UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Maryland Energy Administration; Maryland Office of People's Counsel; and Maryland Public Service Commission, Complainants, v. Baltimore Gas and Electric Company; Delmarva Power and Light Company; NextEra Energy Transmission MidAtlantic, Inc.; Potomac Edison Company; Potomac Electric Power Company; Transource Maryland LLC; and Valley Link Transmission Maryland, LLC. Respondents.	)	Docket No. EL26-___-000

COMPLAINT BY THE MARYLAND STATE AGENCIES

Pursuant to sections 206 and 306 the Federal Power Act ("FPA"), 16 U.S.C. §§ 824e and 825e (2024), and Rule 206 of the Federal Energy Regulatory Commission's ("FERC" or "Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.206 (2025), the Maryland Energy Administration ("MEA"), Maryland Office of People's Counsel ("MOPC"), and Maryland Public Service Commission ("Maryland PSC") (together, the "Maryland State Agencies") hereby tender for filing this Complaint against Baltimore Gas and Electric Company, Delmarva Power and Light Company, NextEra Energy Transmission MidAtlantic,

Inc., Potomac Edison Company, Potomac Electric Power Company, Transource Maryland LLC, and Valley Link Transmission Maryland, LLC (together, "Respondents").[1]

As of July 1, 2026, Respondents are required by Maryland law to participate in a Regional Transmission Organization ("RTO"), and each participates in PJM Interconnection LLC ("PJM"), a Commission-approved RTO. Each Respondent currently receives a 50-basis point incentive adder within its return on equity ("ROE") for its participation in an RTO ("RTO Adder"). Because Maryland mandates participation in an RTO, Respondents are no longer incentivized to participate in an RTO. Thus, Respondents' inclusion of the RTO Adder in their ROEs is unjust and unreasonable as the incentive RTO Adder no longer incentivizes any action.

[1] The Respondents listed in this Complaint, to the best of Complainant's knowledge, represent all persons in Maryland that own or operate transmission facilities over 69,000 volts and that currently receive an RTO Adder. Respondents must follow the mandate set forth by Maryland Public Utilities Code Section 7-109, requiring persons who own or operate transmission facilities over 69,000 volts to participate in a RTO. This Complaint is meant to address and encompass all persons that must adhere to Maryland Public Utilities Code Section 7-109. Maryland electric cooperatives are exempt from the requirements of Maryland Public Utilities Code Section 7-109. PJM is not named as a respondent because only Transmission Owners, which include Baltimore Gas and Electric Company, Delmarva Power and Light Company, NextEra Energy Transmission MidAtlantic, Inc., Potomac Edison Company, Potomac Electric Power Company, and American Electric Power Service Corporation (of which Transource Maryland, LLC is an affiliate), have "the exclusive and unilateral rights to file pursuant to Section 205 of the Federal Power Act and the FERC's rules and regulations thereunder for any changes in or relating to the establishment and recovery of the Transmission Owners' transmission revenue requirements or the PJM Regional Rate Design, and such filing rights shall also encompass any provisions of the PJM Tariff governing the recovery of transmission-related costs incurred by the Transmission Owners." Consolidated Transmission Owners Agreement, Rate Schedule FERC No. 42, at Section 7.3.1, *and see id*. at Section 7.1.1. Upon submission of its formula rate filing and request for transmission rate incentives, Valley Link Transmission Maryland, LLC stated that it will execute the Consolidated Transmission Owners Agreement and all transmission facilities constructed by Valley Link Transmission Maryland, LLC will be transferred to the functional control of PJM. Valley Link Transmission Maryland, LLC, et al., Formula Rate Filing and Request for Authorization of Transmission Rate Incentives, Docket No. ER25-1633-000 (filed March 14, 2025). In pertinent part, the Commission granted Valley Link Transmission Maryland, LLC's request for an RTO Adder. *Valley Link Transmission Maryland, LLC, et al.*, 191 FERC ¶ 61,113, at P 5 (2025). Valley Link Transmission Maryland LLC's transmission revenue requirement, including the RTO Adder, is reflected in PJM's Tariff. *See* PJM Tariff, Attachment H-37. Transource Maryland, LLC has also noted that it will execute the PJM Consolidated Transmission Owners Agreement, and all transmission facilities constructed by Transource Maryland will be transferred to the functional control of PJM. Transource Pennsylvania, LLC, Revisions to OATT to add Attachments H-29 and H-30, Docket No. ER17-419-000, at 2 (filed Nov. 28, 2016). In pertinent part, the Commission granted Transource Maryland, LLC's request for an RTO Adder. *PJM Interconnection, LLC*, 158 FERC ¶ 61,089, at P 72 (2017). Transource Maryland, LLC's transmission revenue requirement, including the RTO Adder, is reflected in PJM's Tariff. *See* PJM Tariff, Attachment H-30.

Maryland consumers are being inappropriately charged higher rates for Respondents' required compliance with Maryland law, which results in disparate treatment of Maryland ratepayers. Accordingly, the Commission should find that the Respondents are no longer eligible for the RTO Adder, that the Respondents' inclusion of the RTO Adder in their transmission rates is unjust and unreasonable, direct the Respondents to remove the RTO Adder from their Formula Rates effective on July 2, 2026, and require refunds, with interest, for Respondents' inclusion of the RTO Adder as of July 2, 2026.[2]

I. CORRESPONDENCE AND COMMUNICATIONS

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[2] On May 12, 2026, Maryland passed the Utility Reducing Energy Load Inflation for Everyday Families ("RELIEF") Act, which enacted Maryland Public Utilities Code Section 7-109, requiring persons who own or operate a transmission line designated to carry a voltage in excess of 69,000 volts to participate in an RTO. The Utility RELIEF Act, and Maryland Public Utilities Code Section 7-109, become effective on July 1, 2026. Thus, the Maryland State Agencies request a refund effective date of July 2, 2026. 16 U.S.C. § 824e(b) (2024) ("In the case of a proceeding instituted on complaint, the refund effective date shall not be earlier than the date of the filing of such complaint nor later than 5 months after the filing of such complaint.").

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II. DESCRIPTION OF THE PARTIES

1. MEA advises the Office of the Governor of the State of Maryland and the Maryland General Assembly on matters relating to energy policy including, but not limited to, electricity matters, development of new generation and energy emergency preparedness and response. MEA administers grant and loan programs to encourage clean energy technologies in all sectors of Maryland's economy.

2. MOPC is the statutory representative of the residential ratepayers of utility services in Maryland. Pursuant to Maryland Public Utility Companies Code Annotated, Section 2-205(b), the People's Counsel "may appear before any federal or state [agency] to protect the interests of residential … users [of gas, electricity or other regulated services]."

