

**REGULATORY UPDATE FOR AUGUST 19, 2025
(WEEK OF AUGUST 11, 2025)**

CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC OR COMMISSION)¹

Proposed Decisions and Resolutions

Application (A.) 23-01-008 (San Diego Gas & Electric Company Cost Allocation, and Electric Rate Design Application). The proposed decision (PD) addresses the 2024 General Rate Case Phase 2 proceeding of San Diego Gas & Electric Company (SDG&E). The PD adopts three settlement agreements:

- the Partial Settlement Agreement, which resolves cost allocation, creation of a Medium Commercial Class, base time-of-use rates, and most of the other contested issues in this proceeding;
- the Marginal Cost Settlement Agreement that includes proposals to set marginal costs used in cost allocation and rate design; and
- the Medical Baseline Settlement Agreement that provides for a line-item medical baseline discount.

In addition, this PD would adopt the system percentage change methodology to update rates, resolve other bill presentment issues raised by other parties, and approve SDG&E's other uncontested proposals.

Rulemaking (R.) 20-05-003 (Integrated Resource Planning (IRP) and Related Procurement Processes Rulemaking). This decision grants, with modifications, Southern California Edison Company's (SCE) Petition for Modification of decisions (D.) 23-02-040 and D.24-02-047. SCE sought a waiver of the requirements for bridge contracts for resources required by D.21-06-035 and D.23-02-040, for the months of July, August, and September of each year, arguing that there is no short-term reliability need for these bridge resources during the lower-demand months, and that load serving entities (LSEs) that have met their month-ahead system resource adequacy requirements should not be required to procure additional bridge resources not needed for short-term reliability.

This decision goes beyond the relief requested by SCE and eliminates the option for LSEs to use bridge contracts as an alternative compliance mechanism for the long-term procurement requirements of D.21-06-035 and D.23-02-040 for all months of the year, relieving ratepayers of the additional costs of those bridge resources that do not provide significant short-term reliability benefits. The decision determines that, for the purposes of satisfying procurement obligations in D.21-06-035 and D.23-02-040, the resource adequacy month-ahead requirements

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.

should provide sufficient incentive to procure the same types of resources included in most bridge contracts, if such contracts prove necessary for short-term reliability purposes.

Resolution (Res) E-5387 (Multi-Distributed Energy Resource Integrated Demand Side Management Frameworks). This Resolution approves, with modifications and clarifications, the multi-distributed energy resource (multi-DER) integrated demand side management (IDSM) frameworks and programs submitted by Pacific Gas & Electric Company (PG&E), SCE, Southern California Gas Company (SoCalGas), San Francisco Bay Area Regional Energy Network, Inland Regional Energy Network, Marin Clean Energy, Southern California Regional Energy Network, and Tri-County Regional Energy Network pursuant to D.23-06-055. In D.23-06-055, the CPUC stated that energy efficiency (EE) portfolio administrators may propose processes for customers to implement multi-DER projects and receive rebates or incentives from other CPUC proceedings, such as the Self-Generation Incentive Program proceeding, for non-EE IDSM measures through their EE programs.

Voting Meeting

The CPUC held a voting meeting in Sacramento, California on August 14, 2025 at 11:00 a.m. PT. The following are [results](#) for energy-related items were on the [agenda](#).

Item 3. Res E-5398 (PacifiCorp Cap-and-Trade Program). This Resolution directs PacifiCorp to remove costs for compliance with the Washington Cap-and-Invest Program from California rates from Advice Letter (AL) 751-E. The Commission finds that California PacifiCorp ratepayers would face additional costs if rates include costs from both the California Cap-and-Trade Program and the Washington Cap-and-Invest Program for the same emissions. The Resolution finds that this issue should be addressed once the state agencies responsible for each program finalize an agreement to harmonize the two systems. The respective state agencies responsible for these programs, the California Air Resources Board and the Washington Department of Ecology, are currently considering an agreement that would link their carbon markets and determine a unified compliance obligation for utilities, such as PacifiCorp, that operate under both systems. Lastly, the Commission directs PacifiCorp to determine Washington Cap-and-Invest Program costs already collected or costs owed from California ratepayers in either the 2025 or the 2026 PacifiCorp Energy Cost Adjustment Clause Application. **Held to August 28, 2025.**

