

Maine Data Center Advisory Council – Energy Meeting Pre-Read

July 9, 2026, 9:30am-12pm

Location: Virtual via Zoom

Registration link: https://cbi-org.zoom.us/webinar/register/WN_l4bP9DQQR9aKxvfXLZho0g#/registration

About the Council

The Maine Data Center Advisory Council was established by Executive Order of Governor Janet Mills to evaluate issues related to large-scale data center development in Maine and make recommendations to protect ratepayers, maintain electric grid reliability, minimize environmental impacts, and enable responsible economic development.

Council meetings will be open to the public. Additional meetings will be held throughout 2026, with a final report due to the Governor and Legislature by January 29, 2027. Meetings will be recorded and posted along with slides and summaries on the Council webpage.

Meeting Pre-Read

To help inform the discussion, the Council Co-Chairs are providing the following background information related to regulated energy (electricity and natural gas) markets and actors and certain key recent or ongoing actions associated with or impacting large data centers. This information is supplemental to the content that will be presented and discussed during the July 9 meeting.

At the Kickoff meeting on June 3, Department of Energy Resources Acting Commissioner Celina Cunningham presented core areas of focus as well as current safeguards and processes in place at the federal, state, and local level. Core areas of focus include the following:

- Electricity and gas costs for Maine people and businesses
- Reliability of the electricity grid
- Energy supply, including Maine's clean energy laws
- Potential impacts to the electricity grid

A meeting summary containing key points raised by Council members during the June 3 meeting can be found online at maine.gov/energy/datacentercouncil. The July 9, 2026 meeting will include a detailed discussion of data center energy considerations and applicable safeguards and processes, including several presentations from key actors, namely the Maine Public Utilities Commission and ISO New England. This pre-read supplements the information that will be presented at the meeting by summarizing (1)

recent and ongoing actions by the Federal Energy Regulatory Commission (FERC) and National Electric Reliability Corporation (NERC) related to large loads, and (2) providing a high-level list of relevant federal and state laws and regulations that may be of interest to Council members and the public.

To inform the discussion, the following information is included as a pre-read for Council Members and the public. Content begins on page 3 of this document.

Appendix 1. Key Energy Regulatory Bodies and Actors

- This is a description of key energy (electric and gas) regulatory bodies and actors, at the federal/national, regional, and state level.

Appendix 2. Recent and Ongoing Actions Related to Large Loads

- This contains a high-level summary of recent and ongoing actions related to large loads. This is not an exhaustive list.

Appendix 3. Relevant Federal and State Energy Laws and Regulations

- This is a list of some of the relevant federal and state laws and regulations that apply to the potential energy impacts from data center development and operations in Maine. This is not an exhaustive list. Applicability depends on site and project-specific details.

A note on terminology: The Data Center Advisory Council is expressly focused on data centers. At the June 3 Kickoff Meeting, the Council discussed distinguishing between “data centers” as defined in Maine law, and “large data centers.” The Council proposed an initial definition of “large data center” to mean a data center with maximum electricity demand of 20 megawatts or more. In contrast, many relevant federal and regional actions described in this document have been focused on “large loads,” which are not consistently defined in terms of megawatts but are generally understood to mean large data centers as well as other new large energy users, such as advanced manufacturing facilities.

Appendix 1. Key Regulatory Bodies and Actors

Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) is an independent agency created in 1977 with the power to regulate the interstate transmission of electricity, natural gas, and oil. FERC also has the power to monitor and regulate energy markets.

More specifically, FERC is granted authority pursuant to the Federal Power Act to regulate the wholesale sale of electricity in interstate commerce and over interstate transmission of electric power. This includes authority to regulate regional transmission operators (RTOs and ISOs), which must comply with FERC orders. States, however, retain authority over retail electricity and gas rates and the intrastate distribution of electricity. This State jurisdiction is generally exercised through public utility commissions. Similarly, FERC exercises authority over the interstate natural gas pipeline system pursuant to the Natural Gas Act while states have jurisdiction over local gas distribution companies through state public utility commissions.¹

North American Energy Reliability Corporation

The North American Energy Reliability Corporation (NERC) was founded in 1968 by representatives of the electric utility industry for the purpose of developing and promoting voluntary compliance with rules and protocols for the reliable operation of the bulk power transmission systems of North America. NERC's mission is to improve the reliability and security of the bulk power system in the United States, Canada, and part of Mexico. The organization aims to do that by enforcing compliance with mandatory Reliability Standards. NERC is a non-governmental entity to which FERC has delegated authority to create and enforce compliance with Reliability Standards.

