

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held October 1, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Ralph V. Yanora
John F. Coleman, Jr.

Electric Distribution Company Interim Resource
Adequacy Service, Pre-Emergency and Emergency
Response Provisions

M-2026-3064961

TENTATIVE ORDER

BY THE COMMISSION:

The Pennsylvania Public Utility Commission (Commission or PUC) issues this Tentative Order and Appendix seeking comments on a proposed requirement that all electric distribution companies update their pre-emergency and emergency load control procedures to incorporate Interim Resource Adequacy Service and to ensure that data centers are not classified as critical load exempt from curtailment during these events. In addition, the PUC seeks comments on the implementation of a PJM Interconnection, L.L.C. (PJM) proposed Tariff Attachment DD-4 regarding Interim Resource Adequacy Service.

BACKGROUND

Through revised tariff filings made with the Federal Energy Regulatory Commission (FERC) on July 31, 2026, and August 13, 2026, respectively, PJM Interconnection LLC (PJM) proposed to implement a Reliability Backstop Procurement¹

¹ *PJM Interconnection, L.L.C.* Docket No. ER26-3380, Reliability Backstop Procurement to Address Resource Adequacy Concerns Stemming from New Load Adjustments.

(RBP) and an Interim Resource Adequacy Service² (IRAS). PJM's RBP and IRAS proposals are intended to address the rapid energy demand growth imposed by new large load data centers coupled with inadequate increases of new supply in the capacity market. Most recently, PJM's Base Residual Auction (BRA), announced on July 14, 2026, has revealed a system-wide reliability shortfall of 6,831 megawatts (MW) of capacity for the 2028/2029 Delivery Year.

The RBP mechanism is intended to help facilitate new large load customers, including data centers, in procuring their needed capacity. The IRAS proposal addresses those large load customers that have not procured adequate capacity from new sources. Via PJM's IRAS proposal, load reduction curtailments would first be mandated for all large loads that are not supported by their own generation/capacity (onsite or contracted), prior to PJM declaring or requiring any Pre-Emergency Load Management Reductions. If approved, as filed, PJM would target September 30, 2026, to start the RBP, and its IRAS proposal would become effective on October 12, 2026, to ensure its availability by June 1, 2027. PJM is currently feeling the pressure of maintaining electric service reliability and new pre-emergency or emergency curtailment procedures will be necessary.

Additionally, analysis by the Commission's independent contractor indicates that a scenario where no additional policy actions are taken, coupled with modest capacity growth, will result in a failure to meet the PJM planning criteria (1 loss of load event in 10 years) for resource adequacy in every year through 2030 and even worse with increased growth of new large load data centers.³

² *PJM Interconnection, L.L.C.* Docket No. ER26-3515, Proposal to Establish Interim Resource Adequacy Service and a Large Load Registry to Address System Reliability.

³ *Assessing Electricity Resource Adequacy in Pennsylvania and PJM* by Synapse Energy Economics. September 9, 2026.

On August 18, 2026, Governor Josh Shapiro signed Executive Order 2026-05⁴ which encourages the Commission to establish rules, procedures, and orders relating to curtailment of large loads and allocation of RBP and curtailment costs. In particular, Governor Shapiro encouraged the Commission to ensure that each electric utility that has received a request to interconnect a data center in its territory files with the Commission revisions to both its pre-emergency IRAS and emergency load control procedures. The intent of these revisions is for utilities to curtail new computational large loads prior to any other customer during pre-emergency IRAS and emergency events, unless that large load customer has secured new incremental electric capacity for their entire demand for electricity. Additionally, Governor Shapiro encouraged the Commission to prevent traditional retail customers from being charged for any RBP costs.

Commission Regulatory Oversight

Pursuant to the Public Utility Code, specifically 66 Pa.C.S. §§ 331, 501, 504, 1501 and 1505(b),⁵ the Commission is charged with ensuring that its jurisdictional utilities provide safe and reliable service, and the Commission possesses broad regulatory oversight to ensure grid reliability and public safety. The Commission's Regulations at 52 Pa. Code § 57.52 currently provides a basic structure designed to manage load control and emergency load curtailment by electric distribution companies. As such, the Commission can require the jurisdictional electric distribution companies (EDCs) to revise their procedures to provide universal specificity on the order, criteria, and applicability of customer curtailment protocols.

