

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

AES WR Limited Partnership)	
)	Docket No. ER26-880-000
)	

**MOTION TO INTERVENE AND
COMMENTS OF PJM INTERCONNECTION, L.L.C.**

PJM Interconnection, L.L.C. (“PJM”), pursuant to Federal Energy Regulatory Commission (“Commission” or “FERC”) Rules 213 and 214 of Practice and Procedure,¹ submits this motion to intervene and these comments in response to the Request for Limited Waiver, Shortened Comment Period and Expedited Commission Action of AES WR Limited Partnership (“Warrior Run”).² The requested waiver to allow the Warrior Run generating facility to retain their existing Capacity Interconnection Rights (“CIRs”)³ is consistent with the national policy of ensuring that the “electric grid . . . utilize all available power generation resources” during a “national energy emergency.”⁴ Specifically, keeping the generation already interconnected to the grid “from leaving the bulk-power system” and actively seeking to return the units to operation is consistent with national energy policy directives. Here, the retention of Warrior Run’s CIRs through December 31, 2026 is consistent with the aforementioned executive orders as it would provide additional time

¹ 18 C.F.R. §§ 385.213, 385.214.

² *AES WR Limited Partnership*, Request for Limited Waiver, Shortened Comment Period and Expedited Commission Action, Docket No. ER26-880-000 (Dec. 22, 2025) (“WR Waiver”).

³ For the purpose of this filing, capitalized terms not defined herein shall have the meaning as contained in the PJM Open Access Transmission Tariff, Amended and Restated Operating Agreement, and the Reliability Assurance Agreement Among Load Serving Entities in the PJM Region.

⁴ Exec. Order No. 14262, *Strengthening the Reliability & Security of the United States Elec. Grid*, 90 Fed. Reg. 15,521, at 15,521 (Apr. 14, 2025) (“EO 14262”); Exec. Order 14156, *Declaring a Nat’l Energy Emergency*, 90 Fed. Reg. 8,433 (Jan. 29, 2025) (“EO 14156”); *see also* Exec. Order 14261, *Reinvigorating America’s Beautiful Clean Coal Industry and Amending Executive Order 14241*, 90 Fed. Reg. 15,517 (Apr. 8, 2025).

for Warrior Run to complete the regulatory process and technical work necessary to resume operations at the facility.

I. MOTION TO INTERVENE

On December 22, 2025, Warrior Run filed a second request for limited waiver of PJM's Open Access Transmission Tariff ("Tariff"), section 230.3.3 to waive the Tariff provision regarding the termination of CIRs after one year from the Deactivation Date.⁵ Specifically, Warrior Run explains that the Warrior Run generating facility has been mothballed⁶ since June 1, 2024 and obtained a waiver from the Commission to extend the date by which Warrior Run's CIRs would otherwise be deemed terminated, from June 1, 2025 to January 31, 2026.⁷ Absent another Commission order that grants Warrior Run's request for waiver, the CIRs associated with the Warrior Run generating facility are scheduled to terminate on January 31, 2026.

PJM is the Transmission Provider and the administrator of the Tariff, including PJM's Reliability Pricing Model. As the administrator of the Tariff, PJM has an independent interest in this proceeding that no other party can represent adequately. Accordingly, PJM respectfully requests that the Commission grant this Motion to Intervene and that PJM be afforded all the rights of a party to this proceeding.

⁵ Warrior Run initially sought, and the Commission granted, a waiver of Tariff, section 230.3.3 to extend the date by which Warrior Run's CIRs would otherwise be deemed terminated, from June 1, 2025 to January 31, 2026. *See AES WR Limited Partnership*, Request for Limited Waiver, Shortened Comment Period and Expedited Commission Action of AES WR Limited Partnership, Docket No. ER25-2197-000 (May 9, 2025).

⁶ Under PJM's Tariff, a Generation Owner of a resource that is being retired or mothballed is required to submit a deactivation notice pursuant to Tariff, Part V, section 113.1.

⁷ WR Waiver at 4.

II. COMMENTS

A. Granting Warrior Run's Waiver Request Will Facilitate the Units Return to Service.

Tariff, Part VI, section 230.3.3 provides that “any Capacity Interconnection Rights associated with such facility shall terminate one year from the Deactivation Date.” In turn, the Tariff defines Deactivation Date as “the date a generating unit within the PJM Region is either retired or mothballed and ceases to operate.” Here, Warrior Run’s CIRs are currently scheduled to terminate on January 31, 2026 absent another order from the Commission granting Warrior Run’s second requested waiver. Warrior Run represents that since the Commission granted its initial waiver request, it has taken steps to return the resource into operation. Specifically:

WR LP’s efforts have focused on: (1) undertaking regulatory actions, including discussions with Maryland Public Service Commission (the “PSC”) staff and filing a notice of intent to resume operations with the PSC, discussions with staff from, and filings with, the Maryland Department of the Environment, and discussions with other Maryland state agency staff and officials; (2) ensuring stakeholder and community engagement through outreach to local and state officials and economic development groups; and (3) advancing Warrior Run’s technical and operational readiness⁸

Despite these efforts, Warrior Run explains that it “requires additional time to complete all necessary steps to return Warrior Run to full operational status.”⁹ While PJM does not take a position on Warrior Run’s representations of its efforts to reactivate the underlying generation resource, allowing Warrior Run to retain its existing CIRs through December 31, 2026 could produce additional capacity in the short run that may help to alleviate some of the resource adequacy challenges faced by the PJM Region.

⁸ *Id.* at 5.

⁹ *Id.* at 6.

As previously noted, Warrior Run’s decision to return the facility back to service is due, in part, to a “dramatic shift in market conditions, the need for capacity in PJM to support load growth driven by data centers, artificial intelligence, and other factors.”¹⁰ Additionally, it is “the policy of the United States that in order to ensure adequate and reliable electric generation in America, to meet growing electricity demand, and to address the national emergency declared pursuant to Executive Order 14156 of January 20, 2025 (Declaring a National Energy Emergency), our electric grid must utilize *all* available power generation resources.”¹¹ Here, granting the requested waiver in advance of January 31, 2026 would be consistent with the cited Executive Orders as it would retain generation already interconnected to the grid from leaving the bulk-power system.

¹⁰ *Id.* at 4.

¹¹ EO 14262 (emphasis added).

III. CONCLUSION

Based on the foregoing, PJM generally supports Warrior Run's request for limited waiver as it is consistent with the national energy policies specified in the cited Executive Orders and may help to alleviate some of the near-term resource adequacy challenges faced by the PJM Region.

Respectfully submitted

/s/ Chenchao Lu

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December 31, 2025

CERTIFICATE OF SERVICE

I hereby certify that on this day I have served the foregoing document on each person designated on the service list compiled by the Secretary in these proceedings.

Dated at Audubon, PA on this 31st day of December 2025.

/s/ Chenchao Lu

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