UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Midcontinent Independent System Operator, Inc.	**)** **)**	**Docket No. ER26-3650-000**

PROTEST OF SIERRA CLUB, NATURAL RESOURCES DEFENSE COUNCIL, ENVIRONMENTAL LAW AND POLICY CENTER, CLEAN WISCONSIN, UNION OF CONCERNED SCIENTISTS, SUSTAINABLE FERC PROJECT, AND FRESH ENERGY

Pursuant to Rule 211 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure,[1] Sierra Club, Natural Resources Defense Council, Environmental Law and Policy Center, Clean Wisconsin, Union of Concerned Scientists, Sustainable FERC Project, and Fresh Energy (collectively Public Interest Organizations, or "PIOs") protest the August 28, 2026 filing of the Midcontinent Independent System Operator, Inc. ("MISO") proposing Interconnection Reliability Requirements for Large Loads ("IRR Filing").[2]

I. Introduction

PIOs support enforceable requirements that prevent large loads from imposing avoidable reliability costs on other customers, causing increased reliability risk, or triggering reliability violations. MISO's filing, however, does not meet that goal. MISO has submitted tariff revisions that give at least 30 gigawatts ("GW") of large load, though likely more, an unrestricted ability to ramp at eye-watering speeds and trip offline unexpectedly, causing voltage and frequency instability. Some amount of large load is also free to take these actions without providing advanced notice to MISO, and without MISO even having insight into the load configuration or operating capabilities. What requirements do exist would be hampered by limited enforcement

[1] 18 C.F.R. § 385.211.
[2] MISO's Interconnection Reliability Requirements for Large Loads, Docket No. ER26-3650, Accession No. 20260828-5278 (Aug. 28, 2026) [hereinafter "IRR Filing"].

ability, as MISO proposes to put most of the critical restrictions of the IRR Filing in Business Practices Manuals ("BPMs"). Ultimately, MISO's proposed tariff revisions are not just and reasonable. The Commission should reject them.

II. Argument

A. The Commission should not allow broad exemptions from reliability requirements for existing and planned large loads.

MISO proposes two broad categories of large loads which will receive automatic exemptions from some or all of the proposed reliability requirements: 1) large loads with a Service Commencement Date on or prior to December 4, 2026 will be entirely exempt from any reliability requirements (a status MISO designates as "Fully Exempt"), and 2) large loads associated with transmission projects either approved for MTEP 2026 or submitted for EPR review prior to June 18, 2026 will be exempt from ride-through and ramp requirements (a status MISO designates as "Partially Exempt").[3] In this filing, MISO does not quantify the amount of load that will be subject to each of these exemption categories, but in MISO's August 12, 2026 Large Load Working Group, MISO staff estimated that a jaw-dropping 30 GW of then-existing or proposed load would fall into one of these two categories and thus be exempt from some or all requirements.[4]

MISO's proposed exemptions go far beyond what the Commission's Show Cause Order[5] directed, represent a broad cost shift from large loads to other MISO customers, and threaten

[3] IRR Filing, Tab A Tariff Redline at 37A(II). MISO also proposed a third category of exemptions from ride-through requirements which MISO would be permitted to grant at its discretion. IRR Redline at 37(A)(II)(2)(b)(ii). PIOs also have significant concerns with this third category of exemptions, *see infra* 11-12, 19-20, but discuss it separately as it is not an automatic exemption.
[4] *See* Declaration of Andrew Siebenaler, Attachment A, at 1. As Mr. Siebenaler explains, this amount would represent roughly 20% of MISO's peak summer demand with the new large loads in-service, or more than 24% of its current peak summer demand. *Id* at 3.
[5] *Midcontinent Indep. Sys. Operator, Inc.,* 195 FERC ¶ 61,212 (June 18, 2026).

reliability in the region and across the Eastern Interconnect. Moreover, MISO's proposal to allow a portion of exempted load to retain broad exemptions even when there are material modifications to the load creates a Grand Canyon-sized loophole that could allow unknown amounts of large load to ignore reliability requirements. On these bases alone, MISO's IRR Filing is not just and reasonable and should be rejected.

1. Categorically exempting some large loads from reliability requirements creates reliability concerns.

The North American Electric Reliability Corporation ("NERC") has identified the numerous reliability challenges that large loads in general, and computational loads particularly, can cause in bulk power system operation and planning.

MISO stated in the August 12, 2026, Large Load Working Group that approximately 30 GW of large load would be exempted from reliability requirements. But MISO has not shared, either in this filing or in the stakeholder process, how much load it expects to be online as of December 4, 2026 and thus fully exempted from requirements, how much load it expects to be partially exempted, how much of the exempted load is computational load, or, critically, if MISO has conducted any studies or analysis of the reliability impact of its proposed exemptions. Without this information, MISO cannot meet its burden of showing that its filing is just and reasonable. And there are numerous reasons to think that this significant amount of *at least* 30 GW of exempt load could cause reliability concerns.

NERC recognizes that many computational loads ramp at a rate beyond what spinning generators can provide.[6] Without quantifying the amount of large load that will be subject to

[6] NERC, *Characteristics and Risks of Emerging Large Loads: Large Loads Task Force White Pape*r at 19 (July 2025), *available at:* https://www.nerc.com/globalassets/who-we-are/standing-committees/rstc/3_doc_white-paper-characteristics-and-risks-of-emerging-large-loads.pdf?_sp=75c20315-b4f2-4253-8dbd-1241008d09d2 [hereinafter "Characteristics and Risks of Large Loads"].

exemptions and comparing it to the amount of battery ramp capacity in MISO,[7] it is entirely possible that MISO will permit operation of more fast ramping inverter-based load without ramp limitations than fast ramping generation exists in MISO's markets. This deficit is especially dire as MISO has recognized that its current reserve product construct might not result in all reserve products being deliverable.[8] And moreover, ramp rates for computational load may exceed what generators that offer into the ramp market are obligated to offer.[9] Allowing an unknown amount of computational load to operate without ramp limits could result in load shed or system collapse if generators cannot ramp to match demand.[10] Such an outcome would not be just and reasonable.

