

**Reply Comments of Advanced Energy United Concerning the Indiana Utility
Regulatory Commission’s Implementation of FERC Order No. 2222 and a DER
Aggregator Registration Process**

Introduction:

Advanced Energy United (“United”)¹ respectfully submits these reply comments in response to the Indiana Utility Regulatory Commission’s (“Commission”) implementation of Federal Energy Regulatory Commission (“FERC”) Order No. 2222 concerning Distributed Energy Resource (“DER”) aggregations. These comments specifically focus on the contemplation of a state-specific and/or utility-specific DER aggregator registration process and respond to prior stakeholder comments on the related matter.

For background, on May 29, 2025, the Commission held an in-person public stakeholder meeting to discuss next steps for implementing FERC Order No. 2222 and seek input regarding rules that may be needed for a registration and study process of DER aggregations participating in wholesale markets via distribution systems in Indiana.² Numerous stakeholders including utility participants, DER developers and aggregators, and advocacy organizations attended and engaged in productive conversations around best practices to implement FERC Order No. 2222 in Indiana. Questions presented in the meeting agenda guided the discussion of various topics on which the Commission sought feedback.³ Following the public stakeholder meeting, the Commission issued a request for written feedback and recommendations on the agenda topics and matters discussed at the meeting. United, along with various other stakeholders, provided comments and recommendations in response to the Commission’s request on July 21, 2025, and these comments are discussed in greater detail below.

¹ Advanced Energy United is a national business association representing leading companies in the advanced energy industry. United supports a broad portfolio of technologies, products, and services that enhance U.S. competitiveness and economic growth through an efficient, high-performing energy system that is clean, secure, and affordable.

² See the Indiana Utility Regulatory Commission’s Webpage “Implementation re: FERC Order 2222” available here: <https://www.in.gov/iurc/home/implementation-re-ferc-order-2222/>

³ See the Indiana Utility Regulatory Commission’s FERC Order 2222 Stakeholder Meeting Agenda here: https://www.in.gov/iurc/files/2025-05-29-Agenda_IURC-2222-stakeholder-mtg.pdf

Following the submission of stakeholders' comments on July 21, 2025, the Commission notified stakeholders on September 8, 2025 of an opportunity to provide reply comments in response to parties' initial comments. Specifically, the Commission requests comments on a potential DER aggregator registration process at the Commission and/or the relevant utility, and references the July 21, 2025 comments submitted by I&M Power and the Public Interest Organizations.

Stakeholders' July 21, 2025 Comments:

Various stakeholders provided comments on July 21, 2025 that discussed, to some extent, the consideration of a DER aggregator registration process. To the extent other stakeholder comments address aggregator registration, the comments are summarized below.⁴

I&M Power:

I&M Power makes the following four overarching recommendations to the Commission revolving around a DER aggregator registration process:

1. The Commission should create a certification process for all DER aggregators that do business within Indiana. This suggested certification process would require DER aggregators to submit a registration to do business in Indiana that includes basic information such as: a description of services provided to end use customers, location of services provided, demonstration that Regional Transmission Operator ("RTO") or Independent System Operator ("ISO") DER aggregation requirements have been met, contact information, etc. Regarding this certification process, I&M Power further recommends that the Commission should:
 - Establish a dispute resolution process for disagreements between DER aggregators and their customers,
 - Allow utilities the right to reject specific DER facilities from being part of the DER aggregation with specific reasoning as to why the utility rejected the DER facility,

⁴ Stakeholder comments submitted on July 21, 2025 can be found at the Indiana Utility Regulatory Commission's webpage on FERC Order No. 2222 implementation available here: <https://www.in.gov/iurc/home/implementation-re-ferc-order-2222/>



- Craft rules that provide the Commission with the authority to de-certify DER aggregators,
 - Consider whether DER aggregators should be required to pay a registration/license fee to the Commission,
 - Consider whether or not to regulate the prices that DERs are paid or the minimum contract terms for DERs.
2. The Commission should establish rules that allow a utility the ability to:
- a. Review each proposed DER facility in a planned DER aggregation to ensure that a facility is approved and under an active interconnection agreement,
 - b. Review proposed DER aggregations from a distribution engineering perspective, and
 - c. Review DER aggregations to ensure that an individual DER is not double-counted or included in another DER aggregation.