3. Maryland PSC is an agency of the State of Maryland, organized and existing by virtue of the statutes enacted by the Maryland General Assembly, presently codified as Public Utilities Article ("PUA"), Annotated Code of Maryland, §1-101 et. seq. (2020). Under PUA § 2-113, the Maryland PSC has the responsibility to supervise and regulate all Maryland public service companies' transmission plant cost-related filings to ensure the companies' operation in the interest of the public and to promote adequate, economical and efficient delivery of utility services in the State.

4. Baltimore Gas and Electric Company ("Baltimore Gas and Electric"), an Exelon company, is an energy delivery company in Central Maryland, delivering energy to more than 1.3 million electric customers and 700,000 natural gas customers.[3] Baltimore Gas and Electric is regulated by the Commission and the Maryland PSC.[4] Baltimore Gas and Electric maintains over 27,000 circuit miles of distribution lines and over 1,300 circuit miles of transmission lines in a 2,300-square-mile service territory entirely in Maryland.[5] Baltimore Gas and Electric provides unbundled, open access delivery service, and is a default load serving provider for customers that do not opt for alternative energy providers under Baltimore Gas and

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3 Baltimore Gas and Electric Company CWIP Incentive Application, Docket No. ER25-3018-000, Transmittal Letter at 11 (filed July 30, 2025) ("Baltimore Gas and Electric Filing").

4 *Id*.

5 *Id.*; Baltimore Gas and Electric, *Company Information* (last accessed Apr. 29, 2026), https://www.bge.com/about-us/company-information.

Electric's retail customer choice program.[6] Baltimore Gas and Electric's transmission facilities are subject to the functional control of PJM, which operates those facilities pursuant to the PJM Tariff.[7]

5. Delmarva Power and Light Company ("Delmarva"), an Exelon company, is an energy delivery company which owns transmission and distribution facilities, providing energy service to approximately 561,400 electric customers in Delaware and Maryland, including approximately 217,200 electric customers in Maryland.[8] Delmarva's retail electric service is regulated by the Delaware Public Service Commission and Maryland PSC.[9] Delmarva's transmission facilities are subject to the functional control of PJM, which operates those facilities pursuant to the PJM Tariff.[10] Transmission service over Delmarva's transmission facilities and sales for resale of electric energy in interstate commerce are regulated by the Commission.[11]

6. NextEra Energy Transmission MidAtlantic, Inc. ("NEET MidAtlantic"), a wholly-owned subsidiary of NextEra Energy Transmission MidAtlantic Holdings, LLC, and an indirect, wholly-owned subsidiary of NextEra Energy Transmission, LLC, NextEra Capital and NextEra Energy, Inc., is a public utility formed for the purpose of owning and operating

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6 Baltimore Gas and Electric Filing, Transmittal Letter at 11.

7 *Id*.

8 Delmarva Power & Light Company Submits Revisions to OATT Attachment H-3, Docket No. ER24-2891-000, Transmittal Letter at 2 (filed Aug. 28, 2024) ("Delmarva Filing"); Delmarva Power, *Company Information* (last accessed Apr. 29, 2026), https://www.delmarva.com/about-us/company-information.

9 Delmarva Filing, Transmittal Letter at 2.

10 *Id*.

11 *Id*.

transmission assets in the PJM region.[12] NEET MidAtlantic is a transmission-only public utility and does not have a service territory or customers.[13] NEET MidAtlantic is a PJM transmission owner, owning transmission facilities consisting of approximately 20 miles of 345 kV electric power transmission lines and related equipment under PJM's operational control in Indiana.[14] NEET MidAtlantic's rates are regulated by the Commission pursuant to its exclusive authority under the FPA over transmission rates.[15] NEET MidAtlantic has been selected through PJM's Regional Transmission Expansion Plan ("RTEP") process to develop and construct parts of the MidAtlantic Resiliency Link ("MARL") transmission project.[16] The MARL transmission project will be a 500 kV transmission line connecting a substation in Pennsylvania located just over the border from Morgantown, West Virginia to a connection point near Gore, Virginia.[17] The MARL transmission project also includes a new 500/138-kV substation in Frederick County, Virginia and will interconnect to an existing substation on the Maryland side of the West Virginia border.[18] NEET MidAtlantic filed an application for a Certificate of Public Convenience and Necessity with the Maryland PSC to construct a 500 kV transmission line

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12 NextEra Energy Transmission MidAtlantic, Inc. Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities, Docket No. ES26-31-000, at 2 (filed Mar. 6, 2026) ("NEET MidAtlantic 204 Application"); NEET MidAtlantic Submits Revisions to OATT, Att. H-33 & H-33A, Docket No. ER25-2941-000, Transmittal Letter at 1 (filed July 22, 2025) ("NEET MidAtlantic Revisions Filing").

13 NEET MidAtlantic 204 Application at 3.

14 *Id.*; NEET MidAtlantic Revisions Filing, Transmittal Letter at 1-2.

15 NEET MidAtlantic 204 Application at 3

16 NEET MidAtlantic Revisions Filing, Transmittal Letter at 2.

17 NextEra Energy Transmission, LLC, *MidAtlantic Resiliency Link Frequently Asked Questions* (last accessed May 8, 2026), https://www.nexteraenergytransmission.com/midatlantic-resiliency-link/faq.html ("MARL FAQ"); NextEra Energy Transmission, LLC, Press Release, *MidAtlantic Resiliency Link Unveils Community-Informed Route for Regional Transmission Project* (Sept. 26, 2025), https://www.nexteraenergytransmission.com/content/dam/neet/us/en/pdf/neetmidatlantic/news-release-midatlantic-resiliency-link.pdf.

18 MARL FAQ.

associated with the MARL transmission project in portions of Allegany and Garrett Counties in Maryland.[19]

7. Potomac Edison Company ("Potomac Edison"), a wholly-owned subsidiary of FirstEnergy Corporation, owns and operates electric facilities for the transmission and distribution of electric power in Virginia, Maryland, and West Virginia.[20] Specifically, Potomac Edison provides transmission and distribution service in portions of Maryland and West Virginia and provides transmission service in Virginia.[21] Potomac Edison serves about 285,000 customers in seven Maryland counties.[22] Potomac Edison's wholesale and transmission rates and operations are regulated by the Commission.[23] Potomac Edison's transmission facilities are subject to the functional control of PJM, which operates those facilities pursuant to the PJM Tariff.[24]

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19 NextEra Energy Transmission MidAtlantic, Inc., Application for a Certificate of Public Convenience and Necessity to Construct a 500kV Transmission Line associated with the MidAtlantic Resiliency Link Project in Portions of Allegany and Garrett Counties, Maryland PSC Case No. 9857 (filed Jan. 30, 2026). NEET MidAtlantic's most recent FERC Form No. 730 filing provides that the MARL transmission project Completion Status is currently "Pre-Engineering." NextEra Energy Transmission MidAtlantic, Inc., FERC Form 730 – Report of Transmission Investment Activity, for year ending 2025, Docket No. ZZ26-3-000, NEETMA Form 730 at Table 2 (filed Apr. 17, 2026).

