AMERICA'S POWER
Reliable • Secure • Resilient • Affordable

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 AMERICA'S POWER

America's Power[1] submits these comments in response to the Federal Energy Regulatory Commission's ("Commission") solicitation of comments on the advance notice of proposed rulemaking ("ANOPR") proposed by the Secretary of Energy on October 23, 2025 for consideration and final action by the Commission.[2]

As Secretary Wright stated in his letter to the Commission, large loads will require unprecedented and extraordinary supplies of electricity. America's Power appreciates the efforts of the Department of Energy and the Commission to meet the challenge of serving all loads economically and on a timely basis. The existing coal fleet, which provides reliable and dispatchable baseload power, is well-positioned

[1] America's Power advocates on behalf of coal-fueled electricity and the nation's coal-fueled electric generating plants. Our membership is comprised of electricity generators and the coal fleet supply chain—coal producers, transportation companies, and equipment manufacturers.

[2] Letter from Chris Wright, Secretary of Energy, to The Honorable David Rosner, Chairman, *et al.*, *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* (Oct. 23, 2025)(including proposed ANOPR) posted in Docket No. RM26-4 (Oct. 27, 2025).

to be an important part of the solution. America's Power's members are committed to helping achieve the goal of the ANOPR "to ensure[] the timely and orderly addition of large loads to the transmission system in a safe, reliable, and non-discriminatory manner."[3] To that end, America's Power requests the Commission take the following actions in the Final Rule:

FIRST, the Commission should establish an expedited interconnection path for large loads that take advantage of the underutilized capacity of ***existing*** generating facilities. Many existing generators—particularly coal-fired generators—generate substantially less power than they are capable of generating. The average capacity factor for the coal fleet was 43% last year,[4] which means there is considerable underutilized generating capacity available to serve large loads. To illustrate the amount of underutilized capacity, the nation's coal fleet totals some 176,000 megawatts (MW) of capacity.[5] Increasing the average capacity factor for coal to 63%, the average capacity factor in January and July of this year, would translate into 35,000 MW of additional generating capacity, or enough to power 35 (more or less) of the largest hyperscale data centers. New large load customers that enter into bilateral contracts with existing generators to generate more power either by increasing their capacity factor or adding new generation at an existing site should be eligible for fast-track interconnection treatment.

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[3] ANOPR at P 24.

[4] *See* EIA Electric Power Monthly, Electric Power Monthly - U.S. Energy Information Administration (EIA) (last visited Nov. 19, 2025).

[5] *Id.*

An expedited interconnection path also would incentivize bilateral contracting between underutilized generating capacity and large loads. Such contracting would make efficient use of existing infrastructure, minimize if not eliminate the factors that have prompted premature retirement, and avoid unnecessary and costly transmission expansion. In addition, bilateral contracts would help improve resource adequacy in regions where utilities responsible for serving new large loads cannot reliably do so without obtaining additional supply. Existing generators, including those at risk of retirement, can help satisfy increased electricity demand in the same way that new facilities can, making a fast-track interconnection process worthwhile for loads that will be served by existing generators.

SECOND, the Commission should adopt a 60-day fast-track priority right for existing generators to reclaim capacity interconnection rights ("CIRs") lost due to deactivation, mothballing, or other inactivity of a unit at a generating facility when the generating facility has the ability to increase its output from other operating units at the facility or through reactivation of the mothballed unit. When CIRs are not transferred in accordance with existing tariff provisions, they are lost by their initial holder. Pursuant to current PJM tariff provisions, for example, if CIRs are not transferred within one year of the deactivation of the unit to which they were initially assigned in an Interconnection Service Agreement, they are terminated as to that holder.[6] Allowing an existing generator to re-secure those rights will avoid the

[6] *Morgantown Power, LLC*, 192 FERC ¶ 61,262 at P 2 (2025)(noting pursuant to PJM tariff, CIRs associated with a deactivated facility terminate one year from the Deactivation Date, which is the date a generating unit retires or is mothballed and no longer operates).

quagmire of the interconnection study process and its associated delays and thus achieve the ANOPR's goal of "timely and orderly interconnection of large loads to the transmission system."[7]

In the past, the Commission has at times granted waiver of tariff provisions when strict adherence would lead to the loss of CIRs — indicating support for policies that allow existing interconnection rights to be re-captured.[8] This proposal would avoid the need for a waiver because the Commission can memorialize a right to recapture CIRs by generators that can reactivate to provide additional, reliable power needed by large loads.

THIRD, the Commission should explicitly recognize the benefits of siting large loads in proximity to existing generating facilities because close location can reduce or even eliminate the need for extensive, costly network upgrades. While the ANOPR highlights the efficiency of studying, if practicable, the siting of large loads near or at the same point of interconnection as ***new*** generation,[9] siting new load near or at the same point of interconnection as ***existing*** generation—such as a coal-fired plant—can provide similar efficiencies. Therefore, the Commission should encourage

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[7] ANOPR at P 1.

[8] *See, e.g.*, *PJM Interconnection, L.L.C.*, 192 FERC ¶ 61,137 at P 39 (2025)(rejecting tariff proposal that could result in CIRs "going unused" when transferred from a deactivating generation resource to a generation resource with a delayed commercial operation); *Sayreville Power, LLC*, 191 FERC ¶ 61,178 at P 24 (2025) (granting waiver request to allow generator to retain its CIRs beyond their planned expiration date so that it may return units to service).

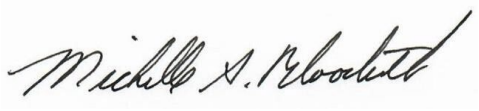
[9] *See* ANOPR at P 20 ("to the extent practicable, load and hybrid facilities should be studied together with generating facilities. Such an approach will allow for efficient siting of loads and generating facilities and thereby minimize the need for costly network upgrades").

interconnection studies that examine load and hybrid facilities under scenarios that consider location near existing generation to enable optimized siting, minimize network upgrade costs and delays, and enhance grid utilization.

FOURTH, generating units that reverse retirement decisions in order to serve large load help to offset demands the new load otherwise would have placed on the grid. Therefore, the Commission should waive the proposed requirement that a generator undergo a reliability study if nuclear or coal-fired resource owners can demonstrate that the resource would have been retired under existing market conditions absent a commercial contract. If a Final Rule is adopted whereby a generator seeking to enter suspended status as a grid resource in order to serve behind-the-meter co-located load would otherwise be required to undergo a reliability study,[10] that study should not be necessary where a nuclear or coal unit's alternative course was retirement. Maintaining such units in operation increases available generating capacity and mitigates the burdens and delays associated with network upgrades to facilitate the co-location arrangement.

We thank the Commission for the opportunity to submit these comments.

Sincerely,



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[10] *Id.* at P 27.