

**MC Legal Report
Summary of Significant Filings, Legal Activity
and
Federal Energy Regulatory Commission (Commission) and Court Orders
(Dec. 6, 2025 – Jan. 13, 2026)**

ORDERS

On January 13, 2026, in Docket No. ER26-527-000, the Commission issued an order accepting PJM's proposed Tariff and Operating Agreement updates to utilize only Cost-Based Offers for resources that are pre-scheduled in advance of the Day-ahead Energy Market. PJM's revisions become effective October 1, 2025, November 18, 2025, January 14, 2026 and December 31, 9998. The Commission directed PJM to submit a compliance filing at least 15 days before implementation of the revisions with the December 31, 9998 effective date.

On January 8, 2026, in Docket No. ER21-1635-013, the Commission issued an order accepting PJM's November 24, 2025 compliance filing to implement on a permanent basis the settlement rates for the Capital Recovery rates for Black Start units selected prior to June 6, 2021 in Schedule 6A of the Tariff. The revisions are effective January 1, 2024, as requested.

On December 30, 2025, in Docket No. ER26-515-000, the Commission issued a letter order accepting PJM's clerical and ministerial clean-up filing of Tariff revisions to correct, clarify, and/or make consistent PJM Tariff, Definitions, Section C - D that was accepted by the Commission in various dockets with various effective dates.

On December 29, 2025, in Docket No. ER26-420-000, the Commission accepted PJM's 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to the PJM Operating Agreement, Schedule 12, and the RAA, Schedule 17, to (i) add the new members, (ii) remove withdrawn members, (iii) remove a member whose membership was terminated pursuant to the default provisions of the Operating Agreement, (iv) reflect corporate name changes of certain members, and (v) add new signatories to the RAA during the third quarter of 2025. The revisions will be effective September 30, 2025, as requested.

On December 23, 2025, in Docket No. ER26-389-000, the Commission issued an Order accepting PJM's submission on behalf of Old Dominion Electric Cooperative (ODEC) revisions to PJM's Tariff, Attachment H-3F, to update the depreciation rates in ODEC's transmission formula rate. The revisions to Attachment H-3F are effective as of January 1, 2026.

On December 23, 2025, in Docket No. ER26-239-000, the Commission accepted PJM's section 205 filing to extend the current rules in Tariff, Attachment DD, section 5.3(b) that recognize the resource adequacy contributions of certain qualifying reliability must-run resources in the Reliability Pricing Model Auctions through the 2028/2029 Delivery Year. PJM's Tariff revisions become effective as of December 24, 2025.

On December 18, 2025, in Docket Nos. EL25-49-000, EL25-49-001, AD24-11-000, and EL25-20-000, the Commission issued an order finding that PJM's Tariff is unjust and unreasonable because it does not contain provisions addressing with sufficient clarity or consistency the rates, terms, and conditions of service that apply to generators serving Co-Located Load and Eligible Customers taking transmission service on behalf of Co-Located Load. The Commission additionally ordered PJM to file several compliance

filings to revise its Tariff accordingly and ordered PJM to submit an informational report within 30 days of the order.

On December 17, 2025, in Docket No. ER24-2255-003, the Commission issued an Order accepting PJM's submission on behalf of NextEra Energy Transmission MidAtlantic, Inc. (NEET MidAtlantic), an amendment to correct the tariff records previously submitted in the Offer of Settlement and Settlement Agreement filed on October 3, 2025.

On December 17, 2025, in Docket No. ER24-2255-002, the Commission issued an order accepting PJM's submission on behalf of NextEra Energy Transmission MidAtlantic, Inc. (NEET MidAtlantic) a compliance filing pursuant to the Commission's September 3, 2025 order in this proceeding. The filing is effective as of August 12, 2024.

FILINGS

On January 13, 2026, in Docket No. ER26-39-001, PJM filed a motion for leave to answer and answer to the December 29, 2025 request for rehearing of East Kentucky Power Cooperative, Inc. and the Attorney General of Kentucky seeking rehearing of the Commission's December 5, 2025 order accepting PJM's proposal to establish a regionwide cost allocation methodology through which PJM will recover the costs to effectuate orders issued by the Secretary of the United States Department of Energy pursuant to Federal Power Act section 202(c).

