

**MC Legal Report
Summary of Significant Filings, Legal Activity
and
Federal Energy Regulatory Commission (Commission) and Court Orders
(June 5, 2025 – July 9, 2025)**

ORDERS

On July 9, 2025, in Docket No. ER25-2202-000, the Commission accepted PJM's proposed revisions to the PJM Operating Agreement, Schedule 12, and the RAA, Schedule 17, to (i) add the new members, (ii) remove withdrawn members, (iii) reflect members' whose corporate names changed, and (iv) add new signatories to the RAA during the first quarter of 2025. The revisions are effective March 31, 2025, as requested.

On July 3, 2025, in Docket No. ER25-2192-000, the Commission issued an Order accepting PJM's submission on behalf of Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("Dominion") proposed revisions to Attachment 3, Revenue Credit Workpaper, of its transmission formula rate ("Formula Rate") included in the PJM Tariff as Attachment H-16A. The proposed revisions are effective as of January 1, 2025.

On June 30, 2025, in Docket No. ER25-2129-001, the Commission issued an Order accepting PJM's submission on behalf of Commonwealth Edison Co. an amendment to correct metadata errors in the original filing on May 1, 2025. The revisions to PJM Tariff Attachment H-13A are effective as of May 1, 2025.

On June 27, 2025, in Docket No. ER25-2061-000, the Commission issued an Order accepting PJM's submission on behalf of Silver Run Electric, LLC revisions to Intra-PJM Tariff, section H-27A to Update depreciation rates. The revisions are effective as of July 1, 2025.

On June 26, 2025, in Docket No. ER25-785-002, the Commission issued an Order addressing arguments raised in the requests for rehearing filed by the Market Monitor and the Public Interest Organizations. In this Order, the Commission further explains and sustains the February 20, 2025, order accepting PJM Interconnection, L.L.C.'s tariff revisions to allow capacity market sellers subject to market power mitigation to submit offers capped at gross capacity performance quantifiable risk and to allow segmented offer caps.

On June 25, 2025, in Docket No. ER25-2107-000, the Commission issued a letter order accepting PJM's ministerial clean-up filing to update certain eTariff records with Tariff and RAA language that the Commission has already accepted regarding the capacity market-related provisions of PJM's Order No. 2222 compliance proposal. PJM's updated eTariff records are effective July 1, 2025.

On June 18, 2025, in Docket No. ER23-1784-003, the Commission issued an order accepting PJM's proposed effective date for previously accepted revisions to the Tariff, section 4.2 to incorporate by reference the North American Energy Standards Board Wholesale Electric Quadrant Version 3.3 Business Practice Standard related to the cryptographic security module, in compliance with the requirements of Order No. 676-J. The Commission accepted the revisions, effective March 10, 2025.

On June 17, 2025, in Docket No. ER25-2399-000, the Commission issued an order accepting PJM's request for a prospective limited waiver of the requirements of the Operating Agreement, section 7.1 to allow the Nominating Committee additional time to consider prospective nominees to fill the two vacancies on the PJM Board of Managers and propose such nominees for consideration by Members by the September 25, 2025, Members Committee meeting.

On June 17, 2025, in Docket No. ER25-2002-000, the Commission issued an order accepting PJM's revisions to its Open Access Transmission Tariff to mitigate the impacts that final effective load carrying capability ("ELCC") and Accredited Unforced Capacity values may have on capacity commitments that were made based on earlier ELCC values that were utilized in prior Reliability Pricing Model Auctions for a given Delivery Year. The Commission accepted the revisions, effective June 18, 2025.

On June 17, 2025, in Docket Nos. ER22-2359-004 and ER22-2359-003, the Commission issued a Delegated Letter Order accepting PJM's Order No. 881 Compliance filings from September 16, 2024 and November 12, 2024, addressing the required timelines for calculating and submitting ambient adjusted ratings (AARs), in compliance with Order No. 881 directives. Relatedly, PJM filed a joint motion requesting an extension of time for Order No. 881 implementation on February 28, 2025, which was subsequently granted on March 31, 2025.

On June 11, 2025, in Docket No. ER25-1930-000, the Commission issued an Order accepting PJM's submission on behalf of Virginia Electric and Power Company, doing business as Dominion Energy Virginia ("Dominion"), revisions to Attachment H-16C of the PJM Tariff to update the prior-year actual Other Post-Employment Benefits ("OPEB") expense to reflect the 2024 actual OPEB expense under Dominion's transmission formula rate. The revisions to Attachment H-16C are effective June 13, 2025.

On June 10, 2025, in Docket No. ER25-1937-000, the Commission issued an Order accepting PJM's submission of an administrative clean-up filing to ensure the Operating Agreement correctly reflects the Commission's accepted language in Operating Agreement, Schedule 6, section 1.5 effective August 28, 2024.

