determine the preferred approach for the region. See **Section IV.A** for further discussion of seasonal demand for resource adequacy.

For the 2028-29 commitment period, it is assumed that 70 percent of the reliability risk is in the summer and 30 percent of the reliability risk is in the winter.<sup>187</sup> Net CONE in the model is adjusted to reflect the differences in reliability risk between the seasons.<sup>188</sup> Summer Net CONE, on a \$/kw-month basis, is higher than the winter Net CONE to reflect the higher reliability risk, and higher than the annual Net CONE to account for the fact that in the model's seasonal market structure, resources generate revenue for half a year. Therefore, summer Net CONE is calculated by multiplying the annual Net CONE value by two, and then multiplying by 0.7. This change in Net CONE has two implications for the summer demand curve:

1. The auction price cap will be higher in the summer market compared to the annual and the winter market. This results in an upwards shift of the demand curve.
2. Under our set of assumptions, the slope of the demand curve calculated as the ratio of Net CONE to MRI "at criteria" will be steeper because an increment of capacity will be able to reduce unserved load by a greater amount.

For the winter market for the 2028-2029 commitment period, winter Net CONE is calculated by multiplying annual Net CONE by two, and then multiplying by 0.3. This results in winter Net CONE being lower than the annual Net CONE. The change in Net CONE has two implications for the winter demand curve:

1. The auction starting price will be lower in the winter market compared to the annual and the summer market. This results in a downwards shift of the demand curve.
2. Under our set of assumptions, the slope of the demand curve calculated as the ratio of Net CONE to MRI "at criteria" will be flatter because an increment of capacity will be able to reduce unserved load by a lesser amount.

For the 2034-35 commitment period, due to greater integration of renewables and further increasing winter peaks relative to summer peaks, more reliability risk is assumed to shift to the winter period. Thus, 60 percent of reliability risk is assumed in the summer and 40 percent is assumed in the winter, as opposed to 70 percent and 30 percent, respectively, for the 2028-29 commitment period. Calculations of the annual and seasonal demand curves for the 2034-35 commitment period are otherwise performed the same as the 2028-29 commitment period. However, in the case of the 2034-35 commitment period, the contrast between seasonal curves is less pronounced given that summer and winter reliability risks are more similar.

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<sup>187</sup> Assessments of the seasonal risk in the region are ongoing, however the values presented in the April 2023 ISO-NE marginal reliability analysis suggested around 80 percent reliability risk in the summer and 20 percent in the winter. ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Accreditation Case," NEPOOL Market Committee, April 11-13, 2023, slide 22. These results are for FCA 16. Given expected increasing winter peaks relative to summer peaks, the model assumes that more reliability risk shifts to the winter by 2028-29.

<sup>188</sup> In practice, a move to a seasonal market would require further assessment of whether seasonal Net CONE values are needed or if it would remain exclusively an annual value. For our analysis, we break the annual value into summer and winter components, which we refer to as Summer and Winter Net CONE.

### 3. *Limitations and Factors Not Accounted for in the Model*

Our analysis accounts for multiple important differences in demand and supply between the current capacity market and the prompt and seasonal market alternatives. However, our analysis does not account for all differences between market alternatives, including many important differences identified in **Sections III and IV**. In particular, our analysis makes certain conservative assumptions, such as those regarding forward demand forecasting uncertainty and winter gas firming. That is, we assume no tendency to forecast demand (net ICR) greater than actual demand, although historically this has frequently been the case. We also do not assume any difference in the cost and use of winter gas firming, although the prompt and seasonal markets would reduce the cost of making such arrangements and thus likely increase their use.

Our analysis also does not account for certain market dynamics, such as changes in entry or exit decisions in response to changes in prices. While our analyses generally do reflect equilibrium outcomes (*i.e.*, they reflect changes in underlying supply and demand fundamentals), our scenarios and cases do not explore all possible circumstances in which prompt and seasonal market alternatives could produce different outcomes from the current capacity market design. Thus, our analysis does not account for the full range of potential outcomes and it is possible that under certain market conditions and assumptions, the cost impacts of moving to a prompt and/or seasonal auction may be more positive or negative than the range of impacts reported in our analysis. As such, the reader should not interpret the results presented in this report as predictive or indicating the directional cost impact of any such policy changes with certainty, as the modeling may not consider all potentially relevant factors.

## D. Results

This section summarizes the results of the quantitative modeling of the capacity market under the prompt and seasonal alternative market structures. *First*, we begin by discussing the features of the model within the context of the results for the current market structure – a forward-annual capacity market – for the 2028-29 commitment period. *Second*, we develop insights about the choice between forward and prompt alternative designs. *Third*, we assess the annual and seasonal design. *Finally*, we compare the forward-annual with a prompt-seasonal. We provide tables and figures summarizing results, with further detail available in the Appendix.

### 1. *Summary of Central Results*

The results of our central cases are summarized in **Table 7**. The table reports the clearing price, quantity of capacity awarded a CSO, and total auction payments (*i.e.*, the clearing price multiplied by the quantity of awarded CSOs). Across all cases, capacity market prices range from \$3.83 to \$5.15 per kW-month, higher but consistent with recent market outcomes. Total payments range from \$1.3 to \$1.9 billion, with the average payment per MWh ranging from \$8.80 to \$10.85 per MWh. Across the central cases, the capacity market procures about 530 MW to 700 MW of capacity in excess of adjusted ICR.<sup>189</sup>

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<sup>189</sup> In the discussion of the quantitative results, references to “adjusted ICR” or “ICR” refer to the Net ICR adjusted to be in terms of QMRIC instead of qualified capacity.

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**Table 7. Summary of Price, Quantities and Payments for Alternative Markets Structures**

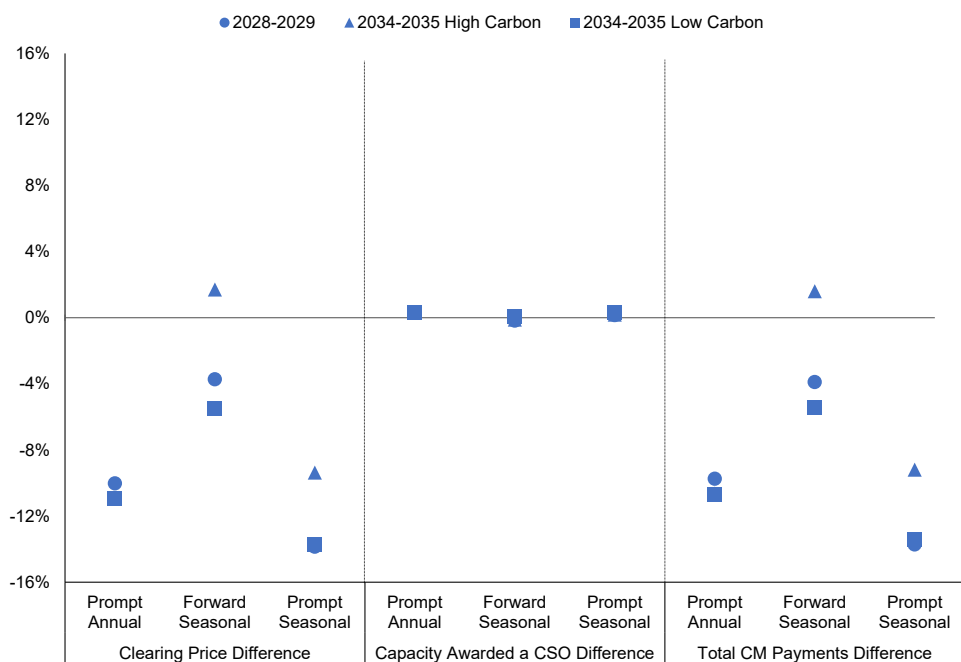
	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Annual	\$4.45	28,401	\$1,515	\$10.19	583
Prompt-Annual	\$4.00	28,491	\$1,368	\$9.20	673
Forward-Seasonal	\$4.28	28,352	\$1,456	\$9.80	534
Prompt-Seasonal	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035 High Carbon</b>					
Forward-Annual	\$4.70	30,935	\$1,746	\$9.94	616
Prompt-Annual	\$4.19	31,026	\$1,561	\$8.88	707
Forward-Seasonal	\$4.78	30,902	\$1,774	\$10.12	583
Prompt-Seasonal	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
Forward-Annual	\$5.15	30,861	\$1,906	\$10.85	542
Prompt-Annual	\$4.58	30,955	\$1,703	\$9.70	636
Forward-Seasonal	\$4.86	30,889	\$1,802	\$10.27	570
Prompt-Seasonal	\$4.44	30,962	\$1,650	\$9.41	643

**Table 8** compares price, quantity and total payments for each alternative market (*i.e.*, prompt-annual, forward-seasonal, prompt-seasonal) to the forward-annual model run for the corresponding year/resource mix, while **Figure 17** provides these comparisons on percent terms in a figure.

The prompt and seasonal market alternatives to the current FCM tend to lower prices and total payments, while producing comparatively small changes in the quantity of CSOs awarded. Across the nine cases presented in **Table 8**, prices and payments are lower 8 of 9 cases, with prices and payments increasing for the forward-seasonal market in the 2034-2035 High Carbon scenario.

**Table 8. Change in Prices, Quantities and Payments Relative to Forward-Annual Market Outcomes**

	Clearing Price Difference (\$/kW-month)	Capacity Awarded a CSO Difference (MW)	Total CM Payments Difference (\$ M)	Clearing Price Difference (%)	Capacity Awarded a CSO Difference (%)	Total CM Payments Difference (%)
<b>2028-2029</b>						
Prompt-Annual	-\$0.45	90	-\$148	-10.03%	0.32%	-9.74%
Forward-Seasonal	-\$0.17	-49	-\$59	-3.72%	-0.17%	-3.89%
Prompt-Seasonal	-\$0.62	44	-\$208	-13.85%	0.16%	-13.72%
<b>2034-2035 High Carbon</b>						
Prompt-Annual	-\$0.51	91	-\$186	-10.89%	0.30%	-10.62%
Forward-Seasonal	\$0.08	-33	\$28	1.71%	-0.11%	1.61%
Prompt-Seasonal	-\$0.44	60	-\$160	-9.37%	0.19%	-9.19%
<b>2034-2035 Low Carbon</b>						
Prompt-Annual	-\$0.56	94	-\$203	-10.93%	0.30%	-10.67%
Forward-Seasonal	-\$0.28	28	-\$104	-5.51%	0.09%	-5.45%
Prompt-Seasonal	-\$0.71	101	-\$256	-13.73%	0.33%	-13.45%

**Figure 17. Percent Change in Prices, Quantities and Payments Relative to Forward-Annual Market Outcomes**

Across the central cases, changes in prices and payments are generally very similar because the changes in quantity across cases are proportionately small (*i.e.*, less than 0.5%). This is not unexpected because while the demand curves are sloped, they are still inelastic. Thus, a change in price directly translates into a change in payment by relatively little change in quantity procured.

- For the prompt-annual market alternative, prices and costs relative to the FCM are 10% to 11% lower across all three scenarios. These results are shown in the left column of **Figure 17**. Changes in total annual payments across scenarios range from a reduction of \$148 million to \$203 million.
- The forward-seasonal market reduces prices and total payments in two central scenarios (2028-29, 2034-2035 Low Carbon), with price and payment reductions of around 4% and 5%, respectively. Price and costs increase by 2% in the 2034-35 High Carbon scenario. Changes in total annual payments for these alternatives range from a reduction of \$104 million to an increase of \$28 million.
- The prompt-seasonal market alternative results in the lowest prices and total payments, on average. Across the three scenarios presented in **Table 8** and **Figure 17**, prices are lower by \$0.59 per kW-month (12%) and payments are lower by \$208 million annually (12%), on average. Across scenarios, prices and payments are reduced by 9% to 14% compared to the current FCM.

The Average CM Payment column is the Total CM Payments column divided by total load (in MWh).<sup>190</sup> The Capacity Above Adjusted ICR is the Capacity Awarded a CSO minus adjusted ICR, such that a positive value represents that the auction cleared above adjusted ICR, while a negative value indicates the auction cleared below the requirement.

As shown above, the results are sensitive to the assumed year and resource mix tested. Below, we further test the sensitivity of results to alternative assumptions for one key assumption: the forward premium. However, these tests encompass only a subset of relevant uncertainties. As noted above, our analysis makes certain conservative assumptions, such as those regarding forward demand forecasting uncertainty and winter gas firming.

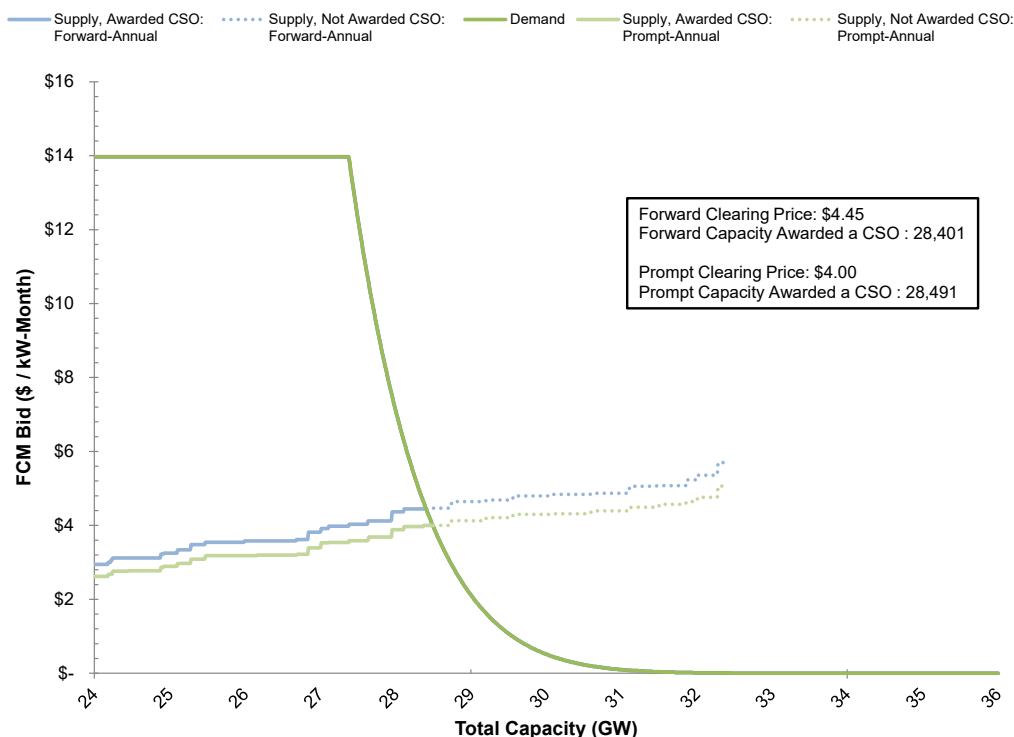
The next three subsections provide further details on the results for each of the alternative market concepts: prompt market, seasonal market, and combination of prompt and seasonal market.

## **2. Assessment of Forward vs. Prompt Capacity Market Structure**

We first examine the prompt market structure, focusing on comparisons of the forward-annual and prompt-annual market structures. **Figure 18** shows market clearing for the forward-annual and prompt-annual market alternatives for the 2028-29 commitment period. Changes in market outcomes reflect differences in the supply curves between the forward and the prompt market, which are driven by two factors: (1) the forward premium, reflecting reduced optionality and increased financial risk taken on by market participants under the current forward market structure, and (2) deficiency payment risk, reflecting the risk that costs are incurred because a resource cannot fulfill the CSO taken on by market participants when committing resources three years in advance. These two factors are not included in the prompt market, shifting the offer supply curve downward and resulting in lower prices. The effect of these factors in **Figure 18** is that prices are lower and quantities are higher with a prompt market (compared to a forward market). In both market structures, the supply curves are relatively flat at the intersection with the demand curve, resulting in proportionately smaller changes in quantity relative to price.

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<sup>190</sup> Total load is based on CELT forecasts from the 2023 report. The forecast data ends in 2032, thus 2034-35 load is extrapolated through 2035 based on 2023-2032 growth rates. ISO-NE, "2023 CELT Report," sheet "1.5.2 Energy."

**Figure 18. Prompt-Annual Market (Compared to Forward-Annual), 2028-29 CCP**

Our model results do not capture all expected differences between a forward and a prompt market. For example, our model assumes no differences in the supply offers from gas-only resources that commit to firm fuel arrangements.<sup>191</sup> However, as discussed in **Section III.B.4.c**, resources take on additional risk when committing to procure firm fuel three years in advance under a forward market structure relative to a prompt market. This additional risk would be expected to result in higher offer prices and/or less supply from these resources. Accounting for this potential difference could increase the clearing price in a forward market relative to the prompt market.<sup>192</sup> Therefore, by not accounting for this expected difference between a forward and prompt capacity market, we may be underestimating differences in clearing price and total payments for the forward market relative to the prompt market.

As discussed in **Section III.B.1.b**, our analysis does not account for uncertainty in rMRIs between forward and prompt markets. As noted above, when comparing a forward and prompt market, differences in rMRI values and thus qualified capacity would be expected. Contributions measured under a prompt market could be greater or less than those assumed in the forward market. For example, if an offshore wind project that cleared the FCA did not deliver supply for the relevant CCP, the contributions from existing offshore wind projects would be greater under a prompt market compared to the forward market (assuming offshore wind rMRIs decrease as more offshore wind is activated). By contrast, if new storage resources enter in ARAs, contributions from existing battery storage projects

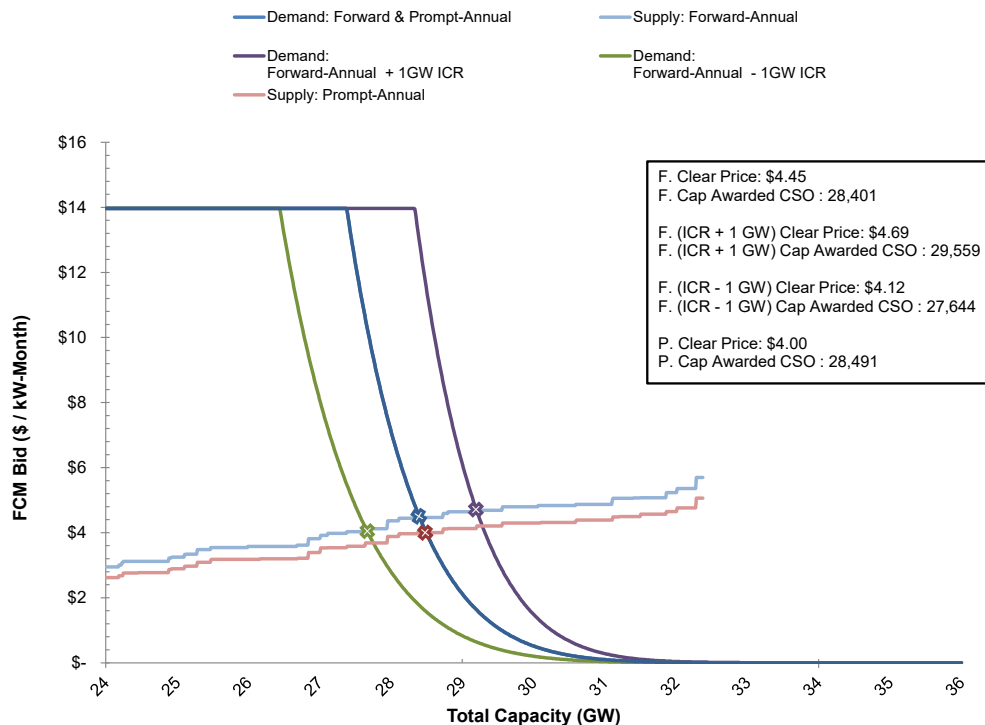
<sup>191</sup> We do not attempt to capture this difference quantitatively as the magnitude of the impact on offers is difficult to reliably quantify based on publicly available information.