Regional Transmission Operators and Independent System Operators

In 1996 FERC issued Order 889 encouraging the creation of regional transmission operators, also known as independent system operators.² RTOs/ISOs are designed to be independent of market participants and transmission owners and must provide non-discriminatory access to transmission service, including interconnection. An ISO is responsible for coordinating, controlling, and monitoring the operation of the electrical power system within a specific region, which can encompass multiple states. An RTO operates similarly to an ISO but typically covers a larger geographic area. RTOs were encouraged by the FERC to facilitate regional coordination of the transmission grid and

¹ See 15 USC Ch. 15B online at

<https://uscode.house.gov/view.xhtml?path=/prelim@title15/chapter15B&edition=prelim>

² See 18 CFR Part 37 at <https://www.ferc.gov/industries-data/electric/industry-activities/open-access-transmission-tariff-oatt-reform/history-of-oatt-reform/order-no-889-1> and Docket No. RM95-9-000

ensure efficient electricity market operation. RTOs/ISOs are regulated by FERC primarily through FERC's review and approval of each RTO's rules and regulations which collectively are known as the RTO's/ISOs tariff. All tariff changes must be approved by FERC.

Independent System Operator New England

ISO New England (ISO-NE) is New England's Independent System Operator and Regional Transmission Organization. It oversees the reliability and operation of the region's electric grid, including Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and most of Maine. As an RTO, ISO-NE coordinates the flow of electricity across the high-voltage, long-distance power lines in the New England region. ISO-NE develops market and reliability rules so that the grid operates reliably and safely.

In addition to operating the grid, another key part of ISO-NE's activities is the day-to-day business of running wholesale electricity markets in its territory. ISO-NE develops market rules based in part on input from stakeholders (representatives from different groups, such as electric suppliers and marketers, consumer organizations, utilities, and others) and rulings by FERC.³

Northern Maine Independent System Administrator

The Northern Maine Independent System Administrator (NMISA) is the non-profit entity responsible for the administration of the northern Maine electric transmission system and electric power markets in Aroostook and Washington counties. NMISA is independent and separate from ISO New England and is not interconnected electrically with the rest of the New England region. NMISA is electrically connected to the New Brunswick grid, and New Brunswick Power is the balancing authority.

NMISA administers the transmission systems of the investor-owned and cooperatively-owned utilities in Northern Maine, and its members also include all municipally-owned utilities, generators, suppliers of energy, and large retail customers operating in the service area.⁴ NMISA is responsible for providing an independent, objective and non-discriminatory administration of all transmission access, transmission information access, and related functions, and monitors and operates the markets in Northern Maine for energy, ancillary, and other services.

³ See [An Introductory Guide for Participation in ISO New England Processes | Federal Energy Regulatory Commission](#) and [ISO New England](#)