⁴ *Executive Order 2026-05: Protecting Pennsylvania Consumers from Data Center Impacts* (signed August 18, 2026). Accessible at https://www.pa.gov/content/dam/copapwp-pagov/en/governor/documents/eo2026_05_protecting%20pennsylvania%20consumers%20from%20data%20center%20impacts_final_executed.pdf

⁵ Notably 66 Pa.C.S. § 1505(b) provides: "Authority to order conservation and load management.--In determining or prescribing safe, adequate and sufficient services and facilities of a public utility, the commission may order the utility to establish a conservation or load management program that the commission determines to be prudent and cost-effective."

PJM IRAS Proposal

On August 13, 2026, PJM submitted to the Federal Energy Regulatory Commission (FERC) proposed revisions to its Reliability Assurance Agreement Among Load Serving Entities (RAA) and to its Open Access Transmission Tariff (Tariff) to establish Interim Resource Adequacy Service (IRAS). PJM asserts that IRAS is a service to be implemented by PJM during periods of insufficient resources to reliably meet demand. PJM asserts that, when triggered IRAS will allow PJM to prioritize load reductions in areas where New Large Loads have not brought (1) their own new capacity or (2) had their capacity needs covered by the RBP.⁶

If the PJM IRAS proposal is approved by FERC as proposed, jurisdictional EDCs will be required to do the following: (1) execute the directives issued by PJM's Office of the Interconnection (PJM OI) to implement IRAS in their respective service territories; (2) develop and maintain a large load registry and provide that information to PJM's OI; (3) coordinate with the PUC, load serving entities and customers in their service territories to support the development of IRAS and; (4) implement a compensation program consistent with the PJM Tariff. We will address the first three EDC tasks under the proposed IRAS, in this Tentative Order, leaving the fourth task to a future proceeding after the technical conference scheduled for November 17, 2026.

DISCUSSION

With this Tentative Order, the Commission is beginning the process of developing guidelines for EDCs, load serving entities (LSE), and large computational load customers to implement curtailment procedures in an open, transparent and timely manner. While the Commission is providing initial guidance and proposed actions to be taken by the EDCs, the Commission requests that all stakeholders provide input, not only on the proposals in this Tentative Order, but also on any additional steps or actions the

⁶ See PJM IRAS Transmittal Letter at 1-2, FERC Docket ER26-3515.

Commission or EDCs should take in implementing new curtailment procedures.

In developing new regulations to address the current environment, it is incumbent upon the Commission to define certain terms for consistent and transparent application. Accordingly, the Appendix includes definitions that shall be used when interpreting the proposed curtailment procedures.

The Commission is proposing that all jurisdictional EDCs develop and maintain a registry of large loads within their service territory. This registry should consist of all large loads, both existing and new. We are also proposing that EDCs provide PJM's OI with the information they request regarding large loads within the EDC's registry. We are further proposing that EDCs make this information available to the Commission on an annual basis to assist the Commission in meeting the requirements of Act 45 of 2025, 72 P.S. § 1804-B, (relating to Commission oversight of load forecasting).

In accordance with the Commission's regulations at 52 Pa. Code § 57.52(b)(2), with this Tentative Order, we also propose that all EDCs update their procedures for controlling load to identify and track large computational load customers and the amount of their available MW. In addition, we propose that the update includes processes for how the EDC will apportion the PJM OI IRAS action requests to the large computational load customers within their service territory and to notify the large computational load customers of the IRAS action. We further propose that the update identify the procedures the EDC will take to shed load from the identified large computational load customers in the amounts requested by the PJM OI during an IRAS action request, prior to any other load shed from other customers.