Item 4. Res E-5400 (2024-2027 EE Portfolio Business Plans for Northern California Rural Regional Energy Network and Central California Rural Regional Energy Network). This Resolution approves the revised 2024-27 EE Portfolio Business Plan for Northern California Rural Regional Energy Network and the revised 2024-27 EE Portfolio Business Plan for Central California Rural Regional Energy Network. The cost is \$60,029,938 to PG&E customers, \$7,267,800 to SCE customers, and \$2,180,340 to SoCalGas customers for a four-year period. **Held to August 28, 2025.**

Item 7. Res G-3605 (SoCalGas's 2024 Compliance Plan, Forecasts, and Caps for Its Natural Gas Leak Abatement Program). This Resolution approves in part and denies in part SoCalGas's 2024 Natural Gas Leak Abatement Compliance Plan and the ratemaking forecasts as

presented in AL 6277-G-B. SoCalGas requested a forecasted total revenue requirement of \$483.12 million. This Resolution approves \$102 million for Blowdown Reduction Activities, as it is the sole cost-effective measure in the program. All other costs for Best Practices and Research Development & Demonstration are denied. An additional \$4.245 million for SoCalGas's Natural Gas Leak Abatement Program Administration is authorized for recording in the Natural Gas Leak Abatement Program Memorandum Account for potential recovery in a future general rate case or other proceeding, where it will be subject to reasonableness review. The Resolution approves \$78.8 million for ongoing capital undercollections from previously approved Compliance Plans. **Held to August 28, 2025.**

Item 9. A.24-06-013 (Application of PG&E for Authority to Issue Wildfire Rate Relief Bonds). This decision finds that the request by PG&E to issue bonds and securitize up to \$2.356 billion fails to meet the public interest standard required by Cal. Pub. Util. Code § 850.1(a)(1)(A), and denies PG&E's request in its entirety. The decision finds that PG&E's proposal, with a one-year bill credit and a nine-year bill increase, does not meet the public interest standard required by Cal. Pub. Util. Code § 850.1(a)(1)(A)(ii)(II) because PG&E fails to establish short-term and long-term economic benefits to ratepayers and otherwise fails to establish that the proposed transaction meets any of the other considerations under the public interest standard, including whether the proposed transaction maintains the safe and reliable operation of the utility, or maintains or improves the quality of service to public utility ratepayers or maintains or improves the financial condition of the utility. **Signed, D.25-08-007.**

Item 16. R.24-01-017 (Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development, of California Renewables Portfolio Standard Program). This decision denies the request from PG&E, SCE, and SDG&E, as made in their respective, individual 2024 Renewable Portfolio Standard (RPS) plans, for the Commission to adopt a framework for pre-approval of short-term RPS transactions based on the transactions' compliance with achievable, upfront standards. This decision maintains the California RPS program rule set forth in D.14-11-042 requiring investor-owned utilities to seek approval from the Commission concerning the review of short-term RPS transactions through submission of Tier 1 ALs. **Signed, D.25-08-009.**

Item 17. Res E-5409 (PG&E Mid-Term Reliability Procurement). This Resolution approves PG&E's request for approval of one mid-term reliability (MTR) long-term resource adequacy agreement with energy settlement storage contracts with Calpine Corporation's Pastoria Power, LLC (owner of Pastoria Power Bank Project) for a 15-year contract term for a total of 80 megawatts of nameplate capacity. Under the contract, deliveries are expected to begin on July 1, 2026. PG&E procured this resource to satisfy a portion of its MTR requirement. **Approved.**

