

UNITED STATES OF AMERICA  
BEFORE THE  
UNITED STATES DEPARTMENT OF ENERGY

Federal Power Act Section 202(c)

Emergency Order: Midcontinent Independent  
System Operator (MISO)

Order No. 202-25-3

**MOTION TO INTERVENE OF THE MARYLAND OFFICE OF PEOPLE’S  
COUNSEL IN SUPPORT OF THE PUBLIC INTEREST ORGANIZATIONS AND  
MICHIGAN ATTORNEY GENERAL’S PETITIONS FOR REHEARING AND  
STAY OF PROCEEDINGS**

Pursuant to Section 313(a) of the Federal Power Act (“FPA”), Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the “Commission”), 18 C.F.R. §§ 385.212 and 385.214,<sup>1</sup> the Maryland Office of People’s Counsel (“MPC”) hereby seeks Leave to Intervene in the above-captioned proceeding in support of the requests for rehearing filed by Sierra Club, *et. al* (the “Public Interest Organizations”) and the Michigan Attorney General, respectively.

On May 23, 2025, the Secretary of Energy unilaterally issued an emergency order under Section 202(c) of the Act, 16 U.S.C. § 824a(c) to prohibit the J.H. Campbell coal-fired power plant, in West Olive, Michigan (the “Campbell Plant,” or “Campbell”) from its planned May 31, 2025, retirement.

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<sup>1</sup> See DOE 202(c) Order Rehearing Procedures; *see also* [DOE Answer to Procedural Questions Concerning Rehearing of DOE Order](#), Docket EO-05-01(Dec. 30, 2005).

The Public Interest Organizations and the Michigan Attorney General separately requested rehearing on June 18, 2023.

The Maryland Office of People’s Counsel is an independent state agency representing the interests of Maryland residential consumers in utility cases. The People’s Counsel “may appear before any federal or state unit to protect the interests of residential . . . users [of gas, electricity or other regulated services].”<sup>2</sup>

MPC and Maryland retail customers— customers within the PJM service territory — have an interest and are aggrieved by the Order. The PJM and MISO markets are interconnected via a set of transmission lines that facilitate energy transfers between MISO and PJM.<sup>3</sup> Campbell is a high-cost marginal resource which was planned to be replaced with lower-cost resources — new resources which would improve the locational marginal pricing differences between PJM and MISO, and therefore, the import/export signals.

The Order thus ensures PJM customers, such as Maryland ratepayers, cannot benefit from more efficient power imports and exports. Prohibiting the well-planned retirement of Campbell in lieu of replacing it with more efficient, lower-cost marginal resources as planned could raise costs for consumers in both the MISO and PJM regions, including Maryland ratepayers.

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<sup>2</sup> Md. Pub. Util. Code Ann. § 2-205(b).

<sup>3</sup> “MISO/PJM Joint Modeling Case Study: Clean Power Analysis” at 18 (March 10, 2017).

The specific interests of Maryland residential consumers are not adequately represented by other parties to this matter, therefore MPC's intervention is necessary to protect these interests.

MPC respectfully requests waiver of 18 C.F.R. § 385.203(b)(3) to permit more than two persons to be included on the service list for this proceeding. The name, address, telephone, and e-mail address of MPC's designated representatives for receipt of service in this proceeding is:

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WHEREFORE, MPC respectfully requests that it be permitted to intervene in this proceeding.

Respectfully submitted,

DAVID S. LAPP  
People's Counsel

/electronic signature/  
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Deputy People's Counsel

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Dated: June 23, 2025

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 23rd day of June 2025, the foregoing “Motion to Intervene of the Maryland Office of People’s Counsel” was either hand-delivered, e-mailed or mailed first-class, postage prepaid to all parties of record to this proceeding.

Respectfully submitted,

**/electronic signature/**

Alexis H. Lewis

Assistant People’s Counsel