Similarly, NERC has found that computational loads can pose significant threats to system frequency and voltage stability if they are not properly configured to ride through minor disturbances. Computational load tripping offline (referred to by NERC as "customer initiated load reduction" or "CILR" events) can increase the impacts of a disturbance or even lead to cascading power outages. These concerns are not hypothetical. PJM recently narrowly averted blackouts when 3.8 GW of load–a mere tenth of the load MISO proposes to exempt–tripped offline instantaneously.[11] The region required more than ten minutes to recover, which is thirty

[7] MISO currently does not allow wind or solar resources to provide ramping services. *See* MISO Tariff, Definitions - U, Up and Down Ramp Capability Qualified Resource (defining resources qualified to provide up and down ramp capabilities as "[a] Generation Resource that is not a Dispatchable Intermittent Resource…"). As such, inverter-based ramp resources are limited to battery energy storage systems.
[8] MISO Market Subcommittee, Enhance Reserve Deliverability for DA and RT Market (MSC-2026-2) Slidedeck at 27 (July 9, 2026), *available at:* https://cdn.misoenergy.org/20260709%20MSC%20Item%2012%20Enhance%20Reserve%20Deliverability%20for%20DA%20and%20RT%20Market%20(MSC-2026-2)767388.pdf.
[9] *See* MISO Tariff, Module C, § 40.2.5.e, "Values in Offers" (requiring that reserve product offers "shall reflect the actual known physical capabilities and characteristics of the Generation Resources and/or Demand Response Resources - Type II on which the Offer is based…"); NERC, Characteristics and Risks of Large Loads at 19 (noting that many generators cannot match computational load ramp rates).
[10] NERC, Characteristics and Risks of Large Loads at 19.
[11] Devin Leith-Yessian, "Va. Data Center Ride-through Performance Faulted for July Voltage Disturbance," RTO Insider (Aug. 12, 2026), *available at:* https://www.rtoinsider.com/138974-va-data-

times longer than what is typically acceptable.[12] And in Texas, ERCOT recorded 26 instances of computational load CILR events of at least 100 MW between January 2023 and September 2025.[13] MISO does not present any studies or assurances that the final amount of load which will be Partially or Fully Exempt from ride through requirements will not pose a threat to reliability. Allowing a distinct class of load to cause reliability violations and to shift the cost of mitigation to all other load is not just and reasonable.[14]

The reliability concerns associated with these broad exemptions are exacerbated by MISO's decision to exempt load with an in-service date before December 4, 2026 from *all* reliability requirements, including informational requirements.[15] As NERC explains, "[w]ithout the proper data to simulate and characterize large loads, grid planners and operators will be unable to accurately model large loads, leading to inaccurate analysis of BPS reliability and uninformed decisions when planning and operating the grid."[16] Notably, NERC recognizes that data sharing is critical not just at the interconnection stage, which will have already passed by the effective date of the tariff, but also at the commissioning and operations stage.[17] The result is that

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center-ride-through-performance-faulted-july-voltage-disturbance/; *See also* Declaration of Andrew Siebenaler, Attachment A, at 3.

[12] Declaration of Andrew Siebenaler, Attachment A, at 3.

[13] NERC, Incident Review Voltage-Sensitive Crypto Load Reductions at 2, *available at:* https://www.nerc.com/globalassets/our-work/reports/event-reports/incident_review_considering_voltage-sensitive_crypto_load_reductions.pdf.

[14] *See, e.g., PJM Interconnection, L.L.C.,*193 FERC ¶ 61,217, at P 186 (2025) (finding that PJM's behind the meter generation tariff provisions were unjust and unreasonable because the tariff did not provide any protections against the costs of maintaining sufficient resources to serve large loads with behind the meter generation being shifted onto other customers).

[15] IRR Filing, Tab A Tariff Redline at 37A(II)(2)(a) (exempting Fully Exempt large loads "from all requirements set forth in this Section 37A").

[16] NERC, *Risk Mitigation for Emerging Large Loads, Large Loads Working Group Reliability Guideline* at 1 (May 2026), *available at:* https://www.nerc.com/globalassets/our-work/guidelines/reliability/RG_Risk-Mitigation-For-Emerging-Large-Loads.pdf [hereinafter "Risk Mitigation for Large Loads"]; *See also id.* at 6 ("Accurate dynamic models of large load facilities are required to understand reliability implications and potential mitigations.").

[17] *Id.* at 1.

"MISO will not be capable of evaluating and mitigating the reliability risk of computational loads on its system if it exempts significant amounts of large load from information sharing requirements," and that there is an "imminent reliability risk to the MISO footprint."[18]

MISO's exemption scheme threatens significant reliability concerns, and, as a result, the IRR Filing is not just and reasonable.

2. Categorically exempting some loads improperly shifts costs.

As discussed above, large loads create significant impacts on system resource needs. Computational load can ramp at extreme rates, cause frequency disturbances, and impact system voltage. Uncertainty around large load characteristics and operating parameters can also increase the risk of short term load forecasting errors, which, in turn, increases the risk of under- or over-scheduling and dispatching generation resources.[19] To the extent these concerns are able to be mitigated outside of reliability requirements for the large loads, mitigation will result in increased costs for other MISO customers. Over-scheduling of generation resources and clearing more ramp resources can mitigate some concerns associated with insufficient ramp but will result in higher energy and ancillary services clearing prices for all customers, even though the issues themselves are caused by the exempted large loads alone. Similarly, voltage issues can be mitigated to some extent by installing static VAR devices or synchronous condensers.[20] But the costs for these interventions would not be allocated to the cost-causing large loads that necessitated the interventions.

The Commission and courts have long held that a just and reasonable rate must meet the "cost-causation" principle.[21] The principle requires that "all approved rates must reflect to some

[18] Declaration of Andrew Siebenaler, Attachment A, at 4.
[19] NERC, Characteristics and Risks of Large Loads at 18.
[20] NERC, Risk Mitigation for Emerging Large Loads at 26.
[21] *El Paso Elec. Co. v. FERC*, 76 F.4th 352, 357 (5th Cir. 2023).

degree the costs actually caused by the customer who must pay them"[22] To implement the principle, courts and the Commission "compar[e] the costs assessed against a party to the burdens imposed or benefits drawn by that party."[23] To meet the cost causation principle, and for the IRR Filing to be just and reasonable, large loads must pay for any reliability costs they impose on the transmission system.