Item 19. Res G-3606 (SDG&E 2024 Natural Gas Leak Abatement (NGLA) Ratemaking Forecasts and Capital Costs Recovery). This Resolution denies SDG&E's 2024 NGLA ratemaking forecasts as presented in AL 3285-G-A for costs for its 2024 Compliance Plan. SDG&E forecasts a total revenue requirement of \$24.859 million in AL 3285-G-A: \$22.919 million for Best Practices; \$1.29 million for Research, Development, and Demonstration (RD&D) projects; \$0.428 million for Program Administration; and \$0.222 million for under-

recovered ongoing capital revenue requirement. Best Practice proposals are described in Attachment A, Safety Policy Division's Review of SDG&E's 2024 NGLA Compliance Plan. This Resolution approves no funding for Best Practices because none of the practices are cost-effective. Costs for RD&D are also denied. SDG&E is authorized to record up to \$0.428 million for NGLA Program Administration, if applicable, in the NGLA Program Memorandum Account for potential recovery in a future general rate case or other proceeding, where it will be subject to reasonableness review. The Resolution approves \$222,000 for unrecovered ongoing capital costs from previously approved Compliance Plans. **Held to August 28, 2025.**

Item 39. R.25-08-004 (Order Instituting Rulemaking to Update Distribution Level Interconnection Rules and Regulations). The Commission opens this rulemaking to consider refinements to the interconnection of distributed energy resources under Electric Tariff Rule 21 (Rule 21) of PG&E, SCE, and SDG&E, and the equivalent tariff rules of the small and multi-jurisdictional electric utilities. The purpose of this proceeding is to update and improve Rule 21 and associated interconnection procedures concerning the safety and reliability of the electric grid as distributed technologies continue to evolve, promote greater transparency and certainty around interconnection processes, and contain costs for all ratepayers that use the electric grid. **Signed, R.25-08-004.**

Upcoming Events

IRP Webinar on Proposed Updates to the Busbar Mapping Methodology (R.20-05-003 & R.25-06-019). On August 19, 2025, from 9:00 a.m. to 12:00 p.m. PT, Energy Division staff held a webinar to provide an overview of the busbar mapping process and its role in the transmission planning process and to help familiarize stakeholders with updates to the criteria and the criteria alignment thresholds in busbar mapping methodology. Workshop slides and other information are available [here](#).

Workshop on Customer-Generated Renewables for Priority Communities (R.25-01-005). On August 20, 2025, beginning at 9:00 a.m. PT, the Commission will host a remote-only workshop (this change was noticed via Administrative Law Judge Ruling, available [here](#)) to discuss issues in the Customer-Generated Renewables proceeding. Specifically, the workshop is designed to provide guidance for small multi-jurisdictional utilities (Bear Valley, Liberty Utilities, and PacifiCorp) regarding customer generation tariffs and consumer protections. The Teams meeting link is available [here](#).

General Order (GO) 131-E Pilot Program Metrics Workshop (R.23-05-018). On August 21, 2025, from 3:00 p.m. to 5:00 p.m. PT, the Commission will host a workshop to present the proposed pilot project metrics and to receive verbal input from parties. In D.25-01-055, the Commission adopted new GO 131-E, superseding GO 131-D, and directed Energy Division staff to administer a pilot program to evaluate the Commission's existing California Environmental Quality Act (CEQA) review process for electric transmission projects and evaluate ways to accelerate existing CEQA processes. The workshop can be accessed [here](#), and the meeting password is : YPkYN8XZe38.

CALIFORNIA INDEPENDENT SYSTEM OPERATOR (CAISO)

Stakeholder Initiatives: Upcoming Meetings and Deadlines

2025-2026 Transmission Planning Process. CAISO has posted the 2025-2026 Transmission Planning Process preliminary reliability results to its website. The Request Window is open until October 15, 2025. Further information is available [here](#).

