



Department of Energy
Washington, DC 20585

Order No. 202-26-03

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) Organization Act,² and for the reasons set forth below, I hereby determine that a statutory emergency exists within the ISO New England Inc. (ISO-NE) service territory 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.

Emergency Situation

On January 25, 2026, ISO-NE, the Regional Transmission Organization (RTO) spanning six states,³ filed a *Request for Emergency Order Under Section 202(c) of the Federal Power Act*, (Application) with DOE.⁴ ISO-NE has indicated that “[i]n many parts of the ISO-NE Balancing Authority Area, temperatures for January 25, 26, and 27, 2026 are forecasted to drop well below average, and abnormally low temperatures are expected to persist through January 30, 2026.”⁵ As of the time of filing its Application, ISO-NE is anticipating a “sustained high level of demand for electricity.”⁶ According to ISO-NE, “[w]hile the vast majority of generating units in the ISO-NE region continue to function adequately, some units may experience difficulty due to emissions/air permitting limitations, or other operating constraints.”⁷ ISO-NE states that all generating resources may be needed to meet the expected demand of the cold weather event.⁸

¹ 16 U.S.C. § 824a(c).

² 42 U.S.C. § 7151(b).

³ The six states are Connecticut, Rhode Island, Maine, Massachusetts, New Hampshire, and Vermont.

⁴ Application at 1.

⁵ *Id.* at 2.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

Description of Mitigation Measures

In anticipation of the cold weather event, ISO-NE states that it already issued a cold weather watch.⁹ ISO-NE has also indicated that it is prepared to employ measures in its Operating Procedures designed to address abnormal conditions or deficiencies to “ensure the supply of generation will continue to be sufficient to meet demand and reserve.”¹⁰

Request for Order

ISO-NE requests that the Secretary issue an order effective immediately and through January 31, 2026, the expected period to address high load related to Winter Storm Fern, authorizing “the provision of additional energy from all [Specified Resources], as well as any other generating units subject to emissions or other permit limitations.”¹¹ The generating units (Specified Resources) to which this Order related are listed in Exhibit A of the Application for instant Order 202-26-3, as described below.

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.”¹² This statutory language constitutes a specific grant of authority to the Secretary to authorize the operation of generation, delivery, and transmission resources that the Secretary has determined will best meet an emergency.

Given the emergency caused by the expected load stress, the responsibility of ISO-NE to ensure maximum reliability on its system, and the ability of ISO-NE to identify and dispatch generation necessary to meet load requirements, I have determined that, under the conditions specified below, additional dispatch of the Specified Resources is necessary to best meet the emergency and serve the public interest for purposes of FPA section 202(c). This determination is based on the expected load stress, shortage of electric energy, shortage of facilities for the generation of electric energy, and other causes by Winter Storm Fern and its aftermath, and the potential loss of power to homes and local businesses in the areas that may be affected by curtailments or outages, presenting a risk to public health and safety.

⁹ *Id.* at 2-3.

¹⁰ *Id.* at 2.

¹¹ *Id.*

¹² 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).

Consistent with the anticipated circumstances, this Order is limited to the period of time that Winter Storm Fern is expected to impact the ISO-NE service territory. Because the additional generation may result in a conflict with environmental standards and requirements, I am authorizing only the necessary additional generation under the conditions contained in this Order, with reporting requirements as described below.

FPA section 202(c)(2) requires the Secretary of Energy to ensure that any 202(c) order that may result in a conflict with a requirement of any environmental law be limited to the “hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable,” be consistent with any applicable environmental law and minimize any adverse environmental impacts. ISO-NE anticipates that this Order may result in exceedance of permit restrictions on emissions, effluent, or other environmental permit limitations.¹³ To minimize adverse environmental impacts, this Order limits operation of dispatched units to the times and within the parameters determined by ISO-NE for reliability purposes.

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

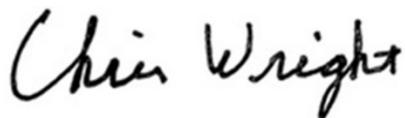
- A. In the event that ISO-NE determines that generation from the Specified Resources is necessary to meet the electricity demand that ISO-NE anticipates in its service territory, I direct ISO-NE to dispatch such unit or units and to order their operation only as needed to maintain reliability. Specified Resources are those generating units set forth in Exhibit A to their Application for the instant order (i.e., Order 202-26-3 Resource List), subject to updates directed here and as described in paragraph D, which DOE shall post on www.energy.gov.
- B. To minimize adverse environmental impacts, this Order limits operation of dispatched units to the times and within the parameters determined by ISO-NE for maintaining grid reliability and to the maximum extent practicable is consistent with any applicable environmental law. ISO-NE shall provide a daily notification to DOE (via AskCR@hq.doe.gov) reporting each generating unit that has been designated to use the allowance and operated in reliance on the allowances contained in this Order.
- C. All operation of the Specified Resource 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 condition or to use other geographic or temporal flexibilities available to generators.
- D. In the event that ISO-NE identifies additional generation units that it deems necessary to maintain the reliability of the power grid, ISO-NE shall provide prompt written

¹³ *Id.* at 1, 4.

notice to DOE at AskCR@hq.doe.gov with the name and location of those units that ISO-NE has identified. Such additional generation unit shall be deemed a Specified Resource for the purpose of this Order for the hours prior to the required written notice to DOE updating Exhibit A of the Application, and ISO-NE may dispatch such additional generation units, provided that if the DOE notifies ISO-NE that it does not approve of such generation unit being designated as a Specified Resource, such generation unit shall not constitute a Specified Resource upon notification from DOE.

- E. ISO-NE shall also provide such additional information regarding the environmental impacts of this Order and its compliance with the conditions of this Order, in each case as requested by DOE from time to time.
- F. This Order shall not preclude the need for the Specified Resources to comply with applicable state, local, or Federal law or regulations following the expiration of this Order.
- G. This Order shall be effective upon its issuance, and shall expire at 11:59PM EST on January 31, 2026, with the exception of the reporting requirements in paragraph D and applicable compliance obligations in paragraph E. Renewal of this Order, should it be needed, must be requested before this Order expires.

Issued in Washington, D.C. at 7:38 AM EST on this 25th day of January 2026.



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

State Commissioners
See Attachment A

Attachment A: State Contact Information

The table below provides contact information for state commissioners within ISO-NE.

| State | Office | Name |
|-------|--|--------------------------------------|
| CT | Connecticut Public Utilities Regulatory Authority | Thomas Wiehl |
| | | David Arconti |
| | | Janice Beecher |
| | | Holly Cheeseman |
| | | Everett Smith |
| RI | Rhode Island Public Utilities Commission | Ronald T. Gerwatowski |
| | | Abigail Anthony |
| | | Karen Bradbury |
| MA | Massachusetts Department of Public Utilities | Jeremy McDiarmid |
| | | Staci Rubin |
| | | Elizabeth Anderson |
| VT | Massachusetts Department of Telecommunications and Cable | Karen Charles |
| | | Ed McNamara |
| | | Riley Allen |
| NH | Vermont Public Utility Commission | Margaret Cheney |
| | | Vermont Department of Public Service |
| | | Kerrick Johnson |
| ME | New Hampshire Public Utilities Commission | Pradip Chattopadhyay |
| | | Mark W. Dell'Orfano |
| | | New Hampshire Department of Energy |
| | | Jared S. Chicoine |
| | Maine Public Utilities Commission | Philip L. Bartlett |
| | | Carrie Gilbert |
| | | Patrick Scully |

Exhibit A