

# Storage Order Fuels Legal Battle Over FERC Authority

A looming legal brawl over a new Federal Energy Regulatory Commission order will trigger a fresh round of judicial scrutiny focused on the line between state and federal authority in wholesale power markets, **reports** E&E News.

“Power producers and state regulators last month sued in the U.S. Court of Appeals for the District of Columbia Circuit over Order No. 841, a FERC directive that opens the door for batteries and other energy storage technologies to participate in wholesale electricity markets – even if they are behind a retail meter,” according to E&E News’ **Pamela King**.

She quoted Ari Peskoe, director of Harvard Law School’s Electricity Law Initiative: “This is a big deal because potentially we’ll see whether FERC has the authority to invite distribution-level resources into the market.”

**Read the article.**