REGULATORY UPDATE FOR SEPTEMBER 23, 2026
(September 16, 2026 – September 22, 2026)

I. STATE REGULATORY AGENCIES

CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC OR COMMISSION)[1]

Proposed Decisions and Resolutions

Application (A.) 23-06-008 (Application of Pacific Gas and Electric Company for Recovery of Recorded Expenditures in Memorandum and Balancing Accounts Related to Wildfire and Gas Safety). This decision authorizes Pacific Gas and Electric Company (PG&E) to recover approximately $1,768.4 million (or $1.769 billion) in 2020-2022 costs recorded in the Wildfire Mitigation Plan Memorandum Account (WMPMA) and Fire Risk Mitigation Memorandum Account (FRMMA). The costs recorded in the WMPMA and FRMMA consist of expenses and capital expenditure PG&E incurred to implement wildfire mitigation activities.

Voting Meeting

The CPUC held a voting meeting on September 17, 2026 in San Marcos, California, at 11 a.m. PT. The energy-related results are below:

Item 2. Resolution E-5455. This resolution approves PG&E's Advice Letter (AL) 7785-E, filed on December 18, 2025, requesting Commission approval of an exceptional case agreement between PG&E and Google LLC to support the energization of a new 250-megawatt (MW) transmission-level retail electric load at 230 kilovolts (kV) in San Jose, California. The resolution approves the AL with modifications, requiring additional ratepayer protections. **This item has been held by President Reynolds to the October 8 voting meeting.**

Item 8. Resolution E-5475. This resolution confirms that the Sonrisa project, a 200-MW solar and 184-MW/736 MWh storage facility, contracted by Ava Community Energy (Ava) is a new resource and thus incremental to the baseline list of generators defined in Decision (D.) 21-06-035, following Commission review of the information presented by Ava. Additionally, this resolution expands the eligibility requirements for the submission of baseline waiver requests for projects that are included in the baseline list but have not and are unlikely to ever come to fruition and clarifies that Load-Serving Entities may request a Tier 2 waiver by submitting a Tier 2 AL to the Commission. **Approved.**

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[1] Per the CPUC's Rules of Practice and Procedure Rule 14.3, comments on proposed decisions are due 20 days after issuance of the proposed decision, and reply comments are due five days thereafter. Comments on draft resolutions are due 20 days after the draft resolution appears in the CPUC's daily calendar, per Rule 14.5.

Item 10. Resolution G-3622. This resolution approves in part and modifies in part the California Energy Commission's (CEC) ALs 12-G and 10-G-A, filed on August 8, 2025 and October 3, 2025, respectively. These ALs contain proposed Gas Research, Development, and Demonstration (RD&D) Investment Plans (Gas RD&D Plans or Plans) for Fiscal Years 2024-2025 (the 2024 Plan) and 2025-2026 (the 2025 Plan). This resolution approves, in part, the CEC's Gas RD&D Plans with proposed budgets of $24 million each for its 2024 Plan and its 2025 Plan, totaling $48 million. This resolution reviews the CEC's 2024 Plan and 2025 Plan against a list of consolidated requirements from prior decisions and resolutions. This resolution finds that CEC Plan omissions can be remedied with additional information and directs the CEC to submit its revised 2024 and 2025 Gas RD&D Plans via Tier 2 ALs within 90 days. **This item has been held by staff to the October 8 voting meeting.**

Item 11. Rulemaking 25-02-005 (Order Instituting Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes). This decision affirms the Commission's methodology of valuing Renewable Energy Credits generated prior to January 1, 2019, and banked, but used for investor-owned utility (IOU) customer (bundled customer) compliance in later years at zero dollars when calculating PG&E, San Diego Gas & Electric Company (SDG&E), and Southern California Electric Company's (SCE) Power Charge Indifference Adjustments (PCIA). The Commission is statutorily mandated to ensure the movement of customers from IOU bundled service to IOU unbundled service does not result in a cost shift between bundled and unbundled customers (departing load). This obligation is referred to as maintaining customer indifference. The PCIA is the Commission's regulatory tool for maintaining indifference between these customer groups. **Signed, D.26-09-047.**

