Department of Energy
Washington, DC 20585

Orlando Utilities Commission
Regarding the Stanton Energy Center

Order No. 202-26-26

Pursuant to the authority vested in the Secretary of Energy by section 202(c) of the Federal Power Act (FPA),[1] and section 301(b) of the Department of Energy (DOE or the Department) Organization Act,[2] and for the reasons set forth below, I hereby determine that an emergency exists within the SERC Reliability Corporation (SERC)–Florida Peninsula assessment area due to a shortage of electric energy, a shortage of facilities for the generation of electric energy, and other causes. Issuance of this Order will meet the emergency and serve the public interest.

BACKGROUND

The Stanton Energy Center (Stanton) is an electric generating facility in Orlando, Florida. Stanton Unit 1 (464.5 MW)[3] is a coal-fired generator owned[4] and operated by the Orlando Utilities Commission (OUC). Unit 1 began operations in July 1987.[5] The OUC Board of Commissioners had approved the retirement of Unit 1 by 2025,[6] and OUC anticipates placing Stanton Unit 1 in an "extended cold shutdown."[7] OUC expects to

[1] 16 U.S.C. § 824a(c).

[2] 42 U.S.C. § 7151(b).

[3] U.S. Energy Info. Admin., *Form EIA-860M, Inventory of Operating Generators* (March 2026), (hereinafter EIA, *Form EIA-860M*) https://www.eia.gov/electricity/data/eia860m/. Stanton also includes a second coal-fired generation unit, Unit 2 (464.5 MW) and two natural gas-fired combined cycle generation units, Unit B (129.8 MW) and Unit B1 (203.2 MW).

[4] nFront Consulting LLC, *Orlando Utils. Comm'n 2025 Ten-Year Site Plan*, at 2-3, https://www.floridapsc.com/pscfiles/website-files/pdf/Utilities/Electricgas/TenYearSitePlans/2026/Orlando%20Utilities%20Commission.pdf [hereinafter nFront, *OUC 2025 Ten-Year Site Plan*].

[5] EIA, *Form EIA-860M*, *supra* note 3.

[6] *See, e.g.*, Michelle Lynch, *Fla. Mun. Elec. Ass'n, OUC's Bd. of Comm'rs moves to retire Unit 1 coal plant by no later than 2025* (Dec. 15, 2021), https://www.flpublicpower.com/news/oucs-board-of-commissioners-moves-to-retireunit-1-coal-plant-by-no-later-than-2025.

[7] nFront, *OUC 2025 Ten Year Site Plan*, at 6-2. It likely would be difficult for the coal-fired unit to resume operations once retired. Specifically, practical issues, such as employment, contracts, and permits, may greatly increase the timeline for resumption of operations during the period they are needed. Moreover, if OUC were to begin disassembling the unit or other related facilities, the associated challenges would be

make a determination as to Stanton Unit 2 by year end based on an Integrated Resource Plan currently underway.

EMERGENCY CONDITIONS

In its 2025 Long-Term Reliability Assessment (LTRA), released in January 2026, the North American Electric Reliability Corporation (NERC) notes that the SERC–Florida Peninsula assessment area is currently at a "Normal Risk" for long-term energy adequacy.[8] Nevertheless, the 2025 LTRA highlights that within the SERC–Florida Peninsula assessment area projections for resource and transmission growth lag behind what is needed to support new data centers and other large loads that drive escalating demand forecasts.[9] Additionally, the 2025 LTRA maintains that new data centers for artificial intelligence and the digital economy account for most of the projected increase in North American electricity demand over the next 10 years.[10] As of April 2026, eight data centers are planned for construction in Florida.[11] Total peak demand is expected to increase from 48,628 MW in 2025/2026 to 54,931 MW in 2034/2035.[12]

The 2025 LTRA also notes that, with "the heavy dependence on natural gas in the SERC–Florida Peninsula subregion, fuel diversity could become an area of future concern."[13] Further, the 2025 LTRA states that:

