

**MC Legal Report**  
**Summary of Significant Filings, Legal Activity**  
**and**  
**Federal Energy Regulatory Commission (Commission) and Court Orders**  
**(Aug. 11, 2025 – Sep. 16, 2025)**

**ORDERS**

**On September 16, 2025**, in Docket No. ER25-2954-000, the Commission issued an Order accepting PJM's submission of ministerial clean-up revisions to correctly reflect the language accepted by the Federal Energy Regulatory Commission (Commission) in prior filings that will be overlapped as a result of PJM's informational filing providing notice of the September 1, 2025 effective date for revisions accepted in Docket No. ER24-3135-000. This filing corrects an interim version of Tariff, Article 1, Definitions L-M-N.

**On September 12, 2025**, in Docket No. ER25-1544-001, the Commission issued an Order accepting PJM's submitted revisions in compliance with the June 10, 2025 Order accepting the settlement resolving all claims and issues raised in the complaint in Docket No. EL25-22-000. The Tariff revisions are identical to the pro forma revisions included with the settlement with two revisions to correct typographical errors identified by the Commission. The effective date is June 10, 2025.

**On September 9, 2025**, in Docket No. ER25-2827-000, the Commission issued an Order accepting PJM's submission on behalf of FirstEnergy Service Company (FirstEnergy), on behalf of Potomac Edison Company and American Transmission Systems, Inc. a request for authorization to recover 100 percent of prudently incurred construction costs associated with investment in certain transmission projects identified by PJM, in the event one or more of the projects are abandoned or cancelled for reasons beyond First Energy's control. The Order is effective September 10, 2025.

**On September 3, 2025**, in Docket No. ER24-2255-001, the Commission issued an Order accepting PJM's submission on behalf of NextEra Energy Transmission MidAtlantic, Inc. (NEET MidAtlantic) an offer of settlement and settlement agreement in Docket No. ER24-2255-000. The settlement is effective August 12, 2024.

**On August 28, 2025**, the Department of Energy issued an Order pursuant to Federal Power Act section 202(c) finding that the operational availability and economic dispatch of Units 3 and 4 of the Eddystone Generating Station (Eddystone Units) is still necessary to meet an emergency and serve the public interest. The Department of Energy found that the emergency conditions that led to the issuance of Department of Energy Order 202-25-4 (May 30, 2025) continue, both in the near and long-term. Among other directives, the Order directs PJM and Constellation Energy to take all measures necessary to ensure that the Eddystone Units are available to operate. The Order is effective August 28, 2025 and expires at 00:00 EST on November 26, 2025.

**On August 28, 2025**, in Docket No. ER25-2123-001, the Commission issued an Order accepting PJM's proposal to revise the fixed Black Start Service cost component of the base formula rate and capital cost recovery rate for NERC-CIP specific recovery to replace references to the Net Cost Of New Entry with an annually updated fixed rate which will allow PJM to maintain reliability and incentivize resources to provide Black Start Service. PJM's revisions become effective as of September 1, 2025.

**On August 19, 2025**, in Docket No. ER24-2690-002, the Commission issued an Order accepting PJM's filing to comply with the Commission's directive in its June 2, 2025 Order to revise Tariff, Attachment P, Appendix 2, section 5.3 (pro forma Interconnection Construction Service Agreement (ICSA)), and Tariff, Part IX, Subpart B, Appendix 2, section 23.3.3 (pro forma Generator Interconnection Agreement (GIA)) to clarify responsibility for the procurement of third-party land and land rights for GIAs and ICSAs. The effective date will be June 2, 2025, as requested.

**On August 18, 2025**, in Docket No. ER25-3073-000, the Commission issued an Order granting PJM's request for waiver to extend the deadlines for PJM Members to vote on the upcoming periodic review filing (i.e., until October 31, 2025) and for PJM to submit with the Commission the upcoming periodic review to be submitted under Section 205 of the Federal Power Act (i.e., until December 1, 2025).

**On August 15, 2025**, in Docket No. ER25-2653-000, the Commission issued an Order accepting PJM's amendments to the Reliability Assurance Agreement that proposed a cost allocation methodology through which PJM will recover the costs associated with maintaining the operational availability of Eddystone Units 3 and 4 to effectuate the United States Department of Energy's Order No. 202-25-4. PJM's revisions become effective as of June 1, 2025.

**On August 14, 2025**, in Docket No. EL24-91-000, the Commission issued an Order granting in part, and denying in part, LS Power's Complaint against PJM and the Market Monitor concerning the calculation of the opportunity cost adder. Further, the Commission directed PJM to submit a compliance filing by September 29, 2025 proposing amendments to the Operating Agreement pursuant to this Order.

