

of Constellation’s Waiver Request and does not oppose this Waiver Request, but respectfully submits this Motion, which may assist the Commission in its determination. Specifically, PJM outlines in this Motion:

- a. That the Tariff and its interconnection process have operated as intended;
- b. The Waiver Request presents a unique set of circumstances. Therefore PJM proposes limiting language to avoid a ruling on this Waiver Request being extended beyond the narrow facts of this case; and
- c. PJM planning studies control and any granting of the Waiver Request should not presuppose the outcome of any studies that PJM must perform as to the CIR transfer or the remainder of Transition Cycle #2 (“TC2”).

Accordingly, PJM requests that the Commission accept this Motion and give it due consideration in its decision making.

I. MOTION TO INTERVENE

PJM moves to intervene as a party in this proceeding. PJM is the regional transmission organization for all or portions of Delaware, the District of Columbia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia. PJM administers its Commission-filed Tariff, provides Transmission Service under the Tariff on the electric transmission facilities under PJM’s operational control, operates an energy and other markets, and otherwise conducts the day-to-day operations of the bulk power system of a multi-state electric Control Area. As the administrator of the Tariff and its interconnection process and a party to the service agreement relevant to the Waiver Request, PJM has a direct and substantial interest in this proceeding, which cannot be adequately represented by any other party. Therefore, the Commission should grant PJM intervenor status in this proceeding.

II. BACKGROUND

A. Eddystone Units 3 and 4

The Eddystone Generating Station is subject to an Interconnection Service Agreement among PJM, Constellation Energy Corporation (formerly, Exelon Generation Company, LLC), and PECO Energy Company (“Eddystone ISA”).⁶ As described in the Eddystone ISA, the Eddystone Generating Station is a power plant consisting of eight synchronous generators, including the Eddystone Units, located in Eddystone, Pennsylvania. The total Maximum Facility Output (“MFO”) of the Eddystone Generating Station is 1442 megawatts (“MW”), with 760 MW of the MFO allotted to the Eddystone Units. In total, the Eddystone Generating Station has 1408 MW in CIRs, with 760 MW of the CIRs allotted to the Eddystone Units.

On December 1, 2023, PJM received a Deactivation Notice from Constellation, notifying PJM of its intent to deactivate the Eddystone Units, effective “on or about May 31, 2025.”⁷ On February 27, 2024, in accordance with the Tariff’s requirements regarding Generation Deactivations,⁸ PJM issued a Notice of Reliability Impact, confirming that PJM and PECO did not identify any reliability violations resulting from the proposed deactivation of the Eddystone Units.⁹ In addition PJM notes,

[I]n accordance with the PJM Tariff Part VI, Subpart C, a Generation Owner will lose the Capacity Interconnection Rights associated with a deactivated generating unit one year from the actual Deactivation Date

⁶ See *PJM Interconnection, L.L.C.*, Letter Order, Docket No. ER06-482-000 (Feb. 17, 2006) (“Eddystone ISA”).

⁷ Eddystone Deactivation Letter, from Bryan Hanson, Constellation Energy Generation, LLC, to Michael Bryson, PJM Interconnection, L.L.C., at 1 (Dec. 1, 2023), <https://www.pjm.com/-/media/DotCom/planning/gen-retire/deactivation-notices/eddystone-deactivation-letter.pdf>.

⁸ Tariff, Part V, section 113.2 (Notice of Reliability Impact).

⁹ Response Letter from Paul McGlynn, PJM Interconnection, LLC, to Bryan Hanson, Constellation Energy Generation, LLC, (Feb. 27, 2024), <https://www.pjm.com/-/media/DotCom/planning/gen-retire/deactivation-notices/pjm-response-letter-eddytone.pdf>.

unless the holder of such rights submits a new Generation Interconnection Request within one year after the Deactivation Date.¹⁰

