

LEGAL UPDATES

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## MISO to Adjust Settlement Statements for the 2025/26 Planning Resource Auction

MISO announced at its August 20 Resource Adequacy Subcommittee stakeholder meeting that it had found a software coding error affecting calculations for capacity resource payments dating back to 2017 for the 2018-2019 planning year. MISO determined that the error constitutes a “continuing error” under the MISO tariff, which according to MISO allows for adjustments to be made to impacted entities up to one year going backward from the date of notification.

Specifically, the error is contained in the software used to calculate Loss of Load Expectation (LOLE). Instead of using the required daily peak hour, which the MISO tariff requires, the software used an all-hours approach. MISO anticipates the total financial impact based on net positions to be \$280 million. MISO plans to adjust settlement statements for the 2025/26 Planning Resource Auction (PRA). These settlement adjustments could affect any generator with accredited capacity in the 2025/26 PRA.

Generator companies are beginning to receive notices from MISO about the financial impacts to their portfolios, and MISO plans to issue all adjustment statements or invoices by September 25.

### Contact us

Husch Blackwell is continuing to examine these dynamics and is assessing potential impacts to its clients and potential objections to the revised capacity payments. Please reach out to Michael Blackwell, Linda Walsh, or your Husch Blackwell attorney if you have any questions.