PIOs recognize that MISO intends to submit a 205 filing in November addressing "transparency concerning the Network Upgrade costs and cost shift concerns."[24] Such a filing might ameliorate the cost shift concerns discussed here. But that filing is not before the Commission, and, taken alone, the IRR Filing violates the cost causation principle. PIOs note many of MISO's 205 filings in response to the Show Cause Order will likely only be just and reasonable when considered in context with the other filings. PIOs therefore suggest that the Commission direct MISO to clarify whether it would be better able to meet the spirit of the Show Cause Order if it had leave to amend its filing schedule and present all 205 filings in response to the Show Cause Order jointly. PIOs also note that having tariff revisions in response to the Show Cause Order filed in the Show Cause docket under the auspices of a 206 proceeding might allow for more rapid tariff development by allowing the Commission the opportunity to rectify the issues noted in this protest.

[22] *City of Lincoln v. FERC,* 89 F.4th 926, 930 (D.C. Cir. 2024) (cleaned up).
[23] *Midwest ISO Transmission Owners v. FERC*, 373 F.3d 1361, 1368 (D.C. Cir. 2004).
[24] *Midcontinent Indep. Sys. Operator, Inc., et al.,* Motion of the Midcontinent Independent System Operator, Inc. and the MISO Transmission Owners to Hold Proceeding in Abeyance and Request for Shortened Comment Period and Expedited Treatment, Docket No. EL26-70, Accession No. 20260803-5249, at 12 (Aug. 8, 2026).

3. The IRR Filing does not make clear when load modifications remove exemptions.

As written, the IRR Filing is impermissibly vague with regards to how modifications will impact a large load's exemption status.[25] The proposed tariff provisions state that "[a] Large Load that has a Service Commencement Date on or prior to December 4, 2026, shall be exempt from all requirements set forth in this Section 37A with respect to the portion of the Large Load that has procured Transmission Service as of the Service Commencement Date."[26] But MISO never defines what constitutes a "portion" of a large load. Would replacing equipment with identical operating characteristics create a new portion of the large load? Would changing the operating characteristics of existing equipment constitute a new portion of a load? What of installing wholly new equipment while ensuring that the total maximum demand of the large load does not change?

At earlier points in the stakeholder process, MISO indicated an intent to have "any modification or series of modifications to the Large Load that results in a cumulative increase in Demand of 25 MW or more" subject the incremental load to all applicable requirements of Section 37A.[27] If that is still MISO's intended policy, the proposed tariff submitted will not implement it. As discussed above, for Fully Exempt loads, the IRR Filing states that "[a]ny

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[25] The Commission has regularly held that unclear tariff terms are unjust and unreasonable. *See Boston Edison Co.,* 98 FERC ¶ 61,292, at P 21 (2002) ("The Commission also has an interest in ensuring that tariffs clearly, completely and unambiguously identify services, rates and terms and conditions. The Commission thus frequently rejects proposed tariff language as unclear. It is the responsibility of the applicant to demonstrate that its proposed tariff achieves these objectives."); *see also Dominion Energy Mktg. v. ISO New Eng., Inc.,* 155 FERC ¶ 61,121, at P 17 ("We find that ISO-NE's existing Tariff is unclear as to whether new incremental capacity and existing capacity at the same generating station must submit a composite offer in order to participate in the [Forward Capacity Auction]. As a result of this lack of clarity, the Tariff fails to provide adequate notice of what the requirement is and, thus, we find the Tariff is unjust and unreasonable.").

[26] IRR Filing, Tab A Tariff Redline at 37A(II)(2)(a).

[27] MISO, Large Load Interconnection Reliability Requirements (LLWG) Slidedeck at 12 (July 21, 2026), *available at:* https://cdn.misoenergy.org/20260727%20LLWG%20Item%2003%20Interconnection%20Reliability%20Requirements%20(LLWG-2026-3)_Presentation770291.pdf.

modification or series of modifications to a Load that meets the MTEP/EPR Condition, which results in a cumulative increase of 25 MW or more in Transmission Service for such Load and with a Service Commencement Date after December 4, 2026, shall be subject to subsection (2)(b) below."[28] But the IRR Filing does not state what happens for any modification or modifications to the load that does not meet the MTEP/EPR condition. Notably, that would include *any* modifications to the load which are proposed after December 4, 2026.[29] And while Partially Exempt status applies to a "Large Load, or a portion of a Large Load" that meets the MTEP/EPR Condition, 37A(II)(2)(b) does not contain a MW threshold or other criteria that spells out what would result in a "portion" of a large load being considered distinct.[30]

Even if MISO were to add clarifying language stating that an addition of 25 MW or more to a load creates a new "portion" of a large load subject to the full reliability requirements, MISO's proposal would not be just and reasonable. Merely using a MW threshold to describe changes to large loads would allow significant marginal costs to be imposed on the system by Fully Exempt loads. As MISO explained, different load has different reliability risks, with computational load imposing significant ramp and ride through concerns that non-computational load does not impose.[31] If a new "portion" of a large load is only created when a load increases its maximum demand, a large load steel mill could convert to an AI data center of the same maximum demand while retaining full exemption from reliability requirements. And what is more, MISO would have no visibility into the change in operational characteristics before it occurred because the obligation to note "[a]ny changes to the characteristics of a Large Load

[28] IRR Filing, Tab A Tariff Redline at 37A(II)(2)(a).
[29] *Id.* at 37A(II)(1).
[30] *Id.* at 37A(II)(2)(b).
[31] IRR Filing, Transmittal Letter at 11.

and/or Large Load Equipment, including any changes to the modeling details for the Large Load" is a requirement from which Fully Exempt loads are exempt.[32]

4. It is not clear how a *portion* of a large load can comply with the requirements.

Even if the tariff provided an explanation of what constitutes a new "portion" of a large load that was both clear and just and reasonable, the tariff is not sufficiently clear regarding how only a portion of a large load can comply with the requirements while the rest is exempted in whole or in part. Take, for example, Section 37A.1, which requires that the Transmission Customer provide MISO with "one-line diagrams, and a description of the electrical characteristics of the Large Load for *all* Large Load Equipment."[33] If a Fully Exempt large load develops a non-exempt portion, how would a Transmission Customer be able to provide diagrams of all large load equipment, while simultaneously respecting the exemption provision? Similarly, 37A.2 requires "verified and *complete* electrical models of the Large Load."[34]

If a Fully Exempt or Partially Exempt large load adds a non-exempt portion behind the same point of withdrawal, it is impossible to verify if the portion of the load subject to the ride-through requirements of Section 37A.6 met its requirements to stay connected during a voltage or frequency disturbance while the exempt portion of the same load tripped offline. Or consider a 500 MW facility consisting of a 250 MW exempt portion and a 250 MW non-exempt portion behind the same meter. If the facility as a whole ramped at a rate of 250 MW per second, how would MISO determine which "portion" of the facility ramped and if the ramp limits were violated? Similar questions arise regarding the Large Load Audit Rights in Section 37A.8. MISO will have no way to confirm if a large load is inappropriately withholding data contrary to the

[32] IRR Filing, Tab A Tariff Redline at 37A.1; *see also* IRR Filing, Tab A Tariff Redline at 37A(II)(2)(a) (exempting Fully Exempt loads from all requirements).
[33] *Id.* at 37A.1 (emphasis added).
[34] *Id.* at 37A.2 (emphasis added).

terms of the tariff, or if data is not subject to audit rights because it is associated with the portion of the load which is Fully Exempt.