Item 13. Resolution G-3623. This resolution (1) denies PG&E's AL 5196-G with its proposed 2024 Gas RD&D Plan; (2) approves, in part, AL 5197-G with its proposed 2025 Plan; and (3) approves, in part, AL 5222-G with its proposed 2026 Plan. PG&E's Gas RD&D Program was established pursuant to D.23-11-069, requiring PG&E to submit an annual Tier 3 AL describing PG&E's proposed Gas RD&D Plan prior to utilizing authorized funds. The Commission's findings are based on review of PG&E's Gas RD&D requirements. Specifically, the Commission: (1) denies PG&E's 2024 Plan with a proposed budget of $1,945,797; (2) approves, in part, PG&E's 2025 Plan with a proposed budget of $6,700,087 and administrative budget of $670,000; and (3) approves, in part, PG&E's 2026 Gas RD&D Plan with a proposed budget of $8,267,000 and administrative budget of $826,700. This resolution authorizes PG&E to record $611,440 in its balancing account for administrative costs incurred in the development of its 2024 Plan and Report pertaining to Commission-required compliance activities. This resolution authorizes budgets of $6,133,333 and $7,874,348 for PG&E's 2025 Plan and 2026 Plan, respectively, including 10% of funds for Program Administration. The Commission directs PG&E to submit revised 2025 and 2026 Gas RD&D Plans via individual Tier 2 ALs with modifications described in this resolution and according to the modified budgets outlined in Appendix B of the resolution. **Approved.**

Item 44. Resolution E-5480. This resolution adopts, with modifications, the equity metrics proposed by PG&E, SCE, and SDG&E, collectively referred to as the "joint utilities," to measure equity in each utility's yearly Distribution Planning and Execution Process (DPEP), pursuant to D.24-10-030. AL 5498-E contains a joint proposal from PG&E and SCE, and a separate proposal from SDG&E on the information and sources used to measure the equity within each utility's DPEP. **Approved.**

Events

Avoided Cost Calculator (ACC) Workshop. Energy Division staff hosted a public workshop on the ACC on September 9, 2026, from 1:30 p.m. to 4 p.m. PT. The goal of the workshop is to present the 2026 Draft ACC to stakeholders and the public and to provide an opportunity for comment and questions. The ACC, which is updated biennially, is used to determine the avoided costs incurred by reductions in electricity and gas consumption from distributed energy resources. It is used to determine the benefits of customer programs that promote distributed energy resources, such as energy efficiency, and demand response. Workshop details are available on the Commission's Daily Calendar.

Interconnection Discussion Forum. Energy Division staff will host the next Interconnection Discussion Forum (IDF) on Tuesday, November 3, 2026 from 1 p.m. to 4 p.m. PT. The IDF provides an informal venue for utilities, developers, and other stakeholders to explore a variety of issues related to interconnection practices and policies. It is generally scheduled quarterly. The November IDF meeting will focus on interconnection issues relating to community solar, under both the Wholesale Distribution Access Tariff and Electric Rule 21. Additional details are available on the Rule 21 website, here.

CALIFORNIA ENERGY COMMISSION (CEC)

2026 Integrated Energy Policy Report (IEPR) Update

The CEC has set the following preliminary schedule for the 2026 IEPR. The schedule is available on the 2026 IEPR Update page.

Task/Event	Date
• Final *2026 IEPR Update Scoping Order* released	April 2026
• Adopt order instituting informational proceeding	May 2026
• Public workshops on specific topics	May–December 2026
• Release draft *2026 IEPR Update*	October 2026
• Release proposed *2026 IEPR Update*	January 2027
• Adopt *2026 IEPR Forecast*	January 2027
• Adopt *2026 IEPR Update*	February 2027

The CEC's 2026 IEPR Update workshop schedule (which remains subject to change) is set forth below. According to the workshop schedule, all workshops will be held via Zoom and the remaining workshops through December 2026 will run as follows:

November 12, 2026: Commissioner Workshop on Load Modifier Draft Results, 10 a.m.–5 p.m. PT.

