UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

International Transmission Co. d/b/a ITC Transmission, Michigan Electric Transmission Co., LLC, ITC Midwest LLC, and ITC Great Plains, LLC; Ameren Services Co.; American Transmission Co. LLC; Cleco Power LLC; Entergy Services, LLC; Evergy, Inc.; Oklahoma Gas & Electric Co.; The Empire District Electric Company; and Xcel Energy Services Inc.,	)	
Complainants,	)	
v.	)	**Docket No. EL26-58-000**
Midcontinent Independent System Operator, Inc.; and Southwest Power Pool Inc.,	)	
Respondents	)	

ANSWER OF
THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC.

Pursuant to Rules 206(f) and 213 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("FERC" or "Commission"),[1] the Midcontinent Independent System Operator, Inc. ("MISO") submits this Answer to the complaint filed in the above-captioned docket on April 6, 2026, by the Grid Acceleration Coalition ("Coalition" or the "Complainants")[2]

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[1] 18 C.F.R. §§ 385.206(f) and 385.213 (2026).

[2] The Grid Acceleration Coalition includes International Transmission Company d/b/a ITC Transmission, Michigan Electric Transmission Company, LLC, ITC Midwest LLC, and ITC Great Plains, LLC; Ameren

against MISO and Southwest Power Pool, Inc. ("SPP").[3] Although both MISO and SPP are named as respondents, MISO limits its arguments to impacts and matters relating to the MISO region and takes no position with respect to the Coalition's claims against SPP. This Answer will ensure that the Commission has an accurate factual record of MISO's processes and related mechanisms and a clear understanding of the consequences associated with the remedies the Coalition proposes.

I. EXECUTIVE SUMMARY

The MISO region is seeing accelerating projections for load growth unlike what has been seen in the last few decades. This acceleration, combined with the urgency of meeting the demand necessary to allow the United States to effectively participate in the global competition for economic development, is driving a need to enable speed to power for new artificial intelligence ("AI"), manufacturing, and other new loads. MISO, along with its stakeholders, members, and states, in coordination with the Commission's ongoing initiatives, is working to support the timely and efficient interconnection of load and generation resources onto MISO's Transmission System.[4] As described more fully below MISO is also targeting further filings with the Commission in short order to bolster and complement existing processes to assist in these crucial efforts.

Services Company on behalf of its public utility operating company affiliates Ameren Transmission Company of Illinois, Ameren Illinois Company, and Union Electric Company d/b/a Ameren Missouri; American Transmission Company LLC ("ATC"); Cleco Power LLC; Entergy Services, LLC; Evergy, Inc; Oklahoma Gas & Electric Co.; The Empire District Electric Company; and Xcel Energy Services Inc. on behalf of Southwestern Public Service Company, Northern States Power Company (Minnesota), and Northern States Power Company (Wisconsin).

[3] *See* Complaint of the International Transmission Co. d/b/a ITC Transmission, *et al*., Docket No. EL26-58-000 (April 6, 2026) ("Complaint"). By notice issued on April 16, 2026, the Commission extended the comment date in this proceeding through May 27, 2026. *See* Notice of Extension of Time, Docket No. EL26-58-000 (April 16, 2026).

[4] Unless otherwise specified herein, all capitalized terms shall have the meaning as set forth in MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff ("Tariff" or "MISO Tariff").

Transmission and generation are critical enablers to facilitate the interconnections of large loads, and it is important to ensure that all portions of the identification, review, and construction of these projects are as efficient as possible. To these ends, MISO has actively partnered with our stakeholders—including those in the Coalition—to update and enhance MISO's current processes across the transmission and resource planning horizons to efficiently support the integration of large loads and generating facilities. As detailed below, MISO has already made several efforts to enhance and supplement its existing processes, including the following key initiatives:

- MISO's multi-year Long-Range Transmission Planning ("LRTP") initiative creates a robust, resilient transmission system capable of adapting to future changes, including the implementation of large load additions. To date, MISO has successfully implemented two LRTP portfolios, LRTP Tranches 1 and 2.1, focusing on backbone high-voltage transmission and including hundreds of new transmission facilities worth billions of dollars.[5] As the Coalition recognizes, backbone transmission is essential to winning the AI race.[6]

- MISO's Expedited Project Review ("EPR") process allows an expedited review for MISO Transmission Owners who must start construction on transmission projects (including many to support large load additions) more quickly than would be feasible under the regular MISO Transmission Expansion Plan ("MTEP") timelines. The EPR process supplements MISO's existing annual MTEP review, where MISO reviews both reliability-driven and Transmission Owner projects to ensure reliability is maintained, including evaluating projects for load growth.[7]

- MISO's Expedited Resource Addition Study ("ERAS") process is a recently-implemented, targeted process expediting the interconnection of generation facilities responsive to identified near-term reliability, resource adequacy, and other needs. ERAS allows Interconnection Customers to obtain a Generator Interconnection Agreement ("GIA") and connect to the grid in significantly less time than under standard interconnection queue processes so that they can meet these needs faster.[8]

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5 *See* MISO Long Range Transmission Planning, available at: https://www.misoenergy.org/planning/long-range-transmission-planning/.

6 *See* Complaint at 26.

7 *See* Transmission Planning Business Practice Manual ("BPM") (BPM-020), Section 4.1.4 (Expedited Project Review).

8 *See* ERAS Informational Guide (available at: https://cdn.misoenergy.org/ERAS%20Informational%20Guide707493.pdf?v=20250711150053).

- MISO's adoption and utilization of advanced analytical technology[9] to process and speed up generator interconnection studies is providing results for MISO queue studies in record quick time.

Consistent with the Commission's expectation in the Interconnection of Large Loads Advanced Notice of Proposed Rulemaking ("ANOPR"),[10] MISO and its stakeholders have created a dedicated Large Load Working Group to spearhead efforts in the large load space specifically.[11] Several key large load initiatives that are underway include: (1) development of a new form of limited Interconnection Service and associated market and resource adequacy rules; (2) implementation of study process refinements; (3) development of reliability requirements to better enable large load integration; and (4) development of new interim transmission service products. These direct and targeted initiatives provide an effective vehicle to address the speed to power, interconnection, and affordability concerns expressed the Complaint. As MISO advances these important reforms and initiatives, we look forward to continuing to work with the Commission, those in the Coalition, and all interested parties to ensure needed changes are implemented efficiently and effectively, including through the compliance processes that the Commission may direct in the ANOPR proceeding.[12]

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[9] This technology is known as the Suite of Unified Grid Analyses with Renewables or "SUGAR" platform from Pearl Street Technologies.

[10] *See Interconnection of Large Loads to the Interstate Transmission System*, Advance Notice of Proposed Rulemaking, Docket No. RM26-4-000, P 32 (Oct. 23, 2025) (The ANOPR "is not intended in any way to discourage public utilities from making filings to address these and similar issues under FPA section 205.").

[11] The Large Load Working Group is a MISO stakeholder entity created to provide input and policy guidance to MISO Management and the Advisory Committee on processes and policies pertaining to markets, reliable operations, planning, and resource adequacy that facilitate integration and enablement of large loads in the MISO footprint.

[12] The Commission stated that it would act on the ANOPR "by the end of June 2026." *See Interconnection of Large Loads to the Interstate Transmission System*, Advance Notice of Proposed Rulemaking, 195 FERC ¶ 61,045, P 4 (Apr. 16, 2026).

