



PJM Members Committee Meeting

**Proposed Changes to the Operating Agreement - User Group Language
(To recognize the unique nature of the Public Interest Environmental Organization User Group)**

**Greg Poulos
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The Public Interest Environmental Organization User Group (PIEOUG)

- } The PIEOUG was created with the intent to include some organizations that are not PJM Members.
- } However, the special voting privileges of Operating Agreement sections (d) and (e) do not take the unique membership status of the organizations on the PIEOUG into account.
- } This can create some unintended consequences.

The Current O.A. User Group language

Intra-PJM Tariffs --> OPERATING AGREEMENT --> OA 8. MEMBERS COMMITTEE --> OA 8.7 User Groups.

8.7 User Groups.

(a) Any five or more Members sharing a common interest may form a User Group, and may invite such other Members to join the User Group as the User Group shall deem appropriate. Notification of the formation of a User Group shall be provided to all Members of the Members Committee.

(b) The Members Committee shall create a User Group composed of representatives of bona fide public interest and environmental organizations that are interested in the activities of the LLC and are willing and able to participate in such a User Group.

(c) Meetings of User Groups shall be open to all Members and the Office of the Interconnection. Notices and agendas of meetings of a User Group shall be provided to all Members that ask to receive them.

(d) Any recommendation or proposal for action adopted by affirmative vote of three-fourths or more of the Members of a User Group shall be submitted to the Chair of the Members Committee. The Chairman shall refer the matter for consideration by the applicable Standing Committee as appropriate for consideration at that Committee's next regular meeting, occurring not earlier than 30 days after the referral, for a recommendation to the Members Committee for consideration at its next regular meeting.

(e) If the Members Committee does not adopt a recommendation or proposal submitted by a User Group, upon vote of nine-tenths or more of the members of the User Group the recommendation or proposal may be submitted to the PJM Board for its consideration in accordance with Operating Agreement, section 7.7(v).

The O.A. creates a special User Group that includes PJM Members and non-members.

Special User Group voting provisions.

Inconsistency in O.A. Language

The initial special voting privilege for User Groups is for Members only.

(d) Any recommendation or proposal for action adopted by affirmative vote of three-fourths or more of the Members of a User Group shall be submitted to the Chair of the Members Committee. The Chairman shall refer the matter for consideration by the applicable Standing Committee as appropriate for consideration at that Committee's next regular meeting, occurring not earlier than 30 days after the referral, for a recommendation to the Members Committee for consideration at its next regular meeting.

(e) If the Members Committee does not adopt a recommendation or proposal submitted by a User Group, upon vote of nine-tenths or more of the members of the User Group the recommendation or proposal may be submitted to the PJM Board for its consideration in accordance with Operating Agreement, section 7.7(v).

The second stage of the special voting privilege for User Groups is for “m”embers.

The Public Interest Environmental Organization User Group (PIEOUG)

- } PIEOUG Roster/Membership (Classification) types*:
 - One Classification:
 - ☐ Environmental Organizations
 - ☐ General Public Interest Organizations
 - Second Classification:
 - ☐ Public Interest - State Appointed Consumer Advocate Offices

- } PJM Members: State Appointed Consumer Advocates*
one per state + DC.

*PIEOUG Classification types were developed and approved in the PIEOUG Charter.

Potential PJM Voting Scenario – 8.7 (d) Initial Vote (Approval of 75% of the PJM Members of the PIEOUG is Required)

PIEOUG PJM Members

- } Illinois Citizen's Utility Board
- } Maryland Office of People's Counsel
- } New Jersey Division of Rate Counsel
- } Pennsylvania Office of Consumer Advocate
- } Public Staff – North Carolina Utilities Commission

PIEOUG PJM members

- ~~+ Illinois Attorney General's office~~
- ~~+ Pennsylvania Utility Law Project~~
- ~~+ Earth Justice~~
- ~~+ Natural Resources Defense Council~~
- ~~+ RMI~~
- ~~+ Sierra Club~~
- ~~+ Southern Environmental Law Center~~
- ~~+ Union of Concerned Scientists~~

*Only the votes of the PIEGOU members/PJM “Members” in the left column would count for purposes of an O.A. 8.7(d) vote.

Potential PJM Voting Scenario – 8.7 (e) Second Vote (Approval of 90% of all the PIEOUG members is required.)

PIEOUG PJM Members

- } Illinois Citizen's Utility Board
- } Maryland Office of People's Counsel
- } New Jersey Division of Rate Counsel
- } Pennsylvania Office of Consumer Advocate
- } Public Staff – North Carolina Utilities Commission

PIEOUG PJM members

- } Illinois Attorney General's office
- } Pennsylvania Utility Law Project
- } Earth Justice
- } Natural Resources Defense Council
- } RMI
- } Sierra Club
- } Southern Environmental Law Center
- } Union of Concerned Scientists

*The votes of all the PIEOUG members count for an O.A. 8.7(e) vote.

Proposed change to the OA Language to be more inclusive of all members of the User Groups

8.7 User Groups.

(a) Any five or more Members sharing a common interest may form a User Group, and may invite such other Members to join the User Group as the User Group shall deem appropriate. Notification of the formation of a User Group shall be provided to all Members of the Members Committee.

(b) The Members Committee shall create a User Group composed of representatives of bona fide public interest and environmental organizations that are interested in the activities of the LLC and are willing and able to participate in such a User Group. The members of such public interest and environmental organizations User Group ("PIEOUG") need not be PJM Members.

(c) Meetings of User Groups shall be open to all Members and the Office of the Interconnection. Notices and agendas of meetings of a User Group shall be provided to all Members that ask to receive them. In the case of the PIEOUG, PIEOUG members may attend meetings and receive meeting notices and agendas regardless of whether they are PJM Members.

(d) Any recommendation or proposal for action adopted by affirmative vote of three-fourths or more of the Members of a User Group shall be submitted to the Chair of the Members Committee. The Chairman shall refer the matter for consideration by the applicable Standing Committee as appropriate for consideration at that Committee's next regular meeting, occurring not earlier than 30 days after the referral, for a recommendation to the Members Committee for consideration at its next regular meeting.

For the PIEOUG only, voting requirements shall be as set forth in the PIEOUG charter.

(e) If the Members Committee does not adopt a recommendation or proposal submitted by a User Group, upon vote of nine-tenths or more of the members of the User Group the recommendation or proposal may be submitted to the PJM Board for its consideration in accordance with Operating Agreement, section 7.7(v).

For the PIEOUG only, voting requirements shall be as set forth in the PIEOUG charter.

Contact Information

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