Ultimately, some, although not all, of these issues could be mitigated with clear definitions on what constitutes a new portion of a large load, and requirements that new portions be separately metered with separate telemetry and data recording equipment than any other portion. But such provisions are not in the tariff IRR Filing MISO submitted.[35] Accordingly, MISO's filing is not just and reasonable.

5. The discretionary ride-through exemption for projects submitted between June 19, 2026, and October 31, 2026 will create a speculative submission rush.

MISO proposes to create a third category of discretionary exemptions from ride through requirements if a large load has "not met the MTEP/EPR Condition but has submitted Load associated with a transmission project to the Transmission Provider for EPR on or after June 19, 2026, but on or before October 31, 2026."[36] While PIOs raise broader concerns with the provision below,[37] the provision is also problematic in that it will encourage large load developers to submit speculative load interconnection requests in the hope of taking advantage of the time-limited exception. Whatever the justification of providing exemptions for projects that have already taken concrete steps to interconnect, allowing projects to seek exemptions until October 31, 2026 is only likely to fuel speculative load requests. The Commission found in the Show Cause Order "that there may be speculative transmission service requests by Eligible Customers on behalf of large loads that could result in cost shifting among transmission

[35] The Commission has previously found that metering requirements must be filed in RTO tariffs, pursuant to the rule of reason. *See* Order No. 2222, Participation of Distributed Energy Resource Aggregations in Markets Operated by Regional Transmission Organizations and Independent System Operators, Docket No. RM18-9, 172 FERC ¶ 61,247, at P 271 (2020).
[36] IRR Filing, Tab A Tariff Redline at 37A(II)(2)(b)(ii).
[37] *See infra* at 19-20.

customers, which may lead to unjust and unreasonable increases in jurisdictional transmission rates" in MISO.[38] Because the IRR Filing creates even more incentives to submit such speculative transmission service requests, the filing is unjust and unreasonable.

6. It is ambiguous if MISO would be able to subject exempted large loads to requirements before they cause reliability issues.

The reliability impacts discussed above could create significant reliability risks in the MISO system. And while the proposed tariff language does allow MISO to subject otherwise exempt or partially exempt load to reliability requirements, the proposed tariff, as drafted, is ambiguous regarding whether MISO is able to impose the requirements before the large load has caused reliability issues. The proposed tariff provides that MISO may subject otherwise exempt or partially exempt load to a reliability requirement if MISO "determines that operation of a Large Load results in a material adverse effect on Transmission System reliability."[39] Instead of using language that would clearly allow imposition of reliability requirements if MISO determines that operation of a large load *may* result in adverse reliability impacts, MISO's proposed tariff provision makes it unclear if MISO can impose any reliability requirements until after a large load operates in a manner that "results" in a material adverse impact on reliability.

Disturbingly, Ms. Li's testimony also suggests MISO would only be allowed to impose requirements *after* a large load has impacted reliability. Ms. Li testified that MISO's so-called transition framework "preserv[es] MISO's ability to address *demonstrated* material adverse impacts to Transmission System reliability."[40] To the extent the tariff allows otherwise exempted or partially exempted large loads to cause reliability issues while MISO's hands are tied, it is

[38] *Midcontinent Indep. Sys. Operator, Inc.,* 195 FERC ¶ 61,212, at P 80.
[39] IRR Filing, Tab A Tariff Redline at 37A(II)(3).
[40] IRR Filing, Tab C, Prepared Direct Testimony of Beibei Li at 23 (emphasis added) [hereinafter "Li Testimony"].

unjust and unreasonable. And to the extent the provision does not do so and is simply vague, it also must be revised.[41]

MISO's IRR Filing also fails to account for how it will handle cases where two or more large loads operating alone would not, individually, result in a material adverse impact on reliability, but where a large loads' behavior interacting with another large load would result in a material adverse impact on reliability. MISO's tariff fails to spell out how MISO will decide which reliability requirements it will require of which load, and how it will allocate compliance obligations amongst the relevant loads.

7. The IRR Filing as drafted both explicitly exempts and explicitly does not exempt a category of large loads from reliability requirements.

MISO's IRR Filing, as written, contains contradictory language regarding the compliance obligations of large loads with a Service Commencement Date on or prior to December 4, 2026, but that did not require associated transmission upgrades in an MTEP cycle or submit a project for EPR review. The proposed tariff revisions state in section 37A(II)(2)(a) that "[a] Large Load that has a Service Commencement Date on or prior to December 4, 2026, shall be exempt from all requirements set forth in this Section 37A with respect to the portion of the Large Load that has procured Transmission Service as of the Service Commencement Date." The proposed tariff revisions state in Section 37A(II)(2)(c) that "[a] Large Load, or a portion of a Large Load, that does not meet the MTEP/EPR Condition shall be subject to all applicable requirements set forth in this Section 37A." Section 37A(II)(1) states that "Load associated with a transmission project shall be defined as meeting the 'MTEP/EPR Condition' if the project has either: (a) been approved by the Transmission Provider Board in MTEP 2026, or a prior MTEP; or, (b) been submitted to the Transmission Provider for Expedited Project Review (EPR) on or prior to June

[41] *See Boston Edison Co.,* 98 FERC ¶ 61,292, at P 21 (2002).