Against this backdrop, the Coalition asks the Commission to use its authority under section 206 of the Federal Power Act ("FPA")[13] to "correct the significant harms"[14] caused by the allegedly "unjust and unreasonable"[15] competitive transmission solicitation processes for certain regional transmission projects under the respondents' respective tariffs. The Coalition claims that these Commission-approved processes are too slow, delaying interconnection of essential loads and generation, including data centers, and "hurt[ing] affordability for everyday Americans."[16] Although MISO's Competitive Developer Selection Process[17] was specifically reviewed and approved by the Commission in MISO's Order No. 1000[18] compliance proceedings, and then upheld on appeal,[19] the Coalition asserts that the current process is no longer just and reasonable and must be urgently reformed with respect to certain regional transmission projects, either through a suspension or a bypass (or through some other remedy).[20] The Coalition claims that such a remedy would be justified by the urgency posed by time-sensitive projects in an era of unprecedented load growth.[21]

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13 16 U.S.C. § 824e(a).

14 *See* Complaint at 37.

15 *Id.* at 1.

16 *Id*.

17 MISO's Competitive Developer Selection Process set forth in Attachment FF, Section VIII of the MISO Tariff. *See* Tariff, Attachment FF § VIII. The Complainants' references to "solicitation requirements" or other such terms essentially mean the Competitive Developer Selection Process, as without such requirements the Competitive Developer Selection Process becomes a mere shell. *See* Tariff, Attachment FF § VIII.B through VIII.G (describing developer qualification requirements, requests for proposals ("RFP"), proposals and evaluation requirements, and Selected Developer Agreement requirements).

18 *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, FERC Stats. & Regs. ¶ 31,323 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC,* 762 F.3d 41 (D.C. Cir. 2014).

19 *See Midwest Indep. Sys. Operator, Inc*., 142 FERC ¶ 61,215 (2013), *order on reh'g*, 147 FERC ¶ 61,127 (2014), *order on reh'g*, 150 FERC ¶ 61,037 (2015), *aff'd sub nom MISO Transmission Owners v. FERC,* 819 F.3d 329, 336 (7th Cir. 2016).

20 *See* Complaint at 2.

21 *Id*.

At the outset, MISO would like to emphasize that the Complaint does not allege any Tariff or regulatory violation by MISO, but rather seeks Commission action to modify MISO's currently effective Tariff requirements.[22] In MISO's view, the Competitive Developer Selection Process works as approved by the Commission and, over the years since its initial adoption, MISO and its stakeholders have implemented many improvements to competitive solicitation requirements and procedures. At its core, the Complaint is a challenge to the Commission's policy on transmission competition rather than an attack MISO's execution of its Tariff. The Coalition wants to set aside or bypass MISO's competitive solicitation rules at least for some regional projects, either on a temporary or permanent basis, on the grounds that they add time to the overall transmission project development timeline. MISO takes no position on the merits of the proposed policy change being advocated by the Coalition. MISO notes, however, that MISO's diverse stakeholder population has strongly held convictions on either side of the current Commission policy on transmission competition.

The Coalition claims that MISO's competitive transmission solicitation is so inefficient that it has become unjust and unreasonable as to warrant a bypass or suspension. The Complaint does not identify any specific deficiency in the competitive solicitation process, but points to the fact that this FERC-approved process allegedly takes between 16 and 20 months, thereby adding time to the overall project development timeline.[23] While it is true that competitive solicitation takes some time, MISO disagrees with the exaggerated length of the delay alleged in the Complaint as MISO's actual experience differs from the alleged 16-20-month timeframe. In addition, it is not clear whether the impacts of the competitive solicitation process are as dramatic as the

[22] *Id.* at 12-13.

[23] *See, e.g.,* Complaint at 4, 38, 76.

Complainants allege, particularly given that competitive projects are only a limited subset of all projects approved in the MTEP process and transmission project development is subject to many contingencies for both incumbents and non-incumbents alike. Overall, MISO's execution of its Tariff in the last 10 years, while navigating strongly held convictions, demonstrates the effectiveness of the Competitive Developer Selection Process.

Under the Tariff, transmission facilities eligible for competitive solicitation are limited to Market Efficiency Projects ("MEP") and Multi-Value Projects ("MVP").[24] These projects are long-term facilities with identified in-service dates of 6-10 years in the future, which reflect the typical schedule required to place a project in-service (including development, construction, permitting, etc.) regardless of whether the facilities within the project would be part of the Competitive Developer Selection Process. The in-service dates are determined prior to approval by the MISO Board of Directors ("MISO Board"), and therefore, prior to MISO's determination of whether any facilities within a project are determined to be subject to competitive solicitation.

MISO has gone to great lengths to ensure that the Competitive Developer Selection Process is as efficient as it can be and has implemented many process improvements based on its experience with LRTP tranches.[25] Of the seven projects from LRTP Tranche 2.1 that have been competitively bid, MISO has awarded five of those projects ahead of their Tariff-required deadlines and is on track to achieve the same for the remaining two projects currently under

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[24] *See* Tariff, Attachment FF § VIII.A. Moreover, even for those projects that are in scope for the Competitive Developer Selection Process, exceptions exist for projects that are urgently needed for reliability, consist primarily of upgrades to existing transmission facilities, or which are subject to a state Right of First Refusal. *See* Tariff, Attachment FF § VIII.A.1—A.3.

[25] For example, after seeing two projects from LRTP Tranche 1 only receive one bid due to the project's limited scope, MISO proposed adjustments to the Competitive Developer Selection Process ensuring those projects would not go through the competitive solicitation process and time and resources were dedicated to larger, higher-value projects. *See Midcontinent Independent System Operator, Inc.,* Tariff Revisions to Module A and Attachment FF Regarding Competitive Transmission Process Improvements, Docket No. ER24-3138-000 (Sept. 27, 2024).

evaluation. As further discussed below, some of the alleged process delays with respect to several ongoing MISO projects referenced in the Complaint were reasonably addressed through MISO's existing Tariff mechanisms, such as the Variance Analysis that MISO independently initiates and administers.[26] To date, MISO has had only one facility subject to the Competitive Developer Selection Process become in-service, and it came online six months ahead of its scheduled in-service date and below its cost containment commitments.[27]

MISO recognizes that it is essentially a policy matter for the Commission to decide whether the alleged benefits of bypassing or suspending MISO's Competitive Developer Selection Process, as advocated by the Complainants, will outweigh the previously assumed benefits of transmission competition. While MISO is neutral on the merits of transmission competition policy and offers no testimony in that regard, MISO expects competition advocates to sharply disagree with the Coalition's claims and evidence. If the Commission chooses to revise its competition policy, either in this proceeding or generically, MISO requests that the Commission take care to avoid unintended consequences that may undermine the goal of expediting transmission development to meet the needs of new load and generation integration. The Commission also should consider holistically MISO's ongoing efforts to address the concerns around speed to power stated in the Complaint and should recognize the scope of the ongoing work to meet the shared goals and consider the Complaint and the prioritization of MISO efforts in that broader context.

With that in mind, if the Commission agrees with the Coalition that the current processes should be reformed, any remedy, whether a temporary one or permanent, should be carefully

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[26] *See* MISO Tariff, Attachment FF, § IX.

[27] *See* MTEP15 Duff-Coleman Project, available at: https://www.misoenergy.org/planning/competitive-transmission-administration/#nt=%2Fctadoctype%3APreviously%20Awarded%20Projects%2Fctaprojectname%3AMTEP15%20Duff-Coleman&t=10&p=0&s=FileName&sd=desc.

vetted. Under the FPA, the Commission must ensure that the adopted remedies are prospective only and appropriately protect all parties' settled expectations, particularly with respect to MISO's approved regional portfolios, such as LRTP Tranches 1 and 2.1.[28] As discussed in Section III.B below, both remedial options offered in the Complaint come with risks, costs, and uncertainties. Option 1 (*i.e.*, solicitation bypass)[29] presents process and implementation challenges that leave MISO potentially facing more disputes and litigation regarding the discretion MISO would be forced to exercise and ultimately increasing the timeline to construct transmission. Option 2 (*i.e.*, solicitation suspension)[30] would be much easier to administer and would be preferrable relative to Option 1, although it does raise its own questions and challenges around implementation. However, MISO will implement whatever framework the Commission determines is just and reasonable – whether one of the options presented by the Coalition or one of the Commission's own creation.