Day-Ahead Market Enhancements. CAISO will host a Day-Ahead Market Enhancements (DAME) Configurable Parameters implementation working group on August 26, 2025. Further information is available [here](#).

Extended Day-Ahead Market (EDAM) Access Charge. CAISO will host a stakeholder call on August 19, 2025, to review proposed updates to the Settlements Business Practice Manual, specifically focused on the EDAM Access Charge. Further information is available [here](#).

EDAM Implementation. CAISO will host a public stakeholder call on August 21, 2025, to discuss key elements of EDAM Implementation. Further information is available [here](#).

DAME, EDAM & EDAM CAISO Balancing Authority Participation Rules. CAISO will offer a settlements-focused training session on August 20, 2025, tailored for Scheduling Coordinators involved in or impacted by the upcoming Spring 2026 launches of DAME, EDAM, and EDAM CAISO Balancing Authority Area Participation Rules. Further information is available [here](#).

Resource Adequacy Modeling and Program Design. CAISO will host a hybrid meeting for the Resource Adequacy Modeling and Program Design working group on August 28, 2025. Further information is available [here](#).

Generator Interconnection. Affidavits to seek or retain transmission plan deliverability are available on the CAISO website. All affidavits are due by August 29, 2025. Further information is available [here](#).

Storage Design and Modeling. CAISO has posted the Revised Straw Proposal and the comment template for the Storage Design and Modeling working group on Outage Management. Comments are due August 28. Further information is available [here](#).

2026 Effective Flexible Capacity Values for Resource Adequacy Resources. CAISO has posted the preliminary 2026 Resource Adequacy Effective Flexible Capacity list. Scheduling coordinators are requested to review their information and submit comments by August 20, 2025. Additional information is available [here](#).

Interconnection Process Enhancements 5.0. CAISO has posted the Straw Proposal for the Interconnection Process Enhancements 5.0 initiative, and held a stakeholder workshop on August 11, 2025. Written comments are due August 25, 2025. Additional information is available [here](#).

California Energy Commission Demand Response Data Request. The California Energy Commission (CEC) has requested confidential demand response (DR) data to support its work related to supply-side DR. Specifically, the data supports: (1) testing proposals under the supply-side DR qualifying capacity working group and determining incremental capacity, (2) calculating incentives under the Demand Side Grid Support program Option 2 incentive for market-integrated DR, and (3) implementing a comparison group-based load impact measurement methodology. This data request includes confidential DR bid, schedule, settlement, and registration data. The due date for any objections to the release of this data is August 26, 2025 at 12:00 p.m PT. Additional information is available [here](#).

2026 Import Capability Assignment. CAISO has posted the CAISO Maximum Resource Adequacy Import Capability for Year 2026 document, as a first step to the 2026 import capability assignment process. Additional information is available [here](#).

2025 Intra-Cluster Reliability Network Upgrade Prioritization. CAISO has posted its 2025 Intra-Cluster Reliability Network Upgrade Prioritization Study Plan and Methodology document, and a list of Interconnection Customer projects with qualifying Reliability Network Upgrades where available capacity to interconnect earlier may exist. Eligible interconnection customers will receive an email with application instructions. Additional information is available [here](#).

CALIFORNIA ENERGY COMMISSION (CEC)

2025 Integrated Energy Policy Report (IEPR)

The CEC has released the 2025 IEPR [workshop schedule](#) and opened a new proceeding number ([25-IEPR-01](#)) for the 2025 IEPR. Workshop topics and dates included in the notice are below (note: the workshop schedule is subject to change and the current schedule was released on July 2, 2025). Upcoming workshops or comment deadlines and recent changes to the workshop schedule are reflected below:

- **July 29, 2025:** [IEPR Commissioner Workshop on Firm Zero-Carbon Resources and Hydrogen](#) (remote and in-person at the California Natural Resources Agency Headquarters, 715 P Street, Sacramento, California 95814) – *note new time: 9:30 a.m. to 5:00 p.m. PT.*
 - Written comments were due to the Docket Unit by 5:00 p.m. PT on August 19, 2025
- **August 6, 2025:** [IEPR Commissioner Workshop on Energy Demand Forecast Inputs and Assumptions](#) (remote access only). The meeting schedule is available [here](#).
 - Written comments are due to the Docket Unit by 5:00 p.m. PT on August 20, 2025
- **August 11, 2025:** [IEPR Commissioner Workshop on Accelerating Interconnection and Energization](#) (remote access only).
 - Written comments are due to the Docket Unit by 5:00 p.m. PT on August 25, 2025.