On May 30, 2025, the day prior to the scheduled deactivation of the Eddystone Units, the Secretary of Energy issued an order declaring that “an emergency exists in portions of the electricity grid operated by [PJM] due to a shortage of facilities for the generation of electric energy, resource adequacy concerns, and other causes.”¹¹ Thus, the “operational availability and economic dispatch of the [Eddystone Units] is necessary to best meet the emergency and serve the public interest for purposes of FPA section 202(c).”¹² The Secretary therefore directed PJM and Constellation to “take all measures necessary to ensure that [the] Eddystone Units are available to operate” through the duration of its Order, set to expire on August 28, 2025.¹³ Thereafter, the Secretary issued three consecutive Orders, extending the May 30 Eddystone Order and noting that “[b]ecause this Order is predicated on the shortage of facilities for generation of electric energy and other causes, the Eddystone Units shall not be considered capacity resources.”¹⁴ Thus the 760 MW CIRs allotted to the Eddystone Units will remain unused for the duration of the Eddystone Orders, and any extensions thereof.

¹⁰ *Id.* at 1.

¹¹ Dep’t of Energy, Order No. 202-25-4, at 1 (May 30, 2025) (“May 30 Eddystone Order”).

¹² *Id.* at 2.

¹³ *Id.* at 3.

¹⁴ Dep’t of Energy, Order No. 202-25-8, at section G (Aug. 28, 2025); Dep’t of Energy, Order No. 202-25-10, at section G (Nov. 25, 2025); Dep’t of Energy, Order No. 202-26-17, at section G (Feb. 23, 2026) (together with the May 30 Eddystone Order, the “Eddystone Orders”).

B. *The Crane Clean Energy Center*

Crane is one of 51 Reliability Resource Initiative (“RRI”) Projects¹⁵ selected by PJM to be added to the TC2 interconnection process.¹⁶ As described in the Phase I SIS Report, Crane is a proposed nuclear facility located in Dauphin County, Pennsylvania, with a total capability of 859 MW, with 803 MW of this output to be recognized as PJM Capacity.¹⁷ Notably, all TC2 Phase I models, including Crane, are based on the 2024 RTEP series models, with updates in topology to reflect a 2028 base case year.¹⁸ In other words, if Crane were to come into service any earlier than June 1, 2028, it would be subjected to interim deliverability studies.¹⁹

On October 29, 2025, PJM posted the Phase I SIS Report, which identifies 70 system reinforcements, categorized as Contingent Facilities,²⁰ required before Crane may achieve full deliverability. As stated in the Phase I SIS Report, “[i]f [Crane] desires to come into service prior to completion of the [Contingent Facilities], the Project Developer will need to request PJM to perform an interim study to determine if they would be deliverable for all or a portion of their output for each delivery year until the upgrade is complete.”²¹ At this stage of TC2, based on the

¹⁵ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Tariff.

¹⁶ PJM Inside Lines, *PJM Chooses 51 Generation Resource Projects To Address Near-Term Electricity Demand Growth*, (May 2, 2025), <https://insidelines.pjm.com/pjm-chooses-51-generation-resource-projects-to-address-near-term-electricity-demand-growth/>.

¹⁷ PJM Interconnection, L.L.C., *AH1-695 Phase I Study Report*, (Oct. 29, 2025), https://www.pjm.com/pjmfiles/pub/planning/project-queues/TC2/PHASE_1/AH1-695/AH1-695_imp_PHASE_1.htm (“Phase I SIS Report”).

¹⁸ PJM Interconnection, L.L.C., *Transition Cycle 2 Phase I Model Posting*, (June 6, 2025), <https://www.pjm.com/planning/m/-/media/F7D5C5E1AAB3449A926A4D3431570322.ashx>.

¹⁹ Phase I SIS Report at Cost Summary, note 3.

²⁰ Phase I SIS Report at System Reinforcements.

²¹ *Id.*

estimated in service dates for the Contingent Facilities, Crane would be required to request interim deliverability studies on a yearly basis, until at least December 31, 2030.²²

III. COMMENTS IN RESPONSE TO WAIVER REQUEST

PJM does not oppose the Waiver Request and acknowledges the unique set of circumstances leading up to the Waiver Request and submits this Motion with Comments, which may assist the Commission in its determination. To the extent the Commission grants the waiver, PJM proposes language to make clear that this Waiver Request is limited to the unique facts set forth in the record of this proceeding. Accordingly, PJM requests that the Commission accept this Motion to Intervene with Comments and give it due consideration in its decision making.

