

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

**Interconnection of Large Loads to the Interstate)
Transmission System)**

Docket No. RM26-4-000

**INITIAL COMMENTS OF THE
NEW ENGLAND STATES COMMITTEE ON ELECTRICITY**

Pursuant to the Notice Inviting Comments issued by the Federal Energy Regulatory Commission (“Commission” or “FERC”) on October 27, 2025,¹ and the Notice Granting Extension of Time issued by the Commission in this docket on November 7, 2025,² the New England States Committee on Electricity (“NESCOE”) files initial comments on the Secretary of Energy’s proposed advance notice of proposed rulemaking (“proposed ANOPR”)³ for consideration and final action by the Commission.⁴ The New England Conference of Public Utility Commissioners (“NECPUC”)⁵ is also signing on to these comments.

¹ *Interconnection of Large Loads to the Interstate Transmission System*, Notice Inviting Comments, Docket No. RM26-4-000 (Oct. 27, 2025).

² *Interconnection of Large Loads to the Interstate Transmission System*, Notice Granting Extension of Time, Docket No. RM26-4-000 (Nov. 7, 2025).

³ *Interconnection of Large Loads to the Interstate Transmission System*, Secretary of Energy’s Direction that the Federal Energy Regulatory Commission Initiate Rulemaking Procedures and Proposal Regarding the Interconnection of Large Loads Pursuant to the Secretary’s Authority Under Section 403 of the Department of Energy Organization Act and Advance Notice of Proposed Rulemaking, Docket No. RM26-4-000 (Oct. 23, 2025).

⁴ These comments will refer to the Secretary of Energy’s October 23, 2025 letter to the Commission as the “DOE Letter” and the attached proposed Advanced Notice of Proposed Rulemaking as the “proposed ANOPR.”

⁵ NECPUC, a non-profit 501(c)(3) corporation, was established in 1947 and incorporated in 1976 to provide regional regulatory education and assistance on matters of common concern to public utilities regulators of the six New England states. NECPUC’s board of directors is comprised of commissioners from agencies from each of its six member states. The Commissioner of the Massachusetts Department of Telecommunications and Cable is abstaining from this filing. NECPUC has no independent regulatory authority. NECPUC commissions oversee the retail regulation of electricity, and its ratepayers are directly affected by the issues raised in this proceeding.

I. DESCRIPTION OF COMMENTER

NESCOE is the Regional State Committee (“RSC”) for New England. It is governed by a board of managers appointed by the Governors of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont and is funded through a regional tariff that ISO New England Inc. (“ISO-NE”) administers.⁶ NESCOE’s mission is to represent the interests of the citizens of the New England region by advancing policies that will provide electricity at the lowest possible price over the long term, consistent with maintaining reliable service and environmental quality.⁷ These comments represent the collective view of the six New England states.

II. COMMENTS

NESCOE does not dispute the statement in the proposed ANOPR that “United States electricity demand is expected to grow at an extraordinary pace, due, in large part, to the rapid growth of large loads” such as data centers.⁸ The size and speed with which data centers can be constructed and connect to the grid present unique challenges for demand forecasting and planning for system behavior.⁹ NESCOE agrees with DOE that ensuring efficient, timely, and non-discriminatory interconnection of large loads, including AI data centers, requires prompt and

⁶ *ISO New England Inc.*, 121 FERC ¶ 61,105 (2007).

⁷ See Sept. 8, 2006 NESCOE Term Sheet that was filed for information as Exhibit A to the Memorandum of Understanding among ISO-NE, the New England Power Pool (“NEPOOL”), and NESCOE (the “NESCOE MOU”). Informational Filing of the New England States Committee on Electricity, Docket No. ER07-1324-000 (filed Nov. 21, 2007). Pursuant to the NESCOE MOU, the Term Sheet is the binding obligation of ISO-NE, NEPOOL, and NESCOE.

⁸ Proposed ANOPR at 2.

⁹ *Id.*; see also NERC, *2024 Long-Term Reliability Assessment* (Dec. 2024, corrected July 11, 2025), at 8, available at https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf.

thoughtful consideration by regulators. It is also critical that such efforts prioritize maintaining grid reliability and energy affordability for all customers.