II. RELEVANT BACKGROUND

A. MISO's Efforts to Improve Its Generator and Large Load Interconnection Processes

MISO recognizes the ongoing industry change and the Commission's initiatives in the large load space and is not just passively waiting for directives. As a regional transmission organization ("RTO"), MISO leverages technology and ongoing process improvements, and conducts long-term planning to support the states' resource adequacy role and the obligation of load serving entities ("LSEs") to serve their end-use customers. In the MISO region, states are primarily responsible for resource adequacy, which involves overseeing LSEs and ensuring LSEs

[28] *See* 16 U.S.C § 824e(a).

[29] *See* Complaint at 64-65.

[30] *Id.* at 65-70.

plan for and secure enough power to meet their customers' demand. LSEs in the MISO region typically work directly with new large loads to bring them online. MISO has worked constructively with its members, states, and new large loads to develop numerous process improvements that work effectively within the MISO's region, leveraging its unique circumstances and characteristics.

In its work, MISO has been informed by actions across the nation and has observed how differing infrastructure planning processes, as well as state retail regulatory environments and resource adequacy constructs, have impacts on the challenges for integrating large loads onto the system. One of the challenges of large load additions is that large loads typically desire to be served quickly. As a result, any delays in generation interconnection analysis or the construction of necessary transmission upgrades can create challenges. Therefore, MISO has undertaken several enhancements to its generator interconnection processes to allow generation to come online more quickly and better align with the time frames for large load additions in the MISO regions. Many of these improvements—such as allowing Interconnection Customers to receive a GIA even where affected systems analysis is delayed and shortening queue processing times—are permanent features of MISO's Tariff. Others, while time-limited, are targeted to provide immediate relief to current concerns, such the rapidly evolving demands of large load.

MISO's generation-related improvements include the following initiatives:

- In July 2025, the Commission accepted MISO's ERAS proposal to expedite the interconnection of certain generation facilities.[31] The ERAS process allows certain critically needed generation projects to connect to the grid in significantly less

[31] *See Midcontinent Independent System Operator, Inc.,* Order Accepting Tariff Revisions Subject to Condition, 192 FERC ¶ 61,064, Docket No. ER25-2454-000 (July. 21, 2025), *reh'g denied*, 194 FERC ¶ 61,050 (2026).

time. Since its launch, the ERAS program has accepted or is currently validating 58 projects representing nearly 28 GW of proposed capacity. Of these, 25 projects representing approximately 11 GW of proposed capacity have advanced to completed generator interconnection agreements, with an additional 15 projects representing approximately 8 GW of proposed capacity nearing completion.

- In the past several years, MISO implemented numerous revisions to its standard generation interconnection process, both through the Order No. 2023[32] compliance process and separately, involving penalties reform, site control enhancements, and affected system coordination improvements and other enhancements.[33] These enhancements significantly improved queue speed by deterring speculative projects and streamlining the process for those projects that are viable and needed.
- MISO recently enhanced its technology to make its interconnection study process more efficient by utilizing the Suite of Unified Grid Analyses with Renewables ("SUGAR") platform to process and speed up the large backlog of generator interconnection studies. SUGAR automates the creation and operation of power flow models, and identifies transmission constraints and potential mitigation solutions, significantly reducing the time needed for the initial phases of the interconnection study. This technological integration helps MISO better manage the high volume of interconnection requests and will assist in meeting the goal of

[32] *See Improvements to Generator Interconnection Procs. & Agreements*, Order No. 2023, 184 FERC ¶ 61,054, *order on reh'g*, 185 FERC ¶ 61,063 (2023), *order on reh'g*, Order No. 2023-A, 186 FERC ¶ 61,199, errata notice, 188 FERC ¶ 61,134 (2024).

[33] *See, e.g., Midcontinent Indep. Sys. Operator, Inc.*, 190 FERC ¶ 61,057 (2025) (accepting MISO's queue cap proposal); *Midcontinent Indep. Sys. Operator, Inc.*, 186 FERC ¶ 61,054 (2024) (accepting certain withdrawal penalty reforms); *Midcontinent Indep. Sys. Operator, Inc*., 178 FERC ¶ 61,141 (2022) (accepting an expedited path for Interconnection Customers to execute GIAs in under one year); *Midcontinent Indep. Sys. Operator, Inc*., 169 FERC ¶ 61,173 (2019) (accepting reforms of certain milestone and site control requirements).

achieving a one-year study timeline for new generation projects. With the support of SUGAR, MISO was able to process Definitive Planning Phase ("DPP") Phase 1 studies in a record 54 days,[34] where in some prior cycles studies took over a year to complete.

- MISO currently is developing a new form of limited Interconnection Service that will allow generation dedicated to meeting the needs of a specific co-located or nearby Load through an accelerated study process outside of the queue, subject to safeguards that protect the Transmission System and other Interconnection Customers from negative impacts. This effort—provisionally called "ZG Interconnection Service" —is specifically targeted to meet urgent large load needs and is in the final phases of development. MISO expects to make a Tariff filing to implement ZG Interconnection Service by the end of June 2026.

To complement these generation-focused efforts, MISO works diligently to ensure that its transmission system remains sufficiently robust to provide a solid and cost-efficient foundation to meet the new large load growth. MISO has several effective tools and avenues to determine the necessary and most cost-effective transmission system improvements for large load interconnections. One such tool is the MTEP process, which results in an annual expansion plan containing numerous proposed transmission projects to address the MISO region's reliability needs. MISO also pioneered a separate long-range transmission planning process, the LRTP initiative, which takes a long-range (roughly 20- to 40-year) view of the system to address future issues and provides flexibility to the electrical grid by enabling the integration of diverse energy

[34] *See* "Generator Interconnection Queue Update" Presentation, System Planning Committee of the Board of Directors, Slide 4 (March 24, 2026), available at: https://cdn.misoenergy.org/20260324%20System%20Planning%20Committee%20of%20the%20BOD%20Item%2005%20Generator%20Interconnection%20Queue%20Update745972.pdf.

sources and creating a robust, resilient system capable of adapting to future changes, including the implementation of large load additions. The LRTP process has been immensely successful, resulting in two approved multi-billion-dollar portfolios of regional transmission projects, including competitive transmission projects, in a short span of five years.

Another tool is the EPR process, which allows an expedited review for Transmission Owners who must start construction on the transmission projects to support large load additions more quickly than would be feasible under normal MTEP timelines. The EPR process improvements: provide consistent reliability analysis while recognizing the overall impacts of multiple large loads to our system through appropriate clustering; enable MISO to create sequential and well-defined study cases for EPRs on an every-other-month basis, including prior-approved EPRs, generators with interconnection agreements, and new EPRs requesting approvals; and enable MISO to quickly approve new requests, with opportunities for EPRs to potentially be recommended for approval monthly, depending on the complexity of the study and the solutions identified to support the new load.

Additionally, MISO is working with its stakeholders to develop interim transmission service products, such as firm service step-up and long-term, non-firm transmission service that will allow load to begin receiving energy even before the upgrades needed to provide firm service are built. MISO expects to make one or more filings to enable such services (firm service step up, specifically) later this year, in time to be available to load with generators and load-driven Transmission Needs going through the ZG Interconnection Service and EPR processes. Other services would be enabled through future filings.

All of these processes work in conjunction with, and build upon, each other and form a solid foundation, which MISO continues to enhance in coordination with our stakeholders. For

example, the results of one MTEP cycle builds on the prior cycle. Large loads may site where backbone transmission developed through the LRTP process will be built, and these loads would then be able to rely on the LRTP transmission as they build their site-specific upgrades through the MTEP or EPR processes. MISO is working with stakeholders to refine its EPR process concomitant with its ZG Interconnection Service filing development, allowing these process to work in tandem such that a large load can obtain generation quickly and then have any transmission needs considered through the EPR process with the generation that mitigates the need for Transmission Upgrades already included in applicable models. The result of this integration will be a rapid pathway to serving the needs of large load through sequenced accelerated generation and transmission study processes.