> [t]he growing penetration of renewable energy means that SERC and the SERC–Florida Peninsula entities will need to continue to monitor the resource adequacy studies and the impact that renewable resources will have. As solar generation

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greatly exacerbated. The costs and time of decommissioning a coal plant are extensive, and restarting such decommissioned plants would presumably cost the same as decommissioning in dollars and time, if not more. Thus, continuous operation is required in such cases so long as the Secretary determines a shortage exists and is likely to persist. *See* Jennifer Lessick et al., *Business Models for Coal Plant Decommissioning*, at 9–12 (Aug. 2021), https://www.pnnl.gov/main/publications/external/technical_reports/PNNL-31348.pdf.

[8] N. Am. Elec. Reliability Corp., *2025 Long-Term Reliability Assessment*, at 23 (Jan. 2026), https://prod.nerc.com/globalassets/our-work/assessments/nerc_ltra_2025.pdf [hereinafter NERC, *2025 LTRA*].

[9] *Id.* at 6.

[10] *Id.* at 9.

[11] *See* Skyler Seets & Kaitlyn Radde, *Most new data centers in the U.S. are coming to rural areas*, PEW RESEARCH CENTER (Apr. 13, 2026), https://www.pewresearch.org/?p=299017.

[12] *See* Fla. Reliability Coordinating Council, Inc., *2025 Reg'l Load & Res. Plan FRCC-MS-PL-642 Version: 1*, at 6 (2025), https://www.floridapsc.com/pscfiles/website-files/PDF/Utilities/Electricgas/TenYearSitePlans//2025/FRCC_RLRP.pdf.

[13] *See* NERC, *LTRA*, *supra* note 9, at 116.

continues to grow, the need to ensure the availability of quick start generating units to meet the ramp in demand will increase.[14]

OUC resource adequacy concerns were most recently demonstrated during Winter Storm Fern, when OUC requested two section 202(c) emergency orders to preserve the reliability of the bulk electric power system due to anticipated unusually high load forecasts from unusual cold weather conditions throughout the entire state of Florida: (i) one application[15] for 2.7 GW of specified resources (generating units) [16] and (ii) another[17] for 55 MW of back-up generators.[18] As a result, DOE issued two 202(c) emergency orders to OUC from January 31 through February 6: (i) Order No. 202-26-11 for specified resources,[19] and (ii) Order No. 202-26-15 for back-up generators.[20] OUC leveraged the 202(c) orders to meet demand during extreme cold weather conditions. Stanton Unit 1 produced 66,230 MWh between January 31, 2026 and February 6, 2026.[21] The back-up generating units reported over 400 hours of run-time under the respective Order.

According to OUC, customer demand was projected to exceed record-breaking thresholds for OUC on Sunday, February 1, 2026, and again on Monday, February 2, 2026, and maybe throughout the following week.[22] OUC had projected that it may not have sufficient generation available to meet the unusually high demand and may be forced to curtail load in order to maintain the security and reliability of the grid.[23] In January 2026, Stanton Units 1 and 2 produced a total of 249,473 MWh from coal-fired generation.[24]

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[14] *Id.*

[15] OUC 202(c) Application (Jan. 31, 2026).

[16] OUC Specified Resources (Exhibit A to 202(c) Application) (Jan. 31, 2026).

[17] OUC 202(c) Application – Backup Generators (Jan. 31, 2026).

[18] OUC 202(c) Application Exhibit A – Backup Generators (Jan. 31, 2026).

[19] *Orlando Utils. Comm'n,* Order No. 202-26-11 (Jan. 31, 2026).

[20] *Orlando Utils. Comm'n,* Order No. 202-26-15 (Jan. 31, 2026).

[21] *See* U.S. Env't Prot. Agency, CAMPD (Clean Air Markets Program Data), https://campd.epa.gov/data/custom-data-download (choose "Emissions" from "Data Type" dropdown; then choose "Daily Emissions" from "Data Subtype" dropdown; then choose "Unit (No Aggregation)" from the "Aggregation" dropdown; then click "Apply"; then click "Time Period" button and enter "January 31, 2026" as "Start Date" and February 6, 2026 as "End Date"; then click "Facility" and select "Curtis H. Stanton Energy Center"; then click "Apply Filter"; then click "Preview Data".).