<sup>192</sup> Lower costs of firming winter fuel supplies would be expected to lower offer costs and potentially increase the quantity of offers backed by firm fuel supplies. Together, these could cause additional firm-fuel supplies to clear in the prompt market relative to the forward market, thus reducing prices.

would be less under the prompt market than the forward market (assuming battery storage project rMRIs decrease as more battery storage is activated).

As discussed in **Section III.B.2**, a forward market relies on forecasts of demand made more than three years prior to the commitment period, while a prompt market relies on estimated demand shortly before the commitment period. To test the consequences of this uncertainty in comparison to a prompt market, we simulate forward market outcomes assuming three different levels of forecast uncertainty ( $-1,000$  MW,  $0$  MW,  $+1,000$  MW) and compare outcomes to the prompt market. This range bookends a range of uncertainty for ICR forecasts made three years in advance under a forward market. **Figure 19** presents the results visually for the 2028-29 commitment period, showing that a difference in Net ICR results in a horizontal shift in the demand curve. When Net ICR is lower than the original forecast, this is represented by a leftward shift in the demand curve, while when Net ICR is higher than originally forecasted, this is represented by a rightward shift in the demand curve. The supply curve is identical for all three forward scenarios.

**Figure 19. Forward-Annual vs. Prompt-Annual Capacity Market, Forward with  $\pm 1,000$  Net ICR Relative to Prompt, 2028-29 CCP**



**Table 9** provides the results of the analysis of forecast uncertainty. **Table 9** includes an estimate of the capacity above *final* ICR – that is, ICR prior to the commitment period. This measures how much capacity is procured in the forward auction compared to what is eventually needed at the commitment period. (This quantity differs from “Capacity Above Adjusted ICR” in **Table 7**, which measures procured capacity relative to ICR set for the auction.)

**Table 9** shows that, across scenarios, uncertainty in forecast demand in a forward market creates uncertainty in market outcomes. When the forward market is run using forecast ICR that is “too low” *ex post* compared to final ICR, the clearing price, quantity of capacity awarded a CSO, and overall cost are all lower than the corresponding

prompt market.<sup>193</sup> By contrast, when forecast ICR is higher than final ICR, the clearing price, quantity of capacity awarded a CSO, and overall cost are all higher.

**Table 9. Summary of Impact of Demand Forecast Uncertainty ( $\pm 1,000$  MW) on Forward and Prompt Market Outcomes (with an Annual Market)**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Final Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Annual (Forecasted ICR < Final ICR)	\$4.12	27,644	\$1,366	\$9.19	-174
Forward-Annual (Forecasted ICR = Final ICR)	\$4.45	28,401	\$1,515	\$10.19	583
Forward-Annual (Forecasted ICR > Final ICR)	\$4.69	29,559	\$1,663	\$11.19	1,742
Prompt-Annual	\$4.00	28,491	\$1,368	\$9.20	673
<b>2034-2035 High Carbon</b>					
Forward-Annual (Forecasted ICR < Final ICR)	\$4.62	30,147	\$1,672	\$9.52	-172
Forward-Annual (Forecasted ICR = Final ICR)	\$4.70	30,935	\$1,746	\$9.94	616
Forward-Annual (Forecasted ICR > Final ICR)	\$5.22	31,660	\$1,982	\$11.28	1,341
Prompt-Annual	\$4.19	31,026	\$1,561	\$8.88	707
<b>2034-2035 Low Carbon</b>					
Forward-Annual (Forecasted ICR < Final ICR)	\$4.82	30,109	\$1,742	\$9.92	-210
Forward-Annual (Forecasted ICR = Final ICR)	\$5.15	30,861	\$1,906	\$10.85	542
Forward-Annual (Forecasted ICR > Final ICR)	\$5.68	31,853	\$2,170	\$12.35	1,534
Prompt-Annual	\$4.58	30,955	\$1,703	\$9.70	636

These differences in prices, quantities and payments are potentially large. **Table 10** provides the differences in price and payment between the forward market with different degrees of forecast uncertainty and the corresponding prompt market. For example, payments under the prompt market can be as much as \$467 million lower or \$1 million higher than with the forward market. Similar tables for the seasonal markets are provided in the Appendix, and the results are qualitatively similar.

**Figure 20** shows the variation in prices, quantity and cost arising from the forecast uncertainty (relative to the forward auction with a forecast delta of zero) across all of the annual and seasonal scenarios. The figure shows that use of a forward auction introduces variation in prices and payments ranging from a decrease of 7% and 10% to an increase of 11% and 14% respectively, while the quantity varies from a decrease of 3% to an increase of 4%.

While variation in the quantity of resources is modest, the levels of procured capacity in the forward market can be lower than final ICR if the forecast is lower than the final demand. For example, as shown in **Table 9**, with the forward-annual market, when the forecast is 1,000 MW lower than the final ICR value, the procured capacity is 174 MW below ICR for the 2028-2029 commitment period. Across the scenarios, these deficits range from 172 to 210 MW. If not made up through other means, such as the ARAs, the under-forecast could lead to reliability problems. While these differences may be mitigated by the ARAs to some degree, as discussed in **Section III**, likely adjustments are constrained by a number of factors such as the willingness of participants awarded CSOs to sell them back and potential supplies of new short-run capacity. Our analysis reflects only FCA outcomes and does not account for any potential adjustments made in ARAs.

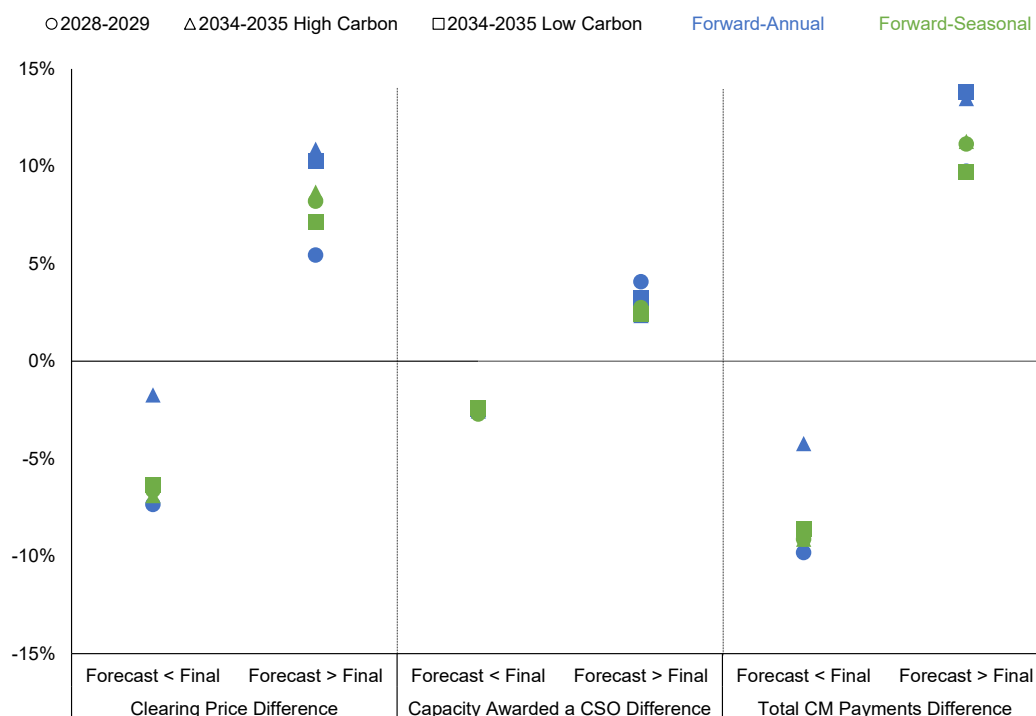
<sup>193</sup> Figures analogous to **Figure 19** for other forward vs. prompt comparisons are presented in Appendix B.

A prompt market effectively mitigates the forecast risk in a forward market. With the prompt market, demand is estimated shortly before the commitment period, thus avoiding the three years gap between the forward auction and the commitment period.

**Table 10. Summary of Price and Cost Differences: Prompt-Annual Relative to Forward-Annual Market (Demand Forecast Uncertainty Scenario)**

	Clearing Price Difference (\$/kW-month)	Clearing Price Difference (%)	CM Payment Difference (\$ M)	CM Payment Difference (%)
<b>2028-2029</b>				
Forecasted ICR < Final ICR	-\$0.12	-2.89%	\$1	0.09%
Forecasted ICR = Final ICR	-\$0.45	-10.03%	-\$148	-9.74%
Forecasted ICR > Final ICR	-\$0.69	-14.67%	-\$295	-17.75%
<b>2034-2035 High Carbon</b>				
Forecasted ICR < Final ICR	-\$0.43	-10.28%	-\$112	-6.68%
Forecasted ICR = Final ICR	-\$0.51	-10.89%	-\$186	-10.62%
Forecasted ICR > Final ICR	-\$1.02	-19.63%	-\$421	-21.24%
<b>2034-2035 Low Carbon</b>				
Forecasted ICR < Final ICR	-\$0.24	-4.90%	-\$39	-2.23%
Forecasted ICR = Final ICR	-\$0.56	-10.93%	-\$203	-10.67%
Forecasted ICR > Final ICR	-\$1.09	-19.23%	-\$467	-21.51%

**Figure 20. Forecast Uncertainty: Price, Quantity and Payment Difference Between Forward Market with Uncertain Demand ( $\pm 1,000$  MW) Relative to FCM where Forecasted ICR = Final Adjusted ICR**

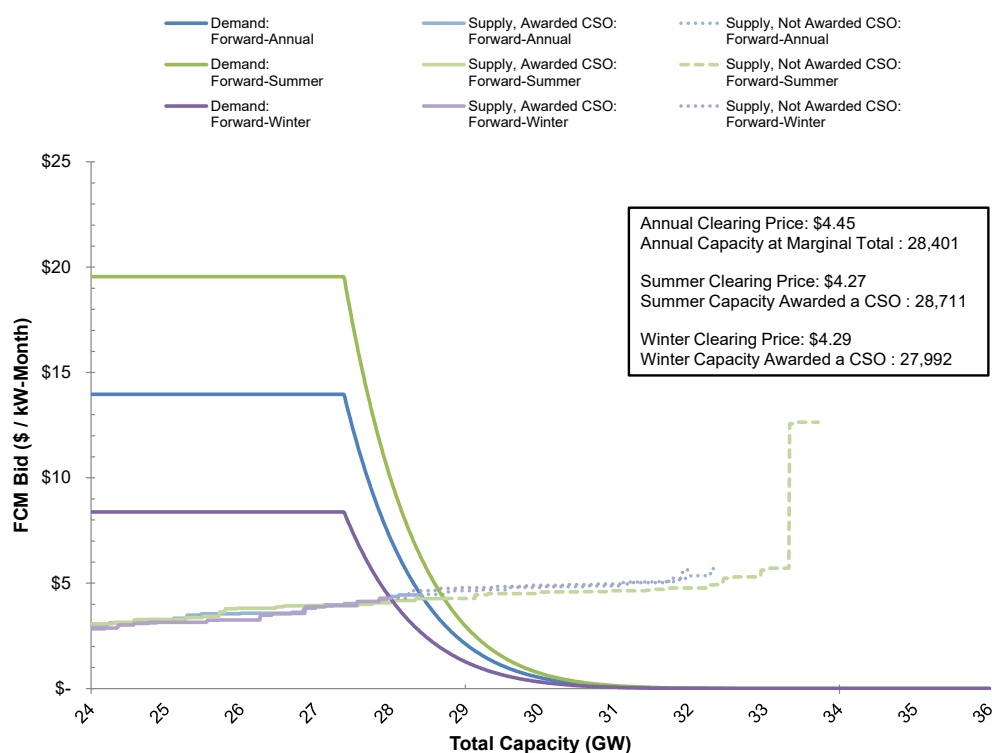


### 3. Assessment of Seasonal Capacity Market Structure

The current annual capacity market is tied to the summer period, procuring the same amount of capacity in each season. A shift to seasonal markets would account for differences in reliability risk across seasons, potentially resulting in a greater quantity of capacity awarded a CSO during periods of high reliability risk. The model under a seasonal market structure simulates two seasons – summer and winter. In principle, more than two seasons could be modeled, but two are assumed for simplicity.

**Figure 21** compares results of the capacity auction simulation for a forward-annual with a forward-winter and forward-summer market structures for the 2028-29 commitment period. Figures illustrating market clearing for the 2034-35 scenarios are provided in the Appendix. The differences between the summer and winter demand curves reflect the assumed differences in the importance of summer and winter reliability risks (with summer and winter accounting for 70% and 30% of reliability risk, respectively, for the 2028-29 commitment period).<sup>194</sup> For example, the summer curve is above the winter curve (and annual curve, reflecting the average of summer and winter risks) because for any given level of quantity, the marginal value of capacity is greater in the summer than the winter given the greater preponderance of risks in that season.<sup>195</sup>

**Figure 21. Forward-Seasonal Market (Compared to Forward-Annual), 2028-29 CCP**



<sup>194</sup> For the 2034-35 commitment period, winter reliability risk is assumed to increase relative to summer, resulting in a steeper winter curve, and a flatter summer curve, relative to the 2028-29 period.

<sup>195</sup> The assumed summer and winter curves have the same shape along the horizontal axis because of simplifying assumptions we make for the analysis. In practice, seasonal curves would likely have different shapes given the season-specific marginal value of capacity (as measured by the GE MARS simulations).



In addition, there are several differences between the supply curve under annual and seasonal markets as discussed in **Section V.C.1.e**. *Ex ante*, the net effect of the assumed differences in the seasonal supply curves relative to the annual supply curve is ambiguous – that is, they do not necessarily result in simple vertical or horizontal shifts in supply. However, at least for the units near the margin shown in **Figure 21**, the supply curves are very similar.<sup>196</sup>

With the seasonal market, annual market outcomes reflect outcomes of the summer and winter markets. **Table 11** illustrates these annual outcomes for the 2028-29 CCP, where all outcomes reflect averages across summer and winter seasons except for total CM payments, which is the sum of summer and winter payments. In each central case (including the 2034-35 scenarios), more capacity is procured in the summer compared to the winter. As shown in **Figure 21**, more quantity is procured in the summer because the demand curve is shifted to the right/upward, indicating a higher value of capacity in the summer versus the winter. In each season, the market clears capacity until the offer prices equal the demand curve. Given the relatively flat offer curves, price differences between seasons are relatively small. Any difference in relative prices reflects both (1) differences in seasonal offer prices for a given level of supply (which is complex given the many factors affecting offers), and (2) the higher price from procuring summer rather than winter capacity (given that price rises with quantity, all else equal). Across the seasonal cases (including forward and prompt markets, shown in **Appendix Table 15**), summer prices are higher in 2 cases and lower in 4 cases.

Across scenarios, the average amount of seasonal capacity above Net ICR is similar to the annual in each scenario. However, these comparisons do not control for potential differences in the marginal value of capacity procured in summer, winter and annually.

**Table 11. Summary of Seasonal Capacity Market Results: 2028-2029 Commitment Period**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>Forward-Annual</b>	\$4.45	28,401	\$1,515	\$10.19	583
<b>Forward-Summer</b>	\$4.27	28,711	\$736	\$10.00	893
<b>Forward-Winter</b>	\$4.29	27,992	\$720	\$9.60	175
<b>Forward-Seasonal (Avg./Total)</b>	\$4.28	28,352	\$1,456	\$9.80	534
<b>Prompt-Annual</b>	\$4.00	28,491	\$1,368	\$9.20	673
<b>Prompt-Summer</b>	\$3.80	28,804	\$657	\$8.92	986
<b>Prompt-Winter</b>	\$3.86	28,087	\$650	\$8.67	269
<b>Prompt-Seasonal (Avg./Total)</b>	\$3.83	28,445	\$1,307	\$8.80	628

Our seasonal model represents a sequential auction design, as opposed to a simultaneous auction. The features and considerations of these two designs are discussed in more detail in **Section IV.G.3**. One consideration for a sequential design is that a resource may clear in one season but not the following season. We investigate the frequency of this occurrence in our model. **Table 12** shows that in our simulations, this only impacts a small fraction

<sup>196</sup> Analogous figures for other annual vs. seasonal comparisons are presented in **Appendix B**.

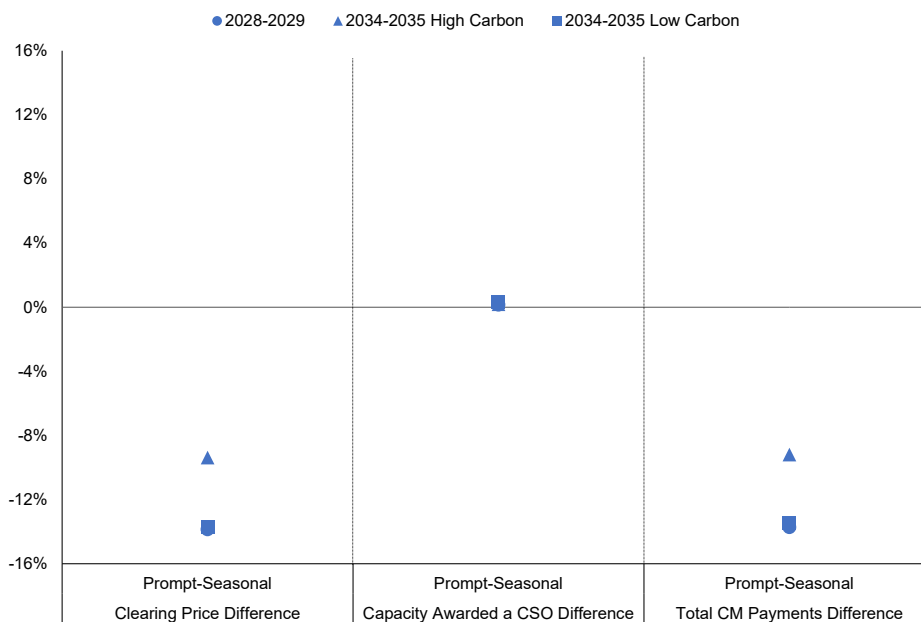
of resources. Across our scenarios, the share of capacity awarded a CSO in the winter that is not awarded a CSO in the summer ranges from 3.7% to 4.0%. Resources clearing in the summer but not the winter is less frequent than the converse, with the share of capacity awarded a CSO in the summer that is not awarded a CSO in the winter ranging from 0% to 2.3%.

