

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Theresa Ghiorzi and Alfred T. Ghiorzi

v.

PJM Interconnection, L.L.C.

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Docket No. EL25-72-000

**PJM INTERCONNECTION, L.L.C. ANSWER AND
MOTION TO REJECT ANSWER OF THERESA A. AND ALFRED T. GHIORZI**

Pursuant to Rules 212 and 213 of the Commission’s Rules of Practice and Procedure,¹ PJM Interconnection, L.L.C. (PJM) submits this 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). The June 9 Answer purports to be a response to PJM’s Limited Answer filed on May 27, 2025, and Potomac Edison Company’s Answer filed on May 23, 2025, both of which were short pleadings made to correct a factual error regarding Designated Entity Agreements (DEAs) in the Complainants’ May 14, 2025 response to three motions to dismiss the Complaint.² However, as explained below, the Complainants’ June 9 Answer does not meaningfully respond to either of the two answers. Instead, the June 9 Answer presents a sprawling 33-page recitation of the arguments raised in the Complaint, modified occasionally to inject new invective or backfill holes pointed out in previous pleadings.

Complainants have abused the Commission’s rules by filing a now fourth lengthy revision of their original Complaint at the expense of PJM’s and the Commission’s time and resources. Given that the Complainants have already had a full and fair opportunity to raise their issues before

¹ 18 C.F.R. §§ 385.212 & 213 (2025).

² See Motion for Leave to Answer and Limited Answer of PJM Interconnection, L.L.C., Docket No. EL25-72 (May 27, 2025) (Limited Answer); Motion for Leave to Answer and Answer of the Potomac Edison Company, Docket No. EL25-72 (May 23, 2025) (Potomac Edison Answer).

the Commission, the constant barrage of allegations serves no useful purpose. The Commission should reject the June 9 Answer and prevent further wasteful expenditure of resources on unauthorized pleadings.

I. ANSWER AND MOTION TO REJECT ANSWER

PJM files this Answer in response to Complainants' motion for leave to file the June 9 Answer as a matter of right under Commission Rule 213, which only requires Commission authorization to file an answer in response to "a protest, an answer, a motion for oral argument, or a request for rehearing."³ Commission precedent is clear that "answers to motions are permitted" under Rule 213.⁴ PJM further asks that the Commission reject and strike the June 9 Answer because it does not address the answers to which it claims to respond.

PJM's May 27, 2025 Limited Answer, a four-page pleading, only sought to explain that Complainants were operating on the patently incorrect belief that PJM had to execute a DEA within thirty days of the PJM Board of Manager's approval of the Initial Project.⁵ PJM dedicated its entire Limited Answer to correcting that flawed understanding.⁶ Potomac Edison raised similar arguments in its six-page answer and added only one additional paragraph countering Complainants' demand for a new competitive bidding process.⁷

The June 9 Answer does not actually engage with PJM's Limited Answer or Potomac Edison's Answer explaining that PJM is not, in fact, required to execute a DEA within thirty days

³ 18 C.F.R. § 385.213(a)(2).

⁴ *ISO New Eng. Inc.*, 185 FERC ¶ 61,044, at P 25 (2023).

⁵ *See* Limited Answer at 2-3.

⁶ *See id.*

⁷ *See* Potomac Edison Answer at 2-4.

after the PJM Board of Manager’s approval of a project.⁸ DEAs are only discussed on two pages of the June 9 Answer, and what is written there does not cite the PJM Limited Answer or the Potomac Edison Answer and does not appear to be responsive to either pleading.

The overwhelming mass of the Complainants’ June 9 Answer recycles the Complaint, supplemented by the Complainants’ constantly-evolving theories of this case in the face of PJM’s and Potomac Edison’s arguments, and further attacks the character of local and state leaders, the Loudoun County public, NextEra Energy Transmission MidAtlantic (NEET), and PJM.⁹ Complainants nowhere attempt to refute the argument that PJM had at least 120 days to execute a DEA with NEET, or that PJM and NEET could agree to extend that timeline.¹⁰

The June 9 Answer utterly fails to meet the Commission’s standard for accepting unauthorized answers. There is nothing in the June 9 Answer that could arguably improve the Commission’s understanding of the issues, clarify disputed or erroneous matters, or help the Commission in its decision-making.¹¹ Instead of clarifying the record and correcting factual misrepresentations,¹² the June 9 Answer perpetuates them.¹³ Nor does the June 9 Answer convey

⁸ See June 9 Answer at 21-22.

⁹ See, e.g., *id.* at 8 (“Property owners along the Alternate Route through Virginia and Maryland had no participatory opportunity to the extent that Loudoun County elected officials and the historical and environmental groups did with PJM, NEET and the incumbent transmission owners.”); *id.* at 9-11 (arguing that Loudoun County officials and others benefitted politically and financially from the rerouting); *id.* at 11 (“PJM bought the support of the local elected officials, the state elected officials, and the local historical and environmental organizations.”).

¹⁰ See Limited Answer at 2-3; see also Potomac Edison Answer at 3.

¹¹ See, e.g., *PJM Interconnection, L.L.C.*, 187 FERC ¶ 61,173, at P 25 (2024); *KO Transmission Co.*, 156 FERC ¶ 61,147, at n.5 (2016).

¹² See, e.g., *Sw. Power Pool, Inc.*, 171 FERC ¶ 63,040, at P 20 (2020) (“[T]he Commission will permit a participant to file an answer to an answer that clarifies the record, contributes to an understanding of the issues, or assists with the decision-making process.”).