To effectuate these rules I&M Power also recommends that the Commission require DER aggregations to submit an application to a utility and this application should include the following information:

- a. The utility for each DER participating in the aggregation,
- b. The account numbers for each DER,
- c. A description of the DER facility,
- d. Confirmation of injection capability,
- e. Expected operating profile of the aggregation and each DER,
- f. Indication of proper working condition of each DER, and
- g. Any communication standards that are required to be met

In addition to the suggested rules and recommendations, I&M Power also recommends the following rules be implemented by the Commission:

- Allowance for a utility to charge the DER aggregator for system studies
- Requirement for a unique identifier to be created for each DER aggregator by utility
- A limit to the frequency that a DER can change aggregation registration
- Allowance for a utility to report DER aggregator violations to the Commission



- Allowance for the utility to send a notification to a DER about a pending DER registration and change the individual DER current utility enrollments prior to registering with an aggregation
 - Allowance for utilities to remove customers from aggregations by customer consent
 - Allowance for utilities to respond to real-time operational conditions arising from a DER participating in an aggregation (i.e. adjustments to inverter or control settings, overriding and disconnecting the component DER)
 - Allowance of time to conduct a technical analysis prior to approving the DER aggregation
 - Requirement for minimum cybersecurity compliance measures by DER aggregations
 - Requirement for DER aggregations to sign a distribution interconnection agreement for wholesale market access across the distribution system
 - Requirement for DER aggregators to respond immediately to utility override orders for individual DERs or DER aggregators
 - Requirement for DER aggregators to provide to the applicable utility day-ahead schedules for the DER aggregation resources per the cleared bid
 - Requirement for DER aggregators to submit any individual DER outages
 - Requirement for DER aggregators to establish data exchanges with the applicable utility
 - Requirement for individual DERs to meet the latest utility interconnection requirements
3. The Commission should allow the utilities to establish individual utility DER databases. I&M Power states that utilities will need to create systems to keep track of DERs and DER aggregations with a utility's billing system, and a database will ensure DER information is protected. I&M Power contends that most of the cost of the database should be borne by DER aggregators and the utilities should be allowed time to have systems in-place before accommodating DER aggregations.
4. The Commission should allow the utilities to develop a DER aggregation tariff. I&M Power states that it is unknown what provisions will be needed in a DER



aggregation tariff, and that many questions still need to be answered to develop a tariff such as: how will DERs be paid by DER aggregators, what penalties could be incurred by DER aggregators, etc. I&M asserts that Demand Response aggregation tariffs should be maintained, however, existing Demand Response, Net Metering, and Excess Distributed Generation riders will need to be changed to state that a customer cannot be enrolled in a DER aggregation.

Northern Indiana Public Service Company (“NIPSCO”):

NIPSCO contends that the Commission should have a role in requiring a DER aggregator to go through a preliminary registration process at least 30 days prior to the DER aggregator’s formal submission to Midcontinent Independent System Operator (“MISO”). NIPSCO states that a registration process will improve grid reliability/safety, prevent double-counting of DERs, streamline the utility review process, allow for aggregation-level visibility, and provide regulatory oversight and dispute resolution. In its comments, NIPSCO provides an “Interconnection Reform Proposal” that could be used by the Commission to create new rules on the DER aggregation registration process. The Interconnection Reform Proposal submitted by NIPSCO consists of the following recommendations:

1. A preliminary aggregation review process that requires DER aggregations to submit a preliminary aggregation registration to the Commission and utility at least 30 days prior to formal submission to MISO.
2. A standardized DER data package that mandates a uniform data submission format for each DER in an aggregation including: interconnection ID and location, intended market participation, reactive power capabilities, metering and telemetry specifications, etc.
3. A tiered review timeline based on aggregation complexity where aggregations on a single feeder are subject to a 60-day review, aggregations across multiple feeders are subject to a 90-day review, and aggregations across multiple substations are subject to a 120-day review.
4. An operational intent declaration at the time of interconnection which requires a DER to declare whether they intend to participate in retail-only or wholesale markets at the time of interconnection.