**Table 12. Summary of Resources Awarded CSO in a Single Season**

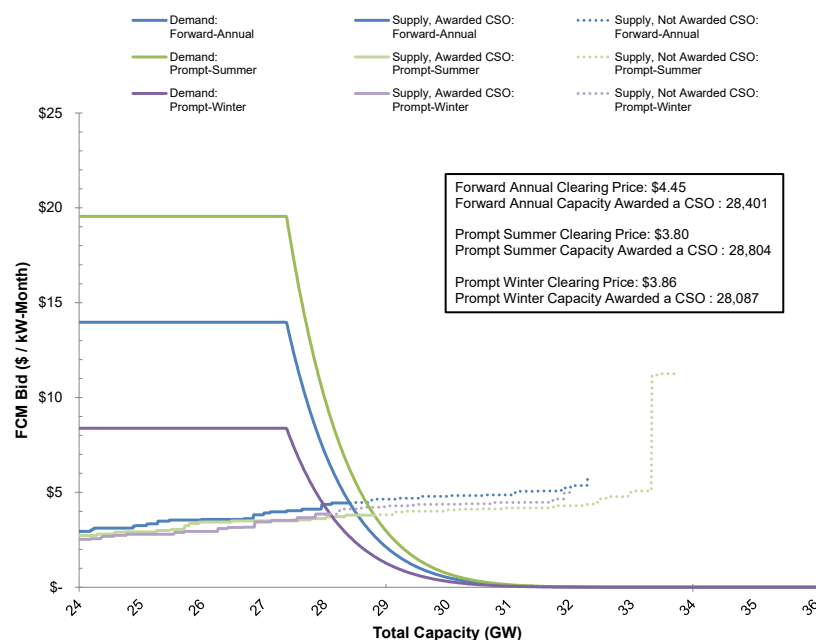
	Capacity Awarded a CSO (MW)	Capacity Awarded a CSO in a Single Season (MW)	Share of Capacity Awarded a CSO in a Single Season (%)
<b>2028-2029</b>			
Forward-Summer	28,711	251	0.9%
Forward-Winter	27,992	1,024	3.7%
Prompt-Summer	28,800	666	2.3%
Prompt-Winter	28,087	1,137	4.0%
<b>2034-35 High Carbon</b>			
Forward-Summer	31,061	0	0.0%
Forward-Winter	30,743	1,152	3.7%
Prompt-Summer	31,152	0	0.0%
Prompt-Winter	30,837	1,247	4.0%
<b>2034-35 Low Carbon</b>			
Forward-Summer	31,082	194	0.6%
Forward-Winter	30,695	1,161	3.8%
Prompt-Summer	31,133	194	0.6%
Prompt-Winter	30,791	1,215	3.9%

#### **4. Assessment of Prompt-Seasonal Market Structure**

The prompt-seasonal market structure combines the features of the prompt and seasonal market structures. Consistent with the benefits – lower prices and payments – of prompt and seasonal market structures when used individually, the combined prompt-seasonal market results in the lowest prices and total payments, on average, among all alternatives. **Figure 22** shows the change in prices, quantities and payments for the prompt-seasonal market relative to the FCM for the three central scenarios. Across these scenarios, prices and payments are reduced by 9.4% to 13.9% and 9.2% to 13.7%, respectively, compared to the current FCM. On average, prices are lower by \$0.59 per kW-month, a 12% reduction, while payments are lower by \$208 million annually, also a 12% reduction. In per MWh terms, the cost reductions range from \$0.90 to \$1.45 per MWh.

**Figure 22. Prompt-Seasonal Market (Compared to Forward-Annual)**

**Figure 23** illustrates market clearing for the prompt-seasonal market structure for the 2028-29 commitment period. Like the prompt-annual market, the prompt-seasonal awards a greater quantity of capacity a CSO during the season with greater reliability risk (summer), but seasonal prices are sometimes higher in summer and sometimes higher in winter. Compared to the current FCM, prices are lower by \$0.44 to \$0.71 per kW-month and total payments are lower by \$160 to \$256 million annually (**Table 8**). Thus, overall, our modeling results suggest that the shift from a forward-annual to a prompt-seasonal market has the potential for significant cost savings.

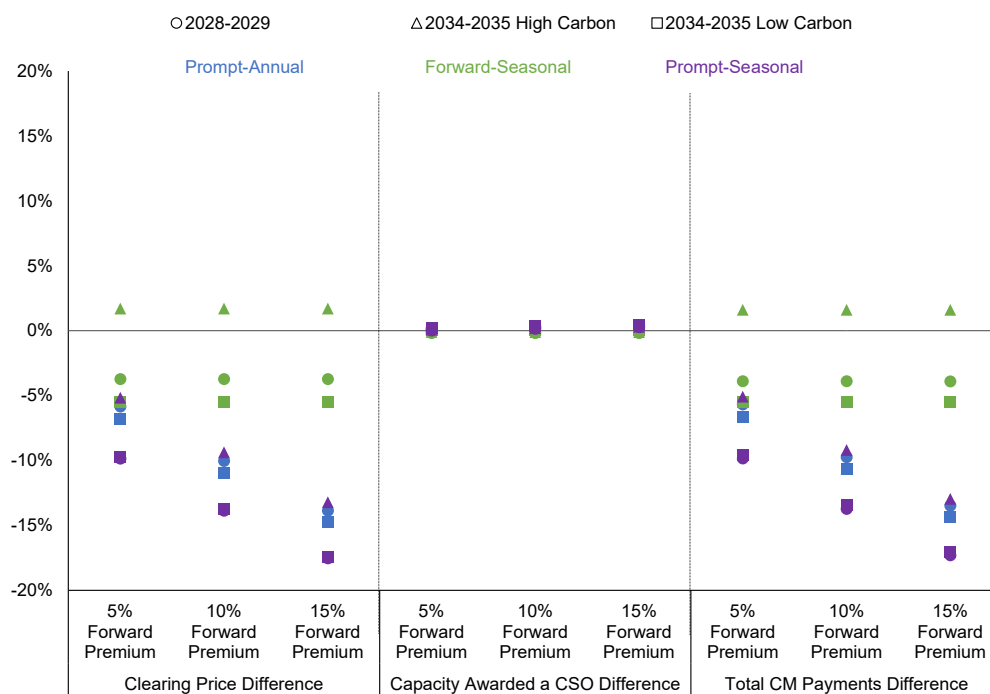
**Figure 23. Prompt-Seasonal Market (Compared to Forward-Annual), 2028-29 CCP**

### 5. Sensitivity to Inputs: Forward Premium

As discussed in **Section V.C.1.a**, for the forward market simulations we assume a 10 percent forward premium is added to a resource's going forward costs to account for reduced optionality and increased financial risk of making a commitment three years in advance. We test the sensitivity of our results by analyzing a forward premium of 5 percent and 15 percent.<sup>197</sup> **Figure 24** shows the change in prices, quantities and payments (in percent terms) for alternatives (relative to the FCM) assuming a 5%, 10%, and 15% premium for the forward market supply offers. In the central cases (10% forward premium), alternatives reduce prices (relative to the FCM) in 8 of 9 cases, with impacts ranging from a reduction of 14% to an increase of 2%. With a 5% forward premium, alternatives also reduce prices in 8 of 9 cases, with impacts ranging from a reduction of 10% to an increase of 2%. Thus, the change in forward premium assumption shifts price impacts by between 4 and zero percentage points (relative to the FCM). Results are similar when a 15% premium is assumed, with larger price reductions from the alternatives.

The middle panel of **Figure 24** shows that the capacity awarded a CSO is minimally affected by the size of the forward premium. This demonstrates that the size of the forward premium has little impact on differences in quantities between the forward and the prompt market structures. Thus, while the total costs are sensitive to the forward premium assumption, quantities are not.

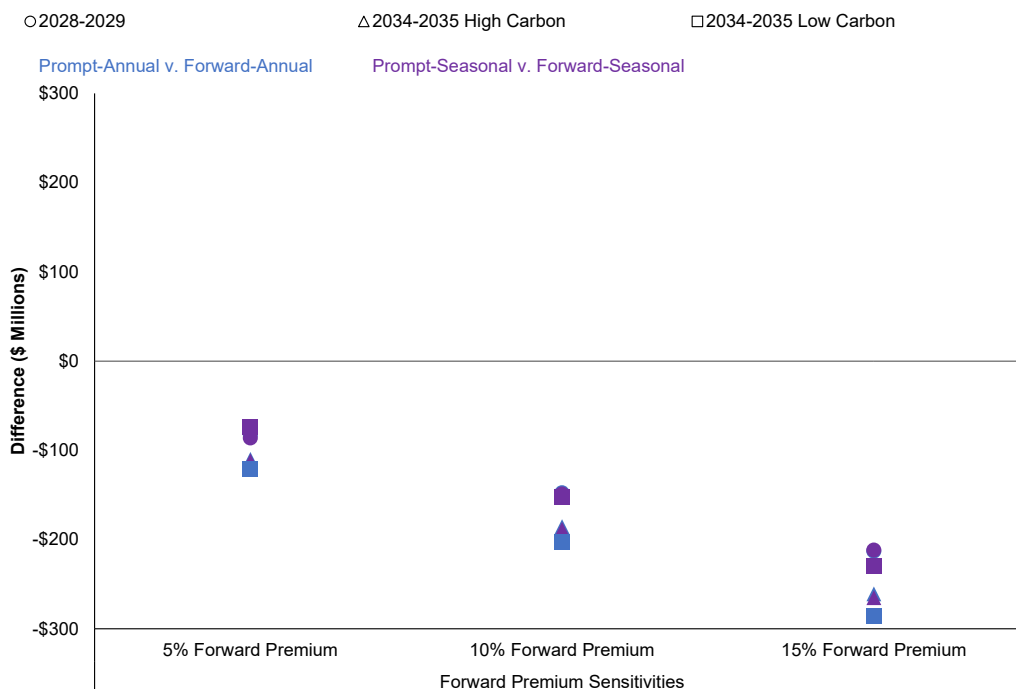
**Figure 24. Sensitivity of Changes to Price, Quantity and Payments to Assumed Forward Supply Premium (percent)**



<sup>197</sup> The deficiency payment risk adjustment is unchanged across these sensitivities.

**Figure 25** shows the sensitivity of the results for total payments (in dollar terms). Generally, the total costs scale with the size of the premium. At the 5% premium, the change in total costs from prompt-seasonal alternatives range from a decrease of \$174 million to a decrease of \$85 million, with on average a \$134 million decrease across scenarios. By contrast, at the 15% premium, the change in total costs from the prompt-seasonal alternatives range from a decrease of \$339 million to a decrease of \$236 million, with an average decrease of \$283 million across scenarios. The Appendix provides further detail on these results for each prompt and seasonal alternative evaluated.

**Figure 25. Sensitivity of Change in Total Payments to Assumed Forward Premium (\$ Millions)**



These cases illustrate the sensitivity of results, but do not encompass the full uncertainty in the potential impacts of prompt and seasonal market alternatives to the current FCM. As noted earlier, our analysis does not account for all factors that would be expected to affect costs and in some cases our assumptions are likely conservative given unaccounted for factors.

## VI. Evaluation of Timing and Phasing of Transition to Market Alternatives

The prompt and seasonal market concepts evaluated in this report would require substantial time and resources to implement, as would the RCA project changes the region is already committed to undertake. Given the scope of potential changes, we evaluate the issues associated with the timing of any transitions to prompt and/or seasonal markets, including whether to undertake market design changes in phases (rather than in one “all at once” step).

## A. Transition to a Prompt-Annual Market

If the region pursues a prompt market, but not a seasonal market, the region will need to develop the prompt market and execute the RCA enhancements prior to a prompt auction for the 2028-29 commitment period. Assuming such a prompt auction was run in late 2027 or early 2028 for the 2028-29 commitment period, there appears to be sufficient time to develop a prompt market and execute the RCA enhancements. Thus, we foresee no issues with the timing and implementation of a prompt-annual market.

## B. Transition to a Forward-Seasonal Market

If the region opts to pursue a seasonal market, but not a prompt market, the region could either (1) implement seasonal markets prior to CCP 19 along with RCA or (2) implement seasonal markets for later CCPs (e.g., CCP 20 or later). If the region continues with its forward market, the beginning of the qualification process for the next capacity auction, CCP 19, will be in early 2025 (given the recent one-year delay approved by FERC), which would provide only one year to implement both RCA and seasonal markets. Given the complexities involved with seasonal markets and lack of development to date, this would not be feasible. Thus, if the region pursues a forward-seasonal market, the development of the seasonal market would need to occur after the implementation of the RCA enhancements and may not occur for several more capacity auctions.

## C. Transition to a Prompt-Seasonal Market

If the region pursues both a prompt and seasonal market, two questions arise: (1) is there is sufficient time to develop a prompt-seasonal market, along with the RCA enhancements, to run a prompt-seasonal market for the next 2028-29 commitment period? And (2) would it be sensible to phase the development of the prompt-seasonal market by first undertaking developing the prompt market (for CCP 19) and then later developing the seasonal market?<sup>198</sup>

On the first question, there appears to be adequate time to develop a prompt-seasonal market for CCP 19. If the region takes this path, it will have more than three years to develop the market rules, information technology (“IT”) systems and market participant training needed to run a successful auction as early as late 2027. While the market changes would be substantial and require dedication of considerable resources to the project, the available time appears adequate to develop all components of the market. Nonetheless, if the region opts to pursue a prompt-seasonal market, ISO-NE should undertake a thorough evaluation of the transition process to assess time requirements and more comprehensively study and the scope of work necessary to run a successful prompt-seasonal auction for the 2028-29 commitment period.

On the second question, if the region pursues a prompt-seasonal market and the evaluation of the transition process does not uncover any unexpected schedule challenges, for the reasons we describe below, we believe there are benefits to undertaking these changes all at once so that the next auction (for the 2028-29 commitment period) is run under the prompt-seasonal framework.

- *First*, making the transition to a prompt-seasonal market in phases would likely be more costly and complex than if undertaken all at once. In principle, the region could transition to a prompt-seasonal market by first moving to a prompt-annual market and then subsequently moving to a prompt-seasonal market. However,

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<sup>198</sup> For the reasons we describe above, it would be infeasible to first transition the annual market to a seasonal market and then later transitioning the forward market to a prompt market.

under this approach, the region must develop two sets of market rules and systems – RCA with annual markets and RCA with seasonal markets – rather than just one set of market rules and systems.

- *Second*, making a single transition to the new market framework would promote market stability and may reduce complexity and cost for market participants. The development of a prompt-seasonal market will represent a substantial change to the region's capacity market construct. However, introducing these changes through a phased approach would lengthen the transition period and thus delay the process of adjusting to the new, long-run structure.
- *Third*, a phased approach would delay the benefits from seasonal markets, which would be executed for the 2029-30 commitment period, at the earliest.

Thus, for these reasons, we recommend that if the region pursues a prompt-seasonal market that it aims to make these market changes so a prompt-seasonal auction is used for the 2028-29 commitment period. Note that this evaluation focuses on the value of *implementing* the prompt-seasonal market, along with the RCA enhancements, in a single capacity market commitment period relative to implementing the same changes in a phased manner. Separately, the ISO will need to give consideration to how to develop the design changes for discussion with stakeholders and filing with the Federal Energy Regulatory Commission. As with implementation, the design work itself could proceed in a staged manner or all at once, although we do not consider and our recommendations do not encompass the process of this design work.

## VII. Appendices

### A. Additional Technical Modeling Details

This section provides further details on the modeling assumptions described in **Section V.C**.

#### 1. *rMRI Assumptions*

This section provides additional detail on the illustrative accreditation values assumed in our modeling, including those for the 2028-29 commitment period presented in **Table 4**. For each market structure and commitment period, the estimated accreditation factors used in the model (rMRIs) measure the marginal reliability impact of a particular resource type relative to that of a perfect resource.

##### a. Resource types with consistent rMRI across seasons and modeled commitment periods (thermal units, imports, demand response, and non-intermittent hydro)

For thermal generation (excluding gas-only units), imports, demand response, and non-intermittent hydroelectric units, rMRI does not vary seasonally or across the years.<sup>199</sup> For these units, we assume that rMRI equals one minus estimated EFORD (*i.e.*,  $1 - \text{EFORD}$ ), where EFORD is sourced from:

- Thermal generation and non-intermittent hydroelectric: Generating Availability Data System (“GADS”) EFORD class averages for the latest available period (2017-2021).<sup>200</sup>
- Active demand response: EFORD equals the 4-year performance average EFORD across all ISO-NE load zones.<sup>201</sup>
- Imports: EFORD is calculated as a weighted average by capacity of each tie’s forced outage rate.<sup>202</sup>

For passive demand response, we use annual and seasonal rMRI estimates from ISO-NE’s latest marginal reliability analysis results.<sup>203</sup>

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<sup>199</sup> According to ISO-NE’s latest marginal reliability analysis results, summer and winter accreditation values are similar for most resource types, except for intermittent resources. See ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Case Accreditation,” NEPOOL Markets Committee, April 11-13, 2023, p. 35.

<sup>200</sup> ISO-NE, “NERC GADS EFORD Class Averages as used by ISO New England,” p. 3, available at [https://www.iso-ne.com/static-assets/documents/genrtion\\_resrcs/gads/class\\_ave\\_2010.pdf](https://www.iso-ne.com/static-assets/documents/genrtion_resrcs/gads/class_ave_2010.pdf).

<sup>201</sup> ISO-NE, “Forced Outage Rates (FOR) for Active Demand Capacity Resources (ADCRs),” NEPOOL Power Supply Planning Committee, June 1, 2022, p. 7, available at [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.iso-ne.com%2Fstatic-assets%2Fdocuments%2F2022%2F05%2Fa04\\_adcr\\_availability.pptx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.iso-ne.com%2Fstatic-assets%2Fdocuments%2F2022%2F05%2Fa04_adcr_availability.pptx&wdOrigin=BROWSELINK).