B. MISO's Competitive Developer Selection Process

MISO develops the MTEP, its annual regional expansion plan, based on expected use patterns and analysis of the performance of the Transmission System in meeting both reliability needs and the needs of the competitive bulk power market, under a wide variety of contingency conditions.[35] All individual projects proposed to be included in the MTEP are thoroughly reviewed by the MISO staff and, based on that review, may be recommended to the MISO Board for approval. The required in-service dates are developed in the planning process and are specified to meet the needs of the planning study.[36] Approval of the MTEP by the MISO Board certifies it as MISO's plan for meeting the transmission needs of all stakeholders, subject to any required approvals by federal, state and local regulatory authorities.[37]

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35 *See* Tariff, Attachment FF § I.C.

36 The in-service date is developed independent of, and without consideration of, the timing needs of the Competitive Developer Selection Process.

37 *Id*. at Attachment FF § VI.C.

After the MISO Board approves an MTEP, MISO determines which of the transmission facilities are subject to the Competitive Developer Selection Process. Under the Tariff, the Competitive Developer Selection Process applies only to two regional categories of transmission projects: Multi-Value Projects ("MVPs") and Market Efficiency Projects ("MEPs").[38] The Tariff also defines which transmission facilities of those project types may be included in a project that is eligible for the Competitive Developer Selection Process. Certain categories of transmission facilities are not eligible the competitive process, including (1) transmission facilities subject to the state right-of-first-refusal ("ROFR") exemption;[39] (2) upgrades to existing transmission facilities ("the Upgrades Exemption");[40] and (3) Immediate Need Reliability Projects.[41]

Once the Competitive Transmission Projects are identified, the Competitive Developer Selection Process begins, which includes (1) the initial solicitation of Proposals within sixty (60) days following the MTEP approval[42] from Qualified Transmission Developers to construct, implement, own, operate, maintain, repair, and restore the Competitive Transmission Facilities; (2) the submission of Proposals to MISO within 165 Calendar Days following the solicitation issuance;[43] (3) MISO's evaluation of submitted Proposals within the Tariff-provided timeframe of 165 Calendar Days;[44] and (4) designation of a Selected Proposal and Selected Developer(s).[45]

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38 *Id*. at Attachment FF § VIII.A.

39 *Id*. at Attachment FF § VIII.A.1.

40 *Id*. at Attachment FF § VIII.A.2.

41 *Id*. at Attachment FF § VIII.A.3. MISO notes that the Immediate Need Reliability Project carveout is applicable only to projects that qualify as Market Efficiency Projects.

42 MISO Tariff, Attachment FF § VIII.C.

43 *Id*. at Attachment FF § VIII.D1.

44 *Id*. at Attachment FF § VIII.E.

45 *Id*. at Attachment FF § VIII.F.

The Tariff recognizes that once the Competitive Developer Selection Process concludes and a Selected Developer Agreement is executed, certain contingencies may arise that would require MISO to re-visit its selection. The Tariff provides for an effective mechanism, known as the Variance Analysis, to address such contingencies, both for competitive and non-competitive facilities.[46] Under the Tariff, MISO may initiate a Variance Analysis when certain specified grounds affecting the facilities are present.[47] The Tariff also prescribes the applicable procedures and certain remedies or "outcomes" that MISO may adopt.[48] MISO has applied its Variance Analysis procedure in a number of cases addressing diverse post-selection contingencies, such as cost increases, regulatory or permitting issues, schedule delays, and state and federal litigation.[49]

It is important to note that MISO's Competitive Developer Selection Process is not static. Since its adoption in MISO's Order No. 1000 compliance proceedings, MISO has implemented many improvements, based on its experience with competitive transmission projects and in response to stakeholder proposals. MISO's experience with the LRTP tranches was particularly instructive in that regard. Some recent enhancements to the Competitive Developer Selection Process include: (1) removal of projects consisting of the mere installation of new conductor on replaced transmission structures, such as LRTP Tranche 1 Projects IIBI[50] and DEWT,[51] from competitive eligibility after only receiving one proposal per project and determining such

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46 *Id*. at Attachment FF § IX.

47 *Id*. at Attachment FF § IX.C.

48 *Id*. at Attachment FF §§ IX.D and IX.E.

49 Information on MISO's past and ongoing Variance Analysis processes is available on MISO's public website (https://www.misoenergy.org/planning/transmission-planning/mtep/#nt=%2Fmtepstudytypenew%3AVariance%20Analysis%2Fmtepdev%3AVariance%20Analysis%20Outcome%20Determinations&t=10&p=0&s=&sd=)

50 IA/IL State Border – Ipava ("IIBI").

51 345 kV Deadend (WI) – Tremval ("DEWT").

solicitations were inefficient, costly, and unlikely to result from meaningful competition;[52] (2) proposal template revisions to streamline proposal development and reduce evaluation time; (3) increased use of concurrent evaluation windows for LRTP Tranche 2.1 projects (*e.g.*, WISE[53] /BECI,[54] WIIL[55]/STIW,[56] and MARS[57]/EASL[58]), significantly shortening overall RFP processing time; (4) accelerated evaluation for smaller competitive projects, such as the RIKY[59] 345 kV project, which MISO evaluated in 90 days—well below the 165-day evaluation period permitted by the Tariff; and (5) accelerated evaluation for similarly grouped competitive projects, such as the WIIL and STIW 765 kV projects, which MISO evaluated in less than 130 days—below the 165-day evaluation period permitted by the Tariff—despite the projects' significant sizes and costs (*i.e.*, the WIIL and STIW projects were estimated to cost $718M and $940M, respectively). These improvements demonstrate that the Competitive Developer Selection Process delivers measurable efficiency enhancements and has adapted over time to reflect practical experience gained through implementation.

III. ANSWER

A. MISO's Competitive Developer Section Process Works as Approved.

1. Although it Does Require Time, MISO's Experience with Competitive Bidding Does Not Indicate that It Causes Unreasonable Delay.

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52 *See Midcontinent Independent System Operator, Inc.,* Tariff Revisions to Module A and Attachment FF Regarding Competitive Transmission Process Improvements, Docket No. ER24-3138-000 (Sept. 27, 2024).

53 Wisconsin Southeast 345 kV Competitive Transmission Project ("WISE").

54 Bell Center – Columbia – Illinois/Wisconsin State Line 765 kV Competitive Transmission Project ("BECI").

55 Woodford County – Illinois/Indiana State Line 765 kV Competitive Transmission Project ("WIIL").

56 Sub T – Iowa/Illinois State Line – Woodford County 765 kV Competitive Transmission Project ("STIW").

57 Marshalltown – Lehigh – Sub T – Montezuma – East Adair 765 kV Competitive Transmission Project ("MARS").

58 East Adair – Minnesota/Iowa State Line – Arbor Hill – York Avenue 765 kV Competitive Transmission Project ("EASL").

59 Reid EHV - Indiana/Kentucky State Line 345 kV Competitive Transmission Project ("RIKY").

The crux of the Complaint is that the MISO Tariff "imposes a mandatory solicitation process on certain transmission projects, delaying them on average 16-20 months."[60] The Coalition claims that "under today's specific circumstances" MISO's FERC-approved process has become unjust and unreasonable because it "(1) unreasonably delay[s] service to large loads" and "(2) deprive[s] all customers of the significant economic, reliability, and resilience benefits of backbone" projects.[61] The Coalition does not dispute that the Commission previously addressed in the Order No. 1000 proceedings the argument that competitive solicitation generally would add to transmission project development timelines, but asserts that there is a change in circumstances because "in adopting Order No. 1000, the Commission did not have before it the record of demonstrated delay in MISO" or "today's generational need to expand the transmission need rapidly."[62]

To be clear, the competitive solicitation process does have a separate timeline that is specified in the Tariff. Once MISO makes a determination that an Eligible Project is subject to the Competitive Developer Selection Process, MISO must follow specific Tariff requirements that govern the solicitation process.[63] Based on MISO's experience, this process may take between approximately 8 and 20 months, depending on whether the competitive process takes place within a staggered RFP schedule, from the moment MISO's Board approves an MTEP to the moment the Selected Developer Agreement is executed. In contrast, Eligible Projects that are determined to be subject to one of the existing exceptions to the Competitive Developer Selection Process[64] are

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60 Complaint at 35.

