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*Hughes v. PPL Energyplus*, No. 14-614

*CPV Maryland v. PPL Energyplus*, No. 14-623

The Federal Power Act splits authority among states, utilities, and the Federal Energy Regulatory Commission

(FERC). States regulate generation facilities and retail rates, while FERC has exclusive jurisdiction over regulation

of wholesale rates. Maryland entered into an agreement with CPV Maryland LLC to construct a power plant in

Maryland that would sell energy in federal interstate wholesale markets, in exchange for certain subsidies based on

the clearing price for energy sold on the wholesale market. The Supreme Court consolidated two cases and

granted certiorari to determine whether Maryland's agreement is preempted by the Federal Power Act under

theories of field or conflict preemption.