<sup>202</sup> ISO-NE “Proposed Installed Capacity Requirement and Related Values for Seventeenth Forward Capacity Auction (FCA17)” Reliability Committee, September 7, 2022, pp. 8 and 52, available at [https://www.iso-ne.com/static-assets/documents/2022/08/a02\\_proposed\\_icr\\_related\\_values\\_for\\_fca17.pptx](https://www.iso-ne.com/static-assets/documents/2022/08/a02_proposed_icr_related_values_for_fca17.pptx).

<sup>203</sup> ISO-NE, “Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Case Accreditation,” NEPOOL Markets Committee, April 11-13, 2023, pp. 31-33.



### **b. Energy Storage**

For energy storage, rMRI estimates vary depending on each season, commitment period, and assumed resource mixture. We rely on a mixture of accreditation analyses from ISO-NE and NYISO's Market Monitoring Unit to inform estimates of energy storage rMRI values.

In the 2028-29 commitment period, rMRI values for 2-hour energy storage are based on ISO-NE's latest marginal reliability impact analysis.<sup>204</sup> For 4-hour storage, annual and seasonal indicative storage rMRI curves from ISO-NE's latest marginal reliability analysis<sup>205</sup> are used to estimate the difference between 2-hour and 4-hour rMRI values. These differences are added to the 2-hour rMRI values obtained from the latest marginal reliability analysis.

For energy storage in the 2034-35 commitment period, the rMRI value of energy storage for the 2028-29 commitment period is adjusted for the increased amount of energy storage in the system.

To estimate the adjustment in rMRI that results from additional storage resources, we use illustrative data from NYISO Market Monitoring Unit analyses. The adjustments to 4-hour storage rMRIs are estimated by examining the illustrative changes in storage MRIs assuming 10 GW of solar penetration.<sup>206</sup> We estimate an accreditation reduction of 30 percent for the high carbon 2034-35 scenario, and 45 percent for the low carbon 2034-35 scenario. We assume that the estimated accreditation reduction for the 4-hour storage is the same for 2-hour storage.<sup>207</sup>

### **c. Intermittent Renewables**

For intermittent renewables – *i.e.*, solar PV, onshore wind, and offshore wind – rMRI estimates vary by season, commitment period, and assumed resource mixture. In addition, run-of-river hydroelectric varies by season. We rely on a mixture of accreditation analyses from ISO-NE and PJM to inform estimates of rMRI values for these resource types.

#### *i. Renewable Resources in the 2028-29 Commitment Period*

For the 2028-29 commitment period, for solar, wind, and intermittent hydro resources, values from the latest marginal reliability analysis from ISO-NE are used as starting points in estimating rMRIs.<sup>208</sup> For wind resources, where ISO-

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<sup>204</sup> We assume that the energy storage resources that have cleared to date in ISO-NE's FCAs are 2-hour storage systems. ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Accreditation Case," NEPOOL Market Committee, April 11-13, 2023, pp. 31-33, available at [https://www.iso-ne.com/static-assets/documents/2023/04/a05f\\_mc\\_2023\\_04\\_11-13\\_rca\\_impact\\_analysis.pptx](https://www.iso-ne.com/static-assets/documents/2023/04/a05f_mc_2023_04_11-13_rca_impact_analysis.pptx).

<sup>205</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Accreditation Case," NEPOOL Market Committee, April 11-13, 2023, pp. 36-37, available at [https://www.iso-ne.com/static-assets/documents/2023/04/a05f\\_mc\\_2023\\_04\\_11-13\\_rca\\_impact\\_analysis.pptx](https://www.iso-ne.com/static-assets/documents/2023/04/a05f_mc_2023_04_11-13_rca_impact_analysis.pptx).

<sup>206</sup> Potomac Economics, "NYISO Capacity Accreditation: Continued Discussion of Marginal and Average Approaches," August 30, 2021, p. 14, available at <https://www.potomaceconomics.com/wp-content/uploads/2022/01/Capacity-Accreditation-Marginal-vs-Average-for-Aug-30-08-25-2021.pdf>. This analysis presents illustrative changes in 4-hour storage accreditation for varying levels of solar penetration (0, 5, 10, 15, and 20 GWs).

<sup>207</sup> NYISO's Market Monitoring Unit did not illustrate the impact on 2-hour storage systems.

<sup>208</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market, FCA16 Baseline Accreditation Case," NEPOOL Market Committee, April 11-13, 2023, pp. 31-33, available at [https://www.iso-ne.com/static-assets/documents/2023/04/a05f\\_mc\\_2023\\_04\\_11-13\\_rca\\_impact\\_analysis.pptx](https://www.iso-ne.com/static-assets/documents/2023/04/a05f_mc_2023_04_11-13_rca_impact_analysis.pptx). We adjust rMRI so that it can be multiplied by

NE's marginal reliability analysis does not differentiate between onshore and offshore wind, we use accreditation analyses from PJM to differentiate rMRI values.<sup>209</sup> Wind and solar resource rMRIs are then adjusted to account for expected capacity additions. In particular, we use PJM's estimated accreditation adjustment rates (accreditation change per 100 MW of incremental capacity of the same technology type) to estimate the accreditation adjustment for expected additions of ISO-NE wind and solar resources.<sup>210</sup>

*ii. Renewable Resources in the 2034-35 Commitment Period*

For this market structure, we apply the same methodology as described above to adjust rMRI values for the renewable resources additions assumed to enter the system between 2028-29 and 2034-35. We estimate rMRI values for the 2034-35 high and low carbon scenarios using 2028-29 rMRIs as starting values, the calculated change in accreditation values per 100 MW nameplate capacity additions estimated based on PJM's analyses, and expected ISO-NE wind and solar resources additions as shown in **Table 6**. The estimated rMRIs for renewable resources and battery storage in the high carbon scenario are shown in **Table 13**, and for the low carbon scenario are shown in **Table 14**.

**Table 13. 2034-2035 rMRIs for Energy Storage (ES) and Renewable Resources:  
High Carbon Scenario**

Resource Class	rMRI		
	Annual	Summer	Winter
2 hour ES	0.344	0.390	0.204
4 hour ES	0.604	0.670	0.384
Offshore Wind	0.211	0.121	0.248
Onshore Wind	0.146	0.098	0.166
Solar	0.096	0.139	0.000

resource nameplate capacity and yield the same result as the multiplication of estimated rMRI by resources' FCA 16 qualified capacity.

<sup>209</sup> PJM, "Capacity Market Reform: PJM Proposal," p. 61, available at <https://www.pjm.com/-/media/committees-groups/cifp-ra/2023/20230727/20230727-item-02a---cifp---pjm-proposal-update---july-27.ashx>. We use PJM's onshore and offshore wind accreditation factor variation as a proxy to differentiate illustratively ISO-NE's current onshore and offshore capacity accreditation. This approach provides reasonable proxy results but is not intended to estimate actual future accreditation values.

<sup>210</sup> PJM, "December 2022 Effective Load Carrying Capability (ELCC) Report," January 6, 2023, p. 10, available at <https://www.pjm.com/-/media/planning/res-adeq/elcc/elcc-report-december-2022.ashx>. We compute the projected change in solar, onshore wind, and offshore wind accreditation values from 2023 to 2032, normalize this value by capacity additions (MW), and then multiply the result by assumed ISO-NE resource class additions to determine the accreditation reduction.

**Table 14. 2034-2035 rMRIs for Energy Storage (ES) and Renewable Resources:  
Low Carbon Scenario**

Resource Class	rMRI		
	Annual	Summer	Winter
2 hour ES	0.194	0.263	0.135
4 hour ES	0.454	0.543	0.315
Offshore Wind	0.149	0.106	0.210
Onshore Wind	0.133	0.098	0.162
Solar	0.069	0.124	0.000

## 2. Annual Demand Curve<sup>211</sup>

Below provides additional detail and supplemental information to the modeling assumptions described in **Section V.C.2.**

### a. Net ICR

For the 2028-29 commitment period, Net ICR is set at the forecasted Net ICR for this period by the 2023 Regional System Plan.<sup>212</sup> For the 2034-35 commitment period, we extrapolate Net ICR using the forecasted Net ICR for the 2032-33 commitment period (the last year forecasted) and estimated yearly growth rates in Net ICR.

To construct the demand curve in each commitment period evaluated in this study, FCA 18's system-wide MRI curve is used. For the 2034-2035 commitment period, given the increase in Net ICR, the MRI curve is shifted by the difference in Net ICR between 2028-2029 and 2034-2035. This step ensures that the slope of the demand curve for 2034-2035 is similar to the slope of the demand curve for 2028-2029. Otherwise, the process for constructing the demand curves remains the same between the two commitment periods.

### b. MRI

MRI values used to construct the demand curve are based on the latest ISO-NE demand curve values for the system-wide zone estimated for FCA 18.<sup>213</sup> In constructing the demand curve, capacity and MRI are scaled by the specific resource mix rMRI ( $rMRI_z$ ) consistent with ISO-NE's RCA MRI design.<sup>214</sup> Each point ( $QC$ ,  $MRI$ ) is translated into ( $QMRC_z$ ,  $MRI_z$ ) as follows:

<sup>211</sup> Seasonal demand curves are also constructed using the principles described in this section. The only difference is that seasonal Net CONE is scaled to reflect each season's assumed reliability risks as described in **Section V.C.2.b.**

<sup>212</sup> See ISO-NE, "2023 Regional System Plan," Appendix Table 23, available at <https://www.iso-ne.com/system-planning/system-plans-studies/rsp/?file-type=XLS&file-type=XLSX&file-type=CSV&file-type=xls&file-type=xlsx&file-type=csv>.

<sup>213</sup> ISO-NE, "FCA 18 Demand Curve Values," August 23, 2023, available at [https://www.iso-ne.com/static-assets/documents/2023/08/a03\\_2023\\_08\\_23\\_pspc\\_fca\\_18\\_demand\\_curves.xlsx](https://www.iso-ne.com/static-assets/documents/2023/08/a03_2023_08_23_pspc_fca_18_demand_curves.xlsx).

<sup>214</sup> ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market. Continued Discussion on Conceptual Design," p. 33, available at [https://www.iso-ne.com/static-assets/documents/2022/09/a05a\\_mc\\_2022\\_09\\_13-14\\_rca\\_conceptual\\_design\\_presentation.pptx](https://www.iso-ne.com/static-assets/documents/2022/09/a05a_mc_2022_09_13-14_rca_conceptual_design_presentation.pptx).

$$QMRIC_z = QC * rMRI_z$$

$$MRI_z = \frac{MRI}{rMRI_z}$$

### c. Scaling factor

Under each market structure, the demand curve's scaling factor is calculated according to ISO-NE RCA MRI design as:

$$\text{Scaling factor} = \frac{\text{Net CONE}'}{MRI'(\text{at criterion})}$$

where:

$$\text{Net CONE}' = \frac{\text{Net CONE}}{rMRI \text{ of reference technology}}$$

and  $MRI'(\text{at criterion})$  is the value where  $\text{Adjusted ICR} = \text{Net MRI ICR} * rMRI_z$  crosses the MRI curve.<sup>215</sup>

## 3. Supply Curve

Below provides additional detail and supplemental information to the modeling assumptions described in **Section V.C.1**. The supply curve comprises bids from individual resources using the equation described in **Section V.C.1.a**:

$$\text{Net GFC} = \text{Fixed Costs} - \text{NEAS Revenues} - \text{Net PFP Revenues} + \text{Forward Premium} + \text{Deficiency Payment Risk},$$

where Net PFP Revenues is calculated as follows:

$$\text{Net PFP Revenues} = \text{PPR} * (\text{Average Performance} - \text{Balancing Ratio}) * \text{Scarcity Hours}$$

Additionally, a minimum offer defined according to the formula for CVC:

$$\text{Minimum offer} = \text{PPR} * \text{Scarcity Hours} * \text{Balancing Ratio}$$

Certain components of these equations are discussed in more detail below.

### a. Fixed Costs

Fixed Costs are comprised of fixed O&M costs and, for new resources, annualized capital costs (see **Appendix Section VII.A.3.d**). Fixed O&M costs are assigned using a mix of unit-specific estimates and generator-type estimates from publicly available sources.

- Demand response and import resources are assigned a fixed cost of \$0/kw-year.

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<sup>215</sup> Our model calculates Net CONE for each commitment period by inflating 2026-2027 Net CONE by an assumed 2 percent annual inflation rate. The values for Net CONE for each commitment period can be found at ISO-NE, "Forward Capacity Market Parameters," March 31, 2023, available at [https://www.iso-ne.com/static-assets/documents/2015/09/fca\\_parameters\\_final\\_table.xlsx](https://www.iso-ne.com/static-assets/documents/2015/09/fca_parameters_final_table.xlsx).

Details on proposed updates to the scaling factor based on the RCA MRI design can be found at ISO-NE, "Resource Capacity Accreditation in the Forward Capacity Market. Continued Discussion on Conceptual Design," p. 34, available at [https://www.iso-ne.com/static-assets/documents/2022/09/a05a\\_mc\\_2022\\_09\\_13-14\\_rca\\_conceptual\\_design\\_presentation\\_.pptx](https://www.iso-ne.com/static-assets/documents/2022/09/a05a_mc_2022_09_13-14_rca_conceptual_design_presentation_.pptx).

- For all other units for which unit-specific estimates are available from either SNL Energy (“SNL”) or Hitachi Energy Velocity Suite, an average these two sources’ unit-specific fixed cost estimates is used.
- For all photovoltaic, battery, and offshore wind units for which unit-level estimates are not available from SNL or Hitachi Energy Velocity Suite, the U.S. Energy Information Administration (“EIA”) fixed O&M estimate for “Solar photovoltaic (PV) with tracking,” “Battery storage,” and “Wind offshore” is used, respectively.<sup>216</sup>
- For all onshore wind units for which unit-level estimates are not available from SNL or Hitachi Energy Velocity Suite, a fixed O&M estimate for onshore wind from the November 2020 ISO-NE Net Cone and ORTP Analysis is used.<sup>217</sup>
- For units that are not demand response, import, nuclear, photovoltaic, battery, or wind, and which do not have unit-specific fixed cost estimates available from SNL or Hitachi Energy Velocity Suite, fixed O&M is imputed based upon the units’ vintage (where available), fuel type (where available), and technology type.
- Fixed O&M costs are escalated from 2023 dollars to 2028 and 2034 dollars for the 2028-2029 and 2034-2035 CCPs, respectively, at a 2% inflation rate.

#### **b. Energy Market Revenues**

Energy market revenues are derived from an EMS model (see **Appendix Section VII.A.4** for details). Units that are explicitly modeled in the market simulation are assigned revenues according to the energy market model’s results. All other units are assigned revenues based on the average revenue per capacity by technology – fuel type combination. Energy market revenues are escalated from 2023 dollars to 2028 and 2034 dollars for the 2028-29 and 2034-35 CCPs, respectively, at a 2% inflation rate.

Due to limitations in how the energy market model simulates battery storage behavior, energy market revenues for battery units are replaced with an estimate from the ISO-New England 2027-2028 ORTP study.<sup>218</sup> This estimate is escalated from 2027 dollars to 2028 and 2034 dollars for the 2028-29 and 2034-35 CCPs, respectively, at a 2% inflation rate.

#### **c. Ancillary Service Revenues**

Ancillary services revenues reflect resource-specific operating reserve revenues based on an analysis of actual revenues earned by resources provided by ISO-NE. Resource-specific revenue estimates reflect Forward Reserve Market outcomes (including resource assigned to meet Forward Reserve Market obligations), real-time reserve

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<sup>216</sup> See EIA, “Electricity Market Module,” Table 3, March 2022, available at <https://www.eia.gov/outlooks/aeo/assumptions/pdf/electricity.pdf>. The EIA cost estimate is adjusted from 2021 dollars to 2023 dollars using the BLS PPI WPUID612 and BLS PPI WPU1197 indices.

<sup>217</sup> See Concentric Energy Advisors, Inc. and Mott MacDonald, “An Evaluation of the Net Cost of New Entry and Offer Review Trigger Price Parameters to be Used in the Forward Capacity Auction,” November 2020, Table 41. This cost estimate is adjusted from 2025 to 2023 dollars using the average of the 10-year average annual percentage changes from BLS PPI WPUID612 (2009-2018) and BLS PPI WPU1197 2009-2018. As 2016 and 2017 data are missing from WPU1197, the calculated the three-year compound annual growth rate from 2015 to 2018 is applied to the final three years in the ten-year span (see *ibid*, p. 43).

<sup>218</sup> The ORTP study estimates battery NEAS revenues at \$8.937 per kW-month. ISO-NE, “2027-2028 ORTP Study,” available at <https://www.iso-ne.com/static-assets/documents/2023/03/2027-2028-ccp-forward-capacity-auction-18-iso-offer-review-trigger-price.xlsm>.

market outcomes, and appropriate adjustments to FCM revenues. If resource-specific revenue estimates are not available, an average ancillary service revenue by technology and fuel type is applied to each unit. Ancillary services revenue is escalated from 2017 dollars to 2028 and 2034 dollars for the 2028-2029 and 2034-2035 CCPs, respectively, at a 2% inflation rate.

#### **d. Annualized Capital Costs**

Annual investment costs in \$/kW-month are estimated by technology-fuel type combination.

- Average annual investment is first estimated at the plant – technology type level for all regulated plants in the U.S. on which SNL collects cost data. Annual investment at the plant level is measured as the change year-over-year in Total Cost<sup>219</sup> of the plant. Average annual investment at the plant level is then calculated as the average year-over-year change in total cost from 2017-2018 to 2021-2022, including only years for which the year-over-year change is greater than or equal to zero dollars.
- Average 2018-2022 annual investment per MW of capacity is then computed by technology-fuel type combination.
- Investment costs for gas fired steam turbines are derived from EIA figures.<sup>220</sup>
- Investment costs are escalated from 2023 dollars to 2028 and 2034 dollars for the 2028-2029 and 2034-2035 CCPs, respectively, at a 2% inflation rate.

#### **e. Deficiency Risk**

Deficiency risk was calculated at the resource type level. For dispatchable resources (combined-cycle, gas turbines, steam turbines, internal combustion, energy storage, fuel cells, daily and weekly pondage hydropower, pumped storage, biopower, and nuclear) the method detailed below was used. For intermittent resources (hydro, on- and offshore wind, and solar), the weighted average of the deficiency risks of dispatchable resources is used. Deficiency risk for demand response units was assumed to be zero.

For seasonal auction models, each dispatchable resource type's deficiency risk was calculated using season-specific, generator-level qualified capacities, resulting in distinct summer and winter deficiency risks.<sup>221</sup> A qualified capacity weighted average of the summer and winter deficiency risks for each resource type was used for the annual auction models.

A resource type's seasonal deficiency risk was calculated first by summing the total MWs of significant capacity decreases of all generators of the resource type for the given season (summer or winter) across 2018-2023. This total seasonal deficiency was then divided by the same set of generators' maximum potential qualified capacity in the same period. A generator was deemed to have a significant capacity decrease for a given season within a given

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<sup>219</sup> Total cost includes Land and Land Rights, Structures and Improvements, Equipment Costs, and Asset Retirement Costs (See FERC Form 1, p. 402). Total Cost used in the analysis is collected by SNL.

