



PRESS RELEASE

FOR IMMEDIATE RELEASE

April 20, 2026

CONTACT: Marnie Satterfield

(202) 223-1420

msatterfield@ieca-us.org

IECA PETITIONS THE U.S. COURT OF APPEALS TO REVERSE PORTIONS OF FERC ORDER DEALING WITH BEHIND THE METER ELECTRIC GENERATION

WASHINGTON, DC – On April 13, 2026, the Industrial Energy Consumers of America (IECA), the PJM Industrial Customer Coalition (PJMICC), and the National Railroad Passenger Corporation (Amtrak) filed a Petition for Review in the U.S. Court of Appeals for the Third Circuit asking the Court to reverse portions of an order of the Federal Energy Regulatory Commission (FERC) issued on December 18, 2025 (December Order)¹ finding that existing retail behind-the-meter-generation (BTMG) rules in the PJM electric grid are unjust and unreasonable.

Paul N. Cicio, President of IECA, made the following statement:

If left in place, FERC’s newly planned regulatory regime will render several manufacturing operations to be uneconomic and will destroy any incentive to maintain or build new BTMG. FERC’s order did not account for and is completely contrary to the Public Utility Regulatory Policies Act, 16 U.S.C. 824a-3, which incentivizes manufacturers to deploy cogeneration and small power production facilities. These changes will result in the elimination of hundreds of megawatts of existing generation and stall new BTMG projects, further straining the grid at a time when we need more generation in PJM.

The Industrial Energy Consumers of America is a nonpartisan association of leading manufacturing companies with \$1.3 trillion in annual sales, over 12,000 facilities nationwide, and with more than 1.9 million employees. One hundred percent of IECA members are manufacturing companies whose competitiveness is largely determined by the cost and reliability of natural gas and electricity. IECA’s sole mission is to reduce and avoid energy costs and increase energy reliability through advocacy in

¹ These orders are (1) *PJM Interconnection, L.L.C.*, Order on Show Cause Proceeding, Directing Compliance Filings, Establishing Paper Hearing, and Granting in Part and Denying in Part Complaint, Docket Nos. EL25-49-000, -001, AD24-11-000, EL25-20-000, 193 FERC ¶ 61,217 (Dec. 18, 2025) (“December 18 Order”); and *PJM Interconnection, L.L.C.*, Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration, Docket Nos. EL25-49-002, AD24-11-001, EL25-20-001, 194 FERC ¶ 62,089 (Feb. 20, 2026) (“Denial Notice”).

Congress and regulatory agencies, such as the Federal Energy Regulatory Commission (FERC). IECA membership represents a diverse set of industries including chemicals, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, pharmaceutical, consumer goods, building products, automotive, independent oil refining, and cement.