**On August 13, 2025**, in Docket No. ER25-2564-000, the Commission issued an Order accepting PJM's ministerial clean-up filing to ensure that the eTariff records correctly reflect the language in the PJM Tariff, Article 1, Definitions G - H. The Tariff revisions become effective on various effective dates.

## **FILINGS**

**On September 16, 2025**, PJM submitted a compliance report in accordance with Ordering Paragraph B of the Secretary of Energy of the Department of Energy's Order No. 202-25-8, issued August 27, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4 on September 15, 2025.

**On September 16, 2025**, in Docket No. ER25-3339-000, PJM submitted a motion to intervene and comments in support of the request for limited waiver of Morgantown Power, LLC.

**On September 16, 2025**, in Virginia State Corporation Commission Case No. PUR-2025-00037, PJM submitted comments in support of Virginia Electric and Power Co.'s application for approval or a certificate of public convenience and necessity regarding the proposed Chesterfield Energy Reliability Center.

**On September 15, 2025**, in Docket No. ER25-3428-000, PJM submitted on behalf of Commonwealth Edison Company modifications to PJM Tariff, Attachment H-13A to change the true-up mechanism in the formula rate from utilizing projected revenues based on prior year costs, to actual revenues based on billed revenue for the calendar year. The filing also includes FERC Form 1 pagination updates following implementation of XBRL data format changes, along with ministerial corrections. Commonwealth Edison Company is requesting that the tariff changes be effective as of January 1, 2026.

**On September 12, 2025**, in Docket No. ER25-2941-001, PJM submitted on behalf of NEET MidAtlantic a filing requesting to change the effective date of the previously filed changes made in Docket No. ER25-2941-000 on July 22, 2025.

**On September 12, 2025**, in Docket No. ER25-2897-001, PJM submitted an amendment to its July 18, 2025 ministerial clean-up filing to submit the following PJM Tariff records: (1) Schedule 12-Appendix, section 20; and (2) Schedule 12-Appendix A, section 20. PJM submits these Tariff records as part of its requested waiver of the Commission's 60-days' notice requirements to correct the effective date of the ministerial clean-up Tariff sheets accepted by FERC in Docket No. ER25-1811-000.

**On September 11, 2025**, in Docket Nos. ER25-2335-000 and ER25-2335-001, PJM filed a motion for leave to answer and answer to Martin County Solar Project, LLC's Deficiency Response related to a Co-Tenancy and Shared Facilities Agreement between Martin County Solar Project, LLC, Martin County II Solar Project, LLC and Threeforks Energy Storage, LLC.

**On September 11, 2025**, in Docket No. ER25-3413-000, PJM submitted limited revisions to the PJM Reliability Assurance Agreement Among Load Serving Entities to update the Gas Combined Cycle Dual Fuel Class and the Gas Combustion Turbine Dual Fuel Class to include certain dual fuel capable gas-fired resources that are similarly situated and comparable to the existing classes of dual fuel gas-fired resources. PJM requested the proposed revisions become effective on November 11, 2025.

**On September 8, 2025**, in Docket No. EL25-63-000, PJM submitted a request for clarification or in the alternative, request for rehearing of the Commission's August 7, 2025 Order that granted in part and denied in part Savion, LLC's March 3, 2025 complaint.

**On September 8, 2025**, in Docket No. ER24-2045-003, PJM filed an answer to requests for rehearing of the Commission's July 24, 2025 Order on PJM's proposal to comply with Order Nos. 2023 and 2023-A. PJM argued that the requests for rehearing should be denied, as the Commission rightly found that PJM's requests for independent entity variations to retain its cluster study timeframe and to impose a bright-line test for withdrawal penalties were just and reasonable.

**On September 4, 2025**, in Docket No. ER25-3066-002, PJM submitted on behalf of UGI Utilities, Inc. an errata filing to correct the previous filing that did not include a clean version of the revised tariff sheets.

**On August 29, 2025**, in Docket No. ER25-3352-000, PJM submitted on behalf of PPL Electric Utilities Corporation (PPL Electric) for filing proposed revisions to its formula transmission rate at Attachment H-8G of the PJM Interconnection, L.L.C. Open Access Transmission Tariff (OATT or Formula Rate) to conform references in PPL Electric's Formula Rate to changes in the FERC Form No. 1 made by the Commission in Order No. 898. PPL Electric is requesting an effective date of October 31, 2025.