Furthermore, through this Tentative Order, we propose that all EDCs update their procedures for controlling load during pre-emergency or emergency events as called by PJM's OI such that data centers are not classified as critical load exempt from curtailment

during these events. With that said, as with any proposal in this Tentative Order and Appendix, we seek comments on how we define what customer should be prohibited from being classified as critical load that may be exempt from curtailment during pre-emergency or emergency events.

CONCLUSION

With this Tentative Order the Commission proposes amendments and modifications that the EDCs must make to their procedures for controlling load to incorporate a pre-emergency provision that implements curtailment protocols whenever PJM issues an IRAS action request for large computational load customers that have not secured incremental electric capacity for the entirety of their demand. We look forward to input from all stakeholders on the proposals outlined in this Tentative Order and contained in the Appendix. Comments will be due no later than 30 days after this Tentative Order is published in the Pennsylvania Bulletin, with reply comments due 15 days thereafter. A final order will be prepared for the January 28, 2027, public meeting directing the electric distribution companies to file updated procedures. Depending on the development of this docket, a rulemaking may follow.

THEREFORE, IT IS ORDERED:

1. That a copy of this Tentative Order and Appendix shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Energy Association of Pennsylvania, and all jurisdictional electric distribution companies.
2. That the Secretary shall deposit this Tentative Order and Appendix with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. That comments filed in response to this Tentative Order and Appendix are due no later than thirty days from the date this Tentative Order and Appendix is published in the *Pennsylvania Bulletin*. Reply comments are due no later than 45 days from the date this Tentative Order and Appendix is published in the *Pennsylvania Bulletin*. Interested parties may submit comments and reply comments to the Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, Second Floor, 400 North Street, Harrisburg, PA, 17120. Comments and reply comments may also be filed electronically through the Commission e-File System.

4. That a Word-formatted copy of comments and reply comments shall be electronically mailed to the Bureau of Technical Utility Services at pc-puc-tus-energy@pagov.onmicrosoft.com. Attachments may not exceed three megabytes.

5. That the contact person for technical issues related to this Tentative Order is Clinton McKinley, Bureau of Technical Utility Services, 717-783-6161 or cmckinley@pa.gov. The contact for legal or process issues related to this Tentative Order is Kriss E. Brown, Law Bureau, 717-787-4518 or kribrown@pa.gov.

BY THE COMMISSION,



Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: October 1, 2026

ORDER ENTERED: October 1, 2026

APPENDIX

§ 57.51. **Definitions.** [Discontinuance of generating units.

(a) An electric public utility within the jurisdiction of the Commission shall petition for and obtain the consent of the Commission before discontinuing a generating unit from normal operation, as defined in this section.

(b) Petitions shall contain data covering recent and projected peak loads, net generating capabilities, firm power commitments and other information to enable the Commission to determine whether consent will be granted or refused. Public hearing may be ordered upon a petition if the information contained in the petition is not sufficient for the formation of the judgment.

(c) For the purpose of this section, the term “generating unit” means a turbogenerator and the related steam, hydro or other propulsion equipment. Normal operation of a generating unit shall be referred to as its continuing availability to meet consumer demands, except during:

(1) Scheduled outages for repairs, tests, nuclear refueling or other procedures essential to its further use.

(2) Unscheduled outages caused by its physical malfunctioning or breakdown.]

Backup Power Supply- a customer’s on-site electrical system on the customer’s side of the meter that provides emergency or temporary energy supply to connected customer equipment to fully or partially meet the customer’s electrical needs when energy supply from the regional grid or RTO, as distributed by the EDC, interrupts, fails, or fluctuates. A customer’s Backup Power Supply is subject to the regulations and permit requirements of the Pennsylvania Department of Environmental Protection.

Computational Load Entity- an entity that operates or owns and maintains a Computational Load Site.

Computational Load Site- One or more buildings, structures, or installations that:

- (i) **Is a customer or applicant that has an anticipated maximum peak demand of 25 MW at a single point of interconnection or 50 MW at multiple points of interconnection that are interconnect to a single feeder;**
- (ii) **Primarily contains information technology infrastructure used for:**
 - a. **Creating, executing, and delivering software applications and services;**
 - b. **Artificial intelligence training, deployment, and delivery;**
 - c. **Cryptocurrency mining; or**
 - d. **Other computational activities at a data center.**

- (iii) Is supplied through electrical equipment that is connected to the EDC's system; and
- (iv) Is not a facility used for manufacturing or manufacturing operations, as such terms are defined in 61 Pa. Code § 32.1, as of September 8, 2026.