61 *Id*.

62 *Id*.

63 *See* Tariff, Attachment FF §§ VIII.C – VIII.F.

64 *Id. at* Attachment FF §§ VIII.A.1 – VIII.A.3.

awarded to applicable MISO Transmission Owners upon MISO's eligibility determination. This difference in treatment, including the corresponding project development timelines, is mandated by the Tariff and has existed in MISO since the outset of the Competitive Developer Selection Process.

The Complaint argues that the very existence of competitive solicitation is unjust and unreasonable in the current circumstances because it generally takes longer than direct assignment to applicable Transmission Owners.[65] This broad argument ignores, however, that only a limited subset of MTEP transmission projects is subject to the Competitive Developer Selection Process[66] and, even then, some Eligible Projects, are subject to certain defined exemptions. As previously noted, only two transmission project categories, MVPs and MEPs, are considered to be Eligible Projects.[67] In contrast, every MTEP contains hundreds of transmission projects that are not MVPs or MEPs, such as Baseline Reliability Projects, Generation Interconnection Projects (including the recently approved Joint Targeted Interconnection Queue ("JTIQ") portfolio of generator-interconnection related high-voltage transmission projects),[68] Transmission Service Development Projects, and Other projects that are not subject to the Competitive Developer Selection Process. Furthermore, the existing exemptions, such as the ROFR exemption, the Upgrades Exemption, and Immediate Need Reliability Project exemption, have resulted in the assignment of numerous transmission facilities, including many "backbone" facilities, to applicable MISO Transmission

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65 *See* Complaint at 6-8, 35.

66 Of the 11 MTEPs to-date, only MTEP15, MTEP17, MTEP21 and MTEP24 included Competitive Transmission Projects. That is, MTEP15 contained one (1) Competitive Transmission Project, MTEP17 contained one (1) Competitive Transmission Project, MTEP21 contained five (5) Competitive Transmission Projects, and MTEP15 contained seven (7) Competitive Transmission Projects.

67 *See* Tariff, Attachment FF § VIII.

68 The first MISO-SPP JTIQ Portfolio of five transmission projects valued at approximately $1.6 billion was approved in December 2024. *See* JTIQ Portfolio - Approved December 2024, available at: https://www.misoenergy.org/planning/resource-utilization/generator-interconnection/#accordion2267Collapse8

Owners. Some of these non-competitive projects can also be used to provide service to large loads and facilitate the interconnection of needed generation.

The Complaint focuses on "backbone" transmission facilities, presumably those similar to LRTP Tranches 1 and 2.1, but those facilities contemplate substantial project development timeframes, usually between 6 to 10 years. Even assuming, *arguendo*, that the Competitive Developer Selection Process requires an extra 16 to 20 months, as asserted in the Complaint, it is not clear whether this extra time necessarily impacts the expected "in-service" dates. As previously noted, MISO's only in-service competitive project—Duff-Coleman—was constructed and online ahead of schedule and below its committed cost cap concessions. Other competitive projects currently in development, such as those included in LRTP Tranches 1 and 2.1, remain on schedule. MISO provides its stakeholders with a dashboard showing the status of development for the Tranche 1 and Tranche 2.1 facilities.[69] These dashboards show no timing deviations related to projects that were competitively bid compared to those that were directly assigned to MISO Transmission Owners under applicable Tariff provisions. The Complaint likewise cites no MISO competitive projects with cost overruns comparable to examples drawn from outside MISO's region.[70]

As acknowledged in the Complaint,[71] the Commission recognized in the past that the Competitive Developer Selection Process could become an impediment in some circumstances, usually involving certain reliability upgrades that require short project development timeframes.

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[69] The dashboards are publicly available on MISO's website. The Tranche 1 Dashboard available at: https://cdn.misoenergy.org/Tranche%201%20Dashboard732077.pdf?v=20251215143928. The Tranche 2.1 Dashboard available at https://cdn.misoenergy.org/Tranche%202.1%20Dashboard732078.pdf?v=20251215144025.

[70] *See* Complaint at 59 (citing from Ex. G, Testimony of Christopher Russo and Maxime C. Cohen discussing non-MISO examples on pp. 22-23).

[71] *See* Complaint at 8-9.

The Commission generally exempted such projects from competition, as reflected in MISO's Immediate Need Reliability Project exemption.[72] In accepting that exemption in 2020, the Commission specifically recognized that Immediate Need Reliability Projects would be needed within three years and, due to that short timeframe, the exemption represented a reasonable balance between reliability and competition.[73] MISO is unaware of any precedent extending that rationale to all regional projects, including those that contemplate far more extended project development timelines.

While relying heavily on claims of "16–20 month" solicitation periods driving delays,[74] the Complaint does not distinguish between the impacts of competitive solicitation, Tariff-prescribed conditionality on transmission, load, or generation unrelated to competitive solicitation, state permitting timelines and delays, project-specific construction risks, and the inherent sequencing requirements for multi-facility portfolios. For example, the Complaint points out that competitive developers must be authorized to operate in the states where their awarded projects would be built,[75] but permitting and other state regulatory contingencies lie outside the Competitive Developer Selection Process and potentially could impact any approved project. As discussed above, MISO's planning, interconnection, and competitive selection processes already include mechanisms—such as limiting the competitive solicitation process to multi-benefit or economic projects, conditional interconnection service, Immediate Need Reliability Project exceptions to competitive solicitation processes, and Expedited Project Reviews—to avoid unnecessary delay to load and generation coming online in the MISO region.

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72 *See* Tariff, Attachment FF § VIII.A.3.

73 *See Midcontinent Indep. Sys. Operator, Inc.,* 172 FERC ¶ 61,095, P 63 (2020).

74 *See* Complaint at 4, 38, 76.

75 *See* Complaint at 43 (discussing the WISE project).

MISO also disagrees that its Competitive Developer Selection Process results in awards to developers with "vanishingly little experience."[76] The Tariff includes detailed qualification rules and requirements for developers, with regular re-certifications.[77] All entities participating in competitive bidding must already be qualified developers, which does not add any extra time to the competitive selection timeline. Further, the competitive proposals submitted to MISO must be well-developed, with many design, implementation, operations and maintenance, and cost elements already finalized and pre-determined. That is, when MISO selects a winning developer, that developer has already undergone and satisfied numerous steps involved in the development of a high-voltage transmission project, so no developer selected by MISO can feasibly wait until after the award of the project to initiate the development of the project. Each developer, even developers not ultimately selected by MISO, will have already conducted significant due diligence in the proposal process. Any submitted proposals that do not include such elements would be considered incomplete, and therefore, would not be accepted by MISO.

In sum, MISO executes the Competitive Developer Selection Process well, and the process continues to operate effectively under current economic conditions. As discussed in Section II.B *supra*, MISO and its stakeholders have implemented many enhancements to the Competitive Developer Selection Process, including based on recent experiences with MISO's LRTP tranches. Competitive bids in recent LRTP Tranche 2.1 competitive processes have been robust and often below MISO's cost estimates, reflecting strong market participation, and active competition.