<sup>220</sup> The EIA estimates annual capex at \$15.96 per kW-year in 2017 dollars. See, "Generating Unit Annual Capital and Life Extension Costs Analysis," EIA, December 2019, Table ES-5, available at [https://www.eia.gov/analysis/studies/powerplants/generationcost/pdf/full\\_report.pdf](https://www.eia.gov/analysis/studies/powerplants/generationcost/pdf/full_report.pdf). The EIA cost estimate is adjusted from 2017 dollars to 2023 dollars using the BLS PPI WPUID612 and BLS PPI WPU1197 indices.

<sup>221</sup> Data came from ISO-NE, "CELT Report[s]" for 2017-2023, tabs "4.3 Qualified & Cleared Capacity," available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>.

year if its qualified capacity was either 10% less than, or 40 MW or fewer than, its maximum qualified capacity between 2017 and the year in question.

**f. Unit Average Performance**

Units' average performance values reflect average unit performance during shortage events. Specifically, average performance is calculated as the sum of all output in a shortage hour divided by the qualified capacity.<sup>222</sup> In the event that a unit does not appear in the data, an average of the average performance by fuel type is applied to each unit. Units' average performance values are a component of the pay-for-performance calculation.

**g. Minimum Offer**

The minimum offer of each units reflects the product of PPR (\$9,337/MWh), Balancing Ratio (81.6%), and Scarcity Hours.<sup>223</sup> Scarcity hours are assumed to differ depending on the amount of excess capacity above Net ICR.<sup>224</sup>

**4. Energy Market Simulation**

An EMS model is used to estimate net energy market revenues. The model chronologically optimizes energy services dispatch and calculates hourly production costs and clearing prices while simultaneously adhering to a variety of operating constraints. It determines the least cost dispatch of a system of interconnected generators to meet load in every hour of the day in New England.

We run three EMS scenarios that correspond with the 2028-29 commitment period, the 2034-35 commitment period with the "high carbon" resource mix, and the 2034-35 commitment period the "low carbon" resource mix. For simplicity, we assume no transmission constraints (*i.e.*, no congestion). Additional input assumptions are described below.

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<sup>222</sup> Units' average performance values are based upon 5-minute settlement data provided by ISO-NE and CSO and qualified capacity information for each unit.

<sup>223</sup> ISO-NE, "Performance Payment Rate and Balancing Ratio are provided in the ISO-New England 2027-2028 ORTP study," available at <https://www.iso-ne.com/static-assets/documents/2023/03/2027-2028-ccp-forward-capacity-auction-18-iso-offer-review-trigger-price.xlsm>. The Performance Payment Rate is escalated from 2027 dollars to 2028 and 2034 dollars for the 2028-2029 and 2034-2035 CCPs, respectively, at a 2% inflation rate.

<sup>224</sup> Scarcity hours are derived from ISO-New England's estimates for the 2027-2028 CCP, *see* Zeng, Fei, "Estimated Hours of System Operating Reserve Deficiency for the 2027-2028 Capacity Commitment Period (CCP)," October 29, 2023, p. 7, available at [https://www.iso-ne.com/static-assets/documents/100004/a04\\_2023\\_10\\_18\\_pspc\\_reserve\\_deficiency\\_hours\\_ccp2027-2028.pdf](https://www.iso-ne.com/static-assets/documents/100004/a04_2023_10_18_pspc_reserve_deficiency_hours_ccp2027-2028.pdf). The 0.9 scarcity hours for the 2028 Forward-Annual scenario assumes a capacity level of approximately 4,000 MW in excess of Net ICR. Given lower prompt market rMRIs, the level of capacity in excess of Net ICR is lower, and more scarcity hours are appropriate. For the prompt-annual 2028 market, we assume 1 scarcity hour. For the forward-annual and prompt-annual 2034 market, 1 and 1.2 scarcity hours, respectively, are assumed. Scarcity hours are assumed to be evenly distributed between summer and winter months.

**a. Demand**

The EMS uses an hourly load forecast based on a representative historical weather shape. Monthly peaks and energy loads are based on CELT forecasts from the 2023 report.<sup>225</sup> The forecast data ends in 2032, so load is extrapolated through 2035, based on 2023-2032 growth rates.

**b. Supply**

The resource mix includes the resources that bid into each modeled capacity market described in **Section V.C.1.c**. In addition, currently operating resources without announced retirement dates that do not participate in the forward capacity market are sourced from CELT.<sup>226</sup> Dispatch of individual resource types are modeled as follows:

- Intermittent renewables (solar PV, wind, run-of-river hydro) are assumed to follow hourly profiles consistent with the representative weather shape used for the load forecast.
- Fossil units (combined-cycle, gas turbine, internal combustion, steam, biomass, and coal units) are modeled as dispatchable units.
- Nuclear units are modeled as profiles. The hourly profile assumes generation at 97% of nameplate capacity in the summer (June 1st to September 31st) and in the winter (December 1st to March 31st) and at 92% of nameplate capacity in the shoulder season.
- Storage is modeled as arbitrage units with a roundtrip charging and discharging efficiency of 85%.

Fuel prices are derived from publicly available sources. Coal and nuclear fuel prices are derived based on the most recent EIA Annual Energy Outlook.<sup>227</sup> The method of developing the natural gas and fuel oil price series used in the EMS are detailed below.

- *Natural Gas*: Natural gas prices are based on Algonquin City Gates Full Value Monthly Forwards provided by S&P Global Market Intelligence.<sup>228</sup>
- *Fuel Oil*: Prices for No. 2 and No. 6 Fuel Oil are based on New York Harbor Heating Oil Futures and New York Harbor Residual Fuel Oil 1% Sulfur Futures, respectively, from S&P Global Market Intelligence.<sup>229</sup> The oil price is adjusted using the annual expected growth rate for fuel oil from the EIA Annual Outlook.<sup>230</sup>

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<sup>225</sup> See ISO-NE, "2023 CELT Report," available at <https://www.iso-ne.com/system-planning/system-plans-studies/celt>.

<sup>226</sup> ISO-NE, "2023 CELT Report," sheet "2.1 Generator List," available at [https://www.iso-ne.com/static-assets/documents/2023/05/2023\\_celt\\_report.xlsx](https://www.iso-ne.com/static-assets/documents/2023/05/2023_celt_report.xlsx).

<sup>227</sup> U.S. Energy Information Administration, "Annual Energy Outlook 2023," Table 3 Energy Priced by Sector and Source.

<sup>228</sup> S&P Global Market Intelligence, "Natural Gas Forwards & Futures (Data)," as of October 20, 2023.

<sup>229</sup> S&P Global Market Intelligence, "Refined Products Forwards & Futures (Data)," as of October 20, 2023.

<sup>230</sup> U.S. Energy Information Administration, "Annual Energy Outlook 2023," Table 3 Energy Priced by Sector and Source.



## B. Additional Results from Quantitative Modeling

Table 15. Summary of Capacity Market Model Results by Commitment Period and Market Structure

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Annual	\$4.45	28,401	\$1,515	\$10.19	583
Prompt-Annual	\$4.00	28,491	\$1,368	\$9.20	673
Forward-Summer	\$4.27	28,711	\$736	\$10.00	893
Forward-Winter	\$4.29	27,992	\$720	\$9.60	175
Forward-Seasonal (Avg./Total)	\$4.28	28,352	\$1,456	\$9.80	534
Prompt-Summer	\$3.80	28,804	\$657	\$8.92	986
Prompt-Winter	\$3.86	28,087	\$650	\$8.67	269
Prompt-Seasonal (Avg./Total)	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035 High Carbon</b>					
Forward-Annual	\$4.70	30,935	\$1,746	\$9.94	616
Prompt-Annual	\$4.19	31,026	\$1,561	\$8.88	707
Forward-Summer	\$4.81	31,061	\$896	\$10.63	742
Forward-Winter	\$4.76	30,743	\$878	\$9.61	424
Forward-Seasonal (Avg./Total)	\$4.78	30,902	\$1,774	\$10.12	583
Prompt-Summer	\$4.29	31,152	\$802	\$9.51	833
Prompt-Winter	\$4.24	30,837	\$784	\$8.59	518
Prompt-Seasonal (Avg./Total)	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
Forward-Annual	\$5.15	30,861	\$1,906	\$10.85	542
Prompt-Annual	\$4.58	30,955	\$1,703	\$9.70	636
Forward-Summer	\$4.69	31,082	\$874	\$10.37	763
Forward-Winter	\$5.04	30,695	\$928	\$10.16	376
Forward-Seasonal (Avg./Total)	\$4.86	30,889	\$1,802	\$10.27	570
Prompt-Summer	\$4.39	31,133	\$821	\$9.74	814
Prompt-Winter	\$4.49	30,791	\$829	\$9.08	472
Prompt-Seasonal (Avg./Total)	\$4.44	30,962	\$1,650	\$9.41	643

**Table 16. Capacity Market Outcomes Relative to Forward-Annual Market Outcomes by Commitment Period and Market Structure**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
Prompt-Annual	-\$0.45	90	-\$148	-\$0.99	90
Forward-Summer	-\$0.17	310		-\$0.19	310
Forward-Winter	-\$0.16	-408		-\$0.60	-408
Forward-Seasonal (Avg./Total)	-\$0.17	-49	-\$59	-\$0.39	-49
Prompt-Summer	-\$0.65	403		-\$1.27	403
Prompt-Winter	-\$0.59	-314		-\$1.53	-314
Prompt-Seasonal (Avg./Total)	-\$0.62	44	-\$208	-\$1.40	44
<b>2034-2035 High Carbon</b>					
Prompt-Annual	-\$0.51	91	-\$186	-\$1.06	91
Forward-Summer	\$0.11	127		\$0.69	127
Forward-Winter	\$0.06	-192		-\$0.33	-192
Forward-Seasonal (Avg./Total)	\$0.08	-33	\$28	\$0.18	-33
Prompt-Summer	-\$0.42	217		-\$0.43	217
Prompt-Winter	-\$0.47	-97		-\$1.36	-97
Prompt-Seasonal (Avg./Total)	-\$0.44	60	-\$160	-\$0.90	60
<b>2034-2035 Low Carbon</b>					
Prompt-Annual	-\$0.56	94	-\$203	-\$1.16	94
Forward-Summer	-\$0.46	221		-\$0.49	221
Forward-Winter	-\$0.11	-165		-\$0.69	-165
Forward-Seasonal (Avg./Total)	-\$0.28	28	-\$104	-\$0.59	28
Prompt-Summer	-\$0.75	272		-\$1.12	272
Prompt-Winter	-\$0.66	-70		-\$1.78	-70
Prompt-Seasonal (Avg./Total)	-\$0.71	101	-\$256	-\$1.45	101

**Table 17. Summary of Impact of Demand Forecast Uncertainty ( $\pm 1,000$  MW) on Forward and Prompt Market Outcomes (with a Seasonal Market)**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Final Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Seasonal (Forecasted ICR < Final ICR)	\$4.00	27,583	\$1,324	\$8.91	-234
Forward-Seasonal (Forecasted ICR = Final ICR)	\$4.28	28,352	\$1,456	\$9.80	534
Forward-Seasonal (Forecasted ICR > Final ICR)	\$4.63	29,132	\$1,619	\$10.89	1,314
Prompt-Seasonal	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035 High Carbon</b>					
Forward-Seasonal (Forecasted ICR < Final ICR)	\$4.45	30,161	\$1,612	\$9.20	-159
Forward-Seasonal (Forecasted ICR = Final ICR)	\$4.78	30,902	\$1,774	\$10.12	583
Forward-Seasonal (Forecasted ICR > Final ICR)	\$5.20	31,646	\$1,974	\$11.26	1,327
Prompt-Seasonal	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
Forward-Seasonal (Forecasted ICR < Final ICR)	\$4.55	30,141	\$1,647	\$9.40	-178
Forward-Seasonal (Forecasted ICR = Final ICR)	\$4.86	30,889	\$1,802	\$10.27	570
Forward-Seasonal (Forecasted ICR > Final ICR)	\$5.21	31,644	\$1,978	\$11.26	1,325
Prompt-Seasonal	\$4.44	30,962	\$1,650	\$9.41	643

**Table 18. Impact of Demand Forecast Uncertainty ( $\pm 1,000$  MW) on Forward and Prompt Market Outcomes (with a Seasonal Market)**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Final Adjusted ICR (MW)
<b>2028-2029</b>					
<i>Forecasted ICR &lt; Final ICR</i>					
Forward-Summer	\$4.07	27,962	\$683	\$9.28	145
Forward-Winter	\$3.92	27,204	\$641	\$8.54	-613
Forward-Seasonal (Avg./ Total)	\$4.00	27,583	\$1,324	\$8.91	-234
<i>Forecasted ICR = Final ICR</i>					
Forward-Summer	\$4.27	28,711	\$736	\$10.00	893
Forward-Winter	\$4.29	27,992	\$720	\$9.60	175
Forward-Seasonal (Avg./ Total)	\$4.28	28,352	\$1,456	\$9.80	534
<i>Forecasted ICR &gt; Final ICR</i>					
Forward-Summer	\$4.51	29,469	\$797	\$10.83	1,652
Forward-Winter	\$4.76	28,794	\$822	\$10.95	976
Forward-Seasonal (Avg./ Total)	\$4.63	29,132	\$1,619	\$10.89	1,314
Prompt-Summer	\$3.80	28,804	\$657	\$8.92	986
Prompt-Winter	\$3.86	28,087	\$650	\$8.67	269
Prompt-Seasonal (Avg./ Total)	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035 High Carbon</b>					
<i>Forecasted ICR &lt; Final ICR</i>					
Forward-Summer	\$4.53	30,327	\$825	\$9.78	7
Forward-Winter	\$4.38	29,994	\$788	\$8.62	-325
Forward-Seasonal (Avg./ Total)	\$4.45	30,161	\$1,612	\$9.20	-159
<i>Forecasted ICR = Final ICR</i>					
Forward-Summer	\$4.81	31,061	\$896	\$10.63	742
Forward-Winter	\$4.76	30,743	\$878	\$9.61	424
Forward-Seasonal (Avg./ Total)	\$4.78	30,902	\$1,774	\$10.12	583
<i>Forecasted ICR &gt; Final ICR</i>					
Forward-Summer	\$5.22	31,790	\$995	\$11.80	1,471
Forward-Winter	\$5.18	31,502	\$979	\$10.72	1,183
Forward-Seasonal (Avg./ Total)	\$5.20	31,646	\$1,974	\$11.26	1,327
Prompt-Summer	\$4.29	31,152	\$802	\$9.51	833
Prompt-Winter	\$4.24	30,837	\$784	\$8.59	518
Prompt-Seasonal (Avg./ Total)	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
<i>Forecasted ICR &lt; Final ICR</i>					
Forward-Summer	\$4.63	30,307	\$843	\$10.00	-12
Forward-Winter	\$4.47	29,975	\$804	\$8.81	-344
Forward-Seasonal (Avg./ Total)	\$4.55	30,141	\$1,647	\$9.40	-178
<i>Forecasted ICR = Final ICR</i>					
Forward-Summer	\$4.69	31,082	\$874	\$10.37	763
Forward-Winter	\$5.04	30,695	\$928	\$10.16	376
Forward-Seasonal (Avg./ Total)	\$4.86	30,889	\$1,802	\$10.27	570
<i>Forecasted ICR &gt; Final ICR</i>					
Forward-Summer	\$4.99	31,820	\$952	\$11.29	1,501
Forward-Winter	\$5.43	31,467	\$1,026	\$11.23	1,148
Forward-Seasonal (Avg./ Total)	\$5.21	31,644	\$1,978	\$11.26	1,325
Prompt-Summer	\$4.39	31,133	\$821	\$9.74	814
Prompt-Winter	\$4.49	30,791	\$829	\$9.08	472
Prompt-Seasonal (Avg./ Total)	\$4.44	30,962	\$1,650	\$9.41	643

**Table 19. Forward Premium Sensitivity Results (Annual Market)**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Annual (5% Premium)	\$4.25	28,441	\$1,450	\$9.75	623
Forward-Annual (10% Premium)	\$4.45	28,401	\$1,515	\$10.19	583
Forward-Annual (15% Premium)	\$4.64	28,366	\$1,581	\$10.63	548
Prompt-Annual	\$4.00	28,491	\$1,368	\$9.20	673
<b>2034-2035 High Carbon</b>					
Forward-Annual (5% Premium)	\$4.50	30,970	\$1,671	\$9.51	651
Forward-Annual (10% Premium)	\$4.70	30,935	\$1,746	\$9.94	616
Forward-Annual (15% Premium)	\$4.91	30,900	\$1,822	\$10.37	581
Prompt-Annual	\$4.19	31,026	\$1,561	\$8.88	707
<b>2034-2035 Low Carbon</b>					
Forward-Annual (5% Premium)	\$4.92	30,898	\$1,824	\$10.38	579
Forward-Annual (10% Premium)	\$5.15	30,861	\$1,906	\$10.85	542
Forward-Annual (15% Premium)	\$5.38	30,826	\$1,989	\$11.32	507
Prompt-Annual	\$4.58	30,955	\$1,703	\$9.70	636

**Table 20. Forward Premium Sensitivity Results (Seasonal Market)**

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
Forward-Seasonal (5% Premium)	\$4.09	28,390	\$1,394	\$9.38	572
Forward-Seasonal (10% Premium)	\$4.28	28,352	\$1,456	\$9.80	534
Forward-Seasonal (15% Premium)	\$4.47	28,315	\$1,519	\$10.22	497
Prompt-Seasonal	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035 High Carbon</b>					
Forward-Seasonal (5% Premium)	\$4.57	30,939	\$1,698	\$9.68	620
Forward-Seasonal (10% Premium)	\$4.78	30,902	\$1,774	\$10.12	583
Forward-Seasonal (15% Premium)	\$5.00	30,867	\$1,851	\$10.56	548
Prompt-Seasonal	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
Forward-Seasonal (5% Premium)	\$4.65	30,925	\$1,724	\$9.82	606
Forward-Seasonal (10% Premium)	\$4.86	30,889	\$1,802	\$10.27	570
Forward-Seasonal (15% Premium)	\$5.08	30,854	\$1,880	\$10.71	535
Prompt-Seasonal	\$4.44	30,962	\$1,650	\$9.41	643

Table 21. Forward Premium Sensitivity Results (Seasonal Market)