Curtailment- the reduction, interruption, or suspension of electric service.

EDC- Electric Distribution Company- an electric distribution company as defined in 66 Pa.C.S. § 2803 (relating to definitions).

Emergency Forced Outage Event- a load control event declared by the regional transmission organization, such as after declaration of an EEA Level 3 alert, when an EDC is required to curtail firm load to maintain grid reliability.

Emergency Load Control Event- a load control event initiated by the regional transmission organization after declaration of an EEA Level 2 alert but prior to an EEA 3 alert, when an EDC is required to curtail interruptible load to maintain grid reliability and avoid further emergency procedures or actions.

Energy Emergency Alert- EEA- an operational communication step as defined by NERC and as used by the regional transmission organization when the regional transmission organization determines the region is facing a capacity or energy shortage.

Essential Real-Time Service- a service provided by a qualified UPS Computational Load Entity for a Critical Load Level 1 customer that must be provided in real-time during grid emergencies in order to avoid loss of life, serious injury, or other public health crisis.

Interim Resource Adequacy Service- IRAS- a service or successor service approved by FERC and implemented by the RTO during periods when there are insufficient capacity or energy resources regionwide to reliably meet regional demand in real time operations.

Load Emergency- a Pre-Emergency Load Control Event, Emergency Load Control Event, or Emergency Forced Outage Event.

NERC- North American Electric Reliability Corporation- an organization of regional reliability councils established to promote the reliability of the electricity supply for North America.

Non-Critical- non-essential commercial and industrial power demands, including but not limited to non-UPS Computational Load Sites and UPS Computational Load Sites that do not qualify for Critical Load Level 2 protection under Section 57.54(a) and (d).

Non-UPS Computational Load Site- a Computational Load Site that is built without Uninterruptible Power Supply.

Pre-Emergency Load Control Event- a load control event declared by the regional transmission organization prior to or soon after declaration of an EEA Level 1, but prior to declaration of an EEA Level 2, where an EDC can curtail eligible Computational Load Entity customers under Interim Resource Adequacy Service to avoid further emergency procedures or actions.

Regional Transmission Organization- RTO- a federally regulated entity that coordinates, controls, and monitors a multi-state electric power transmission system and serves as the regional balancing authority.

Residential Customers- residential dwellings, including electric service provided to a commercial establishment if concurrent service is provided to a residential dwelling attached thereto. The term does not include a commercially operated hotel or motel.

Uninterruptable Power Supply- UPS- an electrical system that combines Backup Power Supply and certain electrical devices to provide almost instantaneous backup power during grid outages, while also regulating power quality (e.g., voltage and frequency stability).

UPS Computational Load Site- a Computational Load Site that is built with Uninterruptible Power Supply so that the site is prepared to almost instantaneously support a certain level of operation during grid outages.

57.52. [Emergency load control and energy conservation by electric utilities.]

Load Emergency rules and procedures required.

(a) An electric public utility subject to the jurisdiction of the Commission shall include in its electric tariff rules and regulations filed with the Commission the following provision:

(1) RULE

[EMERGENCY LOAD CONTROL.]

(i) A load emergency **[situation]** exists whenever:

(A) The demands for power on all or part of the utility's system exceed or threaten to exceed the capacity then actually and lawfully available to supply the demands.

(B) System instability or cascading outages could result from actual or expected transmission overloads or other contingencies.

(C) The conditions exist in the system or another public utility or power **[pool] system** with which the utility's system is interconnected and cause a reduction in the capacity available to the utility from that source or threaten the integrity of the utility's system.