[22] Letter from Clint Bullock, Gen. Manager & CEO, Orlando Utils. Comm'n, to The Honorable Chris Wright, Sec'y, Dept. of Energy (Jan. 31, 2026) (requesting emergency order under FPA section 202(c)), https://www.energy.gov/documents/ouc-202c-application-backup-generators.

[23] *Id.*

[24] EIA, *Form EIA-923, Schedule 4: Generator Data* (Apr. 2026), https://www.eia.gov/electricity/data/eia923/.

According to NERC's 2026 Summer Reliability Assessment, the SERC–Florida Peninsula is a summer-peaking assessment area.[25] It further notes that "[t]emperature and precipitation forecasts for the coming summer show a higher likelihood of hotter-than-normal temperatures in the U.S. South . . . ."[26] For the SERC–Florida Peninsula, the anticipated reserve margin is projected to be 25.8%; however, the anticipated reserve margin drops to 13.6% in the event of "higher demand, outages, [or] derates in extreme conditions."[27]

Executive orders issued by President Donald J. Trump on January 20, 2025, and April 8, 2025, underscored the dire energy challenges facing the Nation due to growing resource adequacy concerns. President Trump declared a national energy emergency in Executive Order No. 14156, "Declaring a National Energy Emergency," in which he determined that the "United States' insufficient energy production, transportation, refining, and generation constitutes an unusual and extraordinary threat to our Nation's economy, national security, and foreign policy."[28] The Executive Order adds: "Hostile state and non-state foreign actors have targeted our domestic energy infrastructure, weaponized our reliance on foreign energy, and abused their ability to cause dramatic swings within international commodity markets." In the subsequent Executive Order No. 14262, "Strengthening the Reliability and Security of the United States Electric Grid," President Trump emphasized that "the United States is experiencing an unprecedented surge in electricity demand driven by rapid technological advancements, including the expansion of artificial intelligence data centers and increase in domestic manufacturing."[29]

Further, the Department of Energy detailed the myriad challenges affecting the Nation's energy systems in its July 2025 "Resource Adequacy Report: Evaluating the Reliability and Security of the United States Electric Grid," which was issued pursuant to the President's directive in Executive Order No. 14262. The Department concluded that, "[a]bsent decisive intervention, the Nation's power grid will be unable to meet projected demand for manufacturing, re-industrialization, and data centers driving artificial intelligence (AI) innovation."[30]

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[25] North American Electric Reliability Corporation, 2026 Summer Reliability Assessment, at 28 (May 2026), https://www.nerc.com/globalassets/our-work/assessments/nerc_sra_2026.pdf.

[26] *Id.* at 4.

[27] *Id* at 10.

[28] Exec. Order No. 14156, 90 Fed. Reg. 8433 (Jan. 20, 2025), https://www.federalregister.gov/documents/2025/01/29/2025-02003/declaring-a-national-energy-emergency.

[29] Exec. Order No. 14262, 90 Fed. Reg. 15521 (Apr. 8, 2025), https://www.federalregister.gov/documents/2025/04/14/2025-06381/strengthening-the-reliability-and-security-of-the-united-states-electric-grid.

[30] DOE, RES. ADEQUACY REP.: EVALUATING THE RELIABILITY & SEC. OF THE U.S. ELEC. GRID (Jul. 7, 2025), https://www.energy.gov/sites/default/files/2025-07/DOE%20Final%20EO%20Report%20%28FINAL%20JULY%207%29.pdf.

ORDER

FPA section 202(c)(1) provides that whenever the Secretary of Energy determines "that an emergency exists by reason of a sudden increase in the demand for electric energy, or a shortage of electric energy or of facilities for the generation or transmission of electric energy," then the Secretary has the authority "to require by order . . . such generation, delivery, interchange, or transmission of electric energy as in [his] judgment will best meet the emergency and serve the public interest."[31] This statutory language constitutes a specific grant of authority to the Secretary to require the continued operation of Stanton Unit 1, when the Secretary has determined that such continued operation will best meet an emergency caused by a sudden increase in the demand for electric energy or a shortage of generation capacity, or a shortage of electric energy or facilities for generation or transmission of electric energy.