On January 9, 2026, in Case No. 2:25-cv-830 (E.D. Va.), PJM submitted its *amicus curiae* brief to provide information that will assist the court in understanding the need for Dominion Energy's Coastal Virginia Offshore Wind project to be completed and operational as soon as possible.

On January 8, 2026, in Docket No. EL26-39-000, Gaston Green Acres Solar, LLC (Gaston) and Bethel NC Hwy 11 Solar, LLC (Bethel) (together, "Complainants") filed a complaint requesting shortened a comment period and fast track processing against PJM. The Complainants allege PJM's Tariff is unjust and unreasonable because it does not afford developers, including Complainants, the opportunity to withdraw from Transition Cluster 1 without penalty after a restudy that results in an increase of allocated Network Upgrade costs that forces projects to withdraw from the queue. The Complainants request the Commission to direct PJM to issue two separate Generation Interconnection Agreements for its projects.

On January 8, 2026, in Docket No. ER26-980-000, PJM submitted clerical and ministerial markets-related revisions originating from the Governing Document Enhancement & Clarification Subcommittee (the GDECS Filing) to correct, clarify, and/or make consistent certain markets-related provisions of the PJM Tariff and Operating Agreement. PJM requested that the revisions become effective as of March 10, 2026 and February 1, 2028.

On January 6, 2026, PJM filed an answer to Joint Consumer Advocates' motion to lodge the Commission's Federal Power Act section 203 order authorizing the acquisition of Enerwise Global Technologies, LLC ("CPower") from LS Power Development, LLC, to NRG East Generation Holdings, LLC, in the unconsolidated complaint proceedings in Docket Nos. EL25-18-000 and EL25-76-000.

On January 6, 2026, in Docket No. ER26-955-000, PJM submitted a ministerial clean-up filing to correct eTariff metadata of PJM Rate Schedule 48, the PJM-DOE Reliability Services Agreement, which is

incorrectly connected to PJM Rate Schedule 47, the Service Level Agreement between PJM and Monitoring Analytics. PJM requested for the ministerial clean-up to the metadata to become effective as of December 1, 2018.

On January 2, 2026, in Docket No. ER26-455-000, PJM submitted a motion for leave to answer and answer in response to protests on its Tariff revisions stemming from the periodic review of certain Reliability Pricing Model auction parameters.

On December 31, 2025, in Docket No. ER26-880-000, PJM submitted a motion to intervene and comments in support of the request for limited waiver to extend the retention of CIRs and expedited consideration of AES WR LP.

On December 29, 2025, in Docket No. ER26-899-000, PJM submitted revisions to PJM Tariff, Schedule 12 – Appendix, Schedule 12 – Appendix A, and Schedule 12 – Appendix C to update annual cost responsibility assignments for Regional Facilities, Necessary Lower Voltage Facilities, Lower Voltage Facilities, and State Agreement Public Policy Projects, consistent with PJM Tariff, Schedule 12. This filing also includes minor ministerial clean-up revisions to Schedule 12 – Appendix, section 14. PJM requested the revisions to the annual cost assignments be effective as of January 1, 2026, and that the ministerial clean-up changes be effective as of January 1, 2024.

On December 23, 2025, in Docket No. ER26-695-000, PJM submitted an answer to the comments in support filed by PPL Electric Utilities Corporation for the limited purpose of clarifying the issues in this proceeding.

On December 22, 2025, in Docket No. ER26-604-000, PJM submitted an answer to the comments filed by PPL Electric Utilities for the limited purpose of clarifying the issues in this proceeding.

On December 22, 2025, in New Jersey Board of Public Utilities (BPU) Docket No. Q020100630, PJM submitted a letter agreeing to extend the response deadline for the BPU to provide assurances of its continued commitment to contractual obligations under the State Agreement Approach Agreement. With this filing, PJM agreed to a response deadline of February 3, 2026.

On December 22, 2025, in Docket No. ER26-852-000, PJM submitted revisions to the PJM Tariff and Operating Agreement to improve the dispatch of wind and solar resources through consideration of their Effective Economic Maximum output. PJM requested that the Commission accept these revisions by February 20, 2026. PJM also submitted as part of this filing a clerical and ministerial clean-up to correct, clarify, or make consistent Tariff sheets for PJM's Tariff, Article 1, Definitions E-F and Tariff, Article 1, Definitions R-S that were accepted by the Commission in various dockets with various effective dates.