(ii) **[In this case] In a load emergency**, the utility shall take the reasonable steps as the time available permits to bring the demands within the then-available capacity or to otherwise control load. The steps shall include, but are not limited to, reduction or interruption of service to one or more customers, in accordance with the utility's procedures for controlling load **during Pre-Emergency Load Events, Emergency Load Events, and Emergency Forced Outage Events under 52 Pa. Code Subchapter 57.**

[(2) RULE

EMERGENCY ENERGY CONSERVATION. An emergency energy conservation situation exists whenever events result or, in the judgment of the utility, threaten to result in a restriction of the fuel supplies available to the utility or its energy vendors, so that the amount of electric energy which the utility is able to supply is or will be adversely affected. In the event of an emergency energy conservation situation, the utility shall take reasonable measures that it believes necessary and proper to conserve available fuel supplies. The measures may include, but are not limited to, reduction, interruption or suspension of service to one or more of its customers or classes of customers in accordance with the utility's procedure for emergency energy conservation.]

(b) A utility shall establish procedures for controlling load **[and emergency conservation] during Load Emergencies.**

(1) These procedures shall **[include schedules of load shedding priorities to be followed in compliance with subsection (a).] be included in a load control plan, which shall be made part of the utility's tariff and be available on the utility's public website.**

(2) These procedures may be revised by the utility and shall be revised if required by the Commission.

(3) **[A copy of the procedures or of the revision currently in effect shall be kept available for public inspection at the office at which the utility maintains a copy of its tariff for public inspection, and another copy shall be kept on file with the Commission's Bureau of Conservation, Economics and Energy Planning.] These procedures shall identify the actions, including the Curtailment of customers on interruptible rate schedules, that the EDC will take during Emergency Load Control Events and Pre-Emergency Load Control events to prevent escalation of emergencies and avoid Emergency Forced Outage Events, and shall comply with the provisions of Section 57.53.**

(4) These procedures shall comply with all NERC, FERC, and other regulatory standards, as applicable.

(5) These procedures shall include schedules of curtailment priorities to be followed during an Emergency Forced Outage Event affecting firm customers which shall comply with the provisions of Sections 57.53 and 57.54.

(c) In the event of **a Load Emergency** [either a load emergency situation or an emergency energy conservation situation, as defined under subsection (a)], the following emergency notification procedures apply:

(1) During load emergencies, initial notice shall be provided by telephone to the Commission no later than the time a voltage reduction warning is issued on the electric system. If a utility does not have the capability to implement system-wide automatic voltage reductions, notice shall be provided to the Commission prior to the implementation of emergency measures which would have a direct impact on firm customers. Notification shall be provided to the Commission as each subsequent load control procedure is either implemented or cancelled. During the course of the load emergency situation, the affected utility shall provide other emergency related information to the Commission that the Commission determines to be necessary. Information shall be provided by fax at a minimum of every 3 hours commencing with initial notification of an emergency situation and shall include the following:

- (i) System operating capacity.
- (ii) Current system load.
- (iii) Projected system peak load and hour.
- (iv) System operating reserve capacity.
- (v) Capacity transactions.
- (vi) Unavailable generating units.
- (vii) Status of implementation of emergency operating procedures.
- (viii) Customers and loads affected by manual load shedding, if applicable.

(2) During energy conservation emergencies, notice shall be provided by telephone to the Commission at the time of initial implementation of measures which the utility determines to be necessary to conserve available fuel supplies and which would have a direct impact on firm customers. Notification shall be provided to the Commission as each subsequent emergency conservation procedure is either implemented or cancelled. During the course of the emergency energy conservation situation, the affected utility shall provide other emergency related information to the Commission that the Commission determines to be necessary. Information shall be provided by fax at a minimum of every 3 hours commencing with initial notification of an emergency situation and shall include the following:

- (i) Fuel inventories.
- (ii) Fuel deliveries.
- (iii) Burn rates.
- (iv) Curtailment schedules, if applicable.

(3) The utility shall designate emergency contact individuals from which emergency information may be obtained and provide the Commission with a current list of contacts.