On June 10, 2025, in Docket No. ER25-1544-000, the Commission approved the Offer of Settlement submitted by PJM on behalf of itself and other settling parties that includes revisions to Tariff, Parts VII and VIII to resolve all issues in the Docket No. EL25-22-000 complaint proceeding. The Commission dismissed the complaint and ordered compliance to incorporate the settlement language into the Tariff.

FILINGS

On July 2, 2025, in Docket Nos. ER22-2931-000 and EL24-26-000, PJM filed a notice of its filing in Docket No. ER24-290-002 to comply with the Commission's directive in its June 2, 2025 order to clarify responsibility for the procurement of third-party land rights.

On July 2, 2025, in Docket No. ER24-2690-002, PJM submitted a filing to comply with the Commission's directive in its June 2, 2025 order to revise Tariff, Attachment P, Appendix 2, section 5.3 (pro forma Interconnection Construction Service Agreement (ICSA)), and Tariff, Part IX, Subpart B, Appendix 2, section 23.3.3 (pro forma Generator Interconnection Agreement (GIA)) to clarify responsibility for the procurement of third-party land and land rights for GIAs and ICSAs, with a requested effective date of June 2, 2025.

On June 30, 2025, in Docket No. ER25-2123-001, PJM submitted a response to the Commission's deficiency notice in response to PJM's proposal to revise the fixed Black Start Service cost component of the base formula rate and capital cost recovery rate for NERC-CIP specific recovery to replace references to the Net Cost Of New Entry with an annually updated fixed rate to allow PJM to maintain reliability and incentivize resources. PJM requested that the Tariff revisions become effective as of September 1, 2025.

On June 27, 2025, in Docket No. EL25-87-000, PJM submitted a protest to the Independent Market Monitor for PJM's Complaint against Affirmed Energy LLC, Enel X North America Inc. and Enerwise Global Technologies, LLC, who are providers of Energy Efficiency Resources. The protest requests that the Commission deny the complaint.

On June 27, 2025, PJM submitted a compliance report in accordance with Ordering Paragraph B of the Secretary of Energy of the Department of Energy's Order No. 202-25-4, issued May 30, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4 on June 26, 2025. The compliance report also provides PJM's response to the DOE's request for additional information.

On June 27, 2025, in Docket No. ER25-2687-000, PJM filed in compliance with Order No. 676-K to (1) incorporate by reference the latest version of the Standards for Business Practices and Communication Protocols for Public Utilities adopted by the Wholesale Electric Quadrant (WEQ) of the North American Energy Standards Board (NAESB) and (2) request a continued waiver of certain WEQ NAESB Business Practice Standards previously granted by the Commission. As directed by Order No. 676-K, PJM proposed an effective date of February 27, 2026 for the Cybersecurity Business Practice Standards in WEQ-024 and August 27, 2026 for the remainder of the Version 004 of the WEQ NAESB Business Practice Standards.

On June 26, 2025, in Docket No. EL25-79-000, PJM submitted a motion for leave to answer and answer in response to the June 23, 2025 filing by the North Carolina Electric Membership Corporation (NCEMC). In this answer, PJM explains that the current rules simply encourage load serving entities to self-supply with resources in the appropriate location and urges NCEMC to pursue potential resolution through PJM's stakeholder process.

On June 26, 2025, PJM submitted a compliance report in accordance with Ordering Paragraph B of the Secretary of Energy of the Department of Energy's Order No. 202-25-4, issued May 30, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4 on June 25, 2025.

On June 26, 2025, in Docket No. ER25-2653-000, PJM submitted a filing pursuant to section 205 of the Federal Power Act to amend the Reliability Assurance Agreement that proposes a cost allocation methodology through which PJM will recover the costs associated with maintaining the operational availability of Eddystone Units 3 and 4 to effectuate the United States Department of Energy's Order No. 202-25-4. In this filing, PJM requested that the Commission grant a shortened ten-day comment period, waiver of the 60-day notice period to allow for a June 1, 2025 effective date, and expeditious review and act on PJM's proposal by August 1, 2025.

On June 25, 2025, PJM submitted a compliance report in accordance with Ordering Paragraph B of the Secretary of Energy of the Department of Energy's Order No. 202-25-4, issued May 30, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4 on June 24, 2025.

On June 24, 2025, PJM submitted a compliance report in accordance with Ordering Paragraph B of the Secretary of Energy of the Department of Energy's Order No. 202-25-4, issued May 30, 2025. The compliance report relates to the operations of Eddystone Unit 3 and Eddystone Unit 4 on June 23, 2025.

