

February 9, 2026

David E. Mills  
Interim President and CEO  
PJM Interconnection, L.L.C.  
2750 Monroe Boulevard  
Audubon, PA 19043

Dear Mr. Mills,

As legislators from states in PJM's service territory, we are writing to share our perspective, concerns, and feedback regarding the Board's [Decisional Letter on Critical Issue Fast Path \(CIFP\) - Large Load Additions](#). As outlined further below, we are requesting that the PJM Board prioritize actions that protect ratepayers, support reliability, and promote competition by ensuring all types of generation resources can compete in our energy markets.

### 1. Price Collar

We urge the PJM Board to keep the Base Residual Auction price cap in place during the implementation and operationalization of the CIFP. The most recent price cap protected consumers from shouldering an additional [\\$9.9 billion](#), and we ask that PJM ensure that ratepayers are not subjected to even higher costs as a result of data center demand. Furthermore, we are requesting that the price cap remain in place until the interconnection queue allows clean energy projects to come online quickly and the system effectively allows new generation to respond to the price signals provided by the capacity auction.

### 2. Reliability Backstop Auction

The success of the Reliability Backstop Auction and its impact on consumers will be entirely dependent on the rules and mechanisms deployed by PJM. As state legislators, we ask that PJM adopt the following principles to ensure lower costs and greater reliability:

- **First, PJM implements a mechanism to ensure that existing generation cannot jump from the Base Residual Auction to the Reliability Backstop Auction**, especially if the Backstop Auction has greater economic incentives for generators. No intervention in this area could lead to the loss of generation for organic load, and thus scarcity and high prices, in the main Base Residual Auction.
- **Second, PJM ensures that the Backstop Auction is open to all resource types and is not biased towards fossil generation.** The more resource types that can participate in the auction, the more effective this process will be.
- **Third, we ask the PJM Board to please clarify whether all data center loads going forward would be separated into the Reliability Backstop Auction.** The Board, in its letter, stated that data center loads should remain in the capacity market, but also suggested opening up the Reliability Backstop Auction. If data center loads — whether Bring Your Own New Generation (BYONG) or curtailable — are reflected in the regular capacity market, ratepayers will unfairly bear those costs.

### 3. Load Forecasting

We appreciate PJM's suggested changes to its load forecasting methods, although continued progress is needed to establish a transparent, consistent, and regional standard for including new large load projects in the load forecast. We believe the inclusion of state commissions in the forecast

process is a significant improvement, and we look forward to supporting these efforts with state policy.

#### **4. Curtailment**

We support PJM's decision that large loads that do not bring their own generation will be curtailed ahead of other resources. While this is an important step, we remain concerned that the significant use of curtailment could create public health risks for our local communities, as most data centers will rely on diesel-powered backup generators — an issue we will be seeking to address within our legislatures.

#### **5. Expedited Interconnection Track (EIT)**

We are concerned that the PJM Board is once again seeking to allow certain generators to jump ahead in the interconnection queue, leapfrogging past other projects that have been waiting for years. We are not confident that the EIT will solve any issues, and that it may also create a perverse incentive for new projects to only contract with data centers, rather than joining competitive markets to serve organic load. We ask that PJM continue to prioritize reforming the queue as a whole, so that these projects can maintain economic viability.

Likewise, based on the language in the Decisional Letter, we are concerned that storage and renewables will be effectively excluded from qualifying in the expedited interconnection track. For both this and the Reliability Backstop Auction, it is essential that renewables and storage are eligible to be included. The larger the resource pool, the lower the costs for everyone. Instead of imposing an arbitrary 250 MW UCAP limit, data centers can be required to bring generation that will meet their unit-specific demand. Also, should an EIT ultimately be approved, it is important to allow for aggregations of multiple generators, including renewables and storage, that will serve the paired data center demand.

#### **6. Holistic Review of Investment Incentives in PJM Markets**

We agree that PJM should continue to evaluate how its market structures are working. Many of us have engaged with you over the last several years, urging changes to these market structures. We welcome the chance to participate in this review and revision.