December 14, 2026: Commissioner Workshop on Overall Forecast Results, 10 a.m.–5 p.m. PT.

Written comments regarding the August 20, 2026 and August 31, 2026 workshops were due to the docket unit by 5:00 p.m. PT on September 15, 2026.

Notice to Amend Electric Vehicle (EV) Charger Reliability Standards

On August 11, 2026, the CEC announced its proposed rulemaking to amend the EV Charger Data and Reliability Standards (set forth in Title 20, California Code of Regulations, Division 2, Chapter 12, Article 2) to exempt MW Charging System EV chargers from certain requirements and to provide other "minor refinements" within the regulations. The CEC will hold a public meeting to consider the proposed regulations on Thursday, September 24, 2026 from 10 a.m. to 1 p.m. PT via Zoom. Access details and other event information are available here. Additional information regarding the EV Charger Data and Reliability Standards is available on the EV Charger Data and Reliability Standards webpage.

Electric Program Investment Charge (EPIC)

The CEC will host its annual EPIC Symposium on September 29, 2026, both in person at the California Natural Resources Agency building at 715 P Street in Sacramento, California and via remote access. EPIC discussion topics include (1) Optimizing EVs as Grid Assets and (2) Closing the Battery Lifecycle Loop. Registration is now live and the EPIC Symposium agenda is available here.

Lithium Valley Informational Proceeding

The CEC hosted a remote-access workshop on September 10, 2026 to discuss current opportunities for development of the lithium industry in the Salton Sea region of California. Additional information regarding the scope of the workshop is available in the workshop notice. Written comments are due to the docket unit by 5:00 p.m. PT on September 30, 2026.

Wave and Tidal Energy

The CEC released the *Draft Senate Bill 605 Wave and Tidal Energy Report to the Governor and Legislature* and will be holding a remote-access workshop on September 30, 2026 to present and gather feedback on the draft report. Written comments on the draft report are due to the docket unit by 5:00 p.m. PT on November 3, 2026.

CEC Business Meetings

The next CEC business meeting is scheduled for October 19, 2026.

PACIFIC NORTHWEST (OPUC, WUTC, BPA)

Public Utility Commission of Oregon (OPUC)

On September 3, 2026, the OPUC held (1) a public meeting to consider granting PacifiCorp d/b/a Pacific Power's request for a waiver of OAR 860-089-0250(1) and approving use of PA Consulting as the Independent Evaluator for Phase 2 of PacifiCorp's 2025 Request for Proposals (Docket No. UM 2383), and (2) a public hearing and commissioner work session to open a formal rulemaking to implement Senate Bill 845, which primarily authorizes OPUC to order the sale of a water utility that is unable to provide safe and adequate service (Docket No. AR 673). The full agenda is accessible here.

Bonneville Power Administration (BPA)

On August 31, 2026, BPA hosted a BP-26 transmission settlement commitment workshop to discuss (1) the short distance discount and the billing determinant for Network Integration Transmission Service as related to behind-the-meter resources and (2) to provide clarity on the scope, eligibility, and costs of the New Generation Technology Pilot Program. The settlement is included in the BP-26 Rate Proceeding Administrator's Final Record of Decision. More information on the BP-26 rate case is here. On September 1, 2026, BPA hosted the second workshop in its Risk Mitigation & Financial Policies Refresh series, wherein BPA reviewed the existing 2022 Financial Plan which will culminate in a new financial plan, targeting a 2027 publishing date, to ensure BPA's long-term financial goals are supported with agile risk mitigation strategy and updated financial policies. The 2022 Financial Plan is available here.

Also on August 31, 2026, BPA published what it refers to as a refreshed strategic plan to accelerate innovative transmission and power supply solutions to meet growing demand and expansion in the region. The plan seeks to protect legacy customers and ratepayers by ensuring that "growth pays for growth." The 2026-2030 Strategic Plan is available here.