2. The Coalition's Project-Specific Examples May Not Indicate That MISO's Competitive Solicitation Rules Are Causing Unreasonable Delay.

[76] *Id*.

[77] *See* Tariff, Attachment FF § VIII.B (describing competitive developer qualification process).

The Complaint presents several project-specific examples to support its arguments.[78] As far as MISO is concerned, these examples demonstrate that the Tariff process works as intended, with reasonable efficiency, and that the delays were in several cases the result of various extraneous factors.

a. WISE Project Example

The Complaint devotes significant attention to the WISE 345 kV competitive project as an illustration of its claim that solicitations impose "16–20 months" of delay that jeopardize time-sensitive load additions.[79] The Complaint portrays WISE as a case in which competitive selection prevented timely development of facilities required to integrate a new data-center load, necessitating Variance Analysis "at ATC's request" and ultimately demonstrating that the competitive process is incompatible with today's load-growth environment. The record does not support this narrative. The factual context, timing, and sequence of events all contradict the Complaint's characterization of both the WISE project and MISO's administration of its Tariff.

First, the Complaint incorrectly describes the Variance Analysis that was undertaken with respect to the WISE project. The Complaint asserts that MISO performed a Variance Analysis "at ATC's request" because the selected non-incumbent developer could not meet the accelerated in-service date,[80] but that is incorrect. MISO's Variance Analysis is a standard, Tariff-prescribed process that MISO initiates *independently* when cost or schedule variances are identified after developer selection.[81] The purpose of the Variance Analysis is to determine whether the Selected Developer—or an incumbent transmission owner assigned the project—can still deliver the

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78 *See* Complaint at 41-45.

79 *Id*. at 43-44.

80 *See* Complaint at 43.

81 *See* Tariff, Attachment FF § IX (describing MISO's Variance Analysis).

facilities within a project consistent with the approved need dates and cost estimates and whether reassignment or other Tariff-authorized outcomes are appropriate. The process is administered by an independent committee, the Competitive Transmission Executive Committee ("CTEC"), and is neither discretionary, nor triggered at the request of any Transmission Owner. In the case of WISE project, MISO, rather than ATC, initiated Variance Analysis on certain WISE facilities and MISO did not do so at ATC's request. Instead, MISO initiated Variance Analysis based on Tariff-required criteria indicating a likely inability to complete said facilities under the updated need date. The process, therefore, functioned exactly as the Tariff envisions.

Second, the Complaint contends that competitive solicitation "delayed" certain facilities[82] within the WISE project and prevented timely development in support of a data-center load.[83] However, the specific accelerated in-service requirement of those facilities was neither known at the time the WISE project was approved in MTEP24, nor at the time proposals were submitted and evaluated by MISO. In fact, MISO updated the WISE project RFP to account for this acceleration potential once MISO was alerted by ATC of the potential data center load. That is, the WISE project originally had an in-service date of June 2033. Upon ATC's notification to MISO regarding the potential expedited in-service date for certain facilities within the WISE Project, MISO revised the RFP for the WISE project on May 5, 2025, to gauge transmission developers' ability to expedite the in-service date of facilities in the project.[84]

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[82] The three (3) referenced WISE competitive facilities are the: (i) Sheboygan River Substation (MTEP24 Facility No. 50987); (ii) Mullet River Junction Substation (MTEP24 Facility No. 50990); and (iii) Cedar Creek Junction Substation (MTEP24 Facility No. 50993).

[83] *See* Complaint at 43.

[84] *See* Q150 of Part 2: Proposal Template, Wisconsin Southeast 345 kV Competitive Transmission Project Request for Proposal (https://www.misoenergy.org/planning/competitive-transmission-administration/#nt=%2Fctadoctype%3APreviously%20Awarded%20Projects%2Fctaprojectname%3AMTEP24%20WISE%20(Wisconsin%20Southeastern%20Project)&t=10&p=0&s=Updated&sd=desc)

Further, in September 2025, separately from the WISE Competitive Transmission Project evaluation process, ATC submitted the EPR reflecting the referenced load addition,[85] which took place significantly after the original MTEP24 approval in December 2024, after MISO issued the RFP for the WISE project on February 13, 2025, and after the WISE proposals were submitted to MISO on July 28, 2025. Specifically, the EPR was received by MISO in time for the October 2025 EPR cycle.[86] Additionally, as indicated in the testimony of Mr. McKee,[87] the final shift to the required December 2027 in-service date was not identified until September 2025, when We Energies communicated the revised timing to ATC. On February 23, 2026, in light of the urgency of the anticipated data center load, MISO approved the EPR. As a result of the EPR approval, the scope and in-service dates for the referenced WISE facilities were updated, with the changes recorded in MTEP24 Appendix A to reflect the expanded designs and modified in-service dates as approved in the EPR. Thus, the final accelerated need by date of December 2027 was not—and could not have been—incorporated into the proposal timelines for the WISE project as the referenced EPR approving the accelerated in-service date was issued by MISO following the award of WISE project.

Third, the Variance Analysis process enabled a reassignment to align with the revised project timeline. The WISE project was awarded to Viridon Midcontinent LLC ("Viridon") on January 6, 2026. As noted above, the EPR submitted by ATC for the referenced load addition was approved by MISO on February 23, 2026, which accelerated the need by date from June 2033 to

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85 *See* MTEP Project No. 51057.

86 *See* "EPR Statistics Update" Presentation, Expedited Project Review Technical Studies Task Force, Slide 7 (October 7, 2025) available at https://cdn.misoenergy.org/20251007%20EPR-TSTF%20Item%2003%20EPR%20Statistics%20Update721222.pdf.

87 *See* Complaint, Ex. B, Direct Testimony of Robert J. McKee ("In September 2025, We Energies submitted a final revision to the load interconnection request to adjust the load level again and move up the ultimate in-service 21 date further—to end of 2027.").

December 2027 for the three referenced substation facilities in the WISE project. Given the significant acceleration of the in-service dates for the substations, MISO became uncertain whether Viridon would be able to attain the necessary state regulatory approvals in Wisconsin in order to meet the in-service date of December 1, 2027. Such regulatory approvals include, but may not be limited to, acquiring public utility status and receiving appropriate certification(s), in order to construct the substations. Accordingly, MISO initiated a Variance Analysis on February 25, 2026, on the ground of inability to complete the facilities.

Under the Variance Analysis procedure, MISO is required to conduct fact gathering research and due diligence to acquire information related to the issue. Accordingly, MISO, among other things, consulted with ATC as directed by the Tariff to determine: (1) the willingness of ATC to develop, own, operate, and maintain such facilities or project; (2) the estimated costs submitted by ATC and the certainty of such estimates; and (3) the proposed schedule submitted by ATC for developing the reassigned facilities or projects and the degree of certainty of such schedule. After completing its due diligence, MISO determined that Viridon was unlikely to timely satisfy the Wisconsin regulatory requirements and that the incumbent Transmission Owner and authorized Wisconsin public utility, ATC, was better positioned to attain the necessary regulatory approvals in Wisconsin and achieve the accelerated in-service date. Therefore, MISO determined to reassign these facilities to ATC as reassignment will most likely result in the successful completion of, or increase the ability to complete, the facilities and will alleviate the ground for Variance Analysis. As a result, the Variance Analysis process provided a structured, documented means to evaluate the updated need, led to appropriate reassignment of portions of the project to ATC and provided a path forward that maximized the chance that the facilities could be aligned with the revised schedule communicated.