20 Potomac Edison Company Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities, ES25-86-000, at 2 (filed Sept. 30, 2025) ("Potomac Edison 204 Application"); Potomac Edison Company's Request for Order Authorizing Abandoned Plant Incentive, ER25-688-000, Transmittal Letter at 3 (filed Dec. 11, 2024) ("Potomac Edison Request Filing").

21 Potomac Edison 204 Application at 2; Potomac Edison Request Filing, Transmittal Letter at 3.

22 *See e.g.*, FirstEnergy, *Potomac Edison Customers in Maryland Can Lower Their Bill With New Residential Time-of-Use Rate* (last modified Apr. 20, 2026), https://www.firstenergycorp.com/newsroom/news_articles/pe-residential-customers-can-lower-bills-with-tou-rate.html?_gl=1*ki9esm*_up*MQ..*_ga*MzAxMTgxMjIzLjE3Nzc0ODQ1MDA.*_ga_TVQJK7Z44E*czE3Nzc0ODQ1MDAkbzEkZzAkdDE3Nzc0ODQ1MDAkajYwJGwwJGgw.

23 Potomac Edison Request Filing, Transmittal Letter at 3.

24 Potomac Edison 204 Application at 2; Potomac Edison Request Filing, Transmittal Letter at 3.

8. Potomac Electric Power Company ("Pepco"), an Exelon company, is a District of Columbia and Virginia Corporation and owns approximately 12,000 miles of transmission and distribution facilities and provides delivered electric power to approximately 962,400 customers in the District of Columbia and Maryland.[25] Pepco's transmission facilities are subject to the functional control of PJM, which operates those facilities pursuant to the PJM Tariff.[26] Pepco's provision of transmission service and sales for resale of electric energy are regulated by the Commission.[27]

9. Transource Maryland, LLC ("Transource Maryland"), organized under the laws of the State of Maryland, is a wholly-owned subsidiary of Transource Energy, LLC, which is a transmission-focused joint venture of American Electric Power Company, Inc. ("AEP").[28] Transource Maryland is a competitive transmission developer that was formed to construct, finance, own, operate, and maintain new projects located in Maryland that are assigned through competitive developer selection under the PJM competitive RTEP process.[29] Transource Maryland was assigned the responsibility to develop, own, and operate the competitive elements of PJM Market Efficiency Project 9A ("Project 9A").[30] Project 9A will include an approximately 29-mile transmission line connecting a new Rice Substation in Shippensburg, Pennsylvania to

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25 Potomac Electric Power Company Order No. 898 Update to Tariff Attachment H-9A, ER25-144-000, Transmittal Letter at 2 (filed Oct. 18, 2024) ("Pepco Filing"); Pepco, *Company Information* (last accessed Apr. 30, 2026), https://www.pepco.com/about-us/company-information.

26 Pepco Filing, Transmittal Letter at 2.

27 *Id*.

28 Transource Pennsylvania, LLC and Transource Maryland, LLC Submit Revisions to OATT to Add Attachments H-29 and H-30, Docket No. ER17-419-000, Transmittal Letter at 2 (filed Nov. 28, 2016) ("Transource Filing").

29 *Id*.

30 *Id.*, Transmittal Letter at 3-5 (describing original Project 9A).

the existing Ringgold Substation in Smithsburg, Maryland by crossing the Pennsylvania-Maryland border.[31] Transource Maryland will develop and own the portions of Project 9A located in Maryland, and Transource Pennsylvania, LLC ("Transource Pennsylvania") will develop and own the portions of Project 9A located in Pennsylvania.[32] All transmission facilities constructed by Transource Maryland will be transferred to the functional control of PJM.[33]

10. Valley Link Transmission Maryland, LLC ("Valley Link MD"), a wholly-owned subsidiary of Valley Link Transmission Company, LLC ("Valley Link Transmission"), is a Maryland limited liability company.[34] Valley Link MD was formed to construct, finance, own, operate, and maintain new projects located in Maryland that are assigned through competitive developer selection under the PJM competitive RTEP process.[35] Specifically, the PJM Board approved the Valley Link Project Portfolio, including the Rocky Point Substation and a 261-mile Amos-Welton Springs-Rocky Point transmission line between Putnam County, West Virginia and Frederick County, Maryland.[36] Valley Link MD will develop and own the Rocky Point Substation and the portion of the transmission line located in Maryland, and all transmission

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31 *Id.*, Transmittal Letter at 3-4; Transource, *Rice – Ringgold Transmission Line Project* (last accessed Apr. 29, 2026), https://transourceenergyprojects.com/Rice-Ringgold/.

32 Transource Filing, Transmittal Letter at 2. Transource Maryland's most recent FERC Form No. 730 filing provides that Project 9A's Completion Status is currently "Pre-Engineering." Transource Maryland, LLC FERC Form 730 – Report of Transmission Investment Activity, for year ending 2025, Docket No. ZZ26-3-000, at 3, Table 2 (filed Apr. 17, 2026). PJM's 2025 RTEP Report provides that Project 9A has yet to begin construction or receive the full required Certificate of Public Convenience and Necessity. PJM, RTEP 2025, at 103 (Apr. 17, 2026), https://www.pjm.com/-/media/DotCom/library/reports-notices/2025-rtep/2025-rtep-report.pdf.

33 Transource Filing, Transmittal Letter at 2.

34 Valley Link Transmission Maryland LLC, Valley Link Transmission Formula Rate Filing and Transmission Rate Incentives, Docket No. ER25-1633-000, Transmittal Letter at 3-4 (filed Mar. 14, 2025) ("Valley Link Filing").

35 *Id.*, Transmittal Letter at 3-4.

36 *Id.*, Transmittal Letter at 7.

facilities constructed by Valley Link MD will be transferred to the functional control of PJM.[37] The transmission facilities within the proposed project will span Maryland, Virginia, and West Virginia. Other subsidiaries of Valley Link will develop and own the portions of other Valley Link Project Portfolio components located in Virginia and West Virginia.[38]

III. BACKGROUND

A. The Commission Does Not Grant the Incentive RTO Adder When Participation in a Transmission Organization is Mandated.

11. The RTO Adder is only available to utilities that voluntarily participate in a transmission organization. Section 219(c) of the FPA requires the Commission to provide incentives to induce utilities to join transmission organizations.[39] The Commission accordingly issued Order No. 679, providing ROE incentive adders for utilities that participate in transmission organizations.[40] The Commission noted that it would not grant such incentives outright but would rather grant incentives when justified on a case-by-case basis.[41] Order No.

