

MC Legal Report
Summary of Significant Filings, Legal Activity
and
Federal Energy Regulatory Commission (Commission) and Court Orders
(Feb. 9, 2026 – Mar. 12, 2026)

ORDERS

On March 6, 2026, in Docket No. ER26-1099-000, the Commission issued a letter order accepting PJM's ministerial clean-up filing to ensure that the eTariff records correctly reflect the language in the PJM Tariff and Operating Agreement. PJM's clean-up revisions become effective on the various effective dates as requested.

On March 6, 2026, in Docket Nos. EL15-18-005, et al., the Commission issued an order addressing: (i) D.C. Circuit's remand of orders on several complaints related to the solution-based distribution factor (SBDFAX) methodology; (ii) a complaint filed by Neptune/LIPA regarding components of the SBDFAX methodology; (iii) a filing by the PJM Transmission Owners (TOs) to amend the SBDFAX methodology; and (iv) a settlement proposal filed by the PJM TOs and Neptune/LIPA. On remand, the Commission found that the de minimis component of the SBDFAX methodology is not just and reasonable, and took action in the proceedings to effect that determination, including requiring PJM to recalculate cost assignments and correct associated billings, with interest, back to June 18, 2015. The Commission also established a paper hearing on the application of the SBDFAX methodology to transmission facilities addressing short circuit reliability violations.

On March 3, 2026, in Docket No. ER25-2687-000, the Commission issued an order accepting PJM's compliance with Order No. 676-K to (1) incorporate by reference the latest version of the Standards for Business Practices and Communication Protocols for Public Utilities adopted by the Wholesale Electric Quadrant (WEQ) of the North American Energy Standards Board (NAESB) and (2) request a continued waiver of certain WEQ NAESB Business Practice Standards previously granted by the Commission. PJM's Tariff revisions become effective as of February 27, 2026 for the Cybersecurity Business Practice Standards in WEQ-024 and August 27, 2026 for the remainder of the Version 004 of the WEQ NAESB Business Practice Standards.

On March 2, 2026, in Docket No. ER26-795-000, the Commission issued an order accepting PJM's 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. The effective date will be March 17, 2026.

On February 27, 2026, in Docket No. ER26-899-000, the Commission issued an order accepting PJM's 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 included minor ministerial clean-up revisions to Schedule 12 – Appendix, section 14. PJM's revisions to the annual cost assignments are effective as of January 1, 2026, and the ministerial clean-up changes are effective as of January 1, 2024 and January 1, 2025.

On February 25, 2026, in Docket No. ER26-955-000, the Commission issued a letter order accepting PJM's ministerial clean-up filing to correct eTariff metadata of PJM Rate Schedule 48, the PJM-DOE Reliability Services Agreement, which was incorrectly connected to PJM Rate Schedule 47, the Service Level Agreement between PJM and Monitoring Analytics. PJM's ministerial clean-up revisions to the metadata are effective as of December 1, 2018.

On February 23, 2026, 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), Department of Energy Order 202-25-8 (August 28, 2025), and Department of Energy Order 202-25-10 (November 25, 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 on February 24, 2026 and expires on May 24, 2026.

On February 20, 2026, in Docket Nos. EL25-49-002, AD24-11-001, and EL25-20-001, the Commission issued an order denying rehearing by operation of law and providing for further consideration to address any requests for rehearing in a future order.

On February 20, 2026, in Docket No. ER26-852-000, the Commission accepted PJM's 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, as well as an included 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. The revisions are accepted with various effective dates.

On February 10, 2026, in DC Circuit Case No. 25-1091, the US Court of Appeals for the District of Columbia issued an opinion that denies Affirmed Energy's appeal of the Commission's order sunsetting the participation of energy efficiency resources from PJM's capacity market.

FILINGS

On March 11, 2026, PJM submitted a compliance report in accordance with the Secretary of Energy of the Department of Energy's Order No. 202-26-17, issued February 23, 2026. 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 March 9, 2026, in Docket Nos. EL25-49-000, et al., PJM submitted its response to Constellation Energy Generation, LLC's motion for leave to answer and their request for clarification or, in the alternative, rehearing seeking rehearing of the Commission's December 18 Order on Co-Located Load. PJM's answer explains that the Commission correctly required Generation Capacity Resources to relinquish Capacity Interconnection Rights when serving Co-Located Loads that do not receive Network Integration Transmission Service.