5. Aggregation-level impact modeling which would allow the Commission to develop and adopt modeling tools that simulate the collective behavior of DERs in an aggregation especially with respect to voltage and stability impacts.
6. A DER switching and revalidation protocol for DERs that switch aggregations which would include: a notification to utilities and the Commission, a review limited to changed DERs, and an optional fast-track for DERs with no change in operational profile.

Related to the above-mentioned recommendations, NIPSCO also provided a 3-phase implementation pathway for the Commission to consider for applying these recommendations which would include:

1. Stakeholder workshops to finalize data standards and review tiers
2. Piloting pre-registration and modeling tools in select utility territories
3. A formal rulemaking and integration into Indiana's interconnection procedures.

In addition to the aforementioned recommendations, NIPSCO also recommends that the Commission create rules that require each DER enrolled in a DER aggregation to remain on a single aggregation for a minimum of 12 consecutive months before switching aggregators or exiting the wholesale market. NIPSCO further recommended that the Commission adopt a set of operational coordination requirements and procedures between utilities, DER aggregators, RTOs, and the Commission which includes dispatch communications, and forecasting transparency.

Indiana Electric Cooperative ("IEC"):

The IEC represents Indiana's electric cooperatives collectively serving 1.3 million customers across 89 of Indiana's 92 counties, and provides comments and recommendations to the Commission on the matter of a DER aggregation registration process, despite qualifying as "small utilities" and not being required to participate in DER aggregation as its envisioned by FERC Order No. 2222. The IEC's cooperatives can, however, opt-in to participate in DER aggregation as envisioned by FERC Order No. 2222, and because of this, urge the Commission to ensure that the scope of its rules are designed to not unduly impact electric cooperatives that have the authority to create their own processes and regulations for DER aggregation. The IEC urges the Commission to adopt a flexible regulatory framework for DER aggregation that stops short of a "one-size-fits-all" approach and provides the following recommendations:



1. The Commission should prohibit DERs from dual participation in both retail and wholesale program offerings.
2. The Commission should establish clear and explicit requirements for a registration process for third-party DER aggregators with the Commission and the utilities prior to the RTO/ISO registration process
3. The Commission should set a baseline of standards and expectations for the operation-related information that must be shared between a utility, DER aggregator, and RTO/ISO
4. The Commission should adopt a set of customer-oriented requirements that allow customers to make fully informed decisions about participating in DER aggregation.

Rural Electric Membership Cooperatives (“REMC”):

REMC is a collection of non-profit, member-owned electric distribution utilities within Indiana that participate in both the PJM Interconnection (“PJM”) and MISO. REMC recommends that the Commission should establish a state-level DER aggregation registration process that aligns data requirements with PJM/MISO data standards and provides utilities with an additional 30 days (and an additional 60 days in the case of a DER aggregation participating in the ancillary market) beyond the PJM/MISO timeline to conduct reliability reviews. REMC further notes that it is strongly opposed to any requirement that allows utilities to proactively register individual DERs on their systems, and states that the responsibility to register DERs rests solely on the DER aggregator.

Public Interest Organizations (“PIO”):

The Public Interest Organizations (“PIO”) consists of the Citizens Action Coalition of Indiana, Solar United Neighbors, Environmental Law and Policy Center, and Vote Solar, and it provides extensive comments on the Commission’s consideration of a DER aggregation registration process. Specifically, PIO opposes any unnecessarily burdensome registration requirements and is concerned that the stakeholder discussions inappropriately conflate two different processes: 1) how individual DERs interconnect, and 2) how to register a DER aggregation. PIO notes that in Order No. 2222, FERC reminded participants that DER interconnection and DER aggregation



registration are separate and distinct processes, and FERC asserted that States and utilities are responsible for the interconnection process and RTOs are responsible for the DER aggregation process. PIO states that FERC explicitly cautioned that the interconnection review process should not be used to create unnecessary barriers to DER aggregations and that abuses could lead to FERC asserting jurisdiction over the interconnection process. Noting that reliability is of paramount importance, PIO nonetheless questions why utilities maintain that extensive reliability studies are needed for DER aggregations on the grounds that individual DERs have already passed reliability studies within the initial interconnection process and there is little evidence that DER aggregations could harm grid reliability in a manner distinct from an individual DER impact (and why utilities cannot contemplate aggregation impacts when an individual DER is interconnected). PIO states that if utilities wish to perform studies on DER aggregations, these studies should be conducted within the RTO 60-day study timeframe. Ultimately, PIO recommends that the Commission not promulgate rules to address every detail on how DER aggregations will be registered, as MISO and PJM are already implementing these procedures under FERC Order No. 2222 implementation, and the Commission's potential rules should remove (rather than create) barriers for DER participation in Indiana.