However, for the reasons described in Section II.A of these comments, the ANOPR, as proposed, would encroach on the exclusive jurisdiction of the states to regulate retail customers per the provisions of the Federal Power Act (“FPA”),¹⁰ contrary to the Commission’s longstanding tradition and recent actions recognizing the states’ jurisdiction in this area. For that reason, NESCOE recommends that the Commission not proceed with the ANOPR as proposed by DOE.

Moreover, as described in Section II.B, if the Commission decides to move forward with a rulemaking on this subject, it should first engage in a significant collaborative process that would include meaningful participation from the states, regional transmission organizations (“RTOs”), and other stakeholders, including hosting one or more technical conferences. Absent this additional collaborative process, the Commission risks creating a one-size-fits-all rule that is vulnerable to legal challenge and results in significant unintended consequences due to large state and regional differences and existing state regulation of large load interconnection customers. Moreover, the process to design and initiate an effective rulemaking on this complicated topic would take time, and thus NESCOE also recommends that the Commission, if it does elect to proceed, does so on an appropriate timeline. The extremely accelerated timeline recommended by the DOE Letter would only exacerbate the legal risk faced by such a final rule.

¹⁰ 16 U.S.C. §§ 791 *et seq.*

A. The ANOPR as Proposed Encroaches on the States’ Jurisdiction.

1. The States Have Exclusive Authority to Regulate Retail Electricity Sales Under the Federal Power Act.

As the Department of Energy (“DOE”) itself has acknowledged, the Commission “is a ‘creature of statute,’ having ‘no constitutional or common law existence or authority, but *only* those authorities conferred upon it by Congress.’”¹¹ The FPA establishes a clear division: states oversee retail electricity services while FERC oversees interstate transmission and wholesale electricity markets.¹² Section 201 of the FPA explicitly provides that the Commission “shall not have jurisdiction...over facilities used in local distribution,” nor may FERC regulate “any other sale of electric energy” beyond wholesale transactions.¹³ As the Commission has explained, “[i]n *EPSA*, the U.S. Supreme Court stated that, although ‘the wholesale and retail markets in electricity are inextricably linked,’ the Commission ‘may not regulate...retail sales of electricity’” and “‘no matter how direct, or dramatic’ a proposal’s impact on wholesale rates, the Commission still may not regulate retail electricity sales.”¹⁴ Historically, FERC has deferred to the states on large load interconnections, viewing them as part of the local distribution system

¹¹ *Certification of New Interstate Natural Gas Facilities*, Secretary of Energy’s Direction that the Federal Energy Regulatory Commission Initiate Rulemaking Procedures and Proposal to Rescind the Draft Updated Certificate Policy Statement Pursuant to the Secretary’s Authority Under Section 403 of the Department of Energy Organization Act, Docket Nos. PL18-1-000, PL18-1-001 (Aug. 29, 2025) (emphasis in original).

¹² FERC’s jurisdiction over the electric power industry as set forth in Part II of the FPA is limited. Pursuant to Section 201, Part II applies only to “the transmission of electric energy in interstate commerce and to the sale of electric energy at wholesale in interstate commerce.” 16 U.S.C. § 824(b); *see also The Legal Framework of the Federal Power Act*, available at [https://www.congress.gov/crs-product/IF11411#:~:text=The%20Federal%20Power%20Act%20\(FPA,includes%20Part%20IV%20\(16%20U.S.C.](https://www.congress.gov/crs-product/IF11411#:~:text=The%20Federal%20Power%20Act%20(FPA,includes%20Part%20IV%20(16%20U.S.C.)

¹³ 16 U.S.C. § 824(b).

¹⁴ *See Tri-State Generation and Transmission Association, Inc.*, 193 FERC ¶ 61,070 at P 47 (2025) (“*Tri-State*”) (citing *FERC v. Elec. Power Supply Ass’n*, 577 U.S. 260, 265, 267 (2016) (internal citations omitted)); *see also New York v. FERC*, 535 U.S. 1, 17, 23 (2002).

and related to end-user retail sales, even if the load is large.¹⁵ Individual utilities are responsible for such interconnections, typically under the oversight of state utility regulators under the FPA. While the DOE asserts that its proposal “does not impinge on States’ authority over retail electricity sales,”¹⁶ in effect, if the Commission were to assert exclusive jurisdiction over the interconnection of large load end-use retail customers to the transmission system, it would be exercising federal jurisdiction over retail delivery service, which has historically been the role of the states.