	Clearing Price (\$/kW-month)	Capacity Awarded a CSO (MW)	Total CM Payments (\$ M)	Avg. CM Payment (\$/MWh)	Capacity Above Adjusted ICR (MW)
<b>2028-2029</b>					
<b>5% Premium</b>					
Forward-Summer	\$4.08	28,747	\$704	\$9.57	929
Forward-Winter	\$4.10	28,033	\$689	\$9.18	215
Forward-Seasonal (Avg./Total)	\$4.09	28,390	\$1,394	\$9.38	572
<b>10% Premium</b>					
Forward-Summer	\$4.27	28,711	\$736	\$10.00	893
Forward-Winter	\$4.29	27,992	\$720	\$9.60	175
Forward-Seasonal (Avg./Total)	\$4.28	28,352	\$1,456	\$9.80	534
<b>15% Premium</b>					
Forward-Summer	\$4.46	28,675	\$768	\$10.43	857
Forward-Winter	\$4.48	27,954	\$751	\$10.01	137
Forward-Seasonal (Avg./Total)	\$4.47	28,315	\$1,519	\$10.22	497
Prompt-Summer	\$3.80	28,804	\$657	\$8.92	986
Prompt-Winter	\$3.86	28,087	\$650	\$8.67	269
Prompt-Seasonal (Avg./Total)	\$3.83	28,445	\$1,307	\$8.80	628
<b>2034-2035</b>					
<b>5% Premium</b>					
Forward-Summer	\$4.60	31,098	\$858	\$10.17	779
Forward-Winter	\$4.55	30,780	\$840	\$9.20	461
Forward-Seasonal (Avg./Total)	\$4.57	30,939	\$1,698	\$9.68	620
<b>10% Premium</b>					
Forward-Summer	\$4.81	31,061	\$896	\$10.63	742
Forward-Winter	\$4.76	30,743	\$878	\$9.61	424
Forward-Seasonal (Avg./Total)	\$4.78	30,902	\$1,774	\$10.12	583
<b>15% Premium</b>					
Forward-Summer	\$5.02	31,027	\$935	\$11.09	708
Forward-Winter	\$4.97	30,706	\$916	\$10.03	387
Forward-Seasonal (Avg./Total)	\$5.00	30,867	\$1,851	\$10.56	548
Prompt-Summer	\$4.29	31,152	\$802	\$9.51	833
Prompt-Winter	\$4.24	30,837	\$784	\$8.59	518
Prompt-Seasonal (Avg./Total)	\$4.26	30,994	\$1,586	\$9.05	675
<b>2034-2035 Low Carbon</b>					
<b>5% Premium</b>					
Forward-Summer	\$4.48	31,117	\$836	\$9.92	798
Forward-Winter	\$4.82	30,733	\$888	\$9.72	414
Forward-Seasonal (Avg./Total)	\$4.65	30,925	\$1,724	\$9.82	606
<b>10% Premium</b>					
Forward-Summer	\$4.69	31,082	\$874	\$10.37	763
Forward-Winter	\$5.04	30,695	\$928	\$10.16	376
Forward-Seasonal (Avg./Total)	\$4.86	30,889	\$1,802	\$10.27	570
<b>15% Premium</b>					
Forward-Summer	\$4.89	31,048	\$912	\$10.81	729
Forward-Winter	\$5.26	30,659	\$968	\$10.60	340
Forward-Seasonal (Avg./Total)	\$5.08	30,854	\$1,880	\$10.71	535
Prompt-Summer	\$4.39	31,133	\$821	\$9.74	814
Prompt-Winter	\$4.49	30,791	\$829	\$9.08	472
Prompt-Seasonal (Avg./Total)	\$4.44	30,962	\$1,650	\$9.41	643

**Table 22. Summary of Price and Cost Differences: Prompt-Annual Relative to Forward-Annual Market (Forward Premium Sensitivity)**

	Clearing Price Difference (\$/kW-month)	Clearing Price Difference (%)	CM Payment Difference (\$ M)	CM Payment Difference (%)
<b>2028-2029</b>				
Prompt-Annual (5% Premium)	-\$0.25	-5.84%	-\$82	-5.67%
Prompt-Annual (10% Premium)	-\$0.45	-10.03%	-\$148	-9.74%
Prompt-Annual (15% Premium)	-\$0.64	-13.85%	-\$213	-13.47%
<b>2034-2035 High Carbon</b>				
Prompt-Annual (5% Premium)	-\$0.30	-6.75%	-\$110	-6.58%
Prompt-Annual (10% Premium)	-\$0.51	-10.89%	-\$186	-10.62%
Prompt-Annual (15% Premium)	-\$0.72	-14.67%	-\$261	-14.32%
<b>2034-2035 Low Carbon</b>				
Prompt-Annual (5% Premium)	-\$0.33	-6.80%	-\$121	-6.63%
Prompt-Annual (10% Premium)	-\$0.56	-10.93%	-\$203	-10.67%
Prompt-Annual (15% Premium)	-\$0.79	-14.71%	-\$286	-14.36%

**Table 23. Summary of Price and Cost Differences: Forward-Seasonal Relative to Forward-Annual Market (Forward Premium Sensitivity)**

	Clearing Price Difference (\$/kW-month)	Clearing Price Difference (%)	CM Payment Difference (\$ M)	CM Payment Difference (%)
<b>2028-2029</b>				
Forward-Seasonal (5% Premium)	-\$0.16	-3.72%	-\$56	-3.89%
Forward-Seasonal (10% Premium)	-\$0.17	-3.72%	-\$59	-3.89%
Forward-Seasonal (15% Premium)	-\$0.17	-3.72%	-\$62	-3.89%
<b>2034-35 High Carbon</b>				
Forward-Seasonal (5% Premium)	\$0.08	1.71%	\$27	1.61%
Forward-Seasonal (10% Premium)	\$0.08	1.71%	\$28	1.61%
Forward-Seasonal (15% Premium)	\$0.08	1.71%	\$29	1.61%
<b>2034-35 Low Carbon</b>				
Forward-Seasonal (5% Premium)	-\$0.27	-5.51%	-\$99	-5.45%
Forward-Seasonal (10% Premium)	-\$0.28	-5.51%	-\$104	-5.45%
Forward-Seasonal (15% Premium)	-\$0.30	-5.51%	-\$109	-5.46%

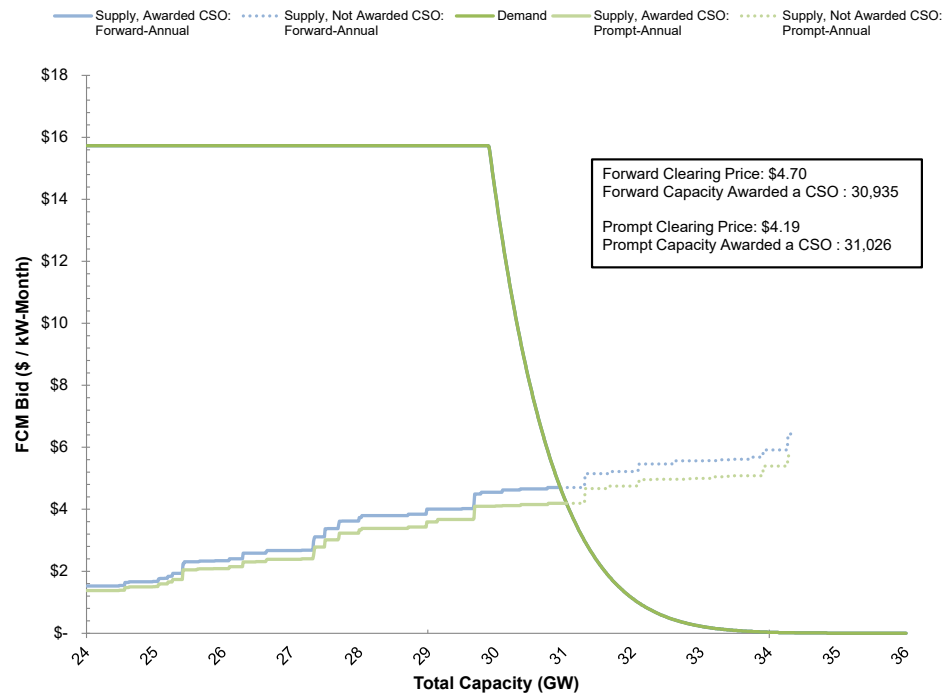
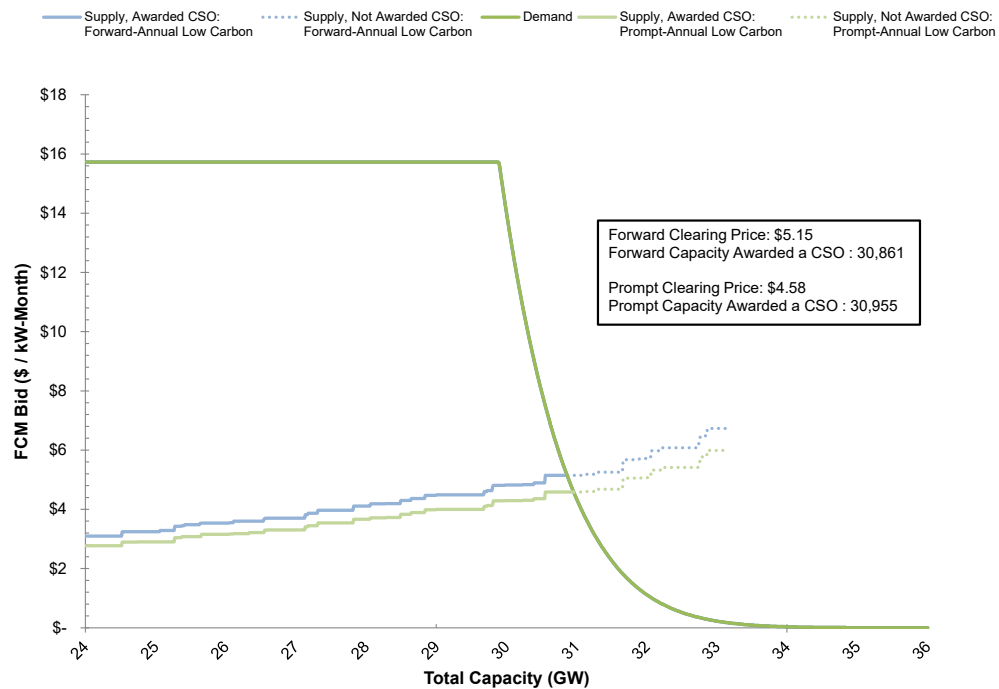
**Table 24. Summary of Price and Cost Differences: Prompt-Seasonal Relative to Forward-Annual Market (Forward Premium Sensitivity)**

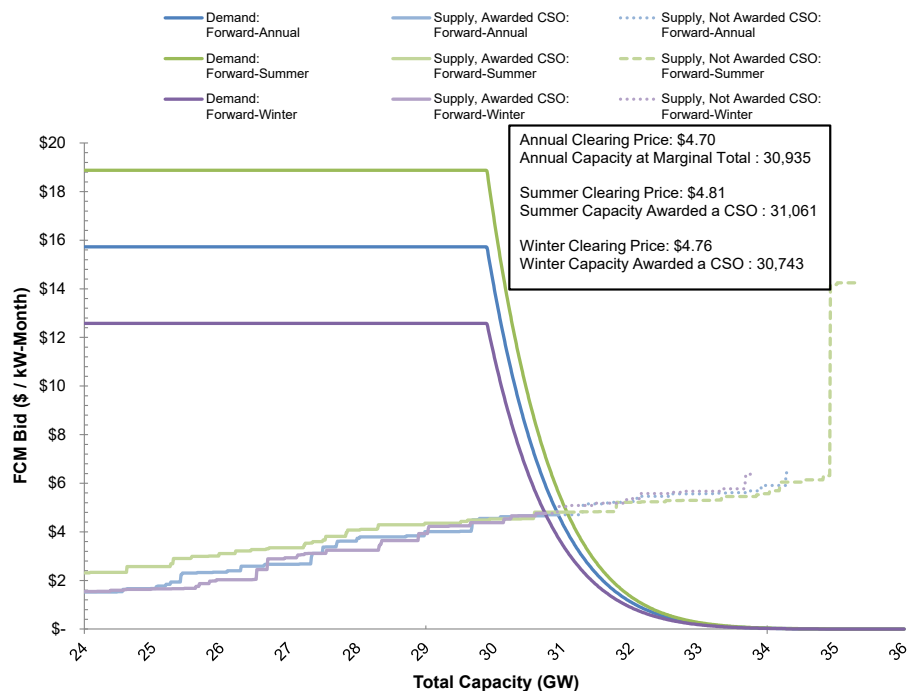
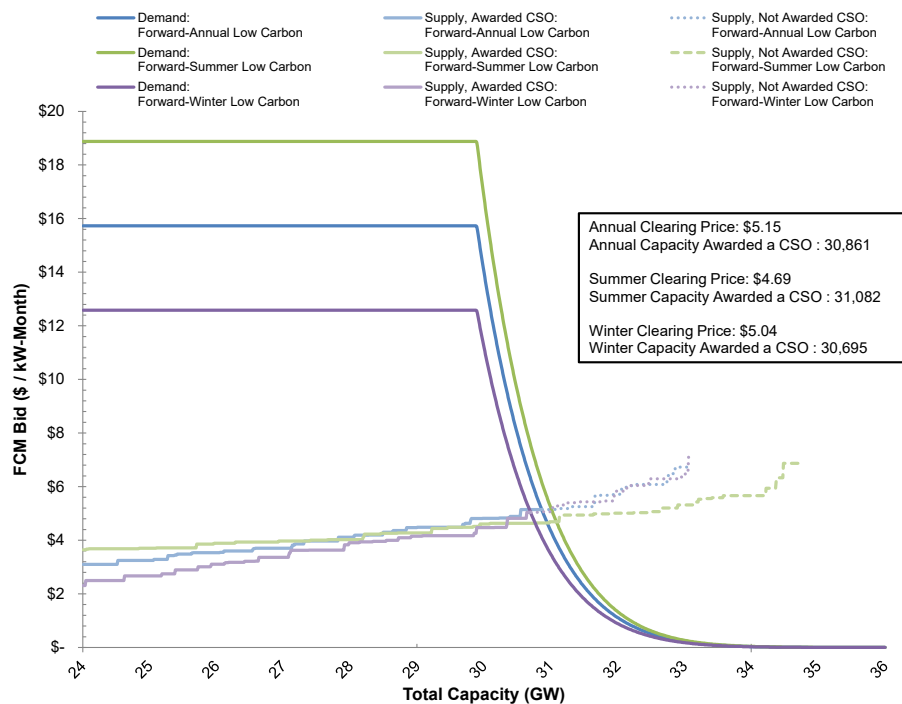
	Clearing Price Difference (\$/kW-month)	Clearing Price Difference (%)	CM Payment Difference (\$ M)	CM Payment Difference (%)
<b>2028-2029</b>				
Prompt-Seasonal (5% Premium)	-\$0.42	-9.85%	-\$143	-9.83%
Prompt-Seasonal (10% Premium)	-\$0.62	-13.85%	-\$208	-13.72%
Prompt-Seasonal (15% Premium)	-\$0.81	-17.52%	-\$273	-17.29%
<b>2034-35 High Carbon</b>				
Prompt-Seasonal (5% Premium)	-\$0.23	-5.17%	-\$85	-5.08%
Prompt-Seasonal (10% Premium)	-\$0.44	-9.37%	-\$160	-9.19%
Prompt-Seasonal (15% Premium)	-\$0.65	-13.22%	-\$236	-12.95%
<b>2034-35 Low Carbon</b>				
Prompt-Seasonal (5% Premium)	-\$0.48	-9.72%	-\$174	-9.54%
Prompt-Seasonal (10% Premium)	-\$0.71	-13.73%	-\$256	-13.45%
Prompt-Seasonal (15% Premium)	-\$0.93	-17.39%	-\$339	-17.03%

**Table 25. Summary of Price and Cost Differences: Forward-Seasonal Relative to Prompt-Seasonal Market (Demand Forecast Uncertainty Scenario)**

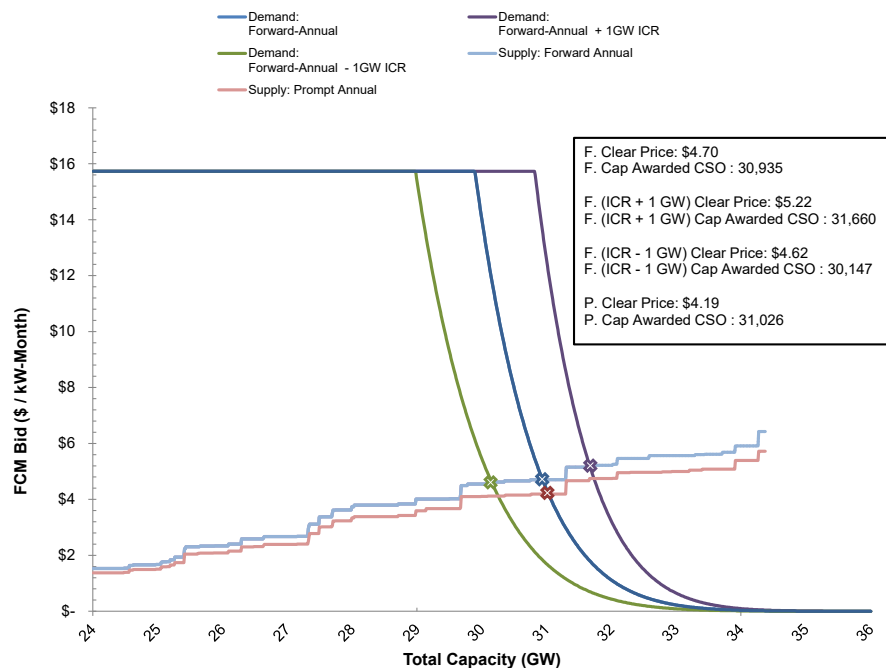
	Clearing Price Difference (\$/kW-month)	Clearing Price Difference (%)	CM Payment Difference (\$ M)	CM Payment Difference (%)
<b>2028-2029</b>				
Forecasted ICR < Final ICR	-\$0.17	-4.17%	-\$16	-1.22%
Forecasted ICR = Final ICR	-\$0.45	-10.52%	-\$149	-10.23%
Forecasted ICR > Final ICR	-\$0.80	-17.31%	-\$311	-19.24%
<b>2034-2035 High Carbon</b>				
Forecasted ICR < Final ICR	-\$0.19	-4.29%	-\$27	-1.65%
Forecasted ICR = Final ICR	-\$0.52	-10.89%	-\$189	-10.63%
Forecasted ICR > Final ICR	-\$0.94	-18.00%	-\$389	-19.69%
<b>2034-2035 Low Carbon</b>				
Forecasted ICR < Final ICR	-\$0.11	-2.48%	\$3	0.17%
Forecasted ICR = Final ICR	-\$0.42	-8.69%	-\$152	-8.46%
Forecasted ICR > Final ICR	-\$0.77	-14.76%	-\$328	-16.57%