**On August 28, 2025**, in the New Jersey Board of Public Utilities (NJ BPU) Docket No. QO20100630, PJM submitted a request for clarification or, in the alternative, motion for reconsideration or rehearing of the NJ BPU's August 13, 2025 Order. PJM sought clarification regarding aspects of the August 13, 2025 Order, or, alternatively, reconsideration or rehearing regarding the effect of the August 13, 2025 Order on the State Agreement Approach (SAA) Agreement between PJM and the NJ BPU.

**On August 28, 2025**, in Docket No. ER25-3324-000, PJM submitted proposed revisions to PJM Tariff, Schedule 12-Appendix A, to incorporate cost responsibility assignments for baseline upgrades included in the recent update to the Regional Transmission Expansion Plan approved by the PJM Board of Managers on July 30, 2025. PJM requested an effective date of November 26, 2025, which is 90 days after the date of this filing, to allow a 30-day comment period.

**On August 27, 2025**, in Docket No. ER25-712-002, PJM submitted a compliance filing to modify Tariff, Part VII, Subpart C, section 306(E)(6) to comply with the directives of the Commission's July 28, 2025 Order. PJM requested the Tariff revisions be effective as of December 14, 2024.

**On August 25, 2025**, in Docket Nos. ER24-2045-000, et al., PJM filed a request for rehearing of the Commission's July 24, 2025 Order on PJM's Order No. 2023 and 2023-A compliance proposal. PJM argued that it was in error for the Commission to fail to engage on the merits and provide further guidance to PJM, thereby effectively denying PJM's right to seek an independent entity variation. PJM further argued that it was in error for the Commission to Order implementation of certain Large Generator Interconnection Procedures provisions without consideration of PJM's proposals or provision of meaningful guidance.

**On August 22, 2025**, in Docket Nos. EL24-113-000, EL24-124-000, IN24-2-000 and EL25-87-000, PJM and Affirmed Energy, LLC submitted a joint letter with the Commission in the pending dockets involving Affirmed Energy and its affiliates asking for expedited Commission action for prompt resolution and clarity on these matters, which will allow PJM to continue administering its markets and credit risk management processes in accordance with its Tariff and governing documents.

**On August 19, 2025**, in Docket No. ER25-3167-000, PJM submitted a motion to intervene and comments in support of the request of Virginia Electric and Power Company (VEPCO) for limited waivers and request for shortened comment period and expedited treatment. VEPCO seeks to waive certain provisions in the PJM Tariff, Part VII that require Project Developers to post security as such provisions apply to VEPCO's interconnection related service agreements where VEPCO is both the Project Developer and Transmission Owner and VEPCO Network Upgrade Cost Responsibility Agreements in its capacity as a Project Developer and other third-party Project Developers are parties to such agreements. PJM supports the waiver request, which is limited to the sixteen VEPCO Projects in Transition Cycle No. 1.

**On August 18, 2025**, in Docket No. ER25-3214-000, PJM submitted for filing proposed revisions to the PJM Operating Agreement, Schedule 12, and the RAA, Schedule 17, to (i) add the new members, (ii) remove withdrawn members, (iii) reflect members' whose corporate names changed, and (iv) add new signatories to the RAA during the second quarter of 2025. PJM requested the revisions be effective as of June 30, 2025.

**On August 15, 2025**, in Docket No. ER25-3194-000, PJM submitted a minor amendment to the Consolidated Transmission Owners Agreement to update the listing of Virginia Electric and Power Company to reflect its currently used trade name of Dominion Energy Virginia. PJM requested that the amendment become effective as of October 15, 2025.

**On August 14, 2025**, in Docket Nos. ER22-2110-000 and ER22-2110-001, PJM filed an informational report pursuant to the Commission's November 29, 2022 Order accepting PJM's comprehensive reforms to its generation interconnection process involving the transition from a "first-come, first-served" serial approach to a "first-ready, first-served" Cycle approach. Consistent with the November 29, 2022 Order,

PJM is submitting this informational report to inform the Commission on the processing of New Service Requests under PJM's Transition Period Rules.

**On August 11, 2025**, in Docket No. ER25-3145-000, PJM submitted non-substantive, clerical and ministerial revisions originating from the Governing Document Enhancement & Clarification Subcommittee (GDECS Filing) to correct, clarify, and/or make consistent certain Generation Interconnection Process-related provisions of the PJM Tariff, Part VII through Part IX. As part of the filing, PJM requested a shortened seven-day comment period and expedited action by the Commission by September 12, 2025, to allow the revisions to be incorporated into PJM's pro forma service agreements prior to the start of the Final Agreement Negotiation Phase for Transition Cycle 1, which is scheduled to commence on September 22, 2025. PJM requested an effective date of August 12, 2025, one day after the date of this filing.