NESCOE acknowledges the importance of the policy priorities expressed by the DOE Letter and agrees that ensuring efficient, timely, and non-discriminatory interconnection of large loads requires prompt and thoughtful consideration by regulators.¹⁷ However, FERC must still act within its Congressionally-conferred authority. Despite disclaiming any intent to regulate

¹⁵ See Federal Energy Regulatory Commission, *An Overview of the Federal Energy Regulatory Commission and Federal Regulation of Public Utilities* (June 2018), at 14, available at <https://www.ferc.gov/sites/default/files/2020-07/ferc101.pdf>. In this overview, FERC explains what is *not* within FERC’s public utility-related statutory authority, noting that local distribution is an FPA analysis and not purely engineering-focused. The overview further explains that in the context of Order No. 888, FERC adopted a so-called “7-factor” test: (1) local distribution facilities are normally close in proximity to retail customers; (2) local distribution facilities are primarily radial in character; (3) power flows into local distribution systems; it rarely, if ever, flows out; (4) when power enters a local distribution system, it is not re-consigned or transported on to some other market; (5) power entering a local distribution system is consumed in a comparatively restricted geographical area; (6) meters are based at the transmission/local distribution interface to measure flows into the local distribution system; (7) local distribution systems will be of reduced voltage; *see also* FERC Order No. 2222 Explainer: Facilitating Participation in Electricity Markets by Distributed Energy Resources, available at [https://www.ferc.gov/ferc-order-no-2222-explainer-facilitating-participation-electricity-markets-distributed-energy#:~:text=What%20are%20wholesale%20sales%20of,to%20a%20utility\)%20for%20resale](https://www.ferc.gov/ferc-order-no-2222-explainer-facilitating-participation-electricity-markets-distributed-energy#:~:text=What%20are%20wholesale%20sales%20of,to%20a%20utility)%20for%20resale) (explaining that retail sales are sales to an end-use customer while wholesale sales are sales for resale.)

¹⁶ Proposed ANOPR at 9.

¹⁷ See National Association of Regulatory Utility Commissioners, *Resolution Urging the Federal Energy Regulatory Commission to Preserve and Affirm State Retail Regulatory Jurisdiction in its Large Load Interconnection Proceeding* (Nov. 11, 2025) (“NARUC Resolution”), available at https://pubs.naruc.org/pub/2C526A94-D533-BE0A-336A-178A366C7A91?_gl=1*1bwrrfg*_ga*MTkzNzg4MDI0OC4xNzYyMTkwNzQw*_ga_QLH1N3Q1NF*cze3NjMzMDY3MTEkbzUkZzEkdDE3NjMzMDY4MDAkajQwJGwwJGgw.

retail sales, the ANOPR, as proposed, encroaches on state authority by limiting the states' ability to set rates and to oversee retail contract approvals and retail service. NESCOE recognizes that interstate transmission facilities are FERC-jurisdictional, and thus large load customers interconnecting directly to these facilities may present the opportunity for cooperative federalism between state regulators and the Commission. However, as currently formulated, the proposed ANOPR would assert authority over the interconnection of large loads such as data centers with little to no role for the states, exceeding the statutory jurisdiction of the states under the FPA as traditionally recognized by the Commission.

2. The Proposed ANOPR Departs Significantly from FERC's Historical Deference to State Jurisdiction on Matters of Retail Rate Regulation.

As the DOE Letter recognizes, historically, the Commission has not exerted jurisdiction over load interconnections.¹⁸ Indeed, the proposed ANOPR is hardly the first instance in which the Commission has considered the issue of jurisdiction over retail rates. For example, in its landmark Order No. 888,¹⁹ FERC mandated open access transmission systems to promote competition in wholesale markets but explicitly declined to assert jurisdiction over the transmission component of bundled retail sales. The U.S. Supreme Court subsequently affirmed FERC's decision not to assert jurisdiction over bundled retail sales, preserving the traditional state authority over bundled retail transmissions.²⁰ In Order No. 2003, FERC found that the FPA reserves jurisdiction over local distribution facilities and retail sales to the states, concluding that

¹⁸ DOE Letter at 1.