- **August 26, 2025:** [IEPR Commissioner Workshop on Energy Demand Forecast Load Modifier Scenario Design](#) (remote access only).
- **November 13, 2025:** IEPR Commissioner Workshop on Load Modifier Results (remote access only).
- **December 11, 2025:** IEPR Commissioner Workshop on Forecast (remote access only) – *rescheduled from December 2, 2025.*

On July 22, 2025, the CEC released a [Revised Scoping Order](#) for the 2025 IEPR, which updates the original Scoping Order posted in March 2025.

Assembly Bill (AB) 3 California Offshore Wind Advancement Act

On June 18, 2025, CEC staff hosted a remote access [workshop](#) to present CEC staff's proposed scope and strategy for developing the reports required by AB 3, and to receive public comment on staff's proposals. Staff's [Scoping Document](#) and [Literature Assessment](#), as well as all related workshop items, can be accessed [here](#). Under AB 3, the CEC is required to prepare and submit reports to the Governor and Legislature after consulting with various state agencies as follows:

- Report 1 is a second-phase plan for seaport readiness due by December 31, 2026 (Cal. Pub. Resources Code § 25991.8).
- Report 2 is a feasibility study of achieving 50% and 65% in-state assembly and manufacturing of offshore wind energy projects due by December 31, 2027 (*id.* § 25991.9).

Comments on the Scoping Document and the general workshop topics were due to [Docket No. 25-AB-03](#) by 5:00 p.m. PT on August 18, 2025.

Electric Program Investment Charge (EPIC)

The CEC has opened [registration](#) for the 2025 EPIC Symposium, which will be held on October 7, 2025 at the California Natural Resources Agency in Sacramento. The EPIC symposium is held in collaboration with the state's three largest investor-owned utilities, and it convenes clean energy leaders, policy makers, researchers, entrepreneurs, and other stakeholders to discuss the latest innovations driven by EPIC. In-person attendance is limited due to venue capacity, so early registration is encouraged. Additional information and the registration link are available [here](#).

Long Duration Energy Storage Program

On September 11, 2025, the CEC will host a remote access [workshop](#) from 1:00 p.m. to 3:00 p.m. PT regarding the Draft Energy Storage Permitting Guidebook: Guidance for Behind-the-Meter Installations (Draft Guidebook), funded under the EPIC Program (EPC-19-026). The workshop will provide grant recipient the Center for Sustainable Energy the opportunity to receive input regarding the Draft Guidebook. According to the workshop [notice](#), a copy of the

Draft Guidebook will be made available [here](#) at least ten (10) business days before the workshop date. The notice provides that the “workshop will focus on identifying any corrections or substantive omissions to the Draft Guidebook” and “[f]eedback gathered during [the] workshop will inform the publication of the final version of the Guidebook, expected to be published in Q2 2026.” Written comments regarding the Draft Guidebook are due by 5:00 p.m. PT on October 10, 2025 to [Docket No. 23-ERDD-07](#).

Electric Vehicle (EV) Charger Reliability

On August 12, 2025, several stakeholders filed comments on the CEC’s proposed rulemaking to establish regulations for EV charger recordkeeping and reporting, reliability, and data sharing. These regulations would apply to EV charging ports installed in California, for purposes of tracking the reliability of publicly or ratepayer-funded fast-charging ports and to set a 97% uptime standard. The proposed express terms are available [here](#) and a CEC staff report on the proposed regulations is available [here](#). Stakeholder comments are available on the docket page 22-EVI-04, available [here](#).

