UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Midcontinent Independent System Operator, Inc., *et al.*	)	Docket No. EL26-70-000

COMMENTS OF
THE ORGANIZATION OF MISO STATES, INC. ON
THE INFORMATIONAL REPORT OF
THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC.

The Organization of MISO States, Inc. ("OMS")[1] submits the following comments in response to the Midcontinent Independent System Operator, Inc.'s ("MISO") July 20, 2026 Informational Report[2] filed with the Federal Energy Regulatory Commission ("Commission") in the above-captioned proceeding.[3] OMS submits these comments regarding MISO's Informational Report to underscore the role of state and local regulators regarding resource adequacy and the interconnection of large loads – the subject of MISO's Informational Report. These comments are intended to aid the Commission in its decision-making process by offering the perspective of retail regulatory authorities responsible for overseeing resource adequacy in the MISO region.

I. COMMENTS

OMS submits this response to ensure that the perspectives of state and local regulators are reflected in the Commission's consideration of resource adequacy. As the entities responsible for overseeing retail customers, resource planning, generation procurement cost decisions, and siting,

[1] OMS filed a Motion to Intervene Out-of-Time on July 15, 2026. OMS is a non-profit, self-governing organization comprised of representatives from the seventeen regulatory bodies with jurisdiction over entities participating in MISO and serves as the regional state committee for the MISO region. OMS coordinates regulatory oversight among its members, makes recommendations to MISO, the MISO Board of Directors, the Commission, and other relevant government entities, and intervenes in proceedings before the Commission to express the positions of OMS members.

[2] *Ltr. to Secretary Reese re: Informational Report*, Docket No. EL26-70 (July 20, 2026) ("Informational Report").

[3] *Midcontinent Indep. System Operator, Inc.*, 195 FERC ¶ 61,212 (2026) (the "Show Cause Order").

state and local regulators play a central role in ensuring reliable, affordable electric service and should remain active participants in discussions regarding resource adequacy.

OMS remains committed to working constructively with MISO and stakeholders to strengthen the existing framework while preserving state authority over resource adequacy and ensuring that reforms continue to support reliable service, efficient markets, and reasonable customer costs. At the same time, unprecedented large load growth presents new planning, coordination, and implementation challenges that warrant continued collaboration among MISO, states, market participants, and other stakeholders.

A central purpose of OMS's comments here is to highlight that many important resource adequacy and affordability policy and implementation issues are being addressed through state proceedings and utility-specific processes that are not fully reflected in MISO's informational report as those actions are not FERC-jurisdictional, and MISO is not a party to those actions or proceedings.

A. MISO and the States' Existing Resource Adequacy Construct Provides a Strong Foundation to Integrate New Loads.

MISO and the states' resource adequacy framework provides a durable foundation for maintaining reliability while appropriately recognizing the complementary roles of states and the regional market. States remain primarily responsible for determining resource adequacy needs through utility oversight, resource planning, and retail regulatory processes, while MISO provides the regional planning, market rules, and capacity auction framework necessary to support those state decisions.

The recent emergence of unprecedented large load growth presents new planning, operational, and coordination challenges, but these challenges do not indicate a failure of the states and their collaboration with MISO's underlying resource adequacy framework nor does it shift

who is responsible for establishing needs or determining how those needs are met. Rather, the unique characteristics and uncertainty associated with very large loads warrant enhanced coordination between MISO, load-serving entities, transmission owners, and state regulators, with planning processes that evaluate load additions using a level of rigor comparable to that applied to new generation resources.

B. States Remain Key in Ensuring Affordability through Resource Adequacy Constructs.

As MISO, states, and stakeholders continue to evolve the resource adequacy framework to address unprecedented large load growth, OMS believes that future reforms should continue to build upon the complementary roles established under the Federal Power Act, recognizing the central role states play in ensuring resource adequacy by protecting customers from unnecessary costs while ensuring reliable electric service.[4]

States are responsible for protecting customer affordability – States are uniquely positioned to evaluate how wholesale market outcomes translate into retail customer bills and to ensure that new investments are appropriately assigned to those who cause them. Across the MISO footprint, state commissions are implementing retail tariffs, approving special contracts, requiring resource adequacy demonstrations, establishing interruptible service requirements, and adopting

[4] *See OMS Pre-Filed Technical Conference Statement of Commissioner Marcus Hawkins*, Docket No. AD25-7 (filed May 28, 2025) available at: https://www.misostates.org/images/stories/Filings/FERC/2025/AD25-7_-_OMS_Hawkins_Pre-Filed_Tech_Conference_Statement.pdf; and *Post-Technical Conference Comments of OMS*, Docket No. AD25-7 (filed July 7, 2025) available at: *https://www.misostates.org/images/stories/Filings/FERC/2025/AD25-7_-_OMS_Post-Tech_Conference_Comments.pdf*.

statutory protections that prevent cost shifting from new large loads to existing customers.[5,6,7] These retail proceedings are an essential component of maintaining affordability and should be considered alongside regional reforms.