¹⁹ *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Servs. By Pub. Utils.; Recovery of Stranded Costs by Pub. Utils. & Transmitting Utils.*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996) (cross-referenced at 75 FERC ¶).

²⁰ *See New York*, 535 U.S. at 28.

“where facilities have a dual use, *i.e.*, the facilities are used for both wholesale sales and retail sales, the Final Rule applies to interconnection to these facilities only for the purpose of making sales of electric energy for resale in interstate commerce.”²¹ In other words, its authority to regulate was limited to wholesale transactions and thus it did not have the authority to directly regulate all uses of the facility “because the regulation of ‘local distribution’ of electricity to end users is reserved to the States.”²² In late 2024, the Commission held a commissioner-led technical conference that explored a variety of complex regulatory and technical issues related to the co-location of large loads, including jurisdictional boundaries.²³ And, finally, in a recent ruling, the Commission rejected a large load tariff proposed by Tri-State Generation and Transmission Association, finding that it intruded on retail rate regulation, which falls under state jurisdiction and is outside of FERC’s authority.²⁴

While it had the opportunity, FERC did not claim jurisdiction from the states over matters involving the regulation of retail rates in any of these proceedings. Rather, FERC’s actions during these recent opportunities are consistent with its longstanding history of deference to the states in matters of retail rate regulation, as well as its statutory command to leave regulation of retail rates to the states. Viewed in that light, the ANOPR as proposed encroaches on the states’ historical retail regulatory authority under FERC precedent and the FPA. Such a departure from FERC’s historical deference to the states is likely to introduce potential

²¹ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 104 FERC ¶ 61,103 at P 804, n.129 (2003) (emphasis in original).

²² *Id.*

²³ *See generally Large Loads Co-Located at Generating Facilities*, Docket No. AD24-11.

²⁴ *See Tri-State*, at PP 45-49.

confusion, unintended customer consequences, and/or legal uncertainty where none currently exists.

3. The DOE Letter Fails to Provide Legal Precedent That Would Justify Its View on FERC's Jurisdiction.

The DOE Letter recognizes that, historically, the Commission has not exerted jurisdiction over load interconnections and also appears to recognize that the Commission's authorities are limited to those conferred upon it by Congress in the FPA.²⁵ The DOE Letter, however, then goes on to assert that, "the interconnection of large loads directly to the interstate transmission system to access the transmission system and the electricity transmitted over it falls squarely within the Commission's jurisdiction."²⁶ The DOE Letter itself identifies no legal support for FERC's authority to change its approach to load interconnections.

The proposed ANOPR similarly provides scant legal support for DOE's view on FERC's jurisdiction over large load interconnections. In Section B, entitled "Commission's Jurisdiction," the proposed ANOPR recites portions of FPA section 201(b), but does not explain how the statute confers jurisdiction over large loads to the Commission as opposed to the states.²⁷

The proposed ANOPR's "Legal Authority" section similarly lacks compelling legal authority or reasoning that would warrant a departure from Commission precedent or a different interpretation of federal versus state jurisdiction under the FPA.²⁸ This section offers "four legal justifications for the Commission's jurisdiction" over large load interconnections, none of which

²⁵ DOE Letter at 1.

²⁶ *Id.*

²⁷ Proposed ANOPR at 2–3.

²⁸ *Id.* at 9–10.

offer sufficient legal analysis to justify FERC’s encroachment on states’ authority to regulate retail electricity sales.²⁹ Likewise, the proposed ANOPR provides no evidence or examples demonstrating that current state- or utility-administered interconnection processes are discriminatory or inadequate.

Finally, the proposed ANOPR improperly relies on language in a *dissenting opinion* for its proposal that FERC take the unprecedented step of encroaching on what has traditionally been state-regulatory jurisdiction.³⁰ In the “Open Access Transmission Service” section, the proposed ANOPR offers some background on FERC’s Order No. 888, in which FERC declined to extend its unbundling requirement to the transmission component of bundled retail sales.³¹ The proposed ANOPR then summarizes the United States Supreme Court ruling that affirmed Order No. 888, including its affirmation of FERC’s decision not to assert jurisdiction over bundled retail rates.³² The proposed ANOPR seems to suggest that the Commission should rely on language from a *dissent* in that case as grounds to assert jurisdiction over large load interconnections.³³ However, dissenting opinions do not represent binding legal authority, and thus the Commission should not rely on this language to assert jurisdiction that Congress has not expressly conferred upon it by statute.