Considerations and Recommendations:

United strongly recommends that the Commission utilize caution while considering whether a DER aggregation registration process is necessary in Indiana, and United is generally opposed to the establishment of a DER aggregation registration process (such as what is recommended by I&M Power, NIPSCO, and REMC) that is onerous or conflicts with or exceeds the processes that MISO and PJM are currently implementing to comply with FERC Order No. 2222. As stated in its prior comments submitted to the Commission, United fears that an Indiana-specific registration or study process to assess the distribution grid impacts of a DER aggregator may add little value beyond that which is provided through the 60-day RTO study process and unnecessarily impede DER aggregation and the benefits thereof. United notes that FERC Order No. 2222-A directed that all aspects of the distribution utility's review of the impacts of a DER aggregator on the distribution system are to be conducted within a 60-day time period. FERC Order No. 2222-A states:



“We [FERC] grant Public Interest Organizations’ request to limit the length of distribution utility review to no more than 60 days. As the Commission stated in Order No. 2222, a lengthy review time or the lack of a deadline could erect a barrier to distributed energy resource participation in the RTO/ISO markets and may unduly delay participation. We [FERC] expect that 60 days should be the maximum time needed for most distribution utility reviews.”⁵

This DER aggregator review by utilities is further reflected in the MISO and PJM revised tariff language approved by FERC.⁶ In fact, FERC established that any additional review beyond the 60-day timeframe should be decided in exceptional circumstances by the RTO/ISO by stating:

“If an RTO/ISO believes unusual circumstances could give rise to the need for additional distribution utility review time, it may propose provisions for certain exceptional circumstances that may justify additional review time.”⁷

United generally disagrees with adopting a DER aggregator registration process that exists outside of the 60-day review period envisioned by FERC. The above statement by FERC discredits the claims by I&M Power, NIPSCO, and REMC that a 15- to 60-day extension beyond the envisioned 60-day review period is warranted. It is also important to note that at the May 29, 2025 meeting when discussing this topic, Commission Staff responded with hesitancy to such utility proposals on the grounds that FERC Order No. 2222 directed states to implement the order, and a lengthy state registration process may conflict with FERC Order No. 2222.⁸

Concerning I&M Power’s recommendations, United stands strongly opposed to any such onerous and burdensome DER aggregation registration process. Specifically, United opposes I&M Power’s recommendation that the Commission allow utilities the ability to reject specific DERs from being part of a DER aggregation. United believes that utilities should not have the plenary authority to reject a DER from participating in a DER aggregation, as this should be the decision of the DER owner and the DER

⁵ FERC E-1-RM18-9-002 aka “Order No. 2222-A) on March 18, 2021 at paragraph 72 available here: <https://www.ferc.gov/media/e-1-rm18-9-002>

⁶ MISO’s Overview of Changes for FERC Order 2222 on April 18, 2024 at P. 17 available here: [https://cdn.misoenergy.org/20240418%20MSC%20Item%2010%20Distributed%20Energy%20Resources%20-%20FERC%20Order%202222%20Compliance%20\(MSC-2019-2\)632558.pdf](https://cdn.misoenergy.org/20240418%20MSC%20Item%2010%20Distributed%20Energy%20Resources%20-%20FERC%20Order%202222%20Compliance%20(MSC-2019-2)632558.pdf)

⁷ FERC E-1-RM18-9-002 aka “Order No. 2222-A) on March 18, 2021 at paragraph 72 available here: <https://www.ferc.gov/media/e-1-rm18-9-002>

⁸ *Ibid.*



aggregator. A utility having such authority not only interferes with an aggregator's business relationship with the DER owner but could severely hinder a DER owner's interest in participating in an aggregation if they know the entire enrollment process could be for naught.