18, 2026, in accordance with Attachment FF of the Tariff." Together, these three provisions create situations that might define a load as both exempt and not exempt. Loads that predated the MISO MTEP process, or loads that interconnected before December 4, 2026 but did not require an associated transmission upgrade in the MTEP to interconnect, will both have not met the MTEP/EPR Condition and thus "be subject to all applicable requirements set forth in this Section 37A" per Section 37A(II)(2)(c), *and also* have had "a Service Commencement Date on or prior to December 4, 2026," and thus "shall be exempt from all requirements set forth in this Section 37A" pursuant to Section 37A(II)(2)(a). Because there is not a proviso giving primacy to either Section 37A(II)(2)(c) or Section 37A(II)(2)(a), some loads might be both exempt and non-exempt. While these contradictory terms are undoubtedly a drafting error, the resulting impossibly conflicting provisions render the tariff proposal, as filed, unjust and unreasonable.

8. MISO's filing goes far beyond what was directed in the Show Cause Order.

a. The Show Cause Order envisioned compliance glide paths for existing and late-stage development large loads, not wholesale exemptions.

MISO justifies its exemptions by pointing to language in the Commission's Show Cause Order directing MISO to propose reasonable implementation periods "to ensure minimal disruption to [] existing commercial arrangements" and to propose mechanisms to allow proposed projects "a reasonable amount of time to finalize ongoing agreements that are nearing completion."[42] MISO improperly reads the Show Cause Order. The Show Cause Order directs MISO to "propose a reasonable *implementation period* to ensure minimal disruption to such existing commercial arrangements."[43] The direction to have an implementation period implies a period after which implementation will be completed and all loads will be subject to new tariff

[42] *Midcontinent Indep. Sys. Operator, Inc.,*195 FERC ¶ 61,212, at P 5.
[43] *Id.*

provisions. The Commission has employed similar implementation period approaches before, when applying reliability standards to inverter based resources.[44]

A reading of the Show Cause Order that would direct MISO to indefinitely exempt some large loads from reliability requirements also fails to read the Show Cause Order as a whole. The Show Cause Order repeatedly emphasized the need for MISO to ensure large loads pay for the costs they impose on the system. The Commission found that "MISO's Tariff appears to be unjust and unreasonable because it lacks adequate mechanisms to mitigate the risk of cost shifting among transmission customers, which may result in unjust and unreasonable rates for transmission service."[45] As discussed above, allowing some loads to dodge reliability requirements will shift costs on to other customers.[46] If the Commission had intended to direct MISO to indefinitely exempt some large loads from reliability requirements, it would have said so in the Show Cause Order. MISO's design here is not required by prior Commission orders.

b. MISO does not justify why existing large loads would face disrupted commercial arrangements from information and modeling requirements.

Even if the Show Cause Order could be interpreted to direct for existing and near-completion large loads to receive exemptions from *some* reliability requirements, MISO does not justify why it exempts existing large loads from *all* reliability requirements. Specifically, MISO

[44] *See N. Am. Elec. Reliability Corp.,*190 FERC ¶ 61,098, at PP 12 (approving the NERC standard), 7 ("NERC describes its proposed implementation plan for Reliability Standards PRC-028-1 and PRC-002-5 as 'a risk-based, phased-in compliance approach' that would require generator owners to implement disturbance monitoring equipment by no later than 2030.") (2025); Accession Number: 20241104-5220 at exhibit B (describing the phased-in implementation plan).

[45] *Midcontinent Indep. Sys. Operator, Inc.,* 195 FERC ¶ 61,212, at P 66. *See also id.*, (See, Comm'r, concurring at 9) ("As we move forward, I'll be looking to ensure cost-recovery agreements contain fair and transparent measures to ensure the right costs get on the right bills."); *id* (Chang, Comm'r, concurring at 6 ("While individual states have been exploring or using various approaches to protect retail customers against unjustified cost shifts, the Commission to date has not initiated any proactive exploration of how to protect wholesale customers against unjustified cost shifts. I am laser-focused on this issue because we should not create unjustified costs for consumers in our efforts to connect and serve large loads.").

[46] *See supra* at 6-7.

does not justify why complying with information and modeling requirements in Sections 37A.1-37A.2 would cause more than a *de minimis* disruption to existing commercial relationships. Instituting the modeling and information requirements would not require installation of any new equipment or facilities. And the Commission has previously found it just and reasonable to make generation resources, including existing generation resources with signed Generator Interconnection Agreements, provide similar information.[47] MISO does not show that excluding some large loads from the reporting requirements of 37A.1 and 37A.2 is just and reasonable.

B. The Commission should ensure harmonization of MISO and NERC requirements.

The Commission has directed NERC to develop large load reliability standards by the end of the year.[48] While PIOs appreciate that the Show Cause Order directed MISO to develop reliability standards within a more compressed timeline than the NERC standards,[49] in light of the Commission's subsequent order directing NERC to develop reliability standards, the Commission should allow MISO to propose reliability standards which can be harmonized with the standards NERC will submit to the Commission. Harmonizing MISO's reliability requirements with NERC's requirements from the start, rather than MISO developing standards it might need to revise to comply with NERC requirements, is preferable on two fronts: first, while MISO regularly focuses on implementing reliability standards, NERC has special expertise in *developing* reliability standards. Second, if MISO's standards are not in line with NERC standards, large load developers and owners might plan for MISO standards, and then be forced

[47] *See N. Am. Elec. Reliability Corp.,*190 FERC ¶ 61,098 (2025).
[48] *Order Directing the North American Electric Reliability Corporation To File Reliability Standard(S) Pertaining to Computational Load Integration*, 196 FERC ¶ 61,031 (2026).
[49] *Midcontinent Indep. Sys. Operator, Inc.,* 195 FERC ¶ 61,212, at P 64 (discussing preliminary finding regarding the need for reliability standards), 196 FERC ¶ 61,133 at 9 (directing that responses to the show cause order be submitted by November 16, 2026).

to make costly or disruptive updates to standards after load sites have already been designed or developed.

MISO recognizes the value of harmonizing NERC and MISO standards in its filing, but avers that "[w]hile NERC processes are underway to develop industry wide guidelines, the MISO region cannot wait to put in place needed interconnection reliability requirements to reliably integrate these near-term Large Loads."[50] While this may be true as a matter of MISO meeting the directive of the Show Cause Order, harmonizing MISO and NERC standards would not significantly delay implementation of reliability requirements. MISO proposes to make its tariff effective as of December 4, 2026, a mere 27 days before NERC will file its standards, and many of the requirements will not be applicable until September 1, 2027.[51] Under MISO's current proposed exemption framework, it is unlikely many, if any, large loads would be subject to MISO's reliability requirements before NERC's requirements are finalized and approved. Large loads that begin service as of December 4 are fully exempt from all reliability requirements in MISO's proposal, and any large loads that come online between December 4 and December 31 would presumably have been subject to the MTEP/EPR condition and therefore only be subject to Large Load Information and Basic Facility Data Requirements, Large Load Modeling Requirements, and Large Load Audit Rights. Moreover, submitting the IRR Filing now does not provide large load developers significant additional time to plan around compliance requirements as compared to waiting to harmonize with NERC requirements. As Ms. Li notes, MISO's Business Practices Manual ("BPM") development timeline has been extended

[50] IRR Filing, Transmittal Letter at 3.

