



Department of Energy
Washington, DC 20585

Orlando Utilities Commission
Regarding the Stanton Energy Center

Order No. 202-26-42

Pursuant to the authority vested in the Secretary of Energy (Secretary) 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 sudden increase in demand for electric energy, or a shortage of electric energy or facilities for the generation or transmission 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 owned⁴ 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 anticipated placing Stanton Unit 1 in an “extended cold shutdown” in June 2026.⁷ OUC expects to make a determination as to Stanton Unit 2 by year’s end based on an Integrated Resource Plan currently underway.

¹ 16 U.S.C. § 824a(c).

² 42 U.S.C. § 7151(b).

³ U.S. Energy Info. Admin., *Preliminary Monthly Elec. Generator Inventory (based on Form EIA-860M as a supplement to Form EIA-860)*, <https://www.eia.gov/electricity/data/eia860m/> (choose “June 2026”) [hereinafter EIA, *Form EIA-860M*]. Stanton also includes a second coal-fired generation unit, Unit 2 (464.5 MW), as well as 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: 2026 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 2026 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 See nFront, *OUC 2026 Ten-Year Site Plan*, *supra* note 4, 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

Order No. 202-26-26, which was issued pursuant to FPA section 202(c) on June 4, 2026, required that Stanton Unit 1 continue to be available to operate for 90 days, through September 1, 2026. That order was based on my determination that emergency conditions existed within the SERC Reliability Corporation (SERC)–Florida Peninsula assessment area.

Specifically, I determined that there was a potential shortage of electric energy and a shortage of facilities for the generation of electric energy.⁸ I stated that the potential loss of power to homes and local businesses presents a risk to public health and safety.⁹ I determined that continued operation of the Stanton Unit 1 was necessary to best meet the emergency and serve the public interest.¹⁰

In its 2025 Long-Term Reliability Assessment (2025 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.¹¹ 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.¹² 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.¹³ As of April 2026, eight data centers are planned for construction in Florida.¹⁴ Total peak demand in Florida is expected to increase from 48,628 MW in 2025/2026 to 54,931 MW in 2034/2035.¹⁵

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 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., *Bus. Models for Coal Plant Decommissioning*, at 9–12 (Aug. 2021), <https://www.osti.gov/servlets/purl/1821476>.

⁸ See, e.g., *PJM Interconnection, L.L.C.*, Order No. 202-26-24, at 10 (May 21, 2026).

⁹ *Id.*

¹⁰ *Id.*

¹¹ 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.

¹² *Id.* at 6.

¹³ *Id.* at 9.

¹⁴ 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>.

¹⁵ 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.

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.”¹⁶ 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 continues to grow, the need to ensure the availability of quick start generating units to meet the ramp in demand will increase.¹⁷

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 for 2.7 GW of specified resources (generating units)¹⁸ and (ii) a second application for 55 MW of back-up generators.¹⁹ As a result, DOE issued two 202(c) emergency orders to OUC from January 31 through February 6, 2026: (i) Order No. 202-26-11 for specified resources²⁰ and (ii) Order No. 202-26-15 for back-up generators.²¹ OUC leveraged the 202(c) orders to meet demand during the extreme cold weather conditions. Stanton Unit 1 produced 66,230 MWh between January 31 and February 6, 2026.²² 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.²³ OUC had projected that it may not have

¹⁶ See NERC, *LTRA*, *supra* note 9, at 116.

¹⁷ *Id.*

¹⁸ Application, ex. A (Specified Resources) (Jan. 31, 2026).

¹⁹ Application, ex. A (Backup Generators) (Jan. 31, 2026).

²⁰ *Orlando Utils. Comm’n*, Order No. 202-26-11 (Jan. 31, 2026).

²¹ *Orlando Utils. Comm’n*, Order No. 202-26-15 (Jan. 31, 2026).

²² 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”).

²³ 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-202-c-application-backup-generators>.

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.²⁴ In January 2026, Stanton Units 1 and 2 produced a total of 249,473 MWh from coal-fired generation.²⁵

CONTINUING EMERGENCY CONDITIONS

The emergency conditions that necessitated the issuance of Order No. 202-26-26 continue, both in the near and long term. The production of electricity from Stanton Unit 1 continues to be critical to maintain reliability in the SERC–Florida Peninsula assessment area.