United also strongly opposes I&M Power's recommendation that the Commission allow the utilities to establish individual utility DER databases and assess aggregators most of the cost to do so. Such individual utility databases are not necessary because aggregators compile their own lists of customers and DER data. Compelling aggregators to pay for an unnecessary database not only creates an unnecessary barrier to entry but also raises numerous questions as to how aggregators would even be assessed such costs, in what proportion, and whether later market entrants would have to reimburse earlier market entrants once a database is established.

Furthermore, United disagrees with I&M Power's recommendation that existing Demand Response, Net Metering, and Excess Distributed Generation riders will need to be changed to state that a customer cannot be enrolled in a DER aggregation. I&M Power appears to presume that dual participation among the riders is unwarranted, but fails to demonstrate why. To the extent that measurement and verification are concerns, aggregators typically have the ability to measure and verify a DER's response when an event is called. Thus, dual participation under such riders should not be presumed inconsistent.

Additionally, United believes that various recommendations made by I&M Power are redundant to existing authority and processes as well as inappropriately interfere with an aggregator's relationship with its customers. A specific example is I&M Power's recommendation that the Commission allow utilities the ability to respond to real-time operational conditions and override and disconnect a component DER. While this ability may be well-intentioned with providing grid reliability, it is presumably redundant to authority a utility already has to protect human and operational safety pertaining to any interconnected device. Moreover, I&M Power appears to be suggesting that the consideration a utility gives to interconnecting a DER is insufficient if it may need to disconnect a DER on a moment's notice. Nor is it clear why the utility could not direct the relevant aggregator to cease calling on the DER in question if there is a problem with a particular DER. In any event, because the aggregator has the direct relationship with the DER owner to manage the DER on behalf of the owner, it would seem more efficient for the utility to signal the aggregator to take the necessary action,



rather than the utility unnecessarily interfere in the aggregator's relationship with the DER owner.

Many of NIPSCO's recommendations fare no better than those of I&M Power. United believes that many of the recommendations made by NIPSCO may be detrimental to the ability of a DER aggregation to operate. United disagrees with NIPSCO's general recommendations on a DER aggregation review process as well as its specific recommendations on a tiered review timeline and a DER switching and revalidation protocol. More specifically, United is adamantly opposed to NIPSCO's suggestion for a fast-track option for DERs with no change in operational profile, as this would inequitably prioritize one type of DER over another without any logical justification as to why these different types of DERs should be treated differently. United, however, does believe that there may be some merit in NIPSCO's recommendations on a standardized DER data package and operational coordination requirements between parties. Although United notes that this should be developed through collaboration among the utility, the Commission, the RTO, and the DER aggregator. It is United's understanding that the general DER aggregation data that NIPSCO is suggesting be included in the data package will already be collected through the RTO review process. Therefore, United suggests that it would be optimal for the utilities and the Commission to coordinate and work with the RTO to receive a "standard data package" during the RTO 60-day review process. Similarly, any operational coordination requirements should be communicated and worked out between utilities, the Commission, and the RTO. United also believes that if the Commission does wish to proceed with a DER aggregation registration process then a general three-phase implementation approach, not dissimilar to what is recommended by NIPSCO, would be reasonable. However, United further notes that it disagrees, in principle, with a state or utility DER aggregation registration process beyond or inconsistent with that required by the RTO.

United generally disagrees with IEC's various recommendations regarding a DER aggregation registration process. United, however, does see value in IEC's recommendation for the Commission to adopt a set of customer-oriented requirements that allow customers to make fully informed decisions about participating in DER aggregation. Rules focused on customer protections regarding a customer's participation in a DER aggregation seems reasonable, so long as the rules are not overly burdensome to the participation of a DER in an aggregation. A



Commission approved standard disclosure form to be used statewide should be considered.

United is generally in agreement with PIO's concern that a potential DER aggregation registration process may be unnecessarily burdensome to any DER seeking to participate in an aggregation. United agrees with PIO that FERC asserted that States and utilities are responsible for the interconnection process and RTOs are responsible for the DER aggregation process, and if utilities wish to perform studies on DER aggregations, these studies should be conducted within the RTO 60-day study timeframe. In affirmation and to reiterate PIO's position, the Commission does not need to promulgate rules to address every detail on how DER aggregations will be registered, as MISO and PJM are already implementing these procedures under FERC Order No. 2222 implementation, and the Commission's potential rules should remove (rather than create) barriers for DER participation in Indiana.