(4) Utilities which operate within a power pool or similarly integrated bulk power system with a single system operator shall provide notification and other emergency related information to the Commission through their designated representative if the emergency situation affects the entire integrated system, in lieu of individual utility notification.

(5) Section 67.1 (relating to general provisions) does not apply to either load emergency situations or emergency energy conservation situations.

(6) The Commission will provide information to the Pennsylvania Emergency Management Agency during emergency situations.

(7) The Commission will designate emergency contact individuals to be contacted by the utilities to meet the requirements of this section. The Commission will provide the current list of Commission contacts to the utilities and the Pennsylvania Emergency Management Agency.

(8) During an Emergency Load Control Event or Emergency Forced Outage Event that results, or is reasonably anticipated to result, in the Curtailment of firm customers, the EDC shall, to the extent practicable, provide timely notice to affected customers before implementing load control measures. The notice shall identify the nature of the emergency, the anticipated or actual interruption, and any reasonable actions customers should take to protect health, safety, and essential equipment. If advance notice is not practicable, the EDC shall provide notice as soon as practicable after implementation of a load control measure. Nothing in this paragraph shall be construed to alter, supersede, or circumvent the applicable manual load-shed priorities as specified in Section 57.53. The EDC shall file with the Commission copies of the notice given to affected customers promptly after the notice is given. The EDC shall file with the Commission an after-the-fact report indicating how many customers were affected by curtailments, the duration of the curtailments, and break down of quantity and types of critical and non-critical customers affected by the curtailments.

Section 57.53. Load control events.

- (a) An electric utility's rules and procedures for Pre-Emergency Load Control Events and Emergency Load Control Events may be effectuated through mandatory interruptible rate schedules and tariff operating procedures, as follows:
 - 1) Pre-Emergency Load Control Events- Curtailment procedures shall be applicable only to certain Computational Load Entity customers that are subject to the Incremental Resource Adequacy Service established by the regional transmission operator as verified by the EDC, and shall be effectuated through mandatory interruptible rate schedules and tariff operating procedures.
 - 2) Emergency Load Control Events- Curtailment procedures shall be applicable to all Computational Load Entity customers when the regional transmission operator issues an EEA Level 2 communication, including but not limited to an EEA Level 2 communication with a Department of Energy 202(c) Order addressing backup power generation, and such curtailment procedures shall require customers on interruptible rate schedules to curtail usage in accordance with the terms and conditions included in the interruptible rate schedule.
- (b) An electric utility's procedures for Emergency Forced Outage Events shall provide for Non-Critical loads to be curtailed before critical loads, and for critical loads to be protected from curtailment according to their classification under Section 57.54 when necessary following the curtailment of Non-Critical Loads.
- (c) Pre-Emergency Load Control Event, Emergency Load Control Event, and Emergency Forced Outage Events measures, as appropriate, shall remain in effect until further notice by the EDC. The EDC may modify a customer's authorized usage or applicable load control requirement upon notice at any time during such an event, provided that such measures are implemented in accordance with this section.
- (d) In coordination with the regional transmission operator and its customers, the EDC shall ensure that curtailed customers are re-energized in a reasonable and adequate manner that preserves bulk power system reliability and distribution system reliability. Restoration, where possible, should be prioritized in a manner to reconnect customers within the Critical Load Level classifications in Section 57.54 prior to reconnecting customers within Non-Critical classification.

Section 57.54. Classifications for Curtailment During Emergency Forced Outage Events.