On March 9, 2026, in Docket Nos. EL25-49-000 and -001, PJM submitted a second supplemental informational report providing updates on the timeline and stakeholder process for the development of the

reliability backstop mechanism per the Commission's directives in its December 18, 2025 Order and PJM's commitment to keep the Commission informed of the timeline in the February 23, 2026 Supplemental Informational Report in this proceeding.

On March 6, 2026, in Docket No. ER26-1655-000, PJM submitted on behalf of Grid Growth Ohio EVH, LLC and Grid Growth Ohio, LLC a filing that includes formula rate templates, implementation protocols and requests for authorization of transmission rate incentives. Grid Growth Ohio EHV and Grid Growth Ohio are asking for an effective date of May 6, 2026.

On March 6, 2026, in Docket No. ER26-846-001, PJM submitted a response to the Commission's deficiency notice on PJM's Tariff and Operating Agreement revisions to permit net energy metered resources to participate in the regulation market with injections. PJM continued to request an effective of April 1, 2026 for the Tariff revisions proposal as originally requested.

On March 4, 2026, PJM submitted its Black Start Capital Recovery Factors Refund Report Filing in accordance with Section 2.3 of the Settlement Agreement approved by the Commission on October 23, 2025.

On February 27, 2026, in Docket No. ER26-1020-000, PJM filed a motion for leave to answer and answer in response to the answer submitted by SunEnergy1, LLC and SE1 Devco, LLC (SE1) (on behalf of their affiliates Murphy Solar, LLC and Bells Solar, LLC) on February 17, 2026. The answer responds to arguments raised in SE1's answer and reiterates that the Commission should deny waiver as it would cause harm to third parties, is not of limited scope, and does not resolve a concrete problem.

On February 27, 2026, in Docket No. EL26-39-000, PJM electronically submitted to the Commission a motion for leave to answer and answer to the answer submitted by Gaston Green Acres Solar, LLC and Bethel NC Hwy 11 Solar, LLC on February 12, 2026. PJM's answer asks the Commission to reject the Complaint and Complainants' answer because Complainants' allegations that PJM's Tariff is unjust and unreasonable remain unsubstantiated, the refund Complainants request would violate the filed rate doctrine, and Complainants mischaracterize PJM's response to their alternative relief and do not connect that alternative relief to their principal allegations.

On February 27, 2026, in Docket No. ER26-1563-000, PJM filed proposed revisions to its Tariff to add an Expedited Interconnection Track (EIT). The proposed EIT will be a separate process that will run in parallel with PJM's Cycle Process for generation interconnection, studying up to 10 projects that meet certain eligibility requirements per calendar year.

On February 27, 2026, in Docket Nos. ER25-2129-002 and EL25-94-001, PJM submitted on behalf of Commonwealth Edison Co. a Joint Settlement Agreement including agreed revisions to PJM Tariff, Attachment H-13A to clarify the rate treatment of Asset Retirement Obligations. The Settlement Agreement requests that the revisions to PJM Tariff Attachment H-13A be effective as of January 1, 2026.

On February 27, 2026, in Docket No. ER26-1556-000, PJM submitted the Tariff revisions proposal to extend the existing price collar for RPM Auctions associated with the 2028/2029 and 2029/2030 Delivery Years. PJM requested for a waiver of the 60-days' notice requirement to allow for the Tariff revisions to become effective on March 31, 2026 in the event the Commission denies the pending and related waiver request in Docket No. ER26-1432-000.

On February 27, 2026, in Docket No ER26-1543-000, PJM submitted on behalf of Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company, Wheeling Power Company AEP Appalachian Transmission Company Inc., AEP Indiana Michigan Transmission Company Inc., AEP Kentucky Transmission Company Inc., AEP Ohio Transmission Company Inc., and AEP West Virginia Transmission Company Inc. (collectively AEP East Companies) modifications to Attachments H-14B Part I, H-20B Part I, and H-20B Part II of the PJM Tariff to reflect changes to the Uniform System of Accounts (USofA) adopted by the Commission in Order No. 898. The AEP East Companies request that the revisions be effective January 1, 2025.