As stated above, United is opposed to the adoption of a DER aggregation registration process that is onerous or conflicts with the processes that MISO and PJM have established to comply with FERC Order No. 2222. If the Commission does ultimately wish to pursue a DER aggregation registration process, United recommends that the utilities and the Commission work with PJM and MISO regarding the information/data that will be needed to conduct a distribution grid impact study, so that a study can be completed within the 60-day timeframe established by FERC. United believes that anything outside of the 60-day timeframe is unduly burdensome to DER aggregations and conflicts with the directives within FERC Order No. 2222. In fact, it should be reasonably easy to coordinate with both PJM and MISO without being unduly burdensome, considering both of the RTO have established processes and tariff pages for the DER registration process.^{9 10} As an example, Michigan has led discussions on DER enrollment with the Organization of MISO States ("OMS") and MISO regarding how to share data/information collaboratively between entities and the possibility of a MISO DER aggregation registry.¹¹ United broadly urges flexibility regarding all DER

⁹ MISO's Overview of Changes for FERC Order 2222 on April 18, 2024 available here:

[https://cdn.misoenergy.org/20240418%20MSC%20Item%2010%20Distributed%20Energy%20Resources%20-%20FERC%20Order%202222%20Compliance%20\(MSC-2019-2\)632558.pdf](https://cdn.misoenergy.org/20240418%20MSC%20Item%2010%20Distributed%20Energy%20Resources%20-%20FERC%20Order%202222%20Compliance%20(MSC-2019-2)632558.pdf)

¹⁰ PJM's Overview of the DER Aggregation Participation Model for FERC Order 2222 on July 7, 2025

available here: <https://www.pjm.com/-/media/DotCom/committees-groups/subcommittees/disrs/postings/ferc-order-no-2222-overview.pdf>

¹¹ See OMS's Presentation on 'Order 2222 Near-Term Priorities: Registration and Enrollment' within the MISO DER Task Force on July 24, 2025 available here:



aggregation study processes, on the grounds that as DERs and DER aggregators grow in scale in the future, lessons will be learned on the extent to which they impact the greater electrical grid.

Moving forward, United further recommends that the Commission consider engaging a consultant to conduct an independent assessment of other state best practices with regards to implementing FERC Order No. 2222. An independent assessment may provide more information as to what the Commission should consider to ensure a smooth implementation of FERC Order No. 2222 and the success of DER aggregations within Indiana.

Either in conjunction with an independent consultant or separately, United also urges the Commission to consider hosting a meeting to discuss in depth with aggregators the recommendations concerning registration. It is clear from the utilities' recommendations that they are not familiar with DER aggregation, so such a meeting could be useful to inform the utilities as well as the Commission. Furthermore, there are existing independent projects focused on a successful implementation of FERC Order No. 2222, and as noted above there have already been discussions surrounding the idea of an independent DER aggregation registry within OMS.¹² As noted above, many of the utilities' recommendations are overly burdensome and will deter aggregators from entering Indiana. For instance, some aggregators focus on aggregating smart thermostats, smart water heaters, and other building management systems—DERs for which many of the utilities' recommendations are simply not appropriate. DER aggregations have been successfully providing retail and wholesale services throughout the United States, affordably contributing significant resources at times of grid constraint. There is no reason for Indiana to reinvent the wheel through this process when successful aggregators are available to share their knowledge and expertise.¹³

https://cdn.misoenergy.org/20250724%20DERTF%20Item%2005%20Enrollment%20and%20Registration%20State%20Perspective_OMS709639.pdf

¹² See the FERC Order 2222 Policy Tracking Project with support from the DOE Office of Electricity available here: <https://ferc2222.org/>

¹³ To ensure aggregator availability for any such meeting, United recommends conferring with aggregators before scheduling a meeting.



Conclusion:

United appreciates the proactive effort that the Commission and other stakeholders have put towards ensuring that implementing FERC Order No. 2222 in Indiana is a smooth process. United encourages the Commission to strive for an outcome that not only protects Indiana ratepayers but also attracts DER businesses and the grid benefits that they bring.

Respectfully,



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