[51] Large Load Information and Basic Facility Data Requirements, Large Load Modeling Requirements, Large Load Ride-Through Requirements, Large Load Ramp Requirements, and Large Load Audit Rights apply as of the effective date of the tariff. Large Load Telemetry Requirements, Large Load Forecast Data Requirements, and Large Load Phasor Measurement Unit Requirements are not applicable until September 1, 2027. *See generally* IRR Filing, Tab A Tariff Redline.

to December 2026.[52] Because MISO has (improperly) decided to place core reliability requirements in the BPMs, large load developers might not even have a month's notice between a final picture of MISO's reliability requirements and NERC's requirements. Altogether, the minimal delay associated with harmonizing MISO and NERC standards would make the temporary imposition of MISO standards that will likely need revision unjust and unreasonable. The Commission should reject the IRR filing on this basis, and make updated findings in the Show Cause docket directing MISO to file revised reliability requirements that harmonize with NERC requirements by the end of January 2027.

C. MISO improperly defers critical details for each requirement to BPMs.

MISO's filing defers significant, core elements of its reliability requirements in each category of requirement to its BPMs. MISO leaves far more than "implementation details" to the BPMs, and in doing so has proposed an unjust and unreasonable tariff.

The Commission determines which terms must be in the tariff, as opposed to a BPM, pursuant to the rule of reason. "The rule of reason requires utilities to file only those practices that affect rates and service significantly, that are realistically susceptible of specification, and that are not so generally understood in any contractual arrangement as to render recitation superfluous."[53] "The tariff need not include mere implementation details."[54] MISO's tariff provisions, as proposed, do not comport with the rule of reason. For ease of navigating each of these inappropriate referrals of substantive tariff provisions to the BPMs, PIOs have organized inappropriate deferral of reliability requirements to the BPM by section:

[52] IRR Filing, Li Testimony at 39.
[53] *City & Cnty. of San Francisco v. FERC*, 24 F.4th 652, 661 (D.C. Cir. 2022) (cleaned up).
[54] *Hecate Energy Greene Cnty. 3 LLC v. FERC*, 72 F.4th 1307, 1312 (D.C. Cir. 2023).

1. 37A(I) Violations of Requirements

Section 37A(I) discusses what happens if a large load fails to comply with the reliability requirements: "Failure to comply with the requirements established in this Section 37A may result in a delayed Service Commencement Date, a period of time needed for corrective action, operational limitations, or other remediation action(s) by Transmission Provider as may be necessary to maintain Transmission System reliability. The process by which Transmission Provider [sic] will determine whether any such measures are appropriate, which may include the period of time during which corrective action must be undertaken, shall be as set forth in the Business Practices Manual for Large Load."[55]

The IRR Filing does not explain at all how MISO will evaluate the reliability risk associated with non-compliance, or do more than vaguely reference "Transmission System reliability" to explain how MISO will determine what consequences result from non-compliance. The process by which MISO considers penalties is clearly susceptible to specification.[56] And given these "operational limitations, or other remediation action(s)" can presumably include actions up to and including disconnection of the load, the penalties available and how they are assessed makes a substantial impact on rates. Under the rule of reason, these terms should be included in a tariff, and not relegated to the BPM.

2. 37A(II)(2)(b)(ii) Ride-Through Requirement Exemptions

Section 37A(II)(2)(b)(ii) allows MISO to exempt large loads from ride-through requirements provided the load submitted an EPR request on or after June 19, 2026, but on or before October 31, 2026. The relevant provision provides MISO may waive the ride-through requirements:

[55] IRR Filing, Tab A Tariff Redline at 37A(I).
[56] *See, e.g.,* MISO Tariff, Attachment FF, Section IX. Variance Analysis.

> based upon a determination that: a) exemption from such requirements would not have an adverse reliability impact; and, b) compliance with such requirements would result in significant costs. The Business Practices Manual for Large Load shall set forth the process and documentation necessary for Transmission Provider to determine whether such criteria have been met.[57]

This section does not meet the rule of reason. What constitutes significant costs, or at least principles of how MISO will determine what constitutes significant costs, are reasonably susceptible of specification. What is a significant cost, especially to a data center willing to spend significant amounts of money to interconnect, is not so self evident so as to be generally understood. And the exemption self-evidently significantly affects rates: the load is only eligible for the waiver if compliance carries "significant costs." The Commission should direct MISO to provide a metric by which it will determine if costs are significant, or at least principles that will guide its determination, in its order rejecting the IRR Filing. For example, a reasonable definition of significant costs could be defined as the greater of either $1 million in marginal costs or 10% marginal increase in cost of the total large load development cost.

3. 37A(II)(2)(b)(iii) imposition of requirements on otherwise exempt load

Section 37A(II)(2)(b)(iii) provides that MISO can, in certain situations, require load that would have otherwise been exempt from some or all reliability requirements nonetheless comply with some or all requirements. The section states that

> [t]he process by which Transmission Provider will make [a determination that operation of a Large Load results in a material adverse effect on Transmission System reliability] and which, if any, of the requirements of this Section 37A are to be applied shall be as set forth in the Business Practices Manual for Large Load.[58]

Here too, MISO leaves too much to the BPM. While the *mechanics* of how MISO collects information and notifies otherwise exempt load that it must meet reliability requirements

[57] IRR Filing, Tab A Tariff Redline at 37(A)(II)(2)(b)(ii).
[58] IRR Filing, Tab A Tariff Redline at 37(A)(II)(3).

is properly the domain of a BPM, the tariff must contain information about how MISO will determine which requirements will apply to the load.