A. PJM's Pressing Need to Address Resource Adequacy Concerns and the Reliability Resource Initiative

PJM has recognized the urgent, pressing need to bring new capacity online to maintain grid reliability, driven by rapid load growth from data centers, accelerated retirement of thermal generators, and slow entry of replacement generation resources due to a combination of industry forces, including siting, permitting and supply chain constraints.²³ To mitigate the risk of capacity shortage in near term, PJM submitted a number of Tariff filings, to further refine and enhance PJM's interconnection process and expedite resource interconnection. Among these initiatives included proposed Tariff revisions regarding (1) PJM's Replacement Generation Interconnection Service, to enhance the efficiency of CIR Transfer, to bring replacement generation resources online quickly and ensure reliability;²⁴ (2) Surplus Interconnection Service, to streamline the use

²² *Id.*

²³ PJM Inside Lines, *PJM Board Supports Action in Support of Urgent Grid Reliability Needs*, (Feb. 5, 2025), <https://insidelines.pjm.com/pjm-board-supports-action-in-support-of-urgent-grid-reliability-needs/#:~:text=The%20PJM%20Board%20of%20Managers,permitting%20and%20supply%20chain%20constraints>.

²⁴ *PJM Interconnection, L.L.C.*, Proposed Tariff Amendments for Replacement Generation Interconnection Service, Docket No. ER26-403-000 (Oct. 31, 2025) (“CIR Filing”).

of any unused portion of interconnection service for a facility that cannot or does not operate continuously, every hour of every day, year-round;²⁵ and more recently (3) the Expedited Interconnection Track, to provide a temporary, expedited interconnection process outside of PJM's Cycle process to get advanced projects of significant size interconnected more quickly to address PJM's urgent need for additional Capacity Resources.²⁶

Additionally, on December 13, 2024, PJM filed revisions to Part VII of its Tariff, known as the RRI to add provisions enabling a one-time reliability based expansion of the eligibility criteria for TC2 of PJM's existing interconnection process.²⁷ As explained in the RRI Filing, the RRI was designed to address near-term resource adequacy concerns, by accelerating the interconnection of "shovel ready" reliability resources, that would be able to offer sizeable amounts of Unforced Capacity with high relative Effective Load-Carrying Capability ratings into future RPM auctions.²⁸ Further that by adding RRI Projects to TC2, it would "enable PJM to interconnect generation resources with significant Capacity and high reliability attributes that can help alleviate resource adequacy concerns without overwhelming [TC2] or causing delays that affect the legacy [TC2] projects and to do so sooner than it would be able to if the projects were studied in Cycle #1."²⁹ Together, the SIS Filing, CIR Filing, EIT Filing, and RRI Filing represent a few examples of PJM's efforts to mitigate the risk of capacity shortage in near term by expediting resource interconnections, while ensuring open, non-discriminatory access to the PJM

²⁵ *PJM Interconnection, L.L.C.*, Proposed Tariff Amendments for Surplus Interconnection Service, Docket No. ER25-778-000 (Dec. 20, 2024) ("SIS Filing").

²⁶ *PJM Interconnection, L.L.C.*, Proposed Tariff Amendments for Expedited Interconnection Track, Docket No. ER26-1563-000 (Feb. 27, 2026) ("EIT Filing").

²⁷ *PJM Interconnection, L.L.C.*, Tariff Revisions for Reliability Resource Initiative, Docket No. ER25-712-000 (Dec. 13, 2024) ("RRI Filing").

²⁸ RRI Filing at 21.

²⁹ RRI Filing at 10.

Transmission System. To that effect, the Commission accepted PJM’s RRI Filing as just and reasonable and not unduly discriminatory, noting that “the [RRI] proposal reasonably addresses the possibility of a resource adequacy shortfall driven by significant load growth, premature retirements, and delayed new entry.”³⁰

On May 2, 2025, PJM selected 51 RRI Projects, including Crane, based off a set of detailed criteria approved by the Commission.³¹ Part of the criteria included Commercial Operation Date Viability, to ensure that RRI priority is given to projects that can be in commercial operation in advance of the 2028/29 Delivery Year, when PJM’s projected Capacity supply begins to tighten.³² Thus, the intended outcome of Constellation’s Waiver Request would work towards these means.