On December 19, 2025, in Docket No. ER26-846-000, PJM submitted proposed revisions to the PJM Tariff and Operating Agreement to effectuate the participation of a new kind of market participant, known as the Economic Load Response Regulation Only Participant, in PJM's Regulation market. PJM requested that its proposed revisions become effective as of April 1, 2026.

On December 17, 2025, in Docket No. ER26-403-000, PJM filed a motion for leave to answer and answer to the November 21, 2025 comments of the Independent Market Monitor for PJM. PJM requested that the

Commission reject the arguments set forth in the IMM comments and accept PJM's Tariff revisions proposed in its October 31, 2025 filing.

On December 17, 2025, in Docket No. ER26-795-000, 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 November 18, 2025. PJM requested an effective date of March 17, 2026, which is 90 days after the date of this filing, to allow a 30-day comment period.

On December 15, 2025, in Docket No. EL26-30-000, PJM filed an answer to the complaint of the Market Monitoring Unit relating to authority associated with large load additions. PJM urges the Commission to deny the Complaint.

On December 12, 2025, in Docket No. ER26-751-000, PJM submitted a filing in compliance with Order Nos. 1920, 1920-A, and 1920-B to establish a new Long-Term Regional Transmission Planning Protocol in Operating Agreement, Schedule 6-C and compliance revisions to the Regional Transmission Expansion Planning Protocol in Operating Agreement, Schedule 6. PJM requested an extended 40-day comment period, so that comments would be due January 21, 2026.

On December 12, 2025, in Docket No. ER26-744-000, PJM submitted on behalf of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, the current Chair of the Transmission Owners Agreement - Administrative Committee (TOAAC), proposed revisions to the PJM Tariff, Attachment M-3 and Attachment M-5 to comply with Order No. 1920's planning requirements. The TOA-AC is requesting that the revisions to the PJM Tariff be effective as of December 31, 9998.

On December 12, 2025, in Docket No. ER26-389-000, PJM submitted on behalf of Old Dominion Electric Cooperative (ODEC) a supplemental filing to ER25-389 made on October 31, 2025 to include an inadvertently omitted depreciation study.

On December 12, 2025, in Docket No. ER26-743-000, PJM submitted revisions to the RPM Seller Credit Provision in Tariff, Attachment Q. Under the revisions, this form of unsecured credit – available solely for purposes of satisfying RPM Auction Credit requirements and granted to net sellers in PJM's markets – will no longer be an automatic entitlement but may be granted up to the amount calculated under the existing formula, subject to PJM's ongoing credit review. PJM requested an effective date for the Tariff revisions proposal of February 11, 2026.

On December 11, 2025, PJM submitted a compliance report in accordance with the Secretary of Energy of the Department of Energy's Order No. 202-25-10, issued November 25, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4, and measures PJM and Constellation Energy Generation have taken and continue to take to ensure that the Eddystone Units are available to operate for the duration of the Order.

On December 11, 2025, in Docket No. RM26-4-000, PJM submitted reply comments in response to the Commission's Advance Notice of Proposed Rulemaking. The comments add to the record an update on the progress of PJM's generator interconnection reforms and implementation.

On December 8, 2025, in Docket No. RD26-3, PJM submitted joint comments with ERCOT, ISO-NE, MISO, NYISO, and SPP on NERC's November 4, 2025 petition for approval of Reliability Standard MOD-026-2.

On December 9, 2025, in Docket No. EL26-7-000, PJM submitted a motion for leave to answer and answer in response to RWE Clean Energy LLC's December 2, 2025 answer. PJM's answer urges the Commission to reject the complaint filed by RWE Clean Energy LLC in this docket on October 27, 2025 for the reasons specified in PJM's November 17, 2025 answer to the complaint.

On December 8, 2025, in Docket No. EL26-4-000, PJM submitted a motion for leave to answer and answer to the motion for leave to answer and answer of Voltus and Mission:data. In this answer, PJM again requested that the Commission deny the complaint because PJM's Tariff provisions allowing the limited use of estimates of meter data for purposes of demand response settlements for only non-interval metered residential demand response customers is just and reasonable and not unduly discriminatory.