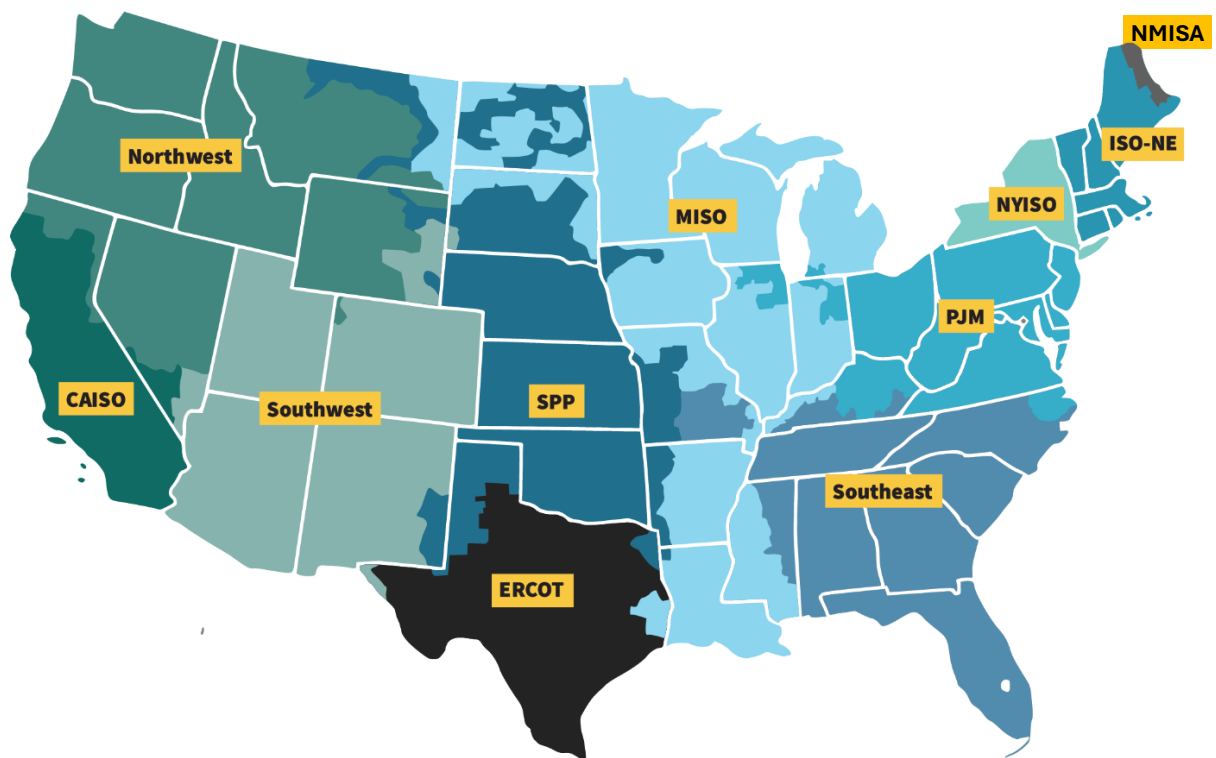
⁴ See generally Northern Maine Independent System Administrator, Inc. FERC FPA Electric Tariff. Volume No. 1. https://www.nmisa.com/wp-content/uploads/2017/11/NMISA_Tariff_11_26_12.pdf

New England States Committee on Electricity

The New England States Committee on Electricity (or NESCOE) is a not-for-profit entity organized under various state and federal laws. NESCOE is a Regional State Committee recognized by the FERC, governed by a board of managers appointed by the Governors of the six New England States. NESCOE focuses on two areas: resource adequacy and system planning and expansion. The New England Governors, through their representatives, conduct their work through stakeholder processes with the New England Power Pool (NEPOOL) and ISO-NE.

Maine Public Utilities Commission

The Maine Public Utilities Commission (MPUC), created in 1913, is the state agency that regulates electric, gas, telephone and water utilities to ensure that Maine citizens have access to safe and reliable utility services at rates that are just and reasonable for ratepayers and utilities. The Commission currently regulates approximately 430 electric, telephone, water, and gas utility companies and districts. The Commission establishes rates, grants utility operating authority, regulates utility service standards and monitors utility operations for safety and reliability.



Above: Map of Regional Transmission Operators and Independent System Operators

Appendix 2. Recent and Ongoing Actions Related to Large Loads

Recent Federal Action Regarding Large Load Interconnection

Over the past year, FERC has taken action in numerous dockets to address issues related to (a) unprecedented increases in requests for transmission service to serve large loads and (b) growing interest in the co-location of loads with generating facilities (co-location arrangements).⁵

After finding that RTOs/ISOs have in some cases struggled to make reforms to ensure that data centers can quickly and efficiently access the transmission system⁶, and to ensure that associated costs are fairly allocated, several recent Commission proceedings establish the foundations of a framework for addressing these concerns and ensuring the timely, efficient, and reliable integration of large and co-located loads onto the transmission system.⁷

On June 18, 2026, FERC issued, at the request of the Secretary of Energy, show cause orders under Section 206 of the Federal Power Act to each of the six regional grid operators under its jurisdiction, including ISO New England.⁸ According to FERC, these orders were designed to speed the integration of large energy users, like data centers and manufacturing operations, onto the electric grid.