B. Removal of Capacity Resource Status

Constellation simplifies its Waiver Request in two steps. The first step: removing the Capacity Resource status of the Eddystone Units, while waiving the required Market Monitoring Unit analysis for potential market power issues. Attachment DD, section 6.6(g) specifies, following a request to remove Capacity Resource status of a Generation Capacity Resource, the Market Monitoring Unit “shall analyze the effects of the proposed removal of a Generation Capacity Resource from Capacity Resource status with regard to potential market power issues.”³³ Moreover, a Capacity Market Seller may only remove Capacity Resource status of its Generation Capacity Resource, if (1) the Market Monitoring Unit has determined that the Generation Capacity Resource meets the criteria set forth in Tariff, Attachment DD, sections 5.6.6 and section 6.6, and

³⁰ *PJM Interconnection, L.L.C.*, 190 FERC ¶ 61,084, at P 14, *order on reh’g & clarification*, 192 FERC ¶ 61,085 (2025).

³¹ PJM Inside Lines, *PJM Chooses 51 Generation Resource Projects To Address Near-Term Electricity Demand Growth*, (May 2, 2025), <https://insidelines.pjm.com/pjm-chooses-51-generation-resource-projects-to-address-near-term-electricity-demand-growth/>.

³² RRI Filing at 32-33.

³³ Tariff, Attachment DD, section 6.6(g).

the Office of the Interconnection agrees with this determination; or (2) the Commission has issued an order terminating the Capacity Resource status of the resource.³⁴ As Constellation points out, the Market Monitoring Unit’s analysis for market power concerns appears consistent whether a Capacity Market Seller is seeking to remove Capacity Resource status on a Generation Capacity Resource, or a Generation Capacity Resource is being deactivated.³⁵ Nonetheless the Tariff offers a separate means of removing Capacity Resource status where the Commission directs such change.

Following Constellation’s Deactivation Notice issued on December 1, 2023, PJM conducted the required analyses for reliability violations and market power issues and found neither. On February 27, 2024, PJM issued its Notice of Reliability Impact, noting that “[b]ecause there are no reliability violations associated with the deactivation of [the Eddystone Units], consistent with Section 113.2 of the PJM Tariff, the [Eddystone Units] may deactivate on May 31, 2025, or sooner if desired.”³⁶ If the Eddystone Units deactivated as intended, the CIRs associated with the Eddystone Units would expire on May 31, 2026, one year after deactivation, effectively freeing up 760 MW of CIRs. The Eddystone Units however are still operating, in compliance with the Eddystone Orders, and are not to be considered capacity resources.³⁷ Thus the 760 MW CIRs allotted to the Eddystone Units will remain unused for either (1) one year

³⁴ *Id.*

³⁵ Waiver Request at 15; *see also* PJM Interconnection, L.L.C., *Manual 14D: Generator Operational Requirements*, section 9.1.2 (Deactivation Analysis) (rev. 70, Dec. 17, 2025), <https://www.pjm.com/-/media/DotCom/documents/manuals/m14d.pdf> (“Independent Market Monitor will analyze the effects of the proposed deactivation with regard to potential market power issues.”).

³⁶ *See supra* note 10.

³⁷ *See generally* Eddystone Orders.

following the actual deactivation of the Eddystone Units, which is yet to be determined based on the Eddystone Orders; or (2) one year following the removal of its Capacity Resource status.