²⁹ *Id.*

³⁰ *Id.* at 5.

³¹ *Id.* at 3.

³² *Id.* at 4.

³³ *Id.* at 5.

4. The Commission Does Not Have the Clear Congressional Authorization Required to Assert Jurisdiction Over Large Load Interconnections Under the Major Questions Doctrine.

In a recent case, the Supreme Court held that administrative agencies must point to “clear congressional authorization” before issuing regulations of “economic and political significance.”³⁴ This is known as the major questions doctrine. When an agency tries to implement a major regulation, courts must presume it lacks the power to do so.³⁵ Broad or vague language cannot overcome that presumption; an agency must instead point to clear and specific permission from Congress.³⁶ As the DOE Letter points out, the ANOPR’s aims of revitalizing domestic manufacturing and driving American AI innovation will require “unprecedented and extraordinary quantities of electricity and substantial investment in the Nation’s interstate transmission system.”³⁷ The implementation of rules that involve such unprecedented quantities of energy and substantial investment would undoubtedly be considered of “economic and political significance” and as such would trigger the major questions doctrine.

In order to proceed with the ANOPR as proposed, per the major questions doctrine, FERC is required to point to clear and specific permission from Congress that would allow it to assert jurisdiction over large load interconnection. As noted above, the FPA clearly divides regulatory authority between FERC and state agencies, with FERC having authority over the interstate wholesale sale and transmission of electricity while the states regulate retail sales and local distribution. Nowhere does the DOE Letter explain how the FPA provides clear statutory

³⁴ *West Virginia v. EPA*, 142 S. Ct. 2587, 2609 (2022).

³⁵ *Id.* at 2614.

³⁶ *Id.*

³⁷ DOE Letter at 2.

authority to FERC to regulate end user customers with large loads or otherwise point to clear and specific permission from Congress that would allow it to implement such a major regulation of economic and political significance. Therefore, because Congress did not grant FERC such clear permission to assert jurisdiction, the Commission should decline to proceed with the ANOPR as proposed.

B. If the Commission Proceeds with Rulemaking Processes, It Should Collaborate Closely with States, RTOs, and Stakeholders and Provide Sufficient Time to Do So.

1. The Commission Cannot Effectively Regulate Large Interconnection Customers Without Meaningful Collaboration with States and Stakeholders.

As explained in detail above, *supra* Section II.A, the FPA leaves jurisdiction over large load interconnections to the states.³⁸ However, if the Commission does wish to pursue a rulemaking on large load interconnection processes, the Commission should first engage in a collaborative process with states, RTOs, and stakeholders. As a start, NESCOE recommends that the Commission convene one or more technical conferences to begin a conversation with states, RTOs, and stakeholders on state and regional differences and challenges, state and regional efforts to regulate large load interconnection to date, and possible opportunities for collaboration between state actors and the Commission. This approach would facilitate cooperative federalism between the states and the federal government, recognizing the states' jurisdiction over retail customers as recognized by the FPA. This approach would also allow the Commission to revise the proposed ANOPR and thereby initiate a stronger, more sophisticated,

³⁸ 16 U.S.C. § 824(b).

and more legally durable rulemaking that accounts for the significant differences between states and regions.

By contrast, the ANOPR, as currently proposed, takes a cookie-cutter approach that could result in unintended impacts due to differences between states and regions. Of particular note, the rapid interconnection of large loads has already and will continue to result in immediate—and potentially acute—reliability concerns where adequate transmission and supply do not exist to support the addition of large loads. Data center load is growing much faster in some regions and states than in others.³⁹ Standards and processes that some regions can make work might drive already over-subscribed regions past the breaking point and cause significant harm to reliability. A collaborative approach, such as the one that NESCOE suggests if the Commission elects to regulate in this area, would allow for the Commission to account for these differences between regions and design a rule that does not jeopardize reliability in already constrained regions and can also better account for possible opportunities in regions that are not.