According to NERC’s 2026 Summer Reliability Assessment, the SERC–Florida Peninsula is a summer-peaking assessment area.²⁶ In its 2026 Summer Reliability Assessment, NERC 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”²⁷ 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.”²⁸

NERC released its 2026 State of Reliability (SOR) on June 24, 2026. In the SOR, NERC identifies worsening reliability concerns tied to large-load integration and localized operating stress. In its technical discussion of major system events, NERC states “shoulder seasons have become increasingly challenging for [bulk power system] operators to manage, resulting in several recent instances of pre-contingent load shedding.”²⁹ The SOR also finds large load growth is increasing reliability risk and states that “data center and computational loads continued emerging as a major reliability consideration due to their scale, speed of development, and unique operational characteristics.”³⁰

DOE Order No. 202-26-26 was preceded by executive orders issued by President Donald J. Trump on January 20, 2025, and April 8, 2025, which 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,

²⁴ *Id.*

²⁵ EIA, *Form EIA-923 detailed data with previous form data (EIA-906/920)*, Page 4: *Generator Data* (May 2026), <https://www.eia.gov/electricity/data/eia923/>.

²⁶ N. Am. Elec. Reliability Corp., *2026 Summer Reliability Assessment*, at 28 (May 2026), https://www.nerc.com/globalassets/our-work/assessments/nerc_sra_2026.pdf.

²⁷ *Id.* at 4.

²⁸ *Id.* at 10.

²⁹ N. Am. Elec. Reliability Corp., *2026 State of Reliability: Tech. Assessment of 2025 Bulk Power Sys. Performance*, at 5 (June 24, 2026), https://www.nerc.com/globalassets/programs/rapa/pa/nerc_sor_2026_technical_assessment.pdf.

³⁰ *Id.* at vii.

“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.”³¹ 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.”³²

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.”³³

Pursuant to section 202(c)(4)(B) of the FPA, the Department has consulted with the primary Federal agency with expertise in the environmental interest protected by the laws or regulations that may conflict with this Order. The agency did not submit additional conditions for inclusion in this Order.

ORDER

FPA section 202(c)(1) provides that whenever the Secretary 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.”³⁴ This statutory language constitutes

³¹ 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>.

³² 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>.

³³ DOE, *Res. Adequacy Rep.: Evaluating the Reliability & Sec. of the U.S. Elec. Grid* (July 7, 2025), <https://www.energy.gov/sites/default/files/2025-07/DOE%20Final%20EO%20Report%20%28FINAL%20JULY%207%29.pdf>.

³⁴ 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).

a specific grant of authority to the Secretary to require the 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 increasing demand and shortage of electric energy from the premature retirement of Stanton Unit 1 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 businesses in the areas affected by curtailments or power outages, presenting a risk to public health and safety.

I have determined that, to best meet the emergency arising from increased demand, determined shortage, and other causes, and to serve the public interest under FPA section 202(c), Stanton Unit 1 shall be made available for operation through November 30, 2026.

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

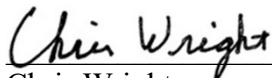
- A. From September 2, 2026, OUC shall take all measures necessary to ensure that Stanton Unit 1 is available to operate.³⁵ Following the conclusion of this Order, sufficient time for orderly ramp down is permitted, consistent with industry practices.
- B. To minimize adverse environmental impacts, this 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 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 September 16, 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

³⁵ 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.

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.
- H. This Order shall be effective from September 2, 2026, through November 30, 2026, with the exception of applicable compliance obligations in paragraph D.
- I. OUC is directed to provide the Department at least fifteen days' prior notice in writing before any anticipated change in operational status, or as soon as practicable if an unexpected change in status of Stanton Unit 2 occurs.

Issued in Washington, D.C. on this 1st day of September 2026.


Chris Wright
Secretary of Energy

cc: **Federal Energy Regulatory Commission**
Chairman Laura V. Swett
Commissioner David Rosner
Commissioner Lindsay S. See
Commissioner Judy W. Chang
Commissioner David A. LaCerte

Florida Public Service Commission
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