Lastly, on September 1, 2026, BPA announced a two-week delay in issuing its updated large generator interconnection Phase One Cluster Study Reports. Those reports—initially targeted for September 11, 2026—will now be issued September 25, 2026. In addition, BPA will tender Phase Two Cluster Study Agreements on October 9, 2026 for customers who intend to move forward in the interconnection study process.

II. FEDERAL AGENCIES

U.S. DEPARTMENT OF ENERGY (DOE)

D.C. Circuit Vacates DOE Emergency Authorization Order

On September 11, the D.C. Circuit vacated a DOE order that DOE issued under its Federal Power Act (FPA) section 202(c)'s emergency power authority, under which DOE ordered a coal plant in Michigan to stay open. The D.C. Circuit noted that FPA section 202(c) limits emergency authority "to address an identified risk of a substantial energy supply shortfall that calls for immediate action" and that the section is best read where DOE identifies a risk of substantial energy harm from inadequate electricity supply that calls for immediate action by DOE in particular, as opposed to by the states. The D.C. Circuit noted that DOE, in this case, did not identify circumstances that warrant section 202(c) usage and that DOE's order warranted being vacated.

DOE Issues Additional FPA 202(c) Order

Also on September 11, DOE issued another FPA section 202(c) emergency order to keep a coal power plant online in Washington state. The order calls for TransAlta Centralia Generation Facility's one remaining coal-fired generation unit to remain operational due to the region's "elevated risk of insufficient operating reserves during periods of extreme weather."

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

FERC 2026 Commission Meeting Summary

FERC held its September 2026 Commission Meeting on September 10, 2026. FERC released orders on the following:

- **North American Electric Reliability Corporation's (NERC) proposed reliability standard (RD26-9-000)**: This order approved NERC's proposed physical Reliability Standard CIP-014-4 and the associated implementation plan, violation risk factors, and violation severity levels, as well as the retirement of the currently effective Reliability Standard CIP-014-3. The Physical Security Standard requires applicable transmission owners to perform a periodic risk assessment to identify critical transmission substations, evaluate potential threats and vulnerabilities of a physical attack, and develop a physical security plan to protect critical facilities.

- **FERC's show-cause proceeding against ISO New England, Inc. (ISO-NE) related to ISO-NE's lack of mechanism to allow ISO-NE to adjust erroneous capacity performance payments (EL26-45-000)**: This order found ISO-NE's tariff unjust and unreasonable because it lacks provisions that would enable ISO-NE to accept payments from market participants that were erroneously or improperly received, which yields unjust and unreasonable market outcomes for market participants and customers. ISO-NE must submit a compliance filing within 120 days of the date of the order.

- **Tri-State Generation and Transmission Association, Inc.'s (Tri-State) participation in Southwest Power Pool's (SPP) expansion into the Western Interconnection (SPP West) (ER20-681-016)**: The order conditionally accepts Tri-State's tariff revisions that reflect its participation in the SPP West. The order requires Tri-State to offer its SPP West units at or below each unit's mitigated energy offer and to submit a compliance filing that provides a horizontal market power analysis of the SPP West market.

- **TransAlta Energy Marketing (U.S.) Inc.'s spot sales above the Western Electricity Coordinating Council (WECC) soft cap (ER23-276-000):** This order found under *Mobile-Sierra* that there is no basis for further FERC action concerning TransAlta Energy Marketing (U.S.) Inc.'s spot market energy sales that exceeded the WECC soft price cap of $1,000/MWh.

- **Mercuria Energy America, LLC's spot sales above the WECC soft cap (ER23-450-000):** This order found under *Mobile-Sierra* that there is no basis for further FERC action concerning Mercuria Energy America, LLC's spot market energy sales that exceeded the WECC soft price cap of $1,000/MWh.

- **Calpine Energy Services, L.P.'s spot sales above the WECC soft cap (ER23-316-000)**: This order found under *Mobile-Sierra* that there is no basis for further FERC action concerning Calpine Energy Service, L.P.'s spot market energy sales that exceeded the WECC soft price cap of $1,000/MWh.

