

159 FERC ¶ 62,331
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

PJM Interconnection, L.L.C.
Docket Nos. ER17-718-000 and
ER17-729-000

June 26, 2017

PJM Interconnection, L.L.C.
2750 Monroe Blvd.
Audubon, PA 19403

K&L Gates L.L.P.
1601 K Street NW
Washington, DC 20006

Attention: Ms. Pauline Foley, Esq.
Attorney for PJM Interconnection, L.L.C.

Mr. William M. Keyser, Esq.
Attorney for the PJM Transmission Owners

Reference: Order Accepting and Suspending Filing, Subject to Refund, and
Further Commission Order

Dear Ms. Foley and Mr. Keyser:

On December 30, 2016, pursuant to section 205 of the Federal Power Act,¹ PJM Interconnection, L.L.C. (PJM) submitted² proposed revisions to the Joint Operating Agreement (JOA) between PJM and Midcontinent Independent System Operator, Inc. (MISO) to create a new category of interregional transmission project (Targeted Market Efficiency Projects) aimed at resolving historical congestion along the PJM-MISO seam. PJM also submitted,³ on behalf of the PJM Transmission Owners, proposed JOA

¹ 16 U.S.C. § 824d (2012).

² Docket No. ER17-718-000 (PJM Filing).

³ Docket No. ER17-729-000 (PJM on behalf of the PJM Transmission Owners Filing).

revisions to include a method for allocating the cost of Targeted Market Efficiency Projects between PJM and MISO. PJM and the PJM Transmission Owners seek an effective date for the proposed JOA revisions of June 28, 2017.

The filing in Docket No. ER17-718-000 was noticed on December 30, 2016 with interventions and protests due on or before January 20, 2017. The filing in Docket No. ER17-729-000 was noticed on January 3, 2017, with interventions and protests due on or before January 23, 2017. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,⁴ any notices of intervention and timely filed, unopposed motions to intervene serve to make the filer a party to this proceeding.⁵

Wind Parties,⁶ Exelon Corporation,⁷ Organization of MISO States, Northern Indiana Public Service Company, Indiana Utility Regulatory Commission, and ITC Mid-Atlantic Development, LLC support the proposal for largely the same reasons articulated by PJM and the PJM Transmission Owners in their filings. In addition, Wind Parties and Organization of MISO States request certain clarifications.

Generation Group⁸ jointly filed comments or in the alternative protest and MISO South Regulators⁹ filed a protest challenging Filing Parties' proposal on various grounds.

Preliminary analysis indicates that proposed JOA revisions submitted by PJM and the PJM Transmission Owners have not been shown to be just and reasonable and may be

⁴ 18 C.F.R. § 385.214 (2016).

⁵ Any late and opposed motions to intervene will be addressed in a further Commission order as appropriate.

⁶ For purposes of these pleadings, Wind Parties consist of: American Wind Energy Association, Mid-Atlantic Renewable Energy Coalition, and Wind on the Wires.

⁷ Exelon Corporation filed comments in Docket No. ER17-718-000.

⁸ For purposes of these pleadings, Generation Group consists of: EDF Renewable Energy, EDP Renewables North America, and E.ON Climate & Renewables North America.

⁹ MISO South Regulators consist of: Arkansas Public Service Commission, Louisiana Public Service Commission, Mississippi Public Service Commission, Public Utility Commission of Texas, and the Council of the City of New Orleans. Each of the MISO South Regulators has separately noticed its intervention. Public Utility Commission of Texas did not participate in the MISO South Regulators' protest or response.

unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Therefore, pursuant to the authority delegated to the Director, Division of Electric Power Regulation – East, Office of Energy Market Regulation, in the Commission’s February 3, 2017 Order Delegating Further Authority to Staff in Absence of Quorum,¹⁰ the proposed JOA revisions submitted by PJM and the PJM Transmission Owners are accepted for filing, suspended for a nominal period, to become effective June 28, 2017, as requested, subject to refund and further Commission order. Protests and comments will be addressed in a further Commission order as appropriate.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against PJM and the PJM Transmission Owners.

Consistent with Rule 1902 of the Commission’s Rules of Practice and Procedure,¹¹ requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order.¹²

Sincerely,

Kurt Longo, Director
Division of Electric Power
Regulation – East

¹⁰ *Agency Operations in the Absence of a Quorum*, 158 FERC ¶ 61,135 (2017).

¹¹ 18 C.F.R. § 385.1902 (2016).

¹² 18 C.F.R. § 385.713 (2016).

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