Demand Side Grid Support (DSGS) Program

CEC staff announced on August 13, 2025 that it has [postponed](#) the DSGS [workshop](#) originally scheduled for August 14, 2025. The purpose of the workshop is “to present staff’s analysis of the performance of Demand Side Grid Support (DSGS) Program during the 2024 season,” with a focus on Storage Virtual Power Plant performance. CEC staff stated in the postponement notice that additional information will be forthcoming once the new workshop date is announced.

New Funding Announced for EV Charging

The CEC announced the launch of [Fast Charge California Project](#), which includes up to \$55 million in-state funding for up to 100% of the installation costs for EV chargers at businesses and public sites across the state. Funding applications will be accepted through October 29, 2025, and priority will be given to tribal areas and low-income and underserved communities. Eligibility details and other application requirements are available [here](#).

Informational Proceeding on Tribal Affairs and Tribal Energy Sovereignty

The CEC will host a Regional Roundtable 1 (Roundtable) on August 26, 2025 at the Lucky 7 Casino & Hotel in Smith River, California in collaboration with the Tolowa Dee-ni’ Nation. The Roundtable is part of the CEC’s Informational Proceeding on Tribal Affairs and Tribal Energy Sovereignty and is open to all California Native American tribes. Additional information is available in the Roundtable [notice](#). The proposed agenda includes: Tribal Consultation; Tribal Energy Sovereignty; Tribal Cultural Resource Considerations Regarding Clean Energy Development; Best Practices for Tribal Energy Grants, Tribal Energy Equity Indicators, and Engaging with California Native American Tribes on Energy Projects; Tribal Energy Economy Including Tribal Enterprise and Workforce Development; AB 3: California Offshore Wind Advancement Act; and California Tribal Gap Analysis Draft Report. A detailed

agenda will be posted to [Docket No. 2025-OIIP-01](#) prior to the event. There is an in-person only event and public (oral) comments will be accepted at the event as set forth in the Roundtable [notice](#).

CEC Business Meetings

The next CEC Business Meeting is scheduled for August 29, 2025.

CALIFORNIA AIR RESOURCES BOARD (CARB)

Meetings and Workshops

On August 21, 2025, CARB will host a virtual public workshop to support the development of California's Corporate Greenhouse Gas Reporting Program, established by Senate Bill (SB) 253 and SB 261. The workshop will consist of a morning session where staff will present a draft framework for a fee regulation, as authorized by California Health and Safety Code §§ 38532 and 38533. The workshop will also draft definitions needed for determining covered entities, such as "revenue", "doing business in California", and "parent-subsidary" relationships. Staff will also provide updates on the regulatory development timeline, considerations for assurance requirements under the California Corporate Greenhouse Gas Reporting Program, take input on proposed minimum reporting requirements related to California Health & Safety Code § 38533, and discuss phasing in details for Scope 3 emissions in relation to the largest sectors of emissions. Staff will take verbal feedback during the workshop and will open a public docket for written comments. That public docket will be open for three weeks following the workshop.

On September 9, 2025, CARB will hold a public meeting as part of CARB's work on developing an embodied carbon reporting regulation pursuant to AB 2446 and AB 43. At this meeting, participants will discuss in detail the methodology used to estimate the 2026 point-in-time baseline for California's greenhouse gas emissions from the building sector. This meeting will be a collaborative discussion among CARB program staff and external parties from academia, industry, and non-profits. Interested parties, outside experts, and members of the public are invited to attend either in-person or online via Zoom.