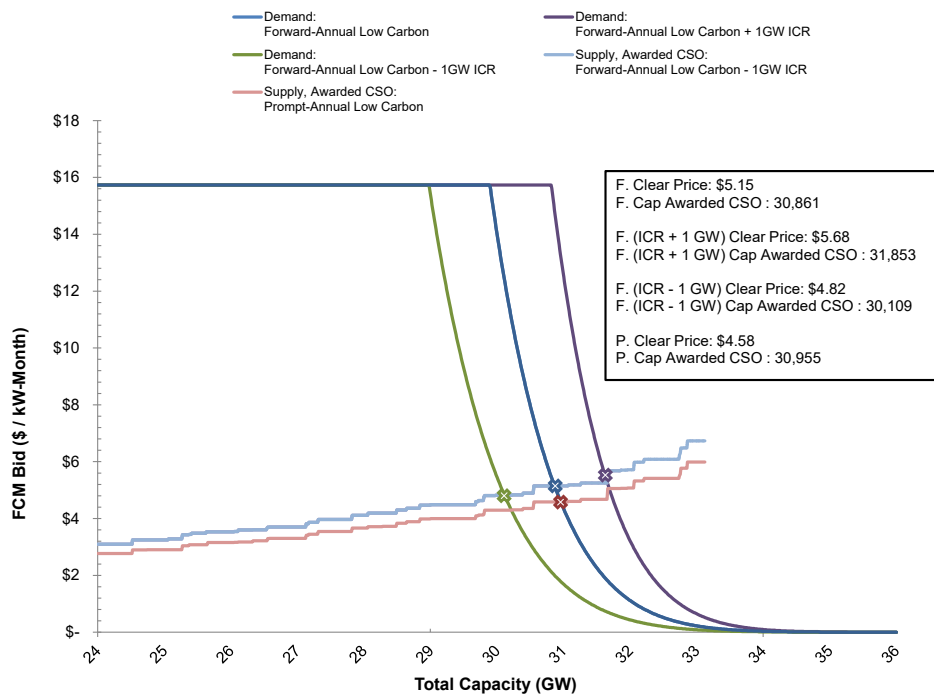
**Figure 26. Prompt-Annual Market (Compared to Forward-Annual), High Carbon 2034-35 CCP****Figure 27. Prompt-Annual Market (Compared to Forward-Annual), Low Carbon 2034-35 CCP**

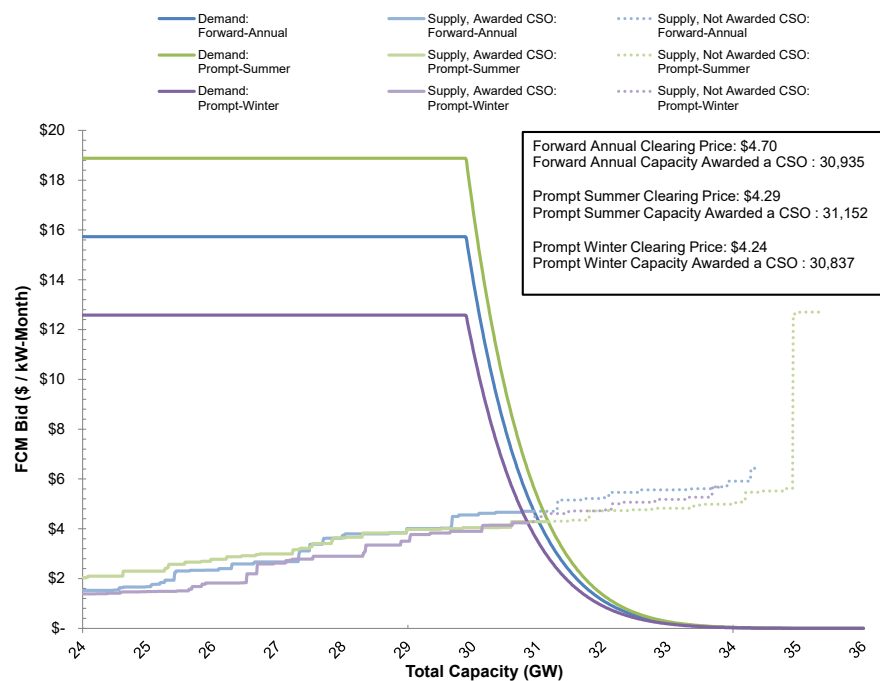
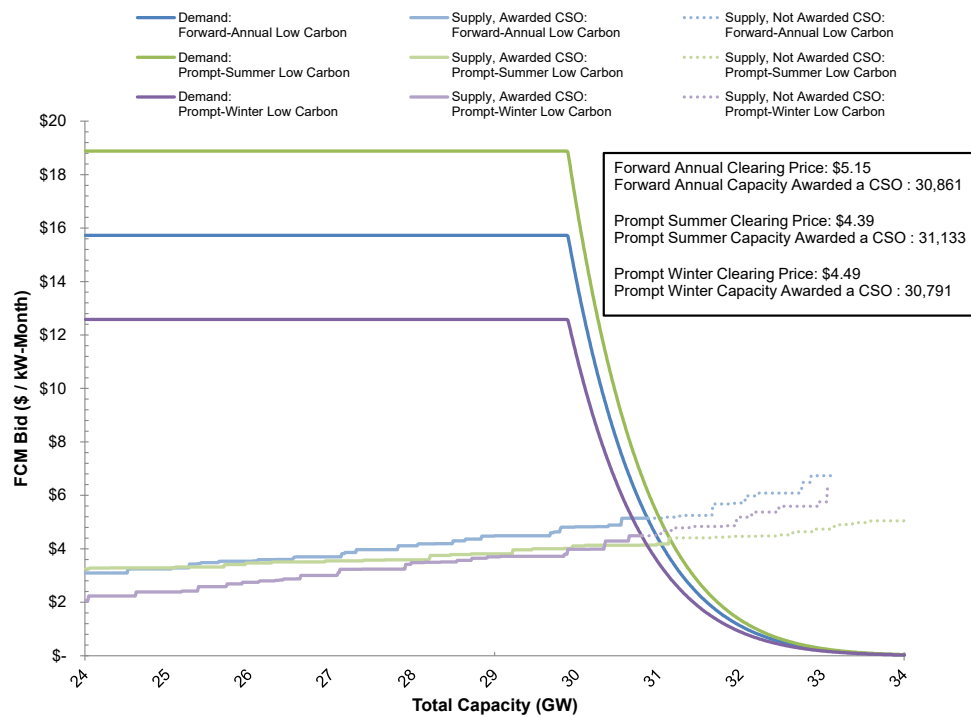
**Figure 28. Forward-Seasonal Market (Compared to Forward-Annual), High Carbon 2034-35 CCP****Figure 29. Forward-Seasonal Market (Compared to Forward-Annual), Low Carbon 2034-35 CCP**

**Figure 30. Forward-Annual vs. Prompt-Annual Capacity Market, Forward with +/- 1,000 Net ICR Relative to Prompt, High Carbon 2034-35 CCP**



**Figure 31. Forward-Annual vs. Prompt-Annual Capacity Market, Forward with +/- 1,000 Net ICR Relative to Prompt, Low Carbon 2034-35 CCP**



**Figure 32. Prompt-Seasonal Market (Compared to Forward-Annual), High Carbon 2034-35 CCP****Figure 33. Prompt-Seasonal Market (Compared to Forward-Annual), Low Carbon 2034-35 CCP**

## C. Sources for Table 1

Plant	Sources
Killingly Energy Center <i>Killingly, CT</i>	<ul style="list-style-type: none"> <li>- Baldwin, Kenneth C., "Re: Applicatin of NTE Connecticut, LLC for the Approval of the Construction, Maintenance and Operation of an Electric Power Generating Facility off Lake Road, Killingly," Robinson+Cole, August 17, 2016, available at <a href="https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket470/Application/470ApplicationCoverLetterpdf.pdf">https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket470/Application/470ApplicationCoverLetterpdf.pdf</a></li> <li>- S&amp;P Capital IQ, "Killingly Energy Center: Power Plant Profile," available at <a href="https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=22148">https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=22148</a></li> <li>- Spiegel, Jan Ellen, "Proposed Killingly Power Plant Dealt Another Blow," CT Mirror, March 7, 2022, available at <a href="https://ctmirror.org/2022/03/07/killingly-gas-power-plant-iso-new-england-auction-ferc/">https://ctmirror.org/2022/03/07/killingly-gas-power-plant-iso-new-england-auction-ferc/</a></li> <li>- Clark, Kevin, "New England Gas Plant in Doubt After FERC Denial," Power Engineering, January 6, 2022, available at <a href="https://www.power-eng.com/gas/new-england-gas-plant-in-doubt-after-ferc-denial/">https://www.power-eng.com/gas/new-england-gas-plant-in-doubt-after-ferc-denial/</a></li> <li>- ISO-NE, FCA Obligations data</li> </ul>
Salem Harbor Power Station <i>Salem, MA</i>	<ul style="list-style-type: none"> <li>- Department of Environmental Protection, Commonwealth of Massachusetts, "Footprint Power Salem Harbor Development LP: Air Quality Plan Approval," January 30, 2014, available at <a href="https://www.mass.gov/doc/cpa-footprint-14/download">https://www.mass.gov/doc/cpa-footprint-14/download</a></li> <li>- S&amp;P Capital IQ, "Salem Harbor Station NGCC: Power Plant Profile," available at <a href="https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=17012">https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=17012</a></li> <li>- Walton, Robert, "Salem Harbor to Pay \$17.1M Fine, Disgorge Profits to Settle Allegations It Improperly Received ISO-NE Capacity Payments," Utility Dive, June 29, 2022, available at <a href="https://www.utilitydive.com/news/ferc-investigates-massachusetts-salem-harbor-iso-new-england-capacity-payment-scheme/626090/">https://www.utilitydive.com/news/ferc-investigates-massachusetts-salem-harbor-iso-new-england-capacity-payment-scheme/626090/</a></li> <li>- ISO-NE, FCA Obligations data</li> </ul>
CPV Towantic Energy Center <i>Oxford, CT</i>	<ul style="list-style-type: none"> <li>- S&amp;P Capital IQ, "Towantic Energy Center: Power Plant Profile," available at <a href="https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=422">https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=422</a></li> <li>- Clean Air Technology Center, US Environmental Protection Agency, "Facility Information: CPV Towantic, LLC, 805 MW Combined Cycle Power Plant," <a href="https://cfpub.epa.gov/rblc/index.cfm?action=PermitDetail.FacilityInfo&amp;Facility_ID=28038">https://cfpub.epa.gov/rblc/index.cfm?action=PermitDetail.FacilityInfo&amp;Facility_ID=28038</a></li> <li>- FCA Obligations data, ISO New England</li> </ul>
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Three Corners Solar <i>Kennebec County, ME</i>	<ul style="list-style-type: none"> <li>- CELT reports, tabs "4.3 Qualified, Cleared Capacity"</li> <li>- S&amp;P Capital IQ, "Three Corners Solar Project: Power Plant Profile," available at <a href="https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=54589">https://www.capitaliq.spglobal.com/web/client#powerplant/powerplantprofile?id=54589</a></li> <li>- State of Maine Department of Agriculture, Conservation, and Forestry, Land Use Planning Commission, "Commission Determination in the Matter of Maine Department of Environmental Protection Request for Site Law Certification Three Corners Solar, LLC.," May 11, 2022, available at <a href="https://www.maine.gov/dep/ftp/projects/three-corners/slc16_LUPC_Certification_signed.pdf">https://www.maine.gov/dep/ftp/projects/three-corners/slc16_LUPC_Certification_signed.pdf</a></li> <li>- Longroad Energy, "Notice of Intent to File and Public Informational Meeting," January 25, 2022, available at <a href="https://www.longroadenergy.com/renewable-energy-projects/three-corners-solar-project/three-corners-solar-project-events/">https://www.longroadenergy.com/renewable-energy-projects/three-corners-solar-project/three-corners-solar-project-events/</a></li> <li>- Sher, Mehr, "Bangor Daily News: Construction Begins on Maine's Largest Solar Farm," Spectrum News, November 17, 2022, available at <a href="https://spectrumlocalnews.com/me/maine/news/2022/11/17/construction-begins-on-maine-s-largest-solar-farm">https://spectrumlocalnews.com/me/maine/news/2022/11/17/construction-begins-on-maine-s-largest-solar-farm</a></li> <li>- Wood, Robin, "Three Corners Solar - Bendont, ME," Reed &amp; Reed, June 1, 2023, available at <a href="https://reed-reed.com/three-corners-solar-benton-me">https://reed-reed.com/three-corners-solar-benton-me</a></li> <li>- ISO-NE, FCA Obligations data</li> </ul>
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## Capacity Market Alternatives For a Decarbonized Grid: Prompt and Seasonal Markets

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New England Clean Energy Connect (NECEC) <i>Built through ME</i>	<ul style="list-style-type: none"> <li>- Office of Electricity, US Department of Energy, "Application for Presidential Permit OE Docket No. PP-438 New England Clean Energy Connect Project: Comments and Supplemental Documents," available at <a href="https://www.energy.gov/oe/application-presidential-permit-oe-docket-no-pp-438-new-england-clean-energy-connect-project">https://www.energy.gov/oe/application-presidential-permit-oe-docket-no-pp-438-new-england-clean-energy-connect-project</a></li> <li>- Iberdrola, "AVANGRID'S New England Clean Energy Connect Receives Final Major Permit and Announces Start of Construction," January 15, 2021, available at <a href="https://www.iberdrola.com/press-room/news/detail/avangrid-s-england-clean-energy-connect-receives-final-major-permit-announces-start-construction">https://www.iberdrola.com/press-room/news/detail/avangrid-s-england-clean-energy-connect-receives-final-major-permit-announces-start-construction</a></li> <li>- Knapschafer, Johanna, "Embattled Maine Power Line Restarts as Cost Balloons to \$1.5B," ENR New England, August 3, 2023, available at <a href="https://www.enr.com/articles/56895-embattled-maine-power-line-restarts-as-cost-balloons-to-15b">https://www.enr.com/articles/56895-embattled-maine-power-line-restarts-as-cost-balloons-to-15b</a></li> <li>- S&amp;P Capital IQ, "New England Clean Energy Connect Project Profile," available at <a href="https://www.capitaliq.spglobal.com/web/client#industry/transmissionProjectProfile?projectId=17448">https://www.capitaliq.spglobal.com/web/client#industry/transmissionProjectProfile?projectId=17448</a></li> <li>- ISO-NE, FCA Obligations data</li> </ul>

### **III.13. Forward Capacity Market.**

The ISO shall administer a forward market for capacity (“Forward Capacity Market”) in accordance with the provisions of this Section III.13. For each one-year period from June 1 through May 31, starting with the period June 1, 2010 to May 31, 2011, for which Capacity Supply Obligations are assumed and payments are made in the Forward Capacity Market (“Capacity Commitment Period”), the ISO shall conduct a Forward Capacity Auction in accordance with the provisions of Section III.13.2 to procure the amount of capacity needed in the New England Control Area and in each modeled Capacity Zone during the Capacity Commitment Period, as determined in accordance with the provisions of Section III.12. To be eligible to assume a Capacity Supply Obligation for a Capacity Commitment Period through the Forward Capacity Auction, a resource must be accepted in the Forward Capacity Auction qualification process in accordance with the provisions of Section III.13.1.

#### **III.13.A Forward Capacity Market Interim Provisions.**

##### **III.13.A.1 Interim Forward Capacity Auction Schedules.**

Notwithstanding any other any dates, date ranges and/or deadlines for activities related to the Forward Capacity Auction established in or pursuant to any provision of the ISO New England Operating Documents, for the nineteenth, ~~twentieth, twenty first, twenty second, twenty third, twenty fourth and twenty fifth~~ through thirty-seventh Forward Capacity Auctions (associated with the 2028-2029 ~~through, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, and 2034-2035~~ 2046-2047 Capacity Commitment Periods, respectively), the following provisions apply.

##### **III.13.A.1.1 Nineteenth Forward Capacity Auction Delayed**

For the nineteenth Forward Capacity Auction (associated with the 2028-2029 Capacity Commitment Period), the dates, date ranges and/or deadlines for activities related to the Forward Capacity Auction established in or pursuant to any provision of the ISO New England Operating Documents shall not apply and shall be delayed by ~~one~~ three calendar years.

##### **III.13.A.1.2 First Annual Reconfiguration Auction Suspension**

For the nineteenth ~~through thirty-sixth, twentieth, twenty first, twenty second, twenty third and twenty fourth~~ Forward Capacity Auctions (associated with the 2028-2029 ~~through 2045-2046, 2029-2030, 2030-2031, 2031-2032, 2032-2033 and 2033-2034~~ Capacity Commitment Periods, respectively), the first annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of June,

approximately 24 months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.3 Second Annual Reconfiguration Auction Suspension**

For the nineteenth through twenty-seventh Forward Capacity Auctions (associated with the 2028-2029 through 2036-2037 Capacity Commitment Periods, respectively), the second annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of August, approximately 10 months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.4 Third Annual Reconfiguration Auction Suspension**

For the nineteenth through twenty-first Forward Capacity Auctions (associated with the 2028-2029 through 2030-2031 Capacity Commitment Periods, respectively), the third annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of March, approximately three months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.5 Accelerated Qualification Period and Auctions**

For the twentieth ~~through thirty-seventh, twenty first, twenty second, twenty third, twenty fourth and twenty fifth~~ Forward Capacity Auctions (associated with the 2029-2030 ~~through 2046-2047, 2030-2031, 2031-2032, 2032-2033, 2033-2034, and 2034-2035~~ Capacity Commitment Periods, respectively), the Forward Capacity Auction, and the qualification process for each such auction, shall be conducted under a 10-month timeline in accordance with the key dates set forth in the schedule below. For each Forward Capacity Auction specified in the table below, the ISO shall publish the dates, date ranges and deadlines for activities related to the respective Forward Capacity Auction no later than six months before the applicable notification to Lead Market Participants of their Existing Capacity Resource's summer Qualified Capacity and winter Qualified Capacity values as specified in Section III.13.1.2.3(a).

