

# PJM LEGISLATORS' COLLABORATIVE

Representing legislators from DE, DC, IN, IL, KY, MD, NC, NJ, OH, PA, VA, WV

July 31, 2026

Dear David Mills and the PJM Board of Managers:

The PJM Legislators' Collaborative writes today to express our serious concerns that the PJM Board of Managers' final decision on the latest Critical Issue Fast Path will fail to protect our constituents from high prices and reliability risks associated with rapid data center load growth.

Our asks throughout this process have been clear, and must be acted on as a package:

1. Remove all large loads from the capacity auction demand curve until they bring their own new capacity, effective immediately.
2. Designate any large loads that have not brought their own deliverable new supply as interruptible before other customers.
3. Do not procure capacity for large loads on behalf of other customers.
4. Respect state policies.

These are each essential components of a comprehensive solution. Any decision that fails to include all of these elements leaves unacceptable risks for ratepayers and grid reliability. Unfortunately, PJM's final proposal remains incomplete. Rather than addressing the underlying problem, it adopts only portions of the solution.

We continue to support the Ratepayer Protection Pledge, which requires new data centers to bring their own new supply without raising rates on our constituents. This can only be accomplished if all new data centers are excluded from the Reliability Pricing Model (RPM) demand curve until they bring new supply. Any proposal that allows new data center loads to participate in RPM before meeting that standard does not fulfill the Ratepayer Protection Pledge.

We respectfully request that PJM confirm how its final proposal satisfies each of the principles outlined above. In particular, we ask PJM to confirm that new large loads will only be added to the capacity market after they have secured and paid for their own deliverable new supply, and that existing customers will not bear the cost of procuring capacity on behalf of those new loads.

Sincerely,



Senator Katie Fry Hester (Maryland, District 9)  
On Behalf of the PJM Legislators' Collaborative