C. Transferring CIRs to Crane

Step two of Constellation’s Waiver Request involves amending Crane’s Interconnection Request in Decision Point 2 (“DP2”) to reflect the transfer of Eddystone Units’ CIRs to Crane. DP2 is projected to begin on June 2, 2026 and end on July 1, 2026.³⁸ During this time, Project Developers are expected to meet the requirements enumerated in Tariff, Part VII, Subpart D, section 311(A)(1) in order to continue in TC2.³⁹ Project Developers are also prohibited from modifying their Interconnection Requests, outside of the limited set of permissible changes listed in section 311(B)(4).⁴⁰ The same principal applies with all Decision Points.⁴¹

According to Constellation, transferring CIRs from the Eddystone Units to Crane “will address a significant number of the reliability violations identified in the [Phase I SIS Report], both enabling Constellation to expedite Crane’s full deliverability and improving its position for providing interim deliverability.”⁴² PJM has not reviewed and cannot opine on Constellation’s studies and analysis. Transferring CIRs to facilities at different Points of Interconnection (“POI”), as Constellation is seeking here, requires studies performed by PJM, to evaluate the benefits of the

³⁸ PJM Interconnection, L.L.C., *Cycle Schedule Update*, (Mar. 30, 2026), <https://www.pjm.com/-/media/DotCom/committees-groups/subcommittees/ips/2026/20260330/20260330-item-03---cycle-schedule-update.pdf>.

³⁹ Tariff, Part VII, Subpart D, section 311(A)(1).

⁴⁰ Tariff, Part VII, Subpart D, section 311(B)(4).

⁴¹ Tariff, Part VII, Subpart D, section 309(B) (New Service Request Modification Requests at Decision Point I); Tariff, Part VII, Subpart D, section 311(B)(4) (New Service Request Modification Requests at Decision Point II); Tariff, Part VII, Subpart D, section 313(C) (New Service Request Modification Requests at Decision Point III).

⁴² Waiver Request at 8.

transfer from the Eddystone Units POI to the Crane POI.⁴³ This study will determine the final impact attributed to Crane, any associated cost allocations and contingent facilities, as well as “the total CIRs available at the new location.”⁴⁴ Ultimately PJM planning studies control and any granting of the Waiver Request should not presuppose the outcome of any studies that PJM must perform as to the CIR transfer or the remainder of TC2.

D. Unique Circumstances

As previously stated, PJM respectfully submits this Motion with Comments, which may assist the Commission in its determination. If the Commission grants the Waiver Request, it should note that the proposed action, if not limited to the specific circumstances, could have the potential of further complicating timely resolution of the interconnection process. Notably, the PJM Tariff and its interconnection process have operated as intended and the Waiver Request is limited to the fact that this request relates solely to the transfer of CIRs stemming from a series of unique circumstances faced by Constellation for instance: (1) the Eddystone Unit’s unique status as a non-capacity resource under the DOE’s directive, despite maintaining 760 MW of CIRs; (2) but-for the May 30 Eddystone Order, the Eddystone Units’ CIRs would have terminated by May 31, 2026, one year after its proposed deactivation date, freeing up the 760 MW of CIRs; and (3) the proposed Crane project, is a 859 MW nuclear facility located in Pennsylvania, on target to become fully operational by 2027.

⁴³ See PJM Interconnection, L.L.C., *Manual 14G: Generation Interconnection Requests*, section 4.4.2 (CIR Transfer Process) (rev. 08, July 26, 2023), <https://www.pjm.com/-/media/DotCom/documents/manuals/m14g.pdf> (“PJM Manual 14G”).

⁴⁴ PJM Manual 14G, section 4.4.1.2 (“If the rights are not being transferred at the same Point of Interconnection, then the rights will be transferred through studies performed by PJM that will determine the total CIRs available at the new location. The assignee of the rights must be able to meet all Tariff operating requirements. A new queue position is required for PJM to verify that the unit receiving the rights is capable of meeting all requirements (e.g. power factor) at the new CIR level.”); *see also* Waiver Request at 8 (stating that “the CIR transfer may not be 1:1”).

IV. CONCLUSION

For the reasons set forth above, PJM requests that the Commission accept this Motion to Intervene with Comments and give it due consideration in its decision making.

Respectfully submitted,

/s/ Salvia Yi

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CERTIFICATE OF SERVICE

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

Dated in Audubon, Pennsylvania, this 21st day of April, 2026.

/s/ Salvia Yi _____

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