Finally, the competitive solicitation process undertaken for the WISE project did not delay the proposed data center. Although the Complaint frames the WISE project as an example of solicitation "delaying" new load interconnection, ATC's claims of delay assume ATC's ability to begin work before the MISO Board approved LRTP Tranche 2.1 in December of 2024. Yet, at that time the "need by" date of the three applicable substations was not until June 2033, and the data center load was expected to come online between 2027 and 2032. Accordingly, the new load interconnection would not have been impacted by the Competitive Developer Selection Process. Additionally, as noted above, MISO specifically asked RFP Respondents about their ability to accelerate the substations needed to support the data center project based on information known to MISO at the time when the potential for new load interconnection became known. The record, therefore, does not support a causal link between competitive solicitation and the timing of the data center project.

b. Other MISO Project Examples

In addition to the WISE competitive project, the Complaint references several other MISO projects—including the MARS competitive project[88] and transmission facilities in Minnesota, Wisconsin, Iowa, and adjacent states[89]—as further evidence that the competitive process causes unreasonable delay. However, none of these projects have reported delays to their in-service date, and those in-service dates are in alignment with the remainder of the LRTP portfolio.

The Complaint ignores that many of the referenced facilities are part of larger LRTP portfolios or sub-portfolios, such as the MARS/EASL and WIIL/STIW groupings within LRTP Tranche 2.1. These groupings were designed to reflect engineering dependencies, coordinated

[88] *See* Complaint at 42-43.

[89] *Id.* at 41-42 and 43-45.

benefits, and geographic contiguity. Because these projects must ultimately integrate with one another, RFPs for certain facilities cannot be issued in isolation (*e.g.*, the three substations for the data center in the WISE project). In addition, MISO often must incorporate cost-refinement cycles, updated scoping, or coordinated review of related facilities before an RFP can be finalized.

The Complaint asserts that competitive solicitation introduced an "unnecessary" step in the development of certain Minnesota, Wisconsin, and Iowa facilities. But multi-state and multi-segment facilities naturally require sequential engineering, routing, and permitting, regardless of whether an incumbent or non-incumbent developer is assigned. The engineering dependencies and siting requirements that drive timing for such projects exist independently of the competitive process. For example, certain Minnesota/Wisconsin/Iowa facilities cited in the Complaint involve areas where permitting is complex and requires coordination with state agencies and local stakeholders. These are not delays attributable to the selection framework. Instead, they reflect external processes that all developers—incumbent or competitive—must navigate.

Notably, in LRTP Tranche 2.1, MISO undertook a major process improvement by conducting concurrent evaluation periods for multiple projects, including the WISE/BECI, WIIL/STIW, and MARS/EASL competitive pairs. This concurrent evaluation—a significant departure from prior cycles—allowed MISO to reduce total RFP evaluation time by enabling multiple proposals to be analyzed simultaneously. MISO adhered to Tariff-prescribed RFP windows and implemented process adjustments in response to stakeholder input. For example, the RIKY project—a small 345 kV facility—was intentionally bid first because it could be evaluated quickly based on prior experience with similar facilities. MISO completed this evaluation in 90 days, well below the 165-day Tariff timeframe.

Finally, several of the timing elements referenced in the Complaint were driven by requests for additional scope refinement, updated modeling, or cost validation unrelated to whether or not a project is competitively bid. Likewise, state regulatory actions, including contested proceedings and environmental reviews, influence project delivery timelines. Such factors—rather than solicitation—often explain variations in timing. Across each of the cited examples, a consistent theme emerges: the Complaint attributes to competitive solicitation delays that are instead driven by project size, engineering complexity, state permitting requirements, or necessary project sequencing.

B. Should the Commission Change its Competition Policy, the Remedy Directed Must Be Just and Reasonable.

As the Complaint acknowledges, the remedies it proposes—(1) a project-specific competitive exemption based on the presence of existing or expected load or generation ("Option 1"), or (2) a five-year suspension of all competitive solicitations ("Option 2")—would take effect only if the Commission first finds, under FPA section 206, that MISO's currently effective Tariff is no longer just and reasonable.[90] If the Commission makes such a finding, any adopted remedy must be just and reasonable.[91] MISO respectfully submits that the implications of the Coalition's proposed remedies are substantial and warrant careful consideration. MISO takes no position on whether these remedies should be adopted, but highlights the operational, procedural, and legal effects they would have on MISO, its members, state regulators, and stakeholders.

[90] *See* Complaint at 35 (explaining the FPA section 206 standard).

[91] *See* 16 U.S.C. § 824e(a).

1. Option 1: A Project-by-Project "Targeted Exemption" Would Require Creation of a New and Highly Complex Pre-Solicitation Screening Regime.

Under Option 1,[92] MISO would be required to determine, for every regional transmission project, whether competitive solicitation would risk delaying the interconnection of "existing or expected" load or generation. Implementing such a framework would necessitate building a new, pre-solicitation screening function that does not exist under the current Tariff. The delays and potential legal challenges associated with that MISO determination might diminish, or even offset, the perceived timing benefits of eliminating the competitive solicitation process.

a. MISO would need new predictive forecasting tools for "expected" load and generation.

The Option 1 exemption depends on determining which future loads or resources are "expected to arrive," and whether their expected in-service dates are impacted by the competitive solicitation process. Option 1 would confront MISO with a number of challenges. First, with regard to known or expected generation requests, current, let alone future "expected" generation expectations, are highly uncertain. Interconnection Customers may withdraw at multiple decision points in MISO's queue process and may revise commercial operation dates during the GIA process and have a grace period even beyond that. Fundamentally, the concept of "expected to arrive" in the generation context is unstable, not only because a project may qualify on one day and withdraw the next as noted above, but also because a vast amount of generation makes it through MISO's queue process, only to be delayed and potentially never be built.[93]

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92 *See* Complaint at 64-65.

93 For example, as of March 2026, MISO had 42 GW of delayed projects with GIAs (generation with approved GIAs reporting an expected delay in Commercial Operation Date). *See* https://cdn.misoenergy.org/20260324%20System%20Planning%20Committee%20of%20the%20BOD%20Item%2005%20Generator%20Interconnection%20Queue%20Update745972.pdf at slide 3.

The same challenges would apply to load. Also, MISO does not maintain a "load queue," and, therefore, has no comparable construct for vetting expected load levels or timelines. MISO achieves timely identification of transmission to support load after there is certainty from our members through the EPR process. Further, the proposed standard presents significant fairness concerns as the same entity that would benefit from preempting competitive solicitation could submit an "expected load request" that would thereby preempt competition of a transmission facility (whether that expected load is speculative or certain). This could require a structural change within MISO's processes (*e.g.*, regarding who could submit load requests) to prevent the appearance of perverse incentives.

b. The screening requirement would interfere with existing planning and interconnection processes.

To implement Option 1, MISO would need to integrate the new screening step prior to completing any study that could result in competitively bid projects (*e.g.*, economic or LRTP study processes). This would require expanding or delaying the study process, with potential impacts on modeling cycles, re-evaluating Futures scenarios to determine which loads and resources qualify as "expected" by the end of a given process, and reconciling project approvals and timelines with decision points in the Generator Interconnection queue. This work could not be accomplished in the narrow window between project approval and developer selection, potentially delaying planning outcomes, portfolio formation, and interconnection studies.

c. Option 1 risks expanding the exemption to cover nearly all competitive projects.

Without significantly more detail and clearer standards, Option 1 would likely apply to nearly every project in an LRTP portfolio. For example, active DPP 2025 interconnection projects currently list in-service dates from 2026–2030. Additionally, projects in the DPP 2022 and 2023

cycles include the LRTP facilities in their modeling or used as mitigation to solve transmission constraints. Therefore, under Option 1, every LRTP project would satisfy the proposed exemption criteria. Furthermore, futures scenarios—by design—include multiple load and generation trajectories, making nearly all approved or future regional facilities linked to some "expected" resource.

d. Option 1 would require significant Tariff revisions and would introduce new litigation risk.