On September 25, 2025, CARB will conduct a public hearing to consider proposed amendments to the Advanced Clean Fleets (ACF) and the Low Carbon Fuel Standard (LCFS) regulations. According to CARB, the proposed amendments would provide more flexibility to public agency utilities subject to the state and local government requirements of the ACF regulation. This rulemaking also would repeal California Code of Regulations, title 13, §§ 2014 and 2015, which contains the drayage and high priority and federal fleet requirements of the ACF regulation. In January 2025, CARB withdrew its request for a waiver and authorization for the addition of the ACF regulation to California's emissions control program foreseeing that the waiver request to U.S. Environmental Protection Agency would not be granted. The proposed amendments will also amend the LCFS Regulation set forth in California Code of Regulations, title 17, § 95486.3, to provide stronger credit support for hydrogen stations.

MINNESOTA PUBLIC UTILITIES COMMISSION (MPUC)

At its August 14, 2025, agenda meeting, the MPUC approved Minnesota's first ever standalone battery storage project, the Snowshoe Energy Storage Project, a 150-megawatt facility proposed to store excess electricity from the grid for up to four hours and discharge during times of high demand. The facility is expected to be in service by late 2027. More information is available in the [MPUC's press release](#), and more project details can be found [here](#).

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

On August 13, 2025, President Donald Trump named Commissioner David Rosner Chairman of FERC. Rosner joined FERC as a Commissioner in June 2024. Prior to his service as a Commissioner, he was an energy industry analyst for FERC and spent two years on detail to the U.S. Senate Energy and Natural Resources Committee staff. During his time as a staff member at FERC, he led efforts related to FERC's work on electric transmission, fuel security, energy storage resources, and natural gas-electric coordination. Rosner was previously a senior policy advisor for the U.S. Department of Energy's Office of Energy Policy and Systems Analysis and an associate director at the Bipartisan Policy Center's energy project.

On August 8, 2025, Chairman Mark C. Christie submitted his [resignation](#). Former Chairman Christie's term expired June 30, 2025, and he was not reappointed. To fill the two vacant FERC seats, President Trump selected Laura Swett, an energy attorney and former FERC staffer, and David LaCerte, an official with the U.S. Office of Personnel Management. The nominations must be confirmed by the Senate Energy and Natural Resources Committee and the full Senate, a process that may not be completed until later this year, as Congress is currently in recess.

On July 15, 2025, [192 FERC ¶ 61,053](#), FERC issued an order instituting an investigation, under section 206 of the Federal Power Act (FPA) into whether FERC should eliminate the Western Electricity Coordinating Council (WECC) soft price cap. Spot market energy sales in WECC are currently subject to a soft price cap of \$1,000/MWh and prices that exceed that amount are subject to cost justification and refund.² This order follows a July 9, 2024 United States Court of Appeals for the District of Columbia Circuit opinion that held that FERC must conduct a *Mobile-Sierra*³ public interest analysis prior to ordering refunds for sales that exceed the WECC soft price cap.⁴ FERC did not undertake that analysis in a series of orders that required refunds for above-cap sales, and the court vacated and remanded those orders back to FERC for further proceedings. FERC finds that based on preliminary analysis, the WECC soft price cap framework may no longer be just and reasonable. In addition, FERC established a refund effective date pursuant to the provisions of FPA section 206. In this case, the refund effective date is the date of publication in the *Federal Register* of the notice concerning this investigation. Finally, to provide clarity for sellers, FERC extended the deadline for any cost justification filings that may be required for above-cap sales until after FERC issues an order on this investigation. The deadline to intervene or otherwise comment is August 15, 2025.

² *W. Elec. Coordinating Council*, 133 FERC ¶ 61,026, at PP 14, 16 (2010).

³ The *Mobile-Sierra* presumption takes its name from two cases decided by the Supreme Court of the United States on the same day: *United Gas Pipe Line Co. v. Mobile Gas Serv. Corp.*, 350 U.S. 332 (1956) and *Fed. Power Comm'n v. Sierra Pac. Power Co.*, 350 U.S. 348 (1956).

⁴ *Shell Energy N.A. (US), L.P. v. FERC*, 107 F.4th 981 (D.C. Cir. 2024).