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37 *Id.*, Transmittal Letter at 4. Valley Link Maryland's most recent FERC Form No. 730 filing provides that the Completion Status of both the Rocky Point Substation and Welton Spring-Rocky Point Transmission Line is currently "Pre-Engineering." Valley Link Transmission Maryland, LLC FERC Form 730 – Report of Transmission Investment Activity, for year ending 2025, Docket No. ZZ26-3-000, at 3, Table 2 (filed Apr. 17, 2026). The webpage for the "Valley North Transmission Line Project," referring to the approximately 260-mile transmission line between Putnam County, West Virginia and Frederick County, Maryland and associated substations, provides that this project remains in the early planning stages with additional solicitation of public input to occur in the summer or fall of 2026. Valley Link, *Valley North Transmission Line Project* (last accessed Apr. 29, 2026), https://vltransmission.com/valley-north/.

38 Valley Link Filing, Transmittal Letter at 4.

39 16 U.S.C. § 824s(c) (2024). The FPA defines a transmission organization as "a Regional Transmission Organization, Independent System Operator, independent transmission provider, or other transmission organization finally approved by the Commission for the operation of transmission facilities." 16 U.S.C. § 796(29) (2024); 18 C.F.R. § 35.35(e) (2025).

40 *Promoting Transmission Investment Through Pricing Reform*, Order No. 679, 116 FERC ¶ 61,057, at PP 326-333 ("Order 679"), *order on reh'g*, Order No. 679-A, 117 FERC ¶ 61,345 (2006) ("Order 679-A"), *order on reh'g*, Order No. 679-B, 119 FERC ¶ 61,062 (2007) ("Order 679-B").

41 Order 679 at PP 1, 326.

679 also noted that such adders would be available for utilities that already joined and remain members of transmission organizations since continuing membership is generally voluntary.[42]

12. The Commission may not presume an entity eligible for an RTO Adder simply based upon a demonstration of continuing membership in a transmission organization.[43] Rather, the Commission must consider whether utilities *voluntarily* participate in a transmission organization.[44] "When membership is not voluntary, the incentive is presumably not justified."[45] This is because "[a]n incentive cannot 'induce' behavior that is already legally mandated"[46] and "FERC had a longstanding policy that incentives should only be awarded to induce future behavior."[47] "The policy prohibits FERC from rewarding utilities … for conduct which they are otherwise obligated to undertake."[48] Accordingly, the Commission has denied use of the incentive RTO Adder where state law mandates a utility's participation in a transmission organization, as such a mandate results in the utility's participation no longer being voluntary. In other words, utilities cannot be incentivized to take actions they are mandated to take.

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42 *Id*. at P 331.

43 *Cal. Pub. Util. Comm'n v. Fed. Energy Regul. Comm'n*, 879 F.3d 966, 977 (9th Cir. 2018) ("*CPUC I*") (finding that the Commission improperly awarded incentive adders to Pacific Gas & Electric Company ("PG&E") without considering the California Public Utilities Commission's ("CPUC") assertion that PG&E's membership in the California Independent System Operator ("CAISO") is mandated); *Cal. Pub. Util. Comm'n v. Fed. Energy Regul. Comm'n*, 29 F.4th 454 (9th Cir. 2022) ("*CPUC II*").

44 *CPUC I* at 974.

45 *Id*.

46 *Id*.

47 *Id*. at 977.

48 *Id*. On remand, FERC concluded that membership in CAISO is voluntary under California law. *Pac. Gas & Elec. Co.*, 168 FERC ¶ 61,038 (2019), *on reh'g*, 170 FERC ¶ 61,194 (2020); *CPUC II* (upholding the Commission's determination that PG&E's membership in CAISO is voluntary under the then-current California law since there was no provision in the California Code that mandated CAISO membership, and a CPUC decision in the matter was not binding on California courts and, therefore, not binding on FERC).

B. The Commission Rejected Use of the RTO Adder Based Upon California Law.

13. In 2022, California passed Assembly Bill 209,[49] which requires that electric corporations participate in CAISO and may not withdraw a facility from CAISO's operational control without the CPUC's approval. AB 209 codified California Public Utilities Code Section 362, which, in pertinent part, states:

> "(c) Consistent with Section 851 and the commission's regulation of transfers of operational control of electrical corporation facilities, an electrical corporation subject to commission Decision 98-01-053 ... shall participate in the Independent System Operator.
>
> (d) An electrical corporation shall not withdraw a facility from the operational control of the Independent System Operator without commission approval pursuant to Section 851."[50]

14. After the passage of AB 209, the Commission denied the use of the RTO Adder for both Pacific Gas and Electric Company ("PG&E") and San Diego Gas and Electric Company ("SDG&E"). When PG&E filed its twenty-first Transmission Owner ("TO21") Formula Rate with the Commission, the Commission summarily rejected PG&E's request for the RTO Adder.[51] The Commission found that California Public Utilities Code Section 362(c) requires PG&E to participate in CAISO and that California Public Utilities Code Section 362(d) is limited to addressing circumstances under which PG&E may withdraw a particular facility from CAISO's operational control, not whether PG&E itself can withdraw.[52] Due to the passage

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49 Cal. Assembly Bill 209, Ch. 251 (Cal. 2021-2022 Reg. Session) (effective Sept. 6, 2022) ("AB 209") (enacting Cal. Pub. Util. Code § 362(c) and (d)).

50 Cal. Pub. Util. Code § 362(c) and (d); AB 209 § 1(a)(2)(b)(1) ("It is the intent of the Legislature to . . . reaffirm that an electrical corporation currently participating in [CAISO] is not a voluntary participant.").

51 *Pac. Gas & Elec. Co.*, 185 FERC ¶ 61,243, at PP 1, 35-43 (2023) ("PG&E RTO Adder Order"), *on reh'g*, 187 FERC ¶ 61,167 (2024).

52 PG&E RTO Adder Order at PP 39-40.

of AB 209, the Commission found that PG&E is required to participate in CAISO and cannot unilaterally withdraw from CAISO.[53] Thus, the Commission concluded that PG&E's participation in CAISO is no longer voluntary and PG&E is accordingly no longer eligible for the RTO Adder.[54] On compliance, PG&E stated that excluding the RTO Adder from its TO21 Formula Rate results in an annual decrease of about $41 million to its transmission revenue requirement.[55]

15. The Ninth Circuit affirmed the Commission's decision, finding that PG&E is not authorized to withdraw from CAISO, thus its participation is not voluntary.[56] The Court found that, by requiring CAISO participation, California is regulating within the domain Congress assigned to states.[57] The Court also noted that the "single, best reading of Section 219(c) is that [the] RTO adder requires voluntary membership."[58] Indeed, Congress intended the RTO Adder to induce voluntary RTO participation, not to function as a payment or reward to RTO members.[59]

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53 *Id*. at P 42.