Under the orders, grid operators and their member transmission owners (e.g. Central Maine Power, Versant Power, and other New England transmission owners) must provide justification within 60 days as to why their current tariffs remain just and reasonable in the absence of clear and consistent provisions for large load customers—or alternatively, to propose such provisions for FERC approval. The FERC summarizes the five categories of reform it expects to see addressed by each region as:

- Developing efficient transmission service application and study processes, including consideration of alternative transmission technologies
- Preventing cost shifting and requiring transparency into transmission costs

⁵ See E11 | EL26-72-000 at <https://www.ferc.gov/media/e11-el26-72-000>

⁶ See Presentation Items E-7 through E-12: RTO/ISO Show Cause Orders at <https://www.ferc.gov/news-events/news/presentation-items-e-7-through-e-12-rtoiso-show-cause-orders>

⁷ See PJM Show Cause Order, 190 FERC ¶ 61,115; PJM Co-Location Order, 193 FERC ¶ 61,217, order on reh'g, 195 FERC ¶ 61,209 (2026) (PJM Co-Location Rehearing Order); SPP HILL Order, 194 FERC ¶ 61,031; SPP CHILLS Order, 195 FERC ¶ 61,196

⁸ See News Release “FERC Launches Aggressive Targeted Action to Speed Large Load Integration,” June 18, 2026. Available online at <https://www.ferc.gov/news-events/news/ferc-launches-aggressive-targeted-action-speed-large-load-integration>, and <https://www.ferc.gov/media/e11-el26-72-000>, Docket No. EL26-72-000 Order Instituting Proceeding Under Section 206 of the Federal Power Act issued June 18, 2026.

- Accommodating co-location agreements and behind-the-meter generation
- Providing new transmission services for flexible large loads
- Developing a process to study generating facilities that serve electrically proximate large loads and co-located loads

Additionally, all regions will be expected to accommodate co-location arrangements and new generation resources for data centers and other such loads.

FERC has also ordered that each regional grid operator and their transmission owners must, within 30 days, submit a report on how each RTO/ISO intends to ensure that adequate generation will be available to serve existing and new large loads including any stakeholder proposals to address resource adequacy concerns and when they expect to file such proposals with FERC.

There are some jurisdictional questions regarding the show cause orders. FERC has not previously exercised jurisdiction over interconnection of new load since that would normally occur at the local utility level and thus would be under state jurisdiction.

In issuing the show cause orders, FERC expressly states that:

[N]othing in today's orders intrudes either on the authority of states to select, site, and permit generating resources or on the authority of state public utility commissions to set the rates, terms and conditions of retail sales of electricity. The orders also make clear that the Commission acts today to guard against cost shifting among transmission customers but leaves to the states the responsibility to ensure that there is no cost shifting among retail customers.⁹

Recent Actions by the ISO-NE to Study Unique Risks Posed by New Large Load

ISO-NE has not traditionally reviewed or evaluated interconnection of new sources of load, except to the point that individual transmission owners have initiated system impact studies under Section I.3.9 of the open access transmission tariff (OATT) in response to new customer interconnection requests.¹⁰

⁹ Fact Sheet | FERC Takes Action to Supercharge America's Grid for Efficiency, Reliability, and a Bold Energy Future. June 18, 2026. Available online at <https://www.ferc.gov/news-events/news/fact-sheet-ferc-takes-action-supercharge-americas-grid-efficiency-reliability-and>

¹⁰ See generally <https://www.iso-ne.com/participate/rules-procedures/tariff>.

Recently, ISO New England¹¹ has proactively reached out to all transmission owners in the region to determine the nature and extent of new large load developments primarily through its annual Capacity, Energy, Load and Transmission Report (CELT Report) which focuses on loads greater than or equal to 20 MW. The ISO is actively analyzing whether and to what extent these new loads will affect system demand and the appropriate steps to address load growth.¹²

Recent Actions by the ISO-NE in response to FERC Show Cause Order

On June 29, 2026, ISO New England indicated that it intends to request a 90-day abeyance as part of compliance with the show cause order. The abeyance request must be filed by August 3, 2026, and if granted, would allow for a stakeholder process ahead of a November 16, 2026 deadline for the filing that would otherwise be due August 17, 2026. Separately, ISO New England will file the informational report required within 30 days of the show cause order by July 20, 2026.

Recent Actions by the NERC to Study Unique Risks Posed by New Large Load

NERC has established a Large Load Action Plan with a two-year timeline and has set up a Large Load Working Group (LLWG) made up of over 150 industry professionals.¹³ Maine DOER staff are part of the NERC LLWG and actively participate in working group meetings and preparation of NERC reports and studies.