Introducing a viable screening regime would require extensive Tariff amendments, addressing: (1) new definitions of "expected load," "expected generation," "risk of delay," and related concepts; (2) transparent, nondiscriminatory criteria for attestation-based submissions by load or generation customers; and (3) detailed process steps governing MISO's review and decision. Further, given the inherently contentious nature of determining which projects would qualify for the exemption, each MISO determination likely will be subject to challenge, increasing—not reducing—delay. Additionally, implementing such an option would take away MISO resources from various ongoing speed to power initiatives, queue improvements, and future LRTP efforts.

2. Option 2: A Five-Year Suspension of All Competitive Solicitations Would Be Simpler to Administer But Would Have Impacts.

Under Option 2, all competitive solicitations for MISO (MTEP 26–MTEP 30) would be suspended for five years—from April 2026 through April 2031. While simpler in application than Option 1, this approach would still have implications.

a. Under Option 2, competitive administration systems would need to be paused, repurposed, or restructured.

Although MISO could implement a five-year pause, it still would impose administrative, logistical and financial burdens on MISO. Specifically, the proposed suspension option would

require MISO to: halt Competitive Developer Selection Process activities; suspend systems, templates, and vendor relationships that support RFP issuance and evaluation; and reassign personnel and internal resources. Restarting the process would require lead time, depending on the trigger the Commission establishes, potentially resulting in delays and disruptions.

b. Stakeholders relying on competitive transmission would face uncertainty.

Competitive and non-competitive developers, states, and consumer advocates have relied on the Order No. 1000 framework for more than a decade. A temporary, region-specific suspension would create uncertainty about future opportunities, evaluation processes, and the status of developer qualification.

c. Option 2 would require clear Commission guidance on when competition would resume.

Option 2 could be easier to implement if the Commission defined a bright-line trigger—for example, that competitive selection resumes for projects approved by the MISO Board after April 2031. Without clear direction, transition challenges could create planning uncertainty.

3. MISO Does Not Support or Oppose Either Remedy, but Highlights That Both Carry Significant Practical Limitations.

As stated throughout this Answer, MISO takes no position on the policy merits of competition versus ROFR-based development. MISO will implement whatever framework the Commission determines is just and reasonable but requests the Commission to ensure that the adopted remedies are prospective only and appropriately protect all parties' settled expectations, particularly with respect to MISO's approved regional portfolios, such as LRTP Tranches 1 and 2.1. To the extent the Commission decides to consider the remedies proposed in the Complaint, MISO respectfully submits that both proposed remedies would require changes to MISO's established processes and pose administrative challenges, whereas Option 1 specifically would

introduce significant administrative, modeling, legal, and planning challenges that must be considered carefully.

IV. NOTICE AND COMMUNICATIONS

All correspondence and communications in this matter should be addressed to:

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V. ADMISSIONS AND DENIALS; AFFIRMATIVE DEFENSES

Tab A to this Answer includes MISO's specific denials, where possible. MISO affirmative defenses are as set forth elsewhere in this Answer.

VI. CONCLUSION

MISO has faithfully implemented the Commission's Order No. 1000 mandates for more than a decade and has continuously refined its Competitive Developer Selection Process in collaboration with stakeholders. MISO takes no position on the policy merits of competition versus incumbent transmission development and stands ready to implement whatever just and reasonable framework the Commission may adopt. MISO's objective in this Answer is to clarify the record, correct misstatements regarding the WISE and other cited projects, and illuminate the practical and procedural implications of the remedies proposed in the Complaint. Any Commission action in this proceeding should ensure clear Tariff direction, administrable processes, adequate lead time, and minimal additional filing burden so that MISO can continue to

support "speed-to-power" objectives while maintaining reliability, transparency, and fairness for all stakeholders.

WHEREFORE, MISO respectfully requests that the Commission consider this Answer in rendering its determination on the Complaint.

Respectfully submitted,

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Dated: May 27, 2026

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.[94]

Dated at Carmel, Indiana this 27th day of May, 2026.

/s/ Kimberly Brookens
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94 18 C.F.R. § 385.2010 (2026).

TAB A

ATTACHMENT A

MISO'S ADMISSIONS AND DENIALS

In accordance with Rule 213(c)(2)(i) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(c)(2)(i), to the extent practicable and where applies to MISO, and to the best of MISO's knowledge and belief at this time, MISO provides the following admissions and denials. Failure to deny any legal theory, interpretation or conclusion relied upon by the Complaint does not indicate MISO's agreement with any such legal theory, conclusion, or interpretation. Except as stated below, MISO does not admit any facts in the form or manner stated in the Complaint.

1. To the extent not addressed specifically in MISO's Answer, MISO neither admits nor denies the broad range of impacts alleged by the Complaint from the delay claimed by the Complaint resulting from the Competitive Developer Selection Process. (See, e.g., Complaint at 1, 2, 35, 38, and 49)

2. To the extent not addressed specifically in MISO's Answer, MISO has no knowledge regarding the Complaint's statements related to the costs and benefits of competitive solicitations or any comparisons made relative to those benefits. (Complaint at 2, 9, and 10)

3. MISO denies that its Competitive Developer Selection Process "harms national security and economic growth." (Complaint 4)

4. To the extent not addressed specifically in MISO's Answer, MISO neither admits nor denies the Complaint's statements related to electricity demand, AI computing constraints, and data center growth. (Complaint at 5, 16, 17, and 18)

5. MISO admits that "[d]eveloping high-voltage projects in MISO . . . is essential to meeting the needs of customers and ensuring reliability." (Complaint at 6)

6. To the extent not addressed specifically in MISO's Answer, MISO neither admits nor denies the Complaint's statements regarding delays of transmission facilities being in-service and their economic impacts. (Complaint at 6, 7, 50-53)

7. MISO denies that its Competitive Developer Selection Process "force[s] everyone to hit pause on the development process, often for years" before the Selected Developer can work on the project. (Complaint at 8)

8. MISO denies that "it is often impossible for developers to depart from the as-planned [competitive] project—even when continuing as planned results in higher system costs." (Complaint at 8)

9. To the extent not addressed specifically in MISO's Answer, MISO neither admits nor denies the Complaint's statements regarding the performance of incumbent-built projects or competitively built projects. (Complaint at 10)

10. MISO admits that the nation is in a global energy race created by the rise of technology, its tremendous load growth, and our push to onshore manufacturing and jobs. (Complaint at 11)

11. MISO admits that backbone transmission projects are essential given the rising load forecasts and the development of 345 kV and 765 kV lines thus will facilitate reliability and economic growth. (Complaint at 26)

12. MISO denies that its current additional efforts to power large load are not enough to address the pressing need to timely interconnect new generation and large loads. (Complaint at 29)

13. MISO denies that solicitation requirements cause delays on every competitive transmission project. To the extent not addressed specifically in MISO's Answer, MISO neither

admits nor denies the Complaint's statements regarding solicitation causing delay generally, the average timeframe for proposals for competitive projects to be selected, or whether or not incumbent utilities could complete projects faster. (Complaint at 30 and 31)

14. MISO denies that when a project is subject to solicitation, it is "not practical (or economically sound)" for any developer to take steps towards detailed engineering, permitting, and procurement until a selection is made. (Complaint at 34)

15. MISO admits that developers may need to undergo state regulatory approvals to own or operate transmission equipment before a project can even start construction. (Complaint at 34)

16. MISO denies that it conducted Variance Analysis on the WISE Competitive Transmission Project "at ATC's request." (Complaint at 43)

17. MISO admits that certain facilities within the WISE Competitive Transmission Project were ultimately reassigned to ATC as a result of MISO's Variance Analysis outcome determination after determining that the Selected Developer was unlikely to meet the December 2027 in-service date for said facilities. (Complaint at 43)

18. MISO admits that it first identifies projects and then uses solicitations to decide who builds those competitive projects for facilities subject to competition. (Complaint at 54)

19. MISO admits that it "staggers" its RFPs because MISO cannot run every RFP in parallel while trying to rigorously assess competing bids. (Complaint at 61)