



INTRODUCTION

The following question(s) were submitted by interested parties through email (delivered to MDPSC-NGEA-Storage@poweradvisoryllc.com). Some questions have been slightly modified for clarity. Please refer to the [FAQs webpage](#) of the NGEA RFA website for previously posted Q&A documents.

Q&A

- Q1. If the procurement is not rooted in a contract between the developer and the EDC and is instead approved via an order from the PSC – can that order be revoked at any time? What prevents the order from being revoked in the future?**

Rescission is typically triggered by either fraud, misrepresentation, breach of conditions, impossibility of performance, duress, or mutual agreement. A Commission Order may include these general triggers, and potentially other requirements specific to a project, as conditions attendant to a project award. The Commission Order process in the Maryland Offshore-Wind cases is illustrative. When the Public Service Commission (PSC) issued an order awarding Offshore Wind Renewable Energy Credits (ORECs), it often contained specific conditions. Developers were required to formally notify the Commission within a specified timeframe whether they accepted these conditions. If a developer could not move forward under the awarded terms, including terms associated with revocation, they could formally withdraw or propose changes.

In general, the Commission has broad authority to rescind or modify a prior Commission order. Before deciding whether to rescind or modify a project award, the Commission typically affords “due process” – that is, an opportunity for awardees and other interested parties to be heard by way of written comments and/or a public proceeding.

- Q2. Who is the counterparty or entity that is behind the escrow account that we would be underwriting?**

An Escrow Administrator will be jointly selected by the Maryland Electric Companies in consultation with the Commission to manage the payments: (1) received from electricity suppliers for energy storage capacity credits and from successful Applicants for PJM capacity market revenue; and (2) to successful Applicants for energy storage capacity credits and to each distribution customer for PJM capacity market revenue realized by the successful Applicant. The Commission will seek to ensure that the Escrow Administrator has sufficient financial resources to properly administer its responsibilities and minimize the risks associated with a default. The Commission is seeking comments and recommendations from interested stakeholders on the implementation of the obligations and the commercial relationship between



successful Applicants, the Commission, the Escrow Account Administrator, and Electricity Suppliers by Friday, January 30, 2026 in Administrative Docket PC 75.

- Q3. Is the 800 MW target for this procurement a cap or would the Commission be willing to consider procuring a combination of projects that exceed that amount?**

The legislative intent of the Next Generation Energy Act is, among other things, to quickly deploy more cost-effective energy storage in Maryland. While we will not address hypothetical questions at this time, all future Commission decisions will be consistent with the legislative intent of the Next Generation Energy Act.

- Q4. If the procurement is capped at 800 MW, is the Commission willing to consider flexible step-down offers at a constant price?**

All future Commission decisions regarding hypothetical situations will be consistent with the legislative intent. At this time the Commission is neither endorsing or denying any methodologies that may be utilized to achieve the legislative intent.

- Q5. The RFA mentions "Within 5 business days from Application approval for an ESCC award, the Applicant must provide a surety bond of \$25,000 per MW of nameplate capacity to the Commission." Is this surety bond mentioned due within 5 days of project selection on October 1, 2026 or is "Application approval for an ESCC award" referring to a different date?**

The surety bond will be due within 5 days of the developers formal notification to the Commission that they have accepted an ESCC award and its associated conditions, which is anticipated to occur in the days or weeks following the final Commission Order that is due on or by October 1, 2026.

- Q6. How can I obtain a copy of the RM85 regulations and when will they be in effect?**

The RM85 regulations approved by the Commission on January 21, 2026, were published in the December 1, 2025 edition of the Maryland Register and are available at this [link](#). The approved RM85 regulations are not scheduled to be published as a Final Action in the Maryland Register until March 20, 2026, and therefore are anticipated to become effective 10 days later on March 30, 2026.

- Q7. Under the adopted RM85 regulations, COMAR 20.50.14.08B(1) states that "An Applicant [...] with a proposed energy storage device greater than 20 megawatt-hours storage capacity total sited per parcel, regardless of energy storage device technology, a minimum of 90 days prior to submitting an application for enrolling in an Initiative or prior to filing for a zoning variance or permits, whichever is earlier, shall take the following steps" Do these stakeholder engagement requirements apply to applications for the Maryland PSC Energy Storage Request for Applications Solicitation pursuant to the NGEA?**

**RFA: Transmission Connected Energy Storage - Round 1
(Q&A #6, Issued January 30, 2026)**



The RM85 regulations are anticipated to become effective on March 30, 2026, which is after the Maryland PSC Energy Storage Request for Applications Solicitation due March 2, 2026. Therefore, the stakeholder engagement requirements in COMAR 20.50.14.08B are not required to be performed before an application is submitted.

However, consistent with the intent of RM85 to engage stakeholders on an energy storage Application, the Commission's RFA states in Section 2.2.10 Stakeholder Engagement: "Applicants must provide a future plan for stakeholder engagement and participation requirements that complies with the Maryland Energy Storage Program requirements in the RM85 regulations." This plan must be submitted using Attachment I. Stakeholder Engagement & Economic Benefits. Therefore, although Applicants are not required to engage stakeholders before an Application is submitted, Applicants should describe their future plans and timelines to engage the stakeholders identified in COMAR 20.50.14.08B.

Q8. Can you confirm that projects interconnecting at 69 kV are ineligible to participate in the RFA?

Yes, projects interconnecting to 69 kV facilities are ineligible to participate in the Round 1 RFA if they are not considered as part of the Bulk Electric System as defined by NERC: "all Transmission Elements operated at 100 kV or higher" or one of the five inclusions.

Q9. When does the Q&A period close?

Q&A will be accepted up to a week before the RFA due date. The Q&A period will close February 23, 2026 at 11:59pm ET.