54 *Id*.

55 TO21 Compliance Filing, Docket No. ER24-96-001, Transmittal Letter at 2 (filed January 12, 2024).

56 *Pac. Gas & Elec. Co.v. Fed. Energy Regul. Comm'n*, 2025 U.S. App. LEXIS 17158 (2025) ("*PG&E v. FERC*"), *denial of reh'g en banc*, 2025 U.S. App. LEXIS 23797 (2025), *cert. denied*, 2026 U.S. LEXIS 726 (2026).

57 *PG&E v. FERC* at *9.

58 *Id*. at *10-11.

59 *Id*. at *11 (Incentives are offered for a variety of voluntary actions by utilities, with an overarching goal of benefiting consumers.)

16. The Commission also denied use of the RTO Adder for SDG&E.[60] Certain California parties filed a Petition for Declaratory Order and Conditional Complaint seeking that the Commission find that SDG&E is not eligible for the RTO Adder given the passage of AB 209 and thus must issue refunds pursuant to SDG&E's fifth Transmission Owner Formula Rate ("TO5") settlement.[61] The Commission granted the petition, finding that California investor-owned utilities, including SDG&E, are required to participate in CAISO pursuant to section 362(c) of the California Public Utilities Code.[62] The Commission also determined that SDG&E must abide by the provisions of the TO5 settlement, which required SDG&E to provide refunds starting in June 1, 2019 for its use of the RTO Adder.[63] The California parties estimated that SDG&E over-collects between $18 million and $21 million per year due to the RTO Adder.[64]

C. The Commission Denied the RTO Adder Based on Ohio Law.

17. Ohio similarly has a state law that requires participation in a transmission organization. Ohio Revised Code, section 4928.12 states, in relevant part:

> "(A) Except as otherwise provided in sections 4928.31 to 4928.40 of the Revised Code, no entity shall own or control transmission facilities as defined under federal law and located in this state on or after the starting date of competitive retail electric service unless that entity is a member of, and transfers control of those facilities to, one or more qualifying transmission entities, as described in division (B) of this section, that are operational.

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60 Cal. Pub. Util. Comm'n, et al. v. San Diego Gas & Elec. Co., 189 FERC ¶ 61,173, at PP 29-30 (2024) ("SDG&E RTO Adder Order"), on reh'g, 192 FERC ¶ 61,010 (2025), appeal docketed, San Diego Gas & Elec. Co. v. Fed. Energy Regul. Comm'n, No. 25-1980 (9th Cir. March 26, 2025).

61 Petition for Declaratory Order and Conditional Complaint of the California Parties, Docket No. EL24-115-000 (filed May 31, 2024).

62 SDG&E RTO Adder Order at P 29.

63 *Id*. at PP 41-43.

64 *Id*. at P 24.

(B) An entity that owns or controls transmission facilities located in this state complies with division (A) of this section if each transmission entity of which it is a member meets all of the following specifications:

(1) The transmission entity is approved by the federal energy regulatory commission. …"[65]

18. The Commission determined that Ohio law requires Dayton Power & Light Company ("Dayton") to be a member of a transmission organization, thus Dayton's ongoing membership in PJM is not voluntary.[66] Consistent with its longstanding policy that prohibits the Commission from rewarding utilities for conduct which they are otherwise obligated to undertake, the Commission found that it would not be appropriate to award an incentive for an action that the utility is obligated to undertake, even where the action comes with substantial benefits or risks.[67] Thus, the Commission determined that Dayton does not qualify for the RTO Adder.

19. The Sixth Circuit affirmed the Commission's determination, finding that an incentive can only induce joining an RTO if doing so is voluntary.[68] "Congress explicitly stated that the Commission's transmission incentives should 'benefit[] consumers by ensuring reliability and reducing the cost of delivered power by reducing transmission congestion.'"[69] Congress did not write a blank check to utilities; rather, "it asked the Commission to use a

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65 Ohio Rev. Code § 4928.12 (2026).

66 *The Dayton Power & Light Co.*, 176 FERC ¶ 61,025, at PP 54-55 (2021) ("Dayton RTO Adder Order"), *on reh'g*, 178 FERC ¶ 61,102 (2022); *Dayton Power & Light Co. v. FERC*, 126 F.4th 1107 (2025) ("*Dayton v. FERC*"), *denial of reh'g en banc*, 2025 U.S. App. LEXIS 7050 (2025), *denial of reh'g en banc*, 2025 U.S. App. LEXIS 13053 (2025), *cert. denied*, 2025 U.S. App. LEXIS 13053 (2025), *cert. denied*, *Am. Elec. Power Serv. Corp. v. FERC*, 223 L. Ed. 2d 212 (2025).

67 Dayton RTO Adder Order at P 30.

68 *Dayton v. FERC.*

69 *Id.* at 1124 (quoting 16 U.S.C. § 824s(a)).

carefully calibrated tool to achieve these goals."[70] "Giving an RTO Adder to a utility that is mandated by state law to participate in an RTO would only increase the rate for that utility's transmission services—not "reduc[e] the cost—and give the utility an unearned windfall."[71] Accordingly, the Court found that Ohio law mandates Dayton's RTO membership.[72]

20. Also pursuant to Ohio law, the RTO Adder was denied for American Electric Power Service Corporation ("AEP"), FirstEnergy Service Company ("FirstEnergy"), and Duke Energy Ohio ("Duke").[73] Initially, the Commission denied the RTO Adder for only AEP (specifically, Ohio Power and AEP Ohio Transmission, both AEP companies owning and operating transmission facilities in Ohio) due to its involuntary participation in PJM.[74] The Commission reasoned that it previously granted AEP the RTO Adder on a single-issue basis, separate from all other ROE issues, thus, the Commission determined that it may reevaluate and revise those specific incentives on a single-issue basis in response to changed circumstances.[75] On the other hand, the Commission initially determined that American Transmission Systems, Inc. ("ATSI") (a wholly-owned, direct operating subsidiary of FirstEnergy Transmission, LLC, which in turn is a wholly-owned subsidiary of FirstEnergy Corporation) and Duke could retain their RTO Adders since their rates were the products of comprehensive settlements; the

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70 *Id*. (quoting 16 U.S.C. § 824s(a)).

71 *Id*.

72 *Id*. at 1131.

73 *Id.* at 1134.

74 *Off. of the Ohio Consumers' Couns.*, 181 FERC ¶ 61,214, at P 60 (2022) ("OCC RTO Adder Order"), *on reh'g*, 183 FERC ¶ 61,034 (2023).