States are responsible for resource adequacy decisions and their associated cost – Resource adequacy is ultimately defined and achieved through state oversight of utility resource planning, procurement, and customer obligations. MISO's regional markets and reliability assessments provide critical support and signals to those decisions, but continued state engagement is necessary to ensure regional policies complement and do not displace the resource adequacy responsibilities entrusted to state regulators as those decisions are key to ensuring affordability.

States benefit from efficient regional markets and interconnection processes – OMS recognizes that new tools may be appropriate to accommodate imminent large load additions and support speed-to-power objectives. However, existing interconnection processes should remain the primary pathway for connecting new resources, with expedited or alternative processes narrowly tailored to address specific circumstances without creating parallel processes that reduce transparency or undermine efficient regional planning. Well-designed regional processes ultimately benefit customers by promoting efficient investment, creating robust markets, and reducing unnecessary costs.

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[5] *See* Minn. Stat. § 216B.1622: "As [the state commission] evaluates a tariff or agreement under this section, the commission must consider how to best achieve the following required outcomes: (1) all costs attributable to the utility's very large customers […] are assigned to the very large customer class; [...] (3) the tariff or agreement contains protections necessary to ensure that other customers of the public utility are not placed at risk for paying stranded costs associated with the utility serving the very large customer."

[6] *See Application of DTE Elec. Co. for approval of special contracts*, Case No. U-21990, Order of the Michigan Public Service Commission (Dec. 18, 2025); and *Application of Consumers Energy Co. for Ex Parte Approval of Certain Amendments to Rate GPD*, Case No. U-21859, Order of the Michigan Public Service Commission (Feb. 7, 2025).

[7] Smart Electric Power Alliance, *Database of Emerging Large Load Tariffs (DELTa)* available at: https://sepapower.org/large-load-tariffs-database/ (last accessed August 11, 2026).

States need transparency to fulfill their responsibilities – As the Commission has recognized, greater transparency regarding planning assumptions, reliability analyses, transmission cost allocation, and implementation decisions is essential. Since states are accountable for balancing reliability, affordability, and customer protection, they require sufficient visibility into wholesale planning and market decisions to evaluate customer impacts and make informed regulatory decisions. Continued collaboration among MISO, states, and stakeholders will strengthen both regional markets and state oversight while preserving the appropriate balance of federal and state responsibilities.

States will continue to coordinate and work with MISO – Regional collaboration remains essential to maintaining reliability across the MISO footprint. Continued partnership among MISO, states, and stakeholders, supported by transparent regional and federal processes, meaningful state engagement, and ongoing analytical efforts such as the OMS-MISO Survey and other informational and collaborative reports with MISO will ensure the resource adequacy framework continues to remain successful while preserving reliability, affordability, and the appropriate balance of federal and state responsibilities.

II. CONCLUSION

OMS submits these Comments because a majority of OMS members support this filing. This should not be construed to mean that all OMS members agree with all comments herein. Individual OMS members reserve the right to file separate comments.

In recognition of such, the following members voted in support of this filing:

Arkansas Public Service Commission
Illinois Commerce Commission
Iowa Utilities Commission
Indiana Utility Regulatory Commission

Kentucky Public Service Commission

Louisiana Public Service Commission

Michigan Public Service Commission

Minnesota Public Utilities Commission

Mississippi Public Service Commission

Missouri Public Service Commission

New Orleans City Council

North Dakota Public Service Commission

South Dakota Public Utilities Commission

Public Service Commission of Wisconsin

Public Utility Commission of Texas

The Manitoba Public Utilities Board and the Montana Public Service Commission did not participate in the vote on this filing.

Respectfully submitted,

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Dated: August 14, 2026

CERTIFICATE OF SERVICE

I certify that I have served the preceding document upon each person designated on the official service list prepared by the Secretary for this proceeding in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure. 18 C.F.R. § 385.2010.

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Dated: August 14, 2026