<b>Capacity Commitment Period</b>	<b>Forward Capacity Auction Date</b>	<b>Revised annual reconfiguration auction Dates (as applicable)</b>
<u>2028-2029</u>	<u>February 2028</u>	<u>No reconfiguration auctions</u>
2029-2030	December 2028 <sup>86</sup>	<u>No reconfiguration auctions. Second annual reconfiguration auction August 2028; third annual reconfiguration auction March 2029</u>



2030-2031	October 2029 <sup>7</sup>	<u>No reconfiguration auctions</u> <del>Second annual reconfiguration auction August 2029; third annual reconfiguration auction March 2030</del>
2031-2032	August 2030 <sup>28</sup>	<del>Second annual reconfiguration auction August 2030; third</del> <u>Third annual reconfiguration auction March 2031</u>
2032-2033	June 2031 <sup>29</sup>	<del>Second annual reconfiguration auction August 2031;</del> <u>Third annual reconfiguration auction March 2032</u>
2033-2034	April 2030	<del>Second annual reconfiguration auction August 2032;</del> <u>Third annual reconfiguration auction March 2033</u>
<u>2034-2035</u>	<u>February 2033</u>	<u>Third annual reconfiguration auction March 2034</u>
<u>2035-2036</u>	<u>December 2033</u>	<u>Third annual reconfiguration auction March 2035</u>
<u>2036-2037</u>	<u>October 2034</u>	<u>Third annual reconfiguration auction March 2036</u>
<u>2037-2038</u>	<u>August 2035</u>	<u>Second annual reconfiguration auction August 2036;</u> <u>Third annual reconfiguration auction March 2037</u>
<u>2038-2039</u>	<u>June 2036</u>	<u>Second annual reconfiguration auction August 2037;</u> <u>Third annual reconfiguration auction March 2038</u>
<u>2039-2040</u>	<u>April 2037</u>	<u>Second annual reconfiguration auction August 2038;</u> <u>Third annual reconfiguration auction March 2039</u>
<u>2040-2041</u>	<u>February 2038</u>	<u>Second annual reconfiguration auction August 2039;</u> <u>Third annual reconfiguration auction March 2040</u>
<u>2041-2042</u>	<u>December 2038</u>	<u>Second annual reconfiguration auction August 2040;</u> <u>Third annual reconfiguration auction March 2041</u>
<u>2042-2043</u>	<u>October 2039</u>	<u>Second annual reconfiguration auction August 2041;</u> <u>Third annual reconfiguration auction March 2042</u>
<u>2043-2044</u>	<u>August 2040</u>	<u>Second annual reconfiguration auction August 2042;</u> <u>Third annual reconfiguration auction March 2043</u>
<u>2044-2045</u>	<u>June 2041</u>	<u>Second annual reconfiguration auction August 2043;</u> <u>Third annual reconfiguration auction March 2044</u>
<u>2045-2046</u>	<u>April 2042</u>	<u>Second annual reconfiguration auction August 2044;</u> <u>Third annual reconfiguration auction March 2045</u>
<u>2046<sup>34</sup>-2047<sup>35</sup></u>	February 2043 <sup>31</sup>	Regular annual reconfiguration auction schedule applies-

The ISO may adjust any published date, date range and/or deadline for Forward Capacity Auction activities by 10 Business Days if needed, and shall publish a revised date, date range and/or deadline no later than 30 days in advance of such adjustment.

### **III.13.A.2. Interim Reconfiguration Auction Qualification.**

(a) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2026, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral activities described in Section III.13.4 and Section III.13.5 under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2024 and a New Capacity Qualification Package in June 2024. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and
- (2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by November 1, 2024.

(b) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation, and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2028, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral activities described in Section III.13.4 and Section III.13.5 occurring in 2026, 2027, and 2028 for the 2025-2026 Capacity Commitment Period associated with the seventeenth Forward Capacity Auction, and the 2027-2028 Capacity Commitment Period associated with the eighteenth Forward Capacity Auction, as applicable, under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2025 and a New Capacity Qualification Package in June 2025. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and

(2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by the first Business Day occurring in November 2025.

(c) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2028, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral activities described in Section III.13.4 and Section III.13.5 occurring in 2027 and 2028 for the 2026-2027 Capacity Commitment Period associated with the seventeenth Forward Capacity Auction, and the 2027-2028 Capacity Commitment Period associated with the eighteenth Forward Capacity Auction, as applicable, under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2026 and a New Capacity Qualification Package in June 2026. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and
- (2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by the first Business Day occurring in November 2026.

### **III.13.A.3. Interim Provisions Regarding Demand Capacity Resources.**

Notwithstanding any other provision of the ISO New England Operating Documents, for the nineteenth Forward Capacity Auction (associated with the 2028-2029 Capacity Commitment Period), a New Demand Capacity Resource is an Active Demand Capacity Resource that has not cleared in a previous Forward Capacity Auction, or an On-Peak Demand Resource consisting of measures that have not been in service prior to June 1, 2024, or a Seasonal Peak Demand Resource consisting of measures that have not been in service prior to June 1, 2024.

### **III.13. Forward Capacity Market.**

The ISO shall administer a forward market for capacity (“Forward Capacity Market”) in accordance with the provisions of this Section III.13. For each one-year period from June 1 through May 31, starting with the period June 1, 2010 to May 31, 2011, for which Capacity Supply Obligations are assumed and payments are made in the Forward Capacity Market (“Capacity Commitment Period”), the ISO shall conduct a Forward Capacity Auction in accordance with the provisions of Section III.13.2 to procure the amount of capacity needed in the New England Control Area and in each modeled Capacity Zone during the Capacity Commitment Period, as determined in accordance with the provisions of Section III.12. To be eligible to assume a Capacity Supply Obligation for a Capacity Commitment Period through the Forward Capacity Auction, a resource must be accepted in the Forward Capacity Auction qualification process in accordance with the provisions of Section III.13.1.

#### **III.13.A Forward Capacity Market Interim Provisions.**

##### **III.13.A.1 Interim Forward Capacity Auction Schedules.**

Notwithstanding any other any dates, date ranges and/or deadlines for activities related to the Forward Capacity Auction established in or pursuant to any provision of the ISO New England Operating Documents, for the nineteenth through thirty-seventh Forward Capacity Auctions (associated with the 2028-2029 through 2046-2047 Capacity Commitment Periods, respectively), the following provisions apply.

##### **III.13.A.1.1 Nineteenth Forward Capacity Auction Delayed**

For the nineteenth Forward Capacity Auction (associated with the 2028-2029 Capacity Commitment Period), the dates, date ranges and/or deadlines for activities related to the Forward Capacity Auction established in or pursuant to any provision of the ISO New England Operating Documents shall not apply and shall be delayed by three calendar years.

##### **III.13.A.1.2 First Annual Reconfiguration Auction Suspension**

For the nineteenth through thirty-sixth Forward Capacity Auctions (associated with the 2028-2029 through 2045-2046 Capacity Commitment Periods, respectively), the first annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of June, approximately 24 months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.3 Second Annual Reconfiguration Auction Suspension**

For the nineteenth through twenty-seventh Forward Capacity Auctions (associated with the 2028-2029 through 2036-2037 Capacity Commitment Periods, respectively), the second annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of August, approximately 10 months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.4 Third Annual Reconfiguration Auction Suspension**

For the nineteenth through twenty-first Forward Capacity Auctions (associated with the 2028-2029 through 2030-2031 Capacity Commitment Periods, respectively), the third annual reconfiguration auction as specified in Section III.13.4 that is typically held in the month of March, approximately three months before the start of the applicable Capacity Commitment Period, shall not be conducted.

### **III.13.A.1.5 Accelerated Qualification Period and Auctions**

For the twentieth through thirty-seventh Forward Capacity Auctions (associated with the 2029-2030 through 2046-2047 Capacity Commitment Periods, respectively), the Forward Capacity Auction, and the qualification process for each such auction, shall be conducted under a 10-month timeline in accordance with the key dates set forth in the schedule below. For each Forward Capacity Auction specified in the table below, the ISO shall publish the dates, date ranges and deadlines for activities related to the respective Forward Capacity Auction no later than six months before the applicable notification to Lead Market Participants of their Existing Capacity Resource's summer Qualified Capacity and winter Qualified Capacity values as specified in Section III.13.1.2.3(a).

<b>Capacity Commitment Period</b>	<b>Forward Capacity Auction Date</b>	<b>Revised annual reconfiguration auction Dates (as applicable)</b>
2028-2029	February 2028	No reconfiguration auctions
2029-2030	December 2028	No reconfiguration auctions
2030-2031	October 2029	No reconfiguration auctions
2031-2032	August 2030	Third annual reconfiguration auction March 2031
2032-2033	June 2031	Third annual reconfiguration auction March 2032
2033-2034	April 2030	Third annual reconfiguration auction March 2033
2034-2035	February 2033	Third annual reconfiguration auction March 2034

2035-2036	December 2033	Third annual reconfiguration auction March 2035
2036-2037	October 2034	Third annual reconfiguration auction March 2036
2037-2038	August 2035	Second annual reconfiguration auction August 2036; Third annual reconfiguration auction March 2037
2038-2039	June 2036	Second annual reconfiguration auction August 2037; Third annual reconfiguration auction March 2038
2039-2040	April 2037	Second annual reconfiguration auction August 2038; Third annual reconfiguration auction March 2039
2040-2041	February 2038	Second annual reconfiguration auction August 2039; Third annual reconfiguration auction March 2040
2041-2042	December 2038	Second annual reconfiguration auction August 2040; Third annual reconfiguration auction March 2041
2042-2043	October 2039	Second annual reconfiguration auction August 2041; Third annual reconfiguration auction March 2042
2043-2044	August 2040	Second annual reconfiguration auction August 2042; Third annual reconfiguration auction March 2043
2044-2045	June 2041	Second annual reconfiguration auction August 2043; Third annual reconfiguration auction March 2044
2045-2046	April 2042	Second annual reconfiguration auction August 2044; Third annual reconfiguration auction March 2045
2046-2047	February 2043	Regular annual reconfiguration auction schedule applies

The ISO may adjust any published date, date range and/or deadline for Forward Capacity Auction activities by 10 Business Days if needed, and shall publish a revised date, date range and/or deadline no later than 30 days in advance of such adjustment.

### **III.13.A.2. Interim Reconfiguration Auction Qualification.**

- (a) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2026, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral

activities described in Section III.13.4 and Section III.13.5 under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2024 and a New Capacity Qualification Package in June 2024. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and
- (2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by November 1, 2024.

(b) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation, and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2028, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral activities described in Section III.13.4 and Section III.13.5 occurring in 2026, 2027, and 2028 for the 2025-2026 Capacity Commitment Period associated with the seventeenth Forward Capacity Auction, and the 2027-2028 Capacity Commitment Period associated with the eighteenth Forward Capacity Auction, as applicable, under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2025 and a New Capacity Qualification Package in June 2025. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and
- (2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by the first Business Day occurring in November 2025.

(c) Notwithstanding any other provision of the ISO New England Operating Documents, a New Capacity Resource that has not already acquired a Capacity Supply Obligation and intends to achieve Commercial Operation as defined in Section III.13.1.1.2.2.2(h) before June 1, 2028, may qualify for the annual reconfiguration auction, monthly reconfiguration auction and bilateral activities described in Section III.13.4 and Section III.13.5 occurring in 2027 and 2028 for the 2026-2027 Capacity Commitment Period associated with the seventeenth Forward Capacity Auction, and the 2027-2028 Capacity Commitment Period associated with the eighteenth

Forward Capacity Auction, as applicable, under this section providing the following conditions are met:

- (1) The Project Sponsor submits qualification materials as described in Section III.13.1, including a New Capacity Show of Interest Form in April 2026 and a New Capacity Qualification Package in June 2026. The ISO shall post a list of the required materials on its website and a complete schedule for their submittal at least 60 days in advance; and
- (2) The Project Sponsor requests that the ISO monitor the New Capacity Resource's compliance with its critical path schedule as described in Section III.13.3.1.1 by the first Business Day occurring in November 2026.

**III.13.A.3. Interim Provisions Regarding Demand Capacity Resources.**

Notwithstanding any other provision of the ISO New England Operating Documents, for the nineteenth Forward Capacity Auction (associated with the 2028-2029 Capacity Commitment Period), a New Demand Capacity Resource is an Active Demand Capacity Resource that has not cleared in a previous Forward Capacity Auction, or an On-Peak Demand Resource consisting of measures that have not been in service prior to June 1, 2024, or a Seasonal Peak Demand Resource consisting of measures that have not been in service prior to June 1, 2024.



## **New England Governors, State Utility Regulators and Related Agencies\***

### **Connecticut**

The Honorable Ned Lamont  
Office of the Governor  
State Capitol  
210 Capitol Avenue  
Hartford, CT 06106  
[natalie.braswell@ct.gov](mailto:natalie.braswell@ct.gov)

Connecticut Attorney General's Office  
165 Capitol Avenue  
Hartford, CT 06106  
[john.wright@ct.gov](mailto:john.wright@ct.gov)

Connecticut Department of Energy and  
Environmental Protection  
79 Elm Street  
Hartford, CT 06106  
[eric.annes@ct.gov](mailto:eric.annes@ct.gov)

Connecticut Public Utilities Regulatory Authority  
10 Franklin Square  
New Britain, CT 06051-2605  
[steven.cadwallader@ct.gov](mailto:steven.cadwallader@ct.gov)  
[seth.hollander@ct.gov](mailto:seth.hollander@ct.gov)  
[robert.marconi@ct.gov](mailto:robert.marconi@ct.gov)  
[scott.muska@ct.gov](mailto:scott.muska@ct.gov)

### **Maine**

The Honorable Janet Mills  
One State House Station  
Office of the Governor  
Augusta, ME 04333-0001  
[jeremy.kennedy@maine.gov](mailto:jeremy.kennedy@maine.gov)  
[elise.baldacci@maine.gov](mailto:elise.baldacci@maine.gov)

Maine Governor's Energy Office  
62 State House Station  
Augusta, ME 04333  
[dan.burgess@maine.gov](mailto:dan.burgess@maine.gov)

Maine Public Utilities Commission  
18 State House Station  
Augusta, ME 04333-0018  
[maine.puc@maine.gov](mailto:maine.puc@maine.gov)

### **Massachusetts**

The Honorable Maura Healey  
Office of the Governor  
State House  
Boston, MA 02133  
[rebecca.l.tepper@mass.gov](mailto:rebecca.l.tepper@mass.gov)  
[Jason.R.Marshall@mass.gov](mailto:Jason.R.Marshall@mass.gov)  
[Mary.L.Nuara@mass.gov](mailto:Mary.L.Nuara@mass.gov)

Massachusetts Attorney General's Office  
One Ashburton Place  
Boston, MA 02108  
[elizabeth.a.anderson@mass.gov](mailto:elizabeth.a.anderson@mass.gov)  
[matthew.saunders@mass.gov](mailto:matthew.saunders@mass.gov)  
[Allison.OConnell@mass.gov](mailto:Allison.OConnell@mass.gov)  
[Ashley.Gagnon@mass.gov](mailto:Ashley.Gagnon@mass.gov)

Massachusetts Department of Energy  
Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114  
[robert.hoaglund@mass.gov](mailto:robert.hoaglund@mass.gov)  
[ben.dobbs@state.ma.us](mailto:ben.dobbs@state.ma.us)

Massachusetts Department of Public Utilities  
One South Station  
Boston, MA 02110  
[nancy.stevens@state.ma.us](mailto:nancy.stevens@state.ma.us)  
[morgane.treanton@state.ma.us](mailto:morgane.treanton@state.ma.us)  
[william.j.anderson2@mass.gov](mailto:william.j.anderson2@mass.gov)  
[dpu.electricsupply@mass.gov](mailto:dpu.electricsupply@mass.gov)

### **New Hampshire**

The Honorable Chris Sununu  
Office of the Governor  
26 Capital Street  
Concord, NH 03301  
New Hampshire Department of Energy  
21 South Fruit Street, Ste 10  
Concord, NH 03301  
[jared.s.chicoine@energy.nh.gov](mailto:jared.s.chicoine@energy.nh.gov)  
[christopher.j.ellmsjr@energy.nh.gov](mailto:christopher.j.ellmsjr@energy.nh.gov)  
[thomas.c.frantz@energy.nh.gov](mailto:thomas.c.frantz@energy.nh.gov)  
[amanda.o.noonan@energy.nh.gov](mailto:amanda.o.noonan@energy.nh.gov)  
[joshua.w.elliott@energy.nh.gov](mailto:joshua.w.elliott@energy.nh.gov)  
[david.j.shulock@energy.nh.gov](mailto:david.j.shulock@energy.nh.gov)

## **New England Governors, State Utility Regulators and Related Agencies\***

New Hampshire Public Utilities Commission  
21 South Fruit Street, Ste. 10  
Concord, NH 03301-2429  
[regionalenergy@puc.nh.gov](mailto:regionalenergy@puc.nh.gov)

### **Rhode Island**

The Honorable Daniel McKee  
Office of the Governor  
82 Smith Street  
Providence, RI 02903  
[rosemary.powers@governor.ri.gov](mailto:rosemary.powers@governor.ri.gov)

Rhode Island Office of Energy Resources  
One Capitol Hill  
Providence, RI 02908  
[christopher.kearns@energy.ri.gov](mailto:christopher.kearns@energy.ri.gov)

Rhode Island Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888  
[ronald.gerwatowski@puc.ri.gov](mailto:ronald.gerwatowski@puc.ri.gov)  
[todd.bianco@puc.ri.gov](mailto:todd.bianco@puc.ri.gov)

### **Vermont**

The Honorable Phil Scott  
Office of the Governor  
109 State Street, Pavilion  
Montpelier, VT 05609  
[jason.gibbs@vermont.gov](mailto:jason.gibbs@vermont.gov)

Vermont Public Utility Commission  
112 State Street  
Montpelier, VT 05620-2701  
[mary-jo.krolewski@vermont.gov](mailto:mary-jo.krolewski@vermont.gov)  
[margaret.cheney@vermont.gov](mailto:margaret.cheney@vermont.gov)

Vermont Department of Public Service  
112 State Street, Drawer 20  
Montpelier, VT 05620-2601  
[bill.jordan@vermont.gov](mailto:bill.jordan@vermont.gov)  
[june.tierney@vermont.gov](mailto:june.tierney@vermont.gov)

### **New England Governors, Utility Regulatory and Related Agencies**

Heather Hunt, Executive Director  
New England States Committee on Electricity  
424 Main Street  
Osterville, MA 02655

[heatherhunt@nescoe.com](mailto:heatherhunt@nescoe.com)  
[jeffbentz@nescoe.com](mailto:jeffbentz@nescoe.com)  
[shannonbeale@nescoe.com](mailto:shannonbeale@nescoe.com)  
[sheilakeane@nescoe.com](mailto:sheilakeane@nescoe.com)  
[nathan.forster@nescoe.com](mailto:nathan.forster@nescoe.com)

George Twigg, Executive Director  
New England Conference of Public Utilities  
Commissioners  
PO Box 9111  
Essex, VT 05451  
[gtwigg@necpuc.org](mailto:gtwigg@necpuc.org)

Dan Goldner, President  
New England Conference of Public Utilities  
Commissioners  
21 S. Fruit Street  
Concord, NH 03301-2429  
[Daniel.c.goldner@puc.nh.gov](mailto:Daniel.c.goldner@puc.nh.gov)