75 OCC RTO Adder Order at P 62.

Commission did not find it appropriate to unilaterally change a single aspect of the settlements absent evidence that the overall ROE has become unjust and unreasonable.[76]

21. The Sixth Circuit vacated FERC's decision on this point, concluding that Duke and FirstEnergy were not in fact differently situated than AEP and that FERC's decision to the contrary resulted in disparate treatment of the utilities.[77] Duke's and FirstEnergy's settlements both acknowledged that they included the RTO Adder and Duke and FirstEnergy would have likely received the RTO Adder had they applied separately.[78] The court explained that, while the RTO Adder may have changed negotiation tactics for Duke and FirstEnergy, that was also the case for AEP since AEP may have agreed to a more modest base ROE knowing that the RTO Adder would be layered on top.[79] Accordingly, the Sixth Circuit determined that the RTO Adder must be removed for AEP, Duke, and FirstEnergy since none of these utilities joined an RTO voluntarily.[80]

IV. COMPLAINT

A. Respondents' Participation in an RTO is Mandated Pursuant to Maryland Law, Thus Inclusion of the Incentive RTO Adder Results in Unjust and Unreasonable Rates.

1. Maryland law requires participation in an RTO.

22. On May 12, 2026, Maryland Governor Wes Moore signed into law the Utility Reducing Energy Load Inflation for Everyday Families ("RELIEF") Act,[81] intended to

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76 *Id*. at PP 60, 64.

77 *Dayton v. FERC* at 1133.

78 *Id*.

79 *Id*. at 1134.

80 *Id*.; *see also id*. at 1132 (The Sixth Circuit noted that the Commission can revoke the RTO Adder without concluding that the entire rate is unjust.)

81 Md. House Bill 1532 (2026 Regular Session).

lower energy bills for Marylanders.[82] Among other things, the Act adds a new provision to the Public Utilities Article of the Maryland Annotated Code, which states, in pertinent part:

> "(A) This section does not apply to an electric cooperative.
>
> (B) A person that owns or operates a transmission line that is designed to carry a voltage in excess of 69,000 volts and is located in the State shall participate as a member in a Regional Transmission Organization."[83]

23. Similar to the California and Ohio state laws noted above, Maryland law mandates participation in an RTO. Accordingly, Respondents no longer have a choice but to participate in an RTO and thus cannot be incentivized to participate in an RTO.

2. Each of the Respondents include an RTO Adder in their rates.

24. Each Respondent currently includes in their ROE an RTO Adder for their participation in PJM. The Commission approved the RTO Adder for each Respondent prior to the passage of the Utility RELIEF Act. Such approvals are listed below.

- The Commission authorized the RTO Adder for Baltimore Gas and Electric. *Baltimore Gas and Electric Company*, 120 FERC ¶ 61,084 (2007), at P 31; *and see* PJM Tariff at Attachment H-2A (BGE's Formula Rate) Note J (noting inclusion of the RTO Adder).

- The Commission authorized the RTO Adder for Delmarva and Pepco. *Pepco Holdings, Inc.*, 121 FERC ¶ 61,169, at P 15 (2007); *and see* PJM Tariff at Attachment H-3D (Delmarva's Formula Rate) Note J (noting inclusion of the RTO Adder); PJM Tariff at Attachment H-9A (Pepco's Formula Rate) Note J (noting inclusion of the RTO Adder).

- The Commission authorized the RTO Adder for NEET MidAtlantic. *NextEra Energy Transmission MidAtlantic, LLC*, 161 FERC ¶ 61,141, at P 35 (2017); *and see* Letter Order, Docket No. ER25-2941-001 (Nov. 7, 2025) (approving revisions to Attachments H-33 and H-33A of PJM's OATT to permit PJM to allocate the portion of NEET MidAtlantic's Annual Transmission Revenue Requirement attributable to development of the MARL Project on a regional basis).

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82 The Office of Governor Wes Moore, Governor Moore, Senate President Ferguson, and House Speaker Peña-Melnyk Announce Agreement to Pass Utility RELIEF Act (last accessed May 1, 2026) https://governor.maryland.gov/news/press/pages/Governor-Moore,-Senate-President-Ferguson,-and-House-Speaker-Pe%C3%B1a-Melnyk-Announce-Agreement-to-Pass-Utility-RELIEF-Act.aspx.

83 Md. Public Utilities Code § 7-109 (2026).

- The Commission authorized the RTO Adder for South FirstEnergy Operating Companies, which includes as a subsidiary Potomac Edison. *Monongahela Power Company, et al*, 173 FERC ¶ 61,290, at PP 59-61 (2020); PJM Tariff at Attachment H-11A (Potomac Edison's Formula Rate) Note O (noting inclusion of the RTO Adder).

- The Commission authorized the RTO Adder for Transource Maryland. *PJM Interconnection, LLC*, 158 FERC ¶ 61,089, at P 72 (2017); *PJM Interconnection, LLC*, 162 FERC ¶ 61,032 (2018) (approving subsequent settlement); *and see* PJM Tariff at Attachment H-30A (Transource Maryland's Formula Rate), Attachment 1, Note H (noting inclusion of the RTO Adder, with certain limitations).

- The Commission authorized the RTO Adder for Valley Link MD. *Valley Link Transmission Md., LLC*, 191 FERC ¶ 61,113, at PP 6, 168 (2025); *and see* PJM Tariff at Attachment H-37A (Valley Link MD's Formula Rate) Note U (noting inclusion of the RTO Adder).

3. The Commission should find that inclusion of the RTO Adder in Respondents' rates is unjust and unreasonable.

25. The Commission grants the RTO Adder only to utilities that voluntarily participate in a transmission organization. Pursuant to Section 219(c) of the FPA, in Order No. 679, the Commission noted that the RTO Adder is available for utilities that continue their participation in a transmission organization since continuing membership is "*generally voluntary*."[84] Courts determined that the Commission must consider whether utilities *voluntarily* participate in a transmission organization when considering whether to award the incentive RTO Adder; the Commission may not presume eligibility for the RTO Adder simply based on continuing membership.[85] When incentives cannot induce behavior because the behavior is mandated, the Commission has a longstanding policy that incentives may not be awarded.[86]

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84 Order 679 at P 331 (emphasis added).

85 *CPUC I* at 974, 977.

86 *Id*. at 977.