¹³ See, e.g., June 9 Answer at 6 (suggesting that revisions to the Initial Project were done at PJM’s “own volition”); *id.* at 11 (arguing that PJM, NEET, and Potomac Edison benefit from “indirect

any relevant information that the Complainants could not have provided in their original Complaint. Indeed, the June 9 Answer is now the fourth pleading after the original Complaint in which the Complainant's have filed a lengthy restatement and expansion of their original Complaint. Prior to the June 9 Answer, the Complainants previously did essentially the same thing in their (i) Opposition to Motion to Lodge, (ii) Opposition to Motions to Dismiss, and (iii) Opposition for Motion to Extend Time.¹⁴

The Commission should not reward Complainants' distracting, prejudicial, and unduly burdensome pleading practices. PJM denies all of the allegations in the June 9 Answer, but will not respond again on a line-by-line basis to what is effectively a fourth revised and restated edition of the original Complaint. It is entirely unreasonable to require respondents and other litigants to dissect a series of evolving complaint-length pleadings in order to identify new or amended arguments, particularly when those pleadings are not authorized in the first place. Instead, the Commission should use this opportunity to make clear that it will not allow a never-ending cycle of pleadings and will only permit unauthorized answers that present relevant responses to arguments raised in an immediately-preceding pleading.¹⁵

influence from the politicians and elected officials whose routing preference they accommodated" and that PJM "bought the support of the local elected officials, the state elected officials, and the local historical and environmental organizations").

¹⁴ See Answer of Theresa A. Ghiorzi and Alfred T. Ghiorzi Opposing the Motion to Lodge of PJM Interconnection, L.L.C., Docket No. EL25-72 (May 16, 2025); Answer of Theresa A. Ghiorzi and Alfred T. Ghiorzi Opposing the Motions to Dismiss and Motion for Leave to Answer and Answer, Docket No. EL25-72 (May 14, 2025); Answer of Theresa A. Ghiorzi and Alfred T. Ghiorzi Opposing the Motion for Extension of Time of PJM Interconnection, L.L.C., Docket No. EL25-72 (April 14, 2025).

¹⁵ Although the Commission regularly addresses motions to reject answers, it rarely provides an analytical basis for rejecting such motions. See, e.g., *Midcontinent Indep. Sys. Operator, Inc.*, 175 FERC ¶ 61,019, at P 9 (2021) (denying a motion to reject answers and only explaining that the answers "provided information that assisted us in our decision-making process"); *Tri-State Generation & Transmission Ass'n, Inc.*, 171 FERC ¶ 61,204, at P 13 (2020) (same); *Pac. Gas & Elec. Co.*, 173 FERC ¶ 61,140, at P 40 (2020) (same); *Empire Generating Co., LLC*, 169 FERC

The Commission should also demonstrate that it will hold all litigants to the same “standards of ethical conduct required of practitioners before the Courts of the United States.”¹⁶ Complainants have flouted those standards throughout this proceeding as demonstrated by their repeated, baseless allegations, including claims that PJM has “bought the support” of elected officials¹⁷ and engaged in backroom deals and influence peddling,¹⁸ that PJM was “simultaneously negotiating a route change on behalf of politically connected individuals [that] is indicative of the lack of transparency and intentional deception by PJM in the execution of its RTEP process,”¹⁹ and that PJM changed its rules in favor of NEET.²⁰ Those unproductive and false allegations are libelous and should be stricken from the record, as they make scandalous attacks on unrepresented persons and entities, prejudice PJM, and create unnecessary administrative and litigation burdens on PJM and the Commission.²¹

¶ 61,043, at P 12 (2019) (same). *But see ISO New Eng. Inc.*, 134 FERC ¶ 61,128, at P 13 (2011) (accepting a motion to reject an affidavit, but ultimately rejecting that motion, because the affidavit was responsive to subsequent protests and not just the original filing). The Commission should take this opportunity to clarify its standards.

¹⁶ 18 C.F.R. § 385.2101(c).

¹⁷ June 9 Answer at 11.

¹⁸ *See id.* at 11 (“PJM, NEET and Potomac Edison all accrue the added benefit of indirect influence from the politicians and elected officials whose routing preference they accommodated. All of these entities have lobbyist interacting with and continually seeking political support for or against legislation as well as for particular projects.”); Complaint at 21 (“Although PJM denies involvement in secretive, closed door meetings, there were no publicly held meetings by NextERA, PJM or any of the incumbent transmission owners.”).

¹⁹ June 9 Answer at 22.

²⁰ *See id.* at 26 (“The rules for NEET changed *prior to* the PJM Board of Managers approval of its competitively bid proposal.”) (emphasis in original).

²¹ *See Tri-State Generation & Transmission Ass’n, Inc.*, 185 FERC ¶ 61,201, at P 26 (2023) (“The Commission has stated that ‘allegedly objectionable material will not be struck unless the matters sought to be omitted have no possible relationship to the controversy, or may confuse the issue, or otherwise prejudice a party.’”) (citation omitted).

II. CONCLUSION

For the foregoing reasons, PJM respectfully requests that the Commission reject the June

9 Answer and dismiss or deny the Complaint.

Respectfully submitted,

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June 11, 2025

CERTIFICATE OF SERVICE

I hereby certify that I have on this day caused to be served a copy of the foregoing answer and motion to reject upon all parties on the service list in these proceedings in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2025).

/s/ Blake Grow

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