As described above, the conditions resulting from the combination of increasing demand and shortage will continue on in the near term and are also likely to continue in subsequent years. This could lead to the loss of power to homes and local businesses in the areas affected by curtailments or power outages, presenting a risk to public health, and safety.

I have determined that, under the conditions specified below, continued availability of Stanton Unit 1 is necessary to best meet the emergency arising from increased demand for electric energy, shortage of facilities for the generation of electric energy, and other causes, thus serving the public interest pursuant to FPA section 202(c).

To ensure that Stanton Unit 1 will be available if needed to address emergency conditions, it shall remain in operation through September 1, 2026.

[31] Although the text of FPA section 202(c) grants this authority to "the Commission," section 301(b) of the Department of Energy Organization Act transferred this authority to the Secretary of the Department of Energy. *See* 42 U.S.C. § 7151(b).

Based on my determination of an emergency set forth above, I hereby order:

A. From June 4, 2026, OUC shall take all measures necessary to ensure that Stanton Unit 1 is not placed in extended cold shutdown and is available to operate.[32] Following the conclusion of this Order, sufficient time for orderly ramp down will be permitted, consistent with industry practices.

B. To minimize adverse environmental impacts, this Order limits operation of Stanton Unit 1 to the times and within the parameters as determined by OUC pursuant to paragraph A. OUC shall provide a daily notification to the Department (via AskCR@hq.doe.gov) reporting whether Stanton Unit 1 has operated in compliance with the allowances contained in this Order.

C. All operations of Stanton Unit 1 must comply with applicable environmental requirements, including, but not limited to, monitoring, reporting, and recordkeeping requirements, to the maximum extent feasible while operating consistent with the emergency conditions. This Order does not provide relief from any obligation to pay fees or purchase offsets or allowances for emissions that occur during the emergency conditions or to use other geographic or temporal flexibilities available to generators.

D. By June 18, 2026, OUC is directed to provide the Department (via AskCR@hq.doe.gov) with information concerning the measures it has taken and is planning to take to ensure the operational availability of Stanton Unit 1, consistent with this Order. OUC shall also provide such additional information regarding the environmental impacts of this Order and its compliance with the conditions of this Order, as requested by the Department of Energy from time to time.

E. OUC is directed to file with the Federal Energy Regulatory Commission any tariff revisions or waivers to effectuate this Order, as needed. Rate recovery is available pursuant to 16 U.S.C. § 824a(c).

F. This Order shall not preclude the need for Stanton Unit 1 to comply with applicable state, local, or Federal law or regulations following the expiration of this Order.

G. Because this Order is predicated on the shortage of facilities for generation of electric energy and other causes, Stanton Unit 1 shall not be considered a capacity resource.

[32] According to OUC, neither Florida Municipal Power Pool (FMPP) in its role as the Balancing Authority nor Florida Reliability Coordinating Council (FRCC) in its role as the Reliability Coordinator directs OUC to operate Stanton 1 in a manner similar to organized markets.

H. This Order shall be effective from June 4, 2026, through September 1, 2026, with the exception of applicable compliance obligations in paragraph D.

I. OUC is directed to provide the Department at least fifteen days' prior advance notice in writing before any change in operational status or otherwise of Stanton Unit 2 occurs.

Issued in Washington, D.C. on this 4th day of June 2026.

Chris Wright

Chris Wright
Secretary of Energy

cc: **FERC Commissioners**
Chairman Laura V. Swett
Commissioner David Rosner
Commissioner Lindsay S. See
Commissioner Judy W. Chang
Commissioner David A. LaCerte

Florida Public Service Commissioners
Chairman Gabriella Passidomo Smith
Commissioner Gary F. Clark
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