26. The Commission rejects requests for an RTO Adder where state law mandates participation in a transmission organization. For example, the Commission rejected use of the RTO Adder where California law requires participation in CAISO and where Ohio law requires participation in a transmission organization.[87] The Commission reasons that mandated actions cannot be incentivized, thus the incentive RTO Adder may not be granted to utilities that are mandated to participate in a transmission organization. The courts agree. In affirming the Commission's denial of PG&E's use of the RTO Adder, the Ninth Circuit found that the single, best reading of Section 219(c) is that the RTO Adder requires *voluntary* membership.[88] The RTO Adder is meant to induce behavior, not to act as a payment or reward for RTO membership.[89] In affirming the Commission's denial of Dayton's and AEP's use of the RTO Adder, the Sixth Circuit found that transmission incentives should benefit consumers and not serve as a blank check or a windfall to utilities.[90] In fact, the Sixth Circuit also denied use of the RTO Adder by FirstEnergy and Duke.[91]

27. Maryland recently passed the Utility RELIEF Act, which, in pertinent part, requires persons that own or operate transmission facilities over 69,000 volts to participate in an RTO.[92] Each of the Respondents qualify for this mandate, thus Respondents' participation in PJM is no longer voluntary as it is mandated by Maryland law. Yet, each Respondent

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87 *See e.g.*, PG&E RTO Adder Order at PP 1, 35-43; SDG&E RTO Adder Order at PP 29-30; Dayton RTO Adder Order at P 54; OCC RTO Adder Order at P 60.

88 *PG&E v. FERC* at *10-11.

89 *Id*. at *11.

90 *Dayton v. FERC* at 1124.

91 *Id.* at 1134.

92 Md. House Bill 1532 (2026 Regular Session) (enacting Md. Public Utilities Code § 7-109 (2026)).

currently includes the RTO Adder in their rates. Just as the Commission found that the RTO Adder is no longer incentivizing participation in a transmission organization under California and Ohio law, it should find the same here, that under Maryland law, the RTO Adder no longer incentivizes the Respondents to participate in PJM as such participation is mandatory.

28. In Maryland, Respondents are not legally allowed to own and operate transmission facilities over 69,000 volts if they do not participate in an RTO. Each Respondent currently participates in PJM, and therefore fulfills Maryland's mandate. It is unjust and unreasonable to include a transmission incentive in rates that does not incentivize the behavior it seeks to promote. Accordingly, the inclusion of the RTO Adder results in unjust and unreasonable rates that provide a windfall to Respondents for simply following the law, at the consumer's expense. It also results in disparate treatment of Maryland ratepayers compared to the Commission's removal of the RTO Adder pursuant to California and Ohio law, as discussed above. The Maryland, California, and Ohio laws each similarly require participation in an RTO and thus each should similarly result in the Commission denying use of the incentive RTO Adder.

29. Accordingly, the Commission should find that it is unjust, unreasonable, unduly discriminatory, or preferential to allow the Respondents to retain their RTO Adders. Respondents are no longer incentivized to participate in an RTO, thus retaining the RTO Adder would result in unwarranted profits, providing unjust windfalls to the Respondents.

B. A Just and Reasonable Replacement Rate Would Eliminate the RTO Adder.

30. The Commission should direct Respondents to remove the RTO Adder from their rates. Removal of the RTO Adder would establish a just and reasonable replacement rate as the incentive RTO Adder no longer serves as an incentive. The Respondents are mandated

to participate in an RTO, thus they are no longer eligible for the RTO Adder. The Commission should require each Respondent to make a compliance filing to revise its Formula Rate to exclude the RTO Adder.

31. The Commission should establish July 2, 2026, as the refund effective date, with interest, consistent with Commission practice to provide maximum protection to customers. The RTO Adder significantly increases costs for consumers while providing no commensurate benefit—given Maryland law, Respondents are required to remain in or join an RTO. Accordingly, the Commission should establish a refund effective date, with interest, of July 2, 2026 for charges from the Respondents' inclusion of the RTO Adder in their rates.

V. REQUIRED INFORMATION

A. Rule 206(b)(1): Clearly identify the action or inaction which is alleged to violate applicable statutory standards or regulatory requirements.

Respondents' continued inclusion of the RTO Adder violates the Commission's requirement for just and reasonable rates. Pursuant to Maryland law,[93] as of July 1, 2026, Respondents are required to participate in an RTO, thus the incentive RTO Adder is no longer incentivizing Respondents' participation in an RTO.

B. Rule 206(b)(2): Explain how the action or inaction violates applicable statutory standards or regulatory requirements.

Respondents' continued inclusion of the RTO Adder in their transmission rates violates the Commission's and courts' determination that the RTO Adder may only be included in rates when the utility voluntarily participates in a transmission organization.[94] Pursuant to Maryland law,

93 Md. Public Utilities Code § 7-109 (2026).

94 PG&E RTO Adder Order at PP 1, 35-43; SDG&E RTO Adder Order at PP 29-30; Dayton RTO Adder Order at P 54; OCC RTO Adder Order at P 60; *CPUC I*; *PG&E v. FERC*; *Dayton v. FERC*.

Respondents are not voluntarily participating in an RTO; they are required to participate in an RTO. Accordingly, Respondents' rates are unjust and unreasonable due to their inclusion of the RTO Adder.

C. Rule 206(b)(3): Set forth the business, commercial, economic or other issues presented by the action or inaction as such relate to or affect the complainant.

The Maryland State Agencies represent the interests of customers in Maryland. Maryland customers are inappropriately paying for rates which include the RTO Adder.

D. Rule 206(b)(4): Make a good faith effort to quantify the financial impact or burden (if any) created for the complainant as a result of the action or inaction.

The Maryland State Agencies do not have the necessary data to provide an exact calculation of the excessive charges being paid by Maryland consumers as a result of the inclusion of the RTO Adder in Respondents' rates. However, in 2024, MOPC estimated that requiring electric companies to participate in an RTO would save Maryland customers about $20 million per year.[95] This estimate is necessarily lower than the true impact of the recently enacted Maryland Public Utilities Code Section 7-109 since MOPC's estimate only encompasses "electric companies," which includes persons who physically transmit or distribute electricity in Maryland to a retail electric customer.[96] Under Maryland's new law, however, the RTO participation requirement extends to *any* "person" that owns or operates a transmission line designed to carry a voltage in

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95 Maryland Office of People's Counsel, Request for a Favorable Committee Report, House Bill 0505 – Limitations on Cost Recovery by Public Service Companies and Reports on Votes Cast at Meetings of Regional Transmission Organizations (Utility Transparency and Accountability Act), at 4 (Feb. 22, 2024), https://opc.maryland.gov/Portals/0/Files/Bills/2024/House/HB0505 OPC Testimony.pdf?ver=GHF1JZjyY4kYjP1dYYGuEg%3d%3d#:~:text=financial%20incentive%20for%20electric%20companies%20joining%20a,ineligible%20to%20receive%20extra%20unwarranted%20profits%20i.