On February 25, 2026, in Docket No. ER26-1504-000, PJM submitted on behalf of Jersey Central Power & Light Company (JCP&L) a filing to request recovery through JCP&L's existing formula rate of 50 percent of the total costs it incurred toward construction of the Montville-Whippany 230 kilovolt transmission line project (the Project), prior to PJM's cancellation of the Project on February 26, 2025. JCP&L is requesting that the Federal Energy Regulatory Commission issue an order authorizing recovery of these costs effective April 28, 2026.

On February 24, 2026, in Docket Nos. EL25-49-000, EL25-49-001, ER26-1479-000, AD24-11-000, and EL25-20-000, PJM submitted notice of its February 23, 2026 compliance filing in Docket No. ER26-1479-000, in compliance with the Commission's directives in its December 18, 2025 order.

On February 24, 2026, in Docket No. ER24-2564-001, PJM submitted on behalf of Mid-Atlantic Offshore Development, LLC (MAOD) for filing the settlement materials described below, which include a revised formula rate template (Formula Rate Template) and implementation protocols (Protocols) for MAOD's transmission facilities located within the PJM region.

On February 23, 2026, in Docket Nos. EL25-49-000, EL25-49-001, AD24-11-000, and EL25-20-000, PJM submitted its Initial Brief, which, among other topics, (i) answers the Commission's briefing questions regarding new transmission services applicable to Eligible Customers serving Co-Located Load and (ii) provides illustrative Tariff language for the non-rate terms and conditions applicable to those transmission services.

On February 23, 2026, in Docket Nos. EL25-49-000 and -001, PJM submitted a supplemental informational report on the timeline and stakeholder process for the development of the reliability backstop mechanism per the Commission's directives in its December 18, 2025 Order and PJM's commitment to provide this supplemental informational report in its January 20, 2026 Informational Report in this proceeding.

On February 23, 2026, in Docket No. ER26-1479-000, PJM submitted a compliance filing, which includes Tariff revisions to comply with the Commission's Order on Show Cause Proceeding related to Co-Located Load in Docket Nos. EL25-49-000, EL25-49-001, AD24-11-000, and EL25-20-000. These include revisions to a range of provisions in PJM's Tariff, including changes for behind-the-meter generation, transmission services, necessary studies procedures, and interconnection procedures.

On February 20, 2026, in Docket No. ER26-1449-000, PJM submitted on behalf of Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company, and Wheeling Power Company (collectively AEP East Operating Companies) its

quadrennial update of the base Post-employment Benefits other than Pensions expense as contemplated in the Commission-approved settlement establishing the formula rate in Attachment H-14 of the PJM Tariff. The AEP East Operating Companies request that the update be effective as of April 22, 2026.

On February 18, 2026, in Docket No. ER22-2359-005, PJM submitted its Motion to Deem Informational Report Filed February 2, 2026 to confirm that the February 18, 2026 informational report filed in eTariff be recognized as having been filed on February 2, 2026.

On February 18, 2025, in Docket No. ER26-1432-000, PJM submitted a Request for Prospective Waiver, a Shortened Nine-Day Comment Period and Expedited Action on Prospective Waiver to extend the deadline to post the relevant Variable Resource Requirement Curves by 35 days.

On February 18, 2026, in Docket No. ER26-1426-000, PJM submitted on behalf of Duquesne Light Company revisions/modifications to PJM Tariff, section Attachment H-17A to conform references in the DLC Formula Rate to changes in the FERC Form No. 1 made by the Commission in Order No. 898. Duquesne Light Company is requesting that the revisions to PJM Tariff, section Attachment H-17A be effective as of January 1, 2025.

On February 17, 2026, in Docket Nos. ER26-751-000 and ER26-744-000, PJM filed an answer to protests and comments addressing its December 2025 filing to comply with Order Nos. 1920, 1920-A, and 1920-B. PJM also answered protests and comments addressing the PJM Transmission Owners' December 2025 compliance filing, which proposed revisions to Attachment M-3 and a new Attachment M-5.

On February 13, 2026, 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 February 2, 2026, in Docket No. ER22-2359-000, PJM submitted its informational filing to provide a precise effective date of March 4, 2026 for its February 28, 2025 Order No. 881 and 881-A filing as accepted by the Commission's March 31, 2025 order.