4. 37A.3 Large Load Telemetry Requirements

Section 37A.3 concerns telemetry requirements. But the tariff filing itself defers so much to the BPM that significant questions of which facilities the standards will apply to, and what the standards are, are unanswerable from tariff language. The proposed language provides:

> [i]ndividual metering will be required for all Large Load and any Generation Resource(s) serving such Large Load that is located behind the same Point(s) of Withdrawal to the Transmission System as the Large Load and meeting thresholds outlined in the Business Practices Manual for Large Load. All telemetry shall be provided via Inter-Control Center Communications Protocol (ICCP) and must meet Transmission Provider update requirements as specified in the Business Practices Manual for Large Load.[59]

It is impossible to tell which collocated generation must be individually metered as the "thresholds" for applicable generation are proposed to be located in the BPM. And what metering equipment will be required is also unclear as telemetry update requirements are also located in the BPM. MISO requiring all large loads meeting certain "thresholds" to be individually metered speaks to a clearly specifiable standard, and update requirements for meters are specifiable.[60] As the Commission noted while accepting another MISO filing in June, metering requirements can have "costly and burdensome" impacts on market participants by impacting which meters participants can use.[61] As such, these terms have a significant impact on rates. Because deferring these elements to the BPM would violate the rule of reason, the Commission should reject the IRR Filing.

[59] *Id.* at 37A.3.
[60] *See, e.g.,* MISO Tariff, § 38.2.5(e)(vii)(c) (requiring "[a]ll metering equipment must be capable of storing a minimum of 35-days of hourly intervals for each measured value").
[61] *Midcontinent Indep. Sys. Operator, Inc.,* 195 FERC ¶ 61,210, at P 85 (June 18, 2026).

5. 37A.6 Large Load Ride-Through Requirements

Section 37A.6 concerns ride-through requirements for computational loads. As drafted, however, the section contains no discernable requirements at all:

> A Transmission Customer taking Transmission Service on behalf of a Computational Load shall be responsible for ensuring that the Computational Load remains connected to the Transmission System and continue operation during voltage and frequency disturbances within the performance criteria established by the Transmission Provider in the Business Practices Manual for Large Load.
>
> Ride-through requirements apply at the Point(s) of Withdrawal and may include evaluation, testing, modeling, monitoring, and other compliance measures established by the Transmission Provider in the Business Practices Manual for Large Load.[62]

The IRR Filing does not specify what the requirements actually are, and states that they "*may* include evaluation, testing, modeling, monitoring, and other compliance measures," leaving the actual compliance measures entirely in the BPM. Ride-through standards are capable of specification.[63] And they have a substantial impact on rates, as MISO has stated that exemptions are needed in order to not disrupt commercial arrangements.[64]

6. 37A.7 Large Load Ramp Requirements

Section 37A.7 contains ramp limitations on computational loads. Here too, MISO's proposed tariff language leaves all substantive requirements to the BPM:

> Computational Load shall be subject to up-ramp and down-ramp limits established by the Transmission Provider consistent with the process set forth in the Business Practices Manual for Large Load. The Computational Load must have an effective up and down ramp rate not exceeding the specified limit outlined in the Business Practices Manual for Large Load unless otherwise directed by the Balancing Authority, Reliability Coordinator, or Transmission Operator.[65]

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[62] IRR Filing, Tab A Tariff Redline at 37A.6

[63] *See, e.g.,* MISO Tariff, Attachment X, Appendix 6, Article 9.7.3, "Ride Through Capability and Performance" (requiring generators ride through within the "no trip zone" defined by Reliability Standard PRC024-3).

[64] IRR Filing, Transmittal Letter at 13-14.

[65] IRR Filing, Tab A Tariff Redline at 37A.7.

The default ramp limit is clearly capable of specification; it is a number.[66] And ramp limitations have a significant enough impact on rates that MISO felt it was justified to exempt some load from compliance to avoid disruption to commercial arrangements.[67] Here too, MISO's deferrals to the BPM defy the rule of reason.

III. Conclusion

MISO's IRR Filing creates broad, dangerous exemptions to reliability requirements that MISO proposes to inappropriately house in BPMs. Each of these elements renders MISO's filing unjust and unreasonable. Accordingly, the Commission should reject the filing. Instituting reliability requirements for large loads is critical to ensuring large load interconnection and operation will not result in reliability violations. The proposed standards filed simply do not live up to that important task.

Respectfully submitted,

Dated: September 18, 2026

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[66] NERC suggests that the ramp limit should be specified as a MW/min limit. *See* NERC, Risk Mitigation for Large Loads at n.29.
[67] IRR Filing, Transmittal Letter at 13-14.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 18th day of September, 2026.

/s/ Jonah Baskin

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Attachment A

Declaration of Andrew Siebenaler

I, Andrew Siebenaler, declare as follows:

I. Introduction

1. I am an electrical engineer and the Managing Consultant - Transmission at Energy Futures Group. Energy Futures Group ("EFG") is a clean-energy consulting firm headquartered in Hinesburg, Vermont, with a satellite office in Canton, New York. EFG has two primary areas of practice. The first is in the design, implementation, and evaluation of programs and policies to promote investments in efficiency, renewable energy, other distributed resources, and strategic electrification. The second is in integrated resource planning. transmission planning and related analyses. EFG staff have delivered projects on behalf of energy regulators, government agencies, utilities, and advocacy organizations in at least forty states, eight Canadian provinces, and several countries in Europe.

2. I have worked for fourteen years in transmission planning roles, including at regional organizations, utilities and consulting firms. I have participated in the development of energy policy, transmission plans, and integrated resource plans (IRPs) included in local and regional plans covering the Midcontinent Independent System Operator (MISO), Southwest Power Pool (SPP), and in the state of Colorado. These efforts resulted in filings before utility regulatory bodies in Colorado, Michigan, Minnesota, North Dakota, South Dakota and Wisconsin and at the FERC. I have performed transmission planning analyses for reliability, system stability, nodal production cost analysis for economic transmission development, and served as a Subject Matter Expert in NERC transmission planning compliance efforts across the Mid-Continent Area Power Pool (MAPP) footprint. I received a Bachelor of Science Degree in Electrical and Computer Engineering from the University of Minnesota – Duluth in 2012. My resume, included as Exhibit 1, provides additional detail regarding my professional and educational experience.

3. It is my understanding, based on statements made by MISO staff and MISO stakeholders in the stakeholder process, and based on my reading of MISO's proposed reliability requirements, that large load projects equal approximately 30,000 MW of demand, representing more than 24% of MISO's stated System Peak Demand for the summer season as stated in the MISO Planning Year 2025-2026 Loss of Load Expectation Study Report,[1] would be fully or partially exempt from MISO's reliability requirements.

