

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4481

By Delegates Akers, Riley, and Fehrenbacher

[Introduced January 16, 2026; referred to the
Committee on Energy and Public Works]

A BILL to amend the Code of West Virginia, 1931, as amended by adding a new article, designated §24-2J-1, §24-2J-2, §24-2J-3, §24-2J-4, §24-2J-5, and §24-2J-6, all relating to the creation of the Electric Load Forecast Accountability Act; providing for a short title; setting forth definitions; providing oversight for load forecasting; setting forth access to confidential documents; providing for annual reporting; and creating a sunset date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2J. ELECTRIC LOAD FORECAST ACCOUNTABILITY ACT.

§24-2J-1. Short Title

This act shall be known and cited as the "Electric Load Forecast Accountability Act."

§24-2J-2. Legislative Findings and Purpose.

(a) The Legislature finds and declares as follows:

(1) Recent reports by PJM Interconnection, L.L.C. (PJM), have highlighted that electricity demand across the PJM footprint, including West Virginia, is projected to grow due to data centers, electrification of vehicles and buildings, and other large load additions;

(2) PJM recently projected that by 2030, PJM expects to add 32 GW of load to the grid – 30 GW of which is attributable to data centers;

(3) PJM relies upon load forecasts submitted by electric companies in West Virginia to establish system planning needs and capacity requirements which have associated costs;

(4) Accurate load forecasting is essential to ensure the adequacy of electric supply, maintain system reliability, and protect West Virginia consumers from unnecessary costs caused by overbuilding or underbuilding system resources, consistent with the purposes outlined in §24-1-1 of this code;

(5) The current opaque process by which utilities and load-serving entities submit information to PJM, requires confidence and transparency so that policymakers, regulators, and stakeholders can rely upon the results; and

(6) There is a critical need for the Public Service Commission of West Virginia to provide

oversight of load forecasting inputs from West Virginia utilities, to ensure accuracy and transparency, and to coordinate with PJM and neighboring state regulators to prevent duplicative counting of projects and customer contracts.

(b) The purpose of this article is to provide the commission with authority and responsibility, in accordance with its existing powers under §24-1-1 *et seq.* of this code, to:

(1) Review and validate load forecasts submitted by West Virginia utilities to PJM;

(2) Coordinate with PJM and other states to ensure accurate system-wide planning; and

(3) Access all relevant materials, including confidential agreements, necessary to carry out this oversight.

§24-2J-3. Oversight of Load Forecasting.

(a) The Public Service Commission of West Virginia shall initiate proceedings, pursuant to its authority under this code, to investigate the methodologies, data, and assumptions used by West Virginia electric utility companies and other load-serving entities in developing load forecasts submitted to PJM. The commission shall complete the investigation within 12 months of initiation of the investigation.

(b) As part of the investigation, the commission shall:

(1) Review all materials, data sets, and filings provided by West Virginia utilities to PJM related to load forecasting, as authorized by §24-1-1 *et seq.* of this code;

(2) Evaluate the accuracy, consistency, and transparency of forecasting methods and assumptions;

(3) Review and audit specific load interconnection requests to ensure that only those projects that have a high likelihood of being developed are included in the load forecast, consistent with the commission's jurisdiction under this code. As part of this evaluation, the commission shall consider financial commitments provided by the interconnecting customer to the development of its project, based on milestones such as executed agreements or deposits;

(4) Coordinate directly with PJM to ensure that West Virginia's utility forecasts are

incorporated into PJM's regional planning on a fair, accurate, and non-duplicative basis; and

(5) Work jointly with PJM and other state utility commissions or entities within the PJM footprint to ensure that new large loads and customer contracts are not double-counted across jurisdictions and to evaluate whether other state load forecasting policies can improve West Virginia's efforts.

§24-2J-4. Access to Confidential Contracts.

(a) In carrying out its responsibilities under this article, the commission shall have authority to review and access any contracts, agreements, or commitments between interconnecting customers and West Virginia utilities that impact load forecasting assumptions. The commission may require submission of redacted versions for public review where feasible.

(b) Electric utilities shall provide such contracts, agreements, or commitments contemplated in subsection (a) of this section to the commission upon request, subject to appropriate confidentiality protections consistent with West Virginia law, including the West Virginia Freedom of Information Act, §29B-1-1 *et seq.* of this code.

§24-2J-5. Annual Reporting.

(a) The Public Service Commission of West Virginia shall submit a written report to the Legislature no later than December 31 of each year on its progress implementing this article, in addition to its annual reporting obligations under §24-1-1(d) of this code. This report shall be posted on the commission's website.

(b) The report shall describe:

(1) The commission's efforts to implement this article during the prior year;

(2) Findings from its review of load forecasting processes and materials submitted by West Virginia utilities to PJM, including any identified inaccuracies or recommendations for utility improvements;

(3) Any coordination undertaken with PJM and other states to prevent duplicative counting of projects and customer contracts; and

12 (4) Recommendations for legislative or regulatory changes to further improve load
13 forecasting oversight and reliability. The report shall include summaries of public comments
14 received during investigations.

§24-2J-6. **Sunset** **Date.**

1 This Act shall sunset on December 31, 2035, unless otherwise reenacted by the
2 Legislature.

NOTE: The purpose of this bill is to enhance transparency and accuracy in electric load forecasting by providing the Public Service Commission with specific oversight responsibilities regarding submissions to PJM.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.