The Commission should also use a collaborative process to better understand, account for, and potentially draw from, existing state regulation of large load interconnection customers—otherwise, it risks creating significant unintended consequences. Some states have taken significant steps to regulate large load interconnection customers. As NARUC states in its recent resolution, “at least 20 states have approved or have pending large load tariffs or similar measures, which may include financial commitments, curtailment protocols, and minimum

³⁹ Although no area of the country is immune to the challenges posed by the rapid increase in large load interconnections, New England has very low levels of data center interconnection compared to many other areas of the country. Indeed, the distribution of large loads and their projected growth over the next ten years varies widely by region. See NERC, *2024 Long-Term Reliability Assessment* (Dec. 2024), at 38, available at https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf; see also <https://sepapower.org/large-load-tariffs-database/>.

contract terms to allow for the rapid interconnection of large loads without compromising grid reliability or unduly burdening existing retail customers....”⁴⁰ These state tariffs use a variety of mechanisms to mitigate the impact of large loads on system reliability and customer costs, such as requirements to build onsite generation or contractual commitments to cover infrastructure costs that would otherwise be socialized across all utility customers. The ANOPR, as proposed, would create confusion as to the effect of these efforts and could compromise reliability, disrupt existing projects, create stranded costs for customers, and invite otherwise unnecessary legal challenges. A more reasonable approach would be for the Commission to work with states and stakeholders to create a process grounded in cooperative federalism that would fully assess the existing landscape of state regulation. Such a process would allow for consideration of how a proposed rule would interact with, and potentially borrow from, existing state regulation on the issue and identify where federal action could best support current and future state efforts to regulate in this area. This process could avoid the unintended consequences that a one-size-fits-all approach would create.

For these reasons, NESCOE respectfully requests that the Commission, if it does decide to proceed with a rulemaking, collaborate with states, RTOs, and stakeholders to better account for state and regional differences and existing state regulation before issuing a final rule.

⁴⁰ See NARUC Resolution at 7.

2. If FERC Proceeds with a Rulemaking Process, It Should Provide Stakeholders with Sufficient Time and Opportunity to Offer Meaningful Input.

As argued above, large load interconnection is a complicated issue that many states are already exerting jurisdiction over, and the Commission cannot effectively regulate in this area without first engaging in significant collaboration with the states, RTOs, and other stakeholders. The processes needed to initiate a rulemaking that does not lead to unintended consequences or undermine the legal durability of the final rule will necessarily take time. In addition, the Commission must follow the standards for rulemaking as set forth in the Administrative Procedure Act⁴¹ and its own rulemaking guidance⁴² and thereby provide ample opportunity for meaningful and robust stakeholder input. By contrast, the DOE Letter requests that the Commission take “final action” no later than April 30, 2026, which is less than six months from now.⁴³ The issues at play are many and complicated and therefore require the reasoned, well-informed rulemaking process that FERC typically employs. Section 403 of the FPA only requires that the Commission abide by “such reasonable time limits” requested by the DOE Secretary.⁴⁴ Based on the timeframes discussed below regarding similarly complex rulemakings, issuance of a final rule by FERC within the next six months as DOE requests is not reasonable.

The proposed ANOPR references both Order No. 2023 and Order No. 1920.⁴⁵ Both of these rulemaking proceedings involved complex, controversial issues that are comparable to the

⁴¹ 5 U.S.C. §§ 551-559.

⁴² See <https://www.ferc.gov/OPP/rulemaking-explainer#>.

⁴³ DOE Letter at 2.

⁴⁴ 42 U.S.C. § 7173(b).

⁴⁵ Proposed ANOPR at 5, 8.

issues at play in the proposed ANOPR. The Order No. 2023 rulemaking process took approximately 13 months from the issuance of a Notice of Proposed Rulemaking in June 2022 to a final rule issued on July 28, 2023. The rulemaking process for FERC Order No. 1920 took nearly three years from the issuance of an ANOPR in July 2021 until a final rule was issued on May 13, 2024, not including orders addressing requests for clarification and rehearing.

The Commission understands how complex the issues involved in large load interconnection are and the amount of time that the Commission has previously deemed necessary to ensure that stakeholders have the opportunity to voice their opinions on any proposed FERC rulemakings. If the Commission moves forward with a rulemaking process, it should not rush the process and should instead provide stakeholders with meaningful opportunities to share well-constructed, well-informed feedback with the Commission.

III. CONCLUSION

NESCOE respectfully requests that the Commission consider these comments in determining whether to take further action on the proposed ANOPR.

Respectfully Submitted,

On behalf of NESCOE:

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