The last three capacity market auctions have failed customers. They have been conducted too close to the delivery year to send price signals that meaningfully impact new capacity availability by that time, resulting in windfall profits for generation companies. We ask that PJM prioritize the interests of customers — not generators or utilities — as it evaluates alternative market constructs, while also upholding the principles of deregulated, organized, interstate energy markets.

#### **Closing**

To close, we thank the PJM Board for its attention to these matters and emphasize that the effectiveness of these proposals depends on various actors (including legislators and Governors) having meaningful engagement in the process to protect ratepayers and promote energy development. As lawmakers, we will continue advancing legislation to promote separate tariffs for large loads, large load flexibility programs and incentives, transparency requirements to improve load forecasting and infrastructure planning, water and air quality controls, as well as other measures.

We appreciate your response and the opportunity to continue collaborating with you all during this critical time. Thank you for your attention and consideration.

Signed,

Maryland Delegate Lorig Charkoudian (MD-020)

Delaware Representative Frank Burns  
(DE-21)

Delaware Senator Stephanie Hansen  
(DE-10)

Illinois Representative Kelly Cassidy  
(IL-14)

Illinois Representative Joyce Mason  
(IL-61)

Maryland Delegate Nick Allen  
(MD-8)

Maryland Delegate Adrian Boafu  
(MD-23)

Maryland Delegate Charlotte Crutchfield  
(MD-19)

Maryland Delegate Linda Foley  
(MD-15)

Maryland Delegate Michele Guyton  
(MD-042B)

Maryland Delegate Steve Johnson  
(MD-034A)

Maryland Delegate Ashanti Martinez  
(MD-22)

Maryland Delegate David Moon  
(MD-20)

Maryland Delegate Cheryl Pasteur  
(MD-011A)

Maryland Delegate Mike Rogers  
(MD-32)

Maryland Delegate Sheila Ruth  
(MD-044B)

Maryland Delegate Jen Terrasa  
(MD-13)

Maryland Delegate Jennifer White Holland  
(MD-10)

Delaware Representative Debra Heffernan  
(DE-6)

District of Columbia Council Member Charles Allen  
(DC-6)

Illinois Representative Will Guzzardi  
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Illinois Representative Ann Williams  
(IL-11)

Maryland Delegate Dylan Behler  
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Maryland Delegate Regina Boyce  
(MD-043A)

Maryland Delegate Kris Fair  
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Maryland Delegate David Fraser-Hidalgo  
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Maryland Delegate Andre Johnson  
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Maryland Delegate Robbyn Lewis  
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Maryland Delegate Aletheia McCaskill  
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Maryland Delegate Gabriel Moreno  
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Maryland Delegate Andrew Pruski  
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Maryland Delegate Malcolm Ruff  
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Maryland Delegate Vaughn Stewart  
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Maryland Delegate Christopher Tomlinson  
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Maryland Delegate Jheanelle Wilkins  
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Maryland Delegate Greg Wims  
(MD-39)

Maryland Delegate Chao Wu  
(MD-009A)

Maryland Senator Nick Charles  
(MD-25)

Maryland Senator Katie Hester  
(MD-9)

Maryland Senator Carl Jackson  
(MD-8)

New Jersey Assembly Member David Bailey Jr.  
(NJ-3)

New Jersey Assembly Member Robert Karabinchak  
(NJ-18)

New Jersey Senator Andrew Zwicker  
(NJ-16)

Ohio Representative Christine Cockley  
(OH-6)

Ohio Representative Tristan Rader  
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Ohio Senator Nickie Antonio  
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Pennsylvania Representative Paul Friel  
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Pennsylvania Representative Joseph Hohenstein  
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Pennsylvania Representative Jennifer O'Mara  
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Pennsylvania Representative Chris Pielli  
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Pennsylvania Representative Nikki Rivera  
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Maryland Senator Brian Feldman  
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Maryland Senator Alonzo Washington  
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Pennsylvania Representative MaryLouise Isaacson  
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Pennsylvania Representative Danielle Otten  
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Pennsylvania Representative Christopher Rabb  
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Pennsylvania Representative Christina Sappey  
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Virginia Delegate Richard Sullivan  
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