4. A portion of the 30,000 MWs of large load is also exempt from requirements related to data collection. This lack of data collection requirement ensures reliability risks can only be identified once they are encountered, whereas proper application of the proposed requirements to all large loads could ensure proactive mitigation and maintained reliability.

5. I conclude that the proposed exemptions from interconnection reliability requirements for large load customers represent an imminent reliability risk to the

[1] PY 2025-2026 LOLE Study Report, MISO, available at https://cdn.misoenergy.org/PY%202025-2026%20LOLE%20Study%20Report685316.pdf?v=20250313114401.

MISO footprint as well as the Eastern Interconnection due to the significant amounts of load not being subject to reliability and data collection requirements.

II. Purpose of Declaration

8. I am familiar with MISO's proposed reliability requirements and the proposed application of the requirements.

9. I am also familiar with the impacts to system reliability resulting from improperly exempting significant amounts of large load additions. These impacts, described in more detail below, were demonstrated in two separate events in northern Virgina, once on July 22nd, 2026 and during a previous event on July 10th, 2024. These events represented 3,800 MW and 1,500 MW, respectively, of data center demand removing themselves from the grid after a transmission fault resulted in oscillations.

10. In addition, I am aware that NERC issued a Level 3 Alert[2] on May 4, 2026 entitled "Essential Action to Industry Computational Load Modeling, Studies, Instrumentation, Commissioning, Operations, Protection, and Control" which discusses how existing planning processes are insufficient to address risks associated with computational load entities. At the time of NERC's alert, NERC defined computational load entities as loads 20 MW or greater, connected at 60kV, and containing more than 1 MW of IT load.

11. The purpose of my declaration is to discuss my opinion of the reliability impact of MISO's proposed exemption of approximately 30,000 MW of large loads from MISO's proposed reliability requirements.

III. Analysis

A. Recent events which inform my understanding of the impact of data centers on the reliability of transmission systems.

12. On June 10, 2024, 1,500 MW of data center demand disconnected itself from the grid in Northern Virginia after an event related to the failure of a lightning arrester on a 230 kV transmission lines. The NERC incident report[3] concluded "While this disturbance did not cause significant operating issues with the grid at this location and at this time, as data center loads continue to grow rapidly, the risk could quickly increase" and recommended the following:

    a. "Require dynamic response models of large loads in their facility interconnection requirements 8 Incident Review – Considering Simultaneous Voltage-Sensitive Load Reductions"

[2] NERC Alert, Essential Action to Industry Computational Load Modeling, Studies, Instrumentation, Commissioning, Operations, Protection, and Control, NERC (May 4, 2026) available at https://www.nerc.com/globalassets/programs/bpsa/alerts/level-3-computational-load-alert.pdf.

[3] NERC Incident Report, Incident Review Considering Simultaneous Voltage-Sensitive Load Reductions, NERC (Jan. 8, 2025) available at https://www.nerc.com/globalassets/our-work/reports/event-reports/incident_review_large_load_loss.pdf.

b. "Perform studies to determine the potential magnitude of load loss for system disturbances (faults)

- Study the impact that these large load losses would have on the system"

13. On May 4, 2026, NERC issues its highest-level alert (Level 3). In this alert, NERC determined a set of immediate actions that NERC recommended registered entities should take to reduce the risk to the Bulk Power System. These actions related to the modeling, study, installed fault recording or instrumentation, commissioning, operation, protection, and control of computational load. In the alert, NERC emphasized the reliability importance of system operators having access to robust modeling of computational loads.
14. On July 22, 2026, a second incident in Northern Virginia occurred when 3,800 MW of data center demand disconnected itself from the grid as a result of oscillations due to a fault on a 230 kV transmission line. This event resulted in the need for operator action to stabilize system conditions. Effects were reported to last in excess of ten minutes, or thirty times longer than is typically acceptable for recovery and damping of stability oscillations.

B. Contextual comparison of 30,000 MW to MISO's current peak demand.

15. MISO's stated peak system demand for the summer season, as stated in the Planning Year 2025-2026 Loss of Load Expectation Study report, is 123,576 MW. This makes 30,000 MW more than 24% of MISO's current peak summer demand, and 20% of MISO's peak summer demand with the new large loads in-service. The Planning Year 2025-2026 Loss of Load Expectation Study report also states that MISO's Local Resource Zone (LRZ) 1 2025 summer peak demand is 17,889 and LRZ 2 summer peak demand is 12,694 MW, combining to 30,583 MW. When comparing to the total large load either fully or partially exempt from meeting reliability requirements to MISO's posted peak demand data, we can see that this would be equivalent to exempting roughly one-quarter of MISO's 2025-2026 summer peak demand, or the entirety of both LRZs 1 and 2.

C. My opinion of MISO's proposed exemptions.

16. In my professional opinion, MISO's August 28th filing creates reliability risks by exempting approximately 30,000 MW of large load from reliability requirements. Incidents like those experienced on June 10, 2024 and July 22, 2026 indicate the importance of applying broadly applicable ride through requirements to large loads. By allowing for significant amounts of load to be exempt from ride through requirements, MISO faces substantial risk of similar incidents impacting the MISO system.
17. Similarly, MISO's filing fails to consider the immediate action called for in the May 4, 2026 NERC Level 3 alert aimed at addressing reliability risks associated with

computational loads. NERC's recommendations noted the importance of operator visibility into computational load behavior, characteristics, and configuration. In my professional opinion, MISO will not be capable of evaluating and mitigating the reliability risk of computational loads on its system if it exempts significant amounts of large load from information sharing requirements. Because MISO would not have this visibility, I am concerned about imminent reliability risk to the MISO footprint.

IV. Conclusion

18. In conclusion, under the exemptions proposed by MISO to the reliability requirements for large loads, a magnitude of load equivalent to roughly one-quarter of MISO's current summer peak, or equivalent to the combined summer peak demand of LRZs 1 and 2, is at risk of operating in unexpected ways, or in ways that could cause system instability. This could cause severe reliability impacts that would otherwise be mitigated if the exemptions were not allowed.

I declare under penalty of perjury under the laws of the United States, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed on September 16, 2026, in Lakeville, Minnesota.

Andrew Siebenaler

_____
Andrew Siebenaler
Managing Consultant – Transmission
Energy Futures Group