III. INDEPENDENT SYSTEM OPERATORS (ISO) AND REGIONAL TRANSMISSION ORGANIZATIONS (RTO)

CALIFORNIA INDEPENDENT SYSTEM OPERATOR (CAISO)

Stakeholder Initiatives: Upcoming Meetings and Deadlines

Interconnection Process Enhancements: Draft Tariff Language Posting. The CAISO posted the draft tariff language for outstanding items related to several interconnection stakeholder on September 15, 2026, which can be found on the initiative webpage. A public stakeholder meeting to discuss the proposed revisions will take place on September 30, 2026.

Storage Design and Modeling: Revised Straw Proposal Posted. The CAISO has posted the Revised Straw Proposal on Default Energy Bids on the Storage Design and Modeling webpage. The revised straw proposal was discussed at the stakeholder meeting that took place on September 22, 2026. Written comments on the revised straw proposal through CAISO's commenting tool are due by end of day October 6, 2026.

Updated Information on Resource Interconnection Standards. The CAISO has posted an update to the Q&A Long Lead Time Resource for Cluster 16 with information on intake and scoring of long lead time interconnection requests for Cluster 16 to the interconnection facility webpage. The update is related to the allowance of alternative interconnection points eligible for Transmission Plan Deliverability reservations that are the same constraints as the ones identified in Table 1-1 of the 2025-2026 Transmission Plan.

2027 Default Resource Adequacy Values New Recurring Process. The CAISO held a virtual stakeholder meeting on September 9, 2026, to present the draft default qualifying capacity and default planning reserve margin for the 2027 Resource Adequacy. This is the first meeting in this new Default Resource Adequacy Values recurring process. Stakeholder comments are requested by September 23, 2026. Meeting details can be found here.

2026-2027 Transmission Planning Process (TPP): Meetings. The CAISO will host a virtual public stakeholder meeting on September 23 and 24, 2026, to discuss the preliminary reliability study results, participating transmission owner's reliability projects, and updates on other analyses related to the 2026-2027 TPP. The meeting materials can be found on the TPP webpage and meeting access can be found here.

IV. DATA CENTERS AND LARGE LOADS

U.S. House Passes Ratepayer Protection Act

The U.S. House of Representatives passed the Ratepayer Protection Act by a vote of 417-3. The bill would require states to consider standards ensuring that large-load customers, such as data centers, bear the full cost of grid upgrades needed to serve their facilities. The proposed standards would require utilities to recover the incremental costs of generation, transmission, and distribution infrastructure directly from large-load customers. The bill would also require large-load customers to provide financial assurances or upfront contributions before utilities undertake system upgrades, helping protect other ratepayers from stranded costs and speculative development risks.

Virginia Unveils Data Center Accountability Framework

Virginia Governor Abigail Spanberger released a Data Center Accountability Framework that would impose some of the nation's most stringent requirements on future data center development. Governor Spanberger wrote that the framework aims to increase transparency and local control; strengthen environmental protections through new standards for water use, noise, backup generation, and land impacts; require data centers to bear a greater share of transmission and generation costs; prioritize grid access for facilities that exceed clean-energy and emissions-reduction benchmarks and limit reliance on on-site natural gas generation; and promote local hiring, apprenticeship programs, and Virginia-based procurement.

California Governor Signs Data Center Legislation

On September 21, 2026, Governor Newsom signed several data center laws, including Senate Bill 886 (Padilla) and Assembly Bill 2383 (Zbur), that address interconnection and electric service for data centers.[2] The legislation will go into effect on January 1, 2027.

[2] "Data Centers" are defined as "a facility, or part of a facility, that houses computing infrastructure … for the primary purpose of processing, storing, or distributing electronic data …." Publ. Util. Code § 945.1(a).

The two bills adopt a new article, Article 14.7, titled the "California Technology Innovation and Ratepayer Protection Act"(Act), adding California Public Utilities Code §§ 945 through 945.9. The Act requires the California Public Utilities Commission ("Commission") to adopt new tariffs or update existing rules to address the interconnection of and the provision of electric retail service to data centers, consistent with the requirements set forth in the Act, by January 1, 2028.

For a more detailed discussion of the new California data center laws, see our Alert here.