The LLWG released a preliminary scoping report at the end of 2025 and a Level 3 Alert on May 2026.¹⁴ This Alert requires, among other things, transmission planners to review their system stability margins at least annually and develop a detailed list of modeling data, settings, and parameters for large loads and distribute this to transmission owners. In addition, transmission owners should establish a commissioning process for computational loads and should install system fault recording devices to analyze computational load facility electrical performance. Alert responses are due August 3, 2026.

The LLWG has also is preparing a draft Data Center Load Modeling Technical Reference which will be submitted to NERC's Reliability and Security Technical Committee (RSTC) for review and is expected to be published in final form by the end of July 2026. This Technical

¹² "Planning for Large Loads in New England." Al McBride, ISO New England. 2026 NECPUC Symposium. May 20, 2026. https://www.iso-ne.com/static-assets/documents/100035/iso_large_loads_necpuc_symposium_mcbride.pdf

¹³ See generally <https://www.nerc.com/who-we-are/committees/reliability-and-security-technical-committee-rstc/subcommittees-working-groups-and-task-forces/large-loads-working-group-llwg>.

¹⁴ See <https://www.nerc.com/globalassets/programs/bpsa/alerts/level-3-computational-load-alert.pdf>.

Reference is necessary to begin the process of modeling data center performance and potential grid impacts. A Data Center Modeling Conference is planned for September 2026.

In addition, drafting teams (DTs) are being prepared to begin the process of preparing draft Large Load Reliability Standards. Once the LLWG has completed draft Reliability Standards, they will be submitted to the RSTC for review. Subject to RSTC approval, publication of final Reliability Standards is expected by December 31, 2026.

Appendix 3. List of Applicable Laws

This is a list of some of the laws and rules that apply to the potential energy impacts from data center development and operation. This is not an exhaustive list. Applicability depends on site and project-specific details.

Law or Rule	Subject	Citation	Agency
Federal Power Act	Establishes jurisdiction over interstate transmission and sale of electricity	16 U.S.C § 791 et seq	FERC
Energy Policy Act of 2005	Establishes transmission system reliability standards	16 U.S.C. § 2601 et seq	FERC
FERC Order 888	Mandates open access and unbundled transmission service, and establishes rules regarding recovery of stranded costs by public/transmitting utilities	18 C.F.R Parts 35 and 385 , Docket Nos. RM95-8-000 and RM94-7-001	FERC RTOs/ISOs
FERC Order 889	Mandates open access transmission service, establishes the Open Access Same-Time Information System, and Standards of Conduct.	18 C.F.R Part 37 , Docket No. RM95-9-000	FERC RTOs/ISOs
FERC Order 1000	Reformed the Commission's electric transmission planning and cost allocation requirements for public utility transmission providers	16 U.S.C. § 824 et seq	
FERC Section 206 Show-Cause Orders under Docket RM26-4	Order directing six RTOs/ISOs to show cause re interconnection of large loads	195 FERC ¶ 61,215 , Docket No. EL26-72-000 (ISO-NE)	FERC RTOs/ISOs/ISO-NE
ISO-NE Open Access Transmission Tariff	Establishes the rights and responsibilities of transmission owners and customers regarding access to the transmission system	ISO-NE OATT Rules and procedures and ISO-NE OATT Section I.3.9	ISO-NE
Title 35-A Maine Revised Statutes (Public Utilities)	Establishes the Maine Public Utilities Commission, and Maine's regulatory system for public utilities and other entities subject to the Title	35-A M.R.S. §:101-124 and Public Utilities Commission Rules	Maine Department of the Secretary of State

			MPUC
MPUC Ch. 311 (Renewable Portfolio Standards)	Establishes requirements and standards for implementing the State's policy to encourage the generation of electricity from renewable and efficient sources, and the production of thermal energy from renewable resources	Rules 65-407 Chapter 311	MPUC
MPUC Ch. 320 (T&D Service Standards)	Establishes service standards and service quality metrics and reporting requirements for electric transmission and distribution utilities	Rules 65-407 Chapter 320	MPUC
MPUC Ch. 815 (Consumer Protection Standards)	Establishes the minimum standards for the provision of service and the administration of credit and collection programs by gas utilities and electric transmission and distribution utilities	Rules 65-407 Chapter 815	MPUC
MPUC Ch. 89 (Confidentiality)	Reiterates and clarifies rules regarding confidentiality of utility customer records and their availability for public inspection	Rules 65-407 Chapter 89	MPUC