96 Md. Public Utilities Code § 1-101(i)(1) (2026).

excess of 69,000 volts and is located in the State, not just the State's electric companies.[97] Respondents to this Complaint include three owners or operators of transmission lines that are not "electric companies": NEET MidAtlantic, Transource Maryland, and Valley Link Transmission Maryland.

E. Rule 206(b)(5): Indicate the practical, operational, or other nonfinancial impacts imposed as a result of the action or inaction, including, where applicable, the environmental, safety or reliability impacts of the action or inaction.

There are no practical, operational, or other nonfinancial impacts imposed as a result of Respondents' improperly including the RTO Adder in their rates.

F. Rule 206(b)(6): State whether the issues presented are pending in an existing Commission proceeding or a proceeding in any other forum in which the complainant is a party, and if so, provide an explanation why timely resolution cannot be achieved in that forum.

This issue of the Respondents' RTO Adders is not pending in any other existing Commission proceeding or before any other forum.

G. Rule 206(b)(7): State the specific relief or remedy requested, including any request for stay or extension of time, and the basis for that relief.

The Maryland State Agencies request that the Commission find that inclusion of the RTO Adder in Respondents' rates is unjust and unreasonable now that the Respondents are required by Maryland law to participate in an RTO in order to own and operate transmission facilities over 69,000 volts in Maryland, thus the RTO Adder is no longer serving as an incentive. Respondents are no longer voluntarily participating in an RTO. Accordingly, the RTO Adder serves as a windfall to Respondents. The Commission should find that Respondents' current rates are no

[97] Md. Public Utilities Code § 7-109; *see also* § 1-101(w) (2026) (defining "person" as "an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity").

longer just and reasonable; order the Respondents to remove the RTO Adder from their rates; and order any applicable refunds, setting a refund effective date of July 2, 2026, with interest.

H. Rule 206(b)(8): Include all documents that support the facts in the complaint in possession of, or otherwise attainable by, the complainant, including, but not limited to, contracts and affidavits.

The facts in this complaint are supported by legal citations to FERC precedent, court decisions, and state law, including Maryland Public Utilities Code § 7-109, requiring persons who own or operate transmission facilities over 69,000 volts to participate in an RTO.

I. Rule 206(b)(9): State (i) Whether the Enforcement Hotline, Dispute Resolution Service, tariff-based dispute resolution mechanisms, or other informal dispute resolution procedures were used, or why these procedures were not used; (ii) Whether the complainant believes that alternative dispute resolution (ADR) under the Commission's supervision could successfully resolve the complaint; (iii) What types of ADR procedures could be used; and (iv) Any process that has been agreed on for resolving the complaint.

On June 4, 2026, MOPC sent letters to Baltimore Gas and Electric, Delmarva, Potomac Edison, Pepco, and Transource Maryland notifying them of Maryland Public Utilities Code § 7-109 and requesting that each entity remove the RTO Adder from its Formula Rate. The letters asked that each entity inform MOPC of their planned course of action no later than June 22, 2026. Potomac Edison acknowledged receipt of the letter but provided no further response. No other entity provided a response. The Maryland State Agencies do not believe that further dispute resolution procedures would be successful as the Maryland State Agencies believe a Commission order is necessary to resolve this issue. The Maryland State Agencies submit this Complaint against the Respondents for efficiency of addressing the Respondents collectively and to ensure timeliness of removal of the RTO Adder from the Respondents' rates.

J. Rule 206(b)(10): Include a form of notice of the complaint suitable for publication in the Federal Register in accordance with the specifications in § 385.203(d) of this part. The form of notice shall be on electronic media as specified by the Secretary.

Attached to this Complaint is a form of notice of complaint that is suitable for publication in the Federal Register in accordance with Section 385.203 of the Commission's Rules of Practice and Procedure.

K. Rule 206(b)(11): Explain with respect to requests for Fast Track processing pursuant to section 385.206(h), why the standard processes will not be adequate for expeditiously resolving the complaint.

MEA does not request a Fast Track process.

VI. CONCLUSION

WHEREFORE, for the foregoing reasons, the Maryland State Agencies respectfully request that the Commission issue an order granting this Complaint and ordering the relief requested herein or such other and further relief that the Commission deems appropriate to redress the unjust and unreasonable use of the RTO Adder by each of the Respondents.

Dated: July 2, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this 2nd day of July, 2026, caused the foregoing pleading to be served upon the following officials designated on the Commission's "Corporate Officials" webpage and recent filings for Respondents, affected regulatory agencies, and others the Complainant reasonably knows may be expected to be affected by the Complaint.

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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Maryland Energy Administration;	)	
Maryland Office of People's Counsel;	)	
and	)	
Maryland Public Service Commission,	)	
	)	
Complainants,	)	
	)	
v.	)	
	)	
Baltimore Gas and Electric Company;	)	
Delmarva Power and Light Company;	)	Docket No. EL26-___-000
NextEra Energy Transmission MidAtlantic, Inc.;	)	
Potomac Edison Company;	)	
Potomac Electric Power Company;	)	
Transource Maryland LLC;	)	
and	)	
Valley Link Transmission Maryland, LLC.	)	
	)	
Respondents.	)	

NOTICE OF COMPLAINT

(July 2, 2026)

Take notice that on July 2, 2026, pursuant to sections 206 and 306 of the Federal Power Act, 16 U.S.C. §§ 824e and 825e (2024), and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 (2025), the Maryland Energy Administration ("MEA"), Maryland Office of People's Counsel ("MOPC"), and Maryland Public Service Commission ("Maryland PSC") (together, the "Maryland State Agencies" or "Complainants") filed a formal complaint against Baltimore Gas and Electric Company, Delmarva Power and Light Company, NextEra Energy Transmission MidAtlantic, Inc., Potomac Edison Company, Potomac Electric Power Company, Transource Maryland LLC, and Valley Link Transmission Maryland, LLC ("Respondents"), alleging that Respondents are not eligible for transmission incentives that grant a utility an adder to their Return on Equity for their participation in a Regional Transmission Organization ("RTO Adder"). The Maryland State Agencies request that the Commission direct Respondents to remove the RTO Adder from their formula rates, as more fully explained in the complaint.

The Maryland State Agencies certify that copies of the complaint were served on the contacts for each Respondent as well as PJM Interconnection, LLC.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondents' answer(s) and all interventions, or protests must be filed on or before the comment date. The Respondents' answer(s) as well as motions to intervene and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at http://www.ferc.gov. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

In addition to publishing the full text of this document in the Federal Register , the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (http://www.ferc.gov) using the "eLibrary" link. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov. This filing is also available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s).

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

Comment Date: 5:00 p.m. Eastern Time on July 22, 2026.

Dated: July 2, 2026.

Debbie-Anne A. Reese,

Secretary.