- (a) To determine the order in which firm customers will be curtailed during an Emergency Forced Outage Event, a utility shall classify all loads on its system as Critical or Non-Critical, and shall classify all critical loads for protection as Critical Load Levels 1, 2, or 3 as follows:
- 1) Critical Load Level 1 (Essential Human Needs and Critical Public Infrastructure): Essential public safety, emergency response, and healthcare facilities such as hospitals and critical care facilities, police stations, emergency medical service stations, and fire stations, critical public utility infrastructure, critical energy infrastructure, vital military infrastructure, and vital governmental management infrastructure located within the EDC service territory, but excluding UPS and non-UPS Computational Load Sites.
 - 2) Critical Load Level 2 (Digital Infrastructure Supporting Critical Load Level 1 Facilities in Real-Time): UPS Computational Load Site that meets the eligibility criteria required under subsection (d) to the satisfaction of the EDC to demonstrate that its service is required to provide Critical Load Level 1 Essential Real-Time Service.
 - 3) Critical Load Level 3 (Residential Customers and Essential Commercial and Industrial Customers): Residential Customers, Commercial, and Industrial facilities, excluding UPS and non-UPS Computational Load Sites, whose prolonged outage would create a risk to human safety or a risk of uncontrolled environmental release, or other catastrophic damage that presents acute public health and safety concerns.
- (b) Customers or load not identified under subsection (a) are Non-Critical and the EDC shall not defer their curtailment during an Emergency Forced Outage Event. Non-Critical customers whose service cannot be curtailed without also curtailing service to Critical Loads shall be identified in advance in the EDC's load control plans in order to be exempt from subsection (b).
- (c) Critical Load Level 2 protection shall apply only to the portion of energy demand from the UPS Computational Load Site that is required for the Essential Real-Time Service to Critical Load Level 1 facilities and shall not include energy demand to support other operations of the UPS Computational Load Site. Critical Load Level 2 protection shall apply only to the extent that the UPS or Backup Power Supply at the UPS Computational Load Site fails, has depleted fuel supplies, or has reached maximum operational limits in accordance with permits issued by the Pennsylvania Department of Environmental Protection.
- (d) An EDC shall include eligibility criteria in its electric tariff for a UPS Computational Load Entity to qualify for Critical Load Level 2 consistent with the following:
- 1) Certifications and attestations to the existence of proof that the UPS Computational Load Site:
 - i. Has a UPS system sized to meet or exceed the Critical Load Level 1 Essential Real-Time Services loads, and report the National Fire Protection Association (NFPA) 110 classification of the emergency

- power supply system including but not limited to the class, type, level, and verified fuel storage and management plan;
- ii. Attestation from the Critical Load Level 1 customer that the Computational Load Entity site directly supports Essential Real-Time Services at Critical Load Level 1 facilities pursuant to effective commercial agreements; and
 - iii. Has electrically separated the equipment needed to support Essential Real-Time Service to the Critical Load Level 1 facilities from non-essential sections of its operations and can route the UPS to support Critical Load Level 1 Essential Real-Time Service needs.
- 2) The certifications and attestations required under (1) shall be subject to annual updates and inspection by the EDC.
 - 3) The UPS Computational Load Entity and the Critical Load Level 1 customer has the ongoing obligation to inform the EDC when a UPS Computational Load Site no longer provides Essential Real-Time Services that support Critical Load Level 1 facilities within ten business days of the date upon which the customer has provided notice that such service will cease.
 - 4) The availability of UPS and its Backup Power Supply and fuel management system and capability is subject to inspection by the EDC.
 - 5) The total demand size and electricity needs of the UPS Computational Load Site and the load size of the separated Critical Load Level 1 Essential Real-Time Service needs shall be specified in an addendum to a negotiated agreement entered into pursuant to the EDC's tariff and shall be filed with the Commission.
- (e) An EDC shall include in its electric tariff, as a precondition for the interconnection of, and commencement of utility distribution service to, a UPS Computational Load Site, rules and regulations regarding the following segmentation capabilities:
- 1) The interconnection facilities or Computational Load Sites shall be configured to segregate the Critical Load Level 1 Essential Real-Time Service needs from non-essential sections of its operations and ability to route UPS to support Critical Load Level 1 Essential Real-Time Service needs during emergency conditions.
 - 2) The segregations and related system configurations shall be subject to annual updates and verification by the customer and inspection by the EDC.
- (f) An EDC may include in its electric tariff, as a precondition for the interconnection of, and commencement of utility service to a UPS Computational Load Site, rules and regulations requiring a Computational Load Entity to install, at the Computational Load Entity's expense, enhanced metering capability sufficient to match the energy delivered by the electric generation suppliers with consumption by the customer relating to the segregated loads.