On June 24, 2025, in Docket No. ER25-1544-001, PJM submitted a compliance filing per the June 10, 2025 order accepting the Settlement resolving all claims and issues raised in the complaint in Docket No. EL25-22-000. The Tariff revisions are identical to the pro forma revisions included with the Settlement with two revisions to correct typographical errors identified by the Commission, with an effective date of June 10, 2025.

On June 20, 2025, in Docket No. ER25-2493-000, PJM submitted a motion to intervene and comments in support of the request for limited waiver of Meadow Lake.

On June 20, 2025, in Docket No. ER25-2564-000, PJM submitted a ministerial clean-up filing to ensure that the eTariff records correctly reflect the language in the PJM Tariff, Article 1, Definitions G - H that was accepted by the Commission in various dockets with various effective dates.

On June 18, 2025, in Docket No. ER25-2335-000, PJM filed a Protest to the Shared Facilities Agreement among Martin County Solar Project, LLC, Martin County II Solar Project, LLC, and Threeforks Energy Storage, LLC. PJM requested that the Commission direct the parties to modify the Shared Facilities Agreement to provide clarity, and to ensure that its terms are consistent with Martin County Solar Project, LLC's and Threeforks Energy Storage, LLC's obligations under their respective PJM service agreements.

On June 17, 2025, in Docket Nos. ER22-2931-001, et al., PJM filed a request for clarification and expedited consideration of the Commission's June 2, 2025 order directing PJM, in relevant part, to revise Tariff, Part IX, Subpart B, Appendix 2, section 23.3.3 (pro forma GIA). PJM requested that the Commission clarify, by July 2, 2025, that the directive to revise to the pro forma GIA is limited to the Commission's finding that the pro forma GIA is unjust and unreasonable for failing to identify the entity responsible for using efforts to obtain third-party land rights. PJM further requested that the Commission clarify that its directive does not alter the obligations on Project Developers to demonstrate Site Control at all required stages of the interconnection process as prescribed under the currently effective Tariff.

On June 17, 2025, the Department of Energy referred to FERC the compensation rate and cost allocation methodology related to the retention of units 3 and 4 of the Eddystone Generating Station.

On June 13, 2025, in Docket No. ER25-2002-000, PJM submitted a motion for leave to answer and answer to the IMM's responding to PJM's proposal to mitigate the impacts that final effective load carrying capability ("ELCC") and Accredited Unforced Capacity values may have on capacity commitments that were made based on earlier ELCC values that were utilized in prior Reliability Pricing Model Auctions for a given Delivery Year.

On June 13, 2025, PJM submitted a compliance report in accordance with Ordering Paragraph D of the Secretary of Energy of the Department of Energy's (DOE) Order No. 202-25-4 (the DOE Order), issued May 30, 2025, and to the extent applicable, 10 C.F.R. § 205.377. The compliance report explains the measures PJM has taken and plans to take to ensure the operational availability of Eddystone Units 3 and 4 consistent with the DOE Order.

On June 13, 2025, in Docket Nos. ER25-1357-001 & EL25-46-001, PJM electronically submitted a Motion for Leave to Answer and Answer in response to requests of Sierra Club and the Joint Consumer Advocates for rehearing of the Commission's April 21, 2025 order accepting PJM's proposal to revise its Tariff to establish a temporary price floor and cap for PJM Reliability Pricing Model Auctions.

On June 11, 2025, in Docket No. EL25-72-000, PJM submitted an Answer and Motion to Reject Answer in response to the June 9, 2025 Motion for Leave to Answer and Answer of Theresa A. and Alfred T. Ghiorzi (June 9 Answer).

On June 9, 2025, in Docket No. EL25-79-000, PJM submitted an answer in response to the North Carolina Electric Membership Corporation's Complaint against PJM claiming that the treatment of pseudo-tied resources in PJM's capacity market is unjust, unreasonable, and unduly discriminatory. In this answer, PJM explains that the pseudo tie rules only set forth the eligibility criteria for external resources to be offered into the capacity market, but those rules do not exempt external generation capacity resources from PJM's locational pricing rules.

On June 9, 2025, in New Jersey Board of Public Utilities Docket No. Q020100630, PJM submitted a response to Jersey Central Power & Light Co.'s motion for declaratory guidance on the current project development schedule, or, alternatively, for modification of the current project schedule relating to its portion of a State Agreement Approach project.

On June 5, 2025, in Docket Nos. ER25-2232-000 and ER25-2234-000, PJM filed a Protest to the Shared Facilities Agreement among Illinois Generation LLC and Heritage Prairie Solar LLC. PJM requested that the Commission direct the parties to amend the Shared Facilities Agreement so that it comports with their respective interconnection agreements.