

Transmission Tariff (“Tariff”). The Constellation Answer opposing the Clarification Request does not meaningfully address these concerns, instead confusing the concern about Transmission Owner Interconnection Facilities (“TOIF”) behind the Point of Interconnection with Interconnection Customer-owned facilities and dismissing the Eligible Customer concern with a tautology.⁵

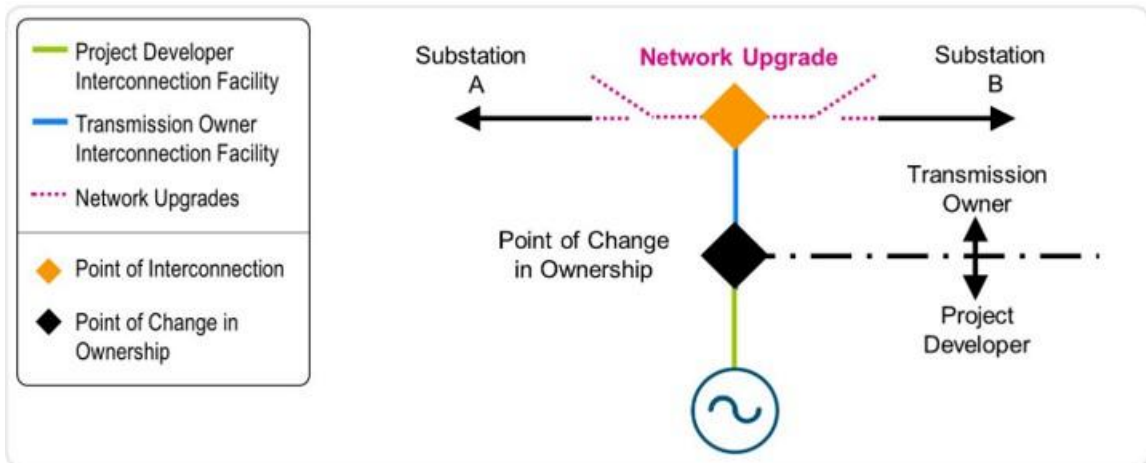
PJM agrees with the Indicated PJM Transmission Owners that, in light of the Commission’s rejection of “Point of Change in Ownership” in the Co-Located Load definition, the Commission should clarify that it does not intend the Co-Located Load definition’s use of “Point of Interconnection” to mean that load can be connected on the Interconnection Customer’s side of the Point of Interconnection, but on TOIF rather than Interconnection Customer Interconnection Facilities (“ICIF”), and still be considered Co-Located Load.⁶

Absent such clarification, load could be connected to the TOIF on the Interconnection Customer’s side of the Point of Interconnection, meaning it is not connected to facilities that the Interconnection Customer owns but is instead connected to transmission facilities, yet still be considered co-located with the Interconnection Customer’s Generating Facility. This can be seen in the diagram below, in which both the TOIF and ICIF are on the Interconnection Customer’s side of the Point of Interconnection.

⁵ Constellation Answer at 9-10.

⁶ PJM uses slightly different terms in its Tariff than are used in the *pro forma* Large Generator Interconnection Procedures and *pro forma* Large Generator Interconnection Agreement, e.g., “Project Developer” instead of Interconnection Customer and “Project Developer Interconnection Facilities” instead of Interconnection Customer Interconnection Facilities or ICIF.

Under the PJM Co-Location Order’s⁷ definition of Co-Located Load, the load could connect to either the TOIF or the ICIF and still be considered to be co-located with the Generating Facility. If the Commission prefers not to reference the Point of Change in Ownership, which demarcates the ICIF from the TOIF, the Commission should clarify that Co-Located Load must connect to the ICIF, not to the TOIF.



Without such clarification, if the owner of the Generating Facility uses TOIF to wheel power to an end-use customer, the “co-located” load, it could be considered a violation of the Federal Power Act’s (“FPA”) prohibition on requiring transmission of electric energy directly to an end-use customer.⁸ Such a result also may give rise to a situation in which the load is taking transmission service under the Tariff without meeting the definition of “Eligible Customer,” thereby defeating the PJM Co-Location Order’s expectation that parties pay their fair share for use of the Transmission System.

A definition of Co-Located Load that allows load to connect to TOIF rather than to ICIF is contrary to the intent of the PJM Co-Location Order and would have unintended

⁷ *PJM Interconnection, L.L.C. v. PJM Interconnection, L.L.C.*, 193 FERC ¶ 61,217 (2025) (“PJM Co-Location Order”), *notice of denial of reh’g by operation of law & providing for further consideration*, 194 FERC ¶ 62,089 (2026).

⁸ 16 U.S.C. § 824k(h).

implications for FPA compliance. PJM therefore urges the Commission to grant the Indicated PJM Transmission Owners' requested clarification of the definition of "Co-Located Load" now to avoid uncertainty and the potential for one-off litigations or disputed service agreement filings for co-located load configurations, which would frustrate the Commission's stated interests in legal durability of decisions and speed to market for co-located load arrangements. Clarification regarding the distinction between ICIF and TOIF will streamline implementation of the Commission's directives and achievement of the Commission's objectives. If the Commission chooses not to grant such clarification in connection with the Compliance Order, it could direct PJM to further explain and clarify the definition of "Co-Located Load" and the demarcation of ICIF from TOIF on the Interconnection Customer side of the Point of Interconnection in connection with the paper hearing pending in Docket Nos. EL25-49-000, et al.

CONCLUSION

PJM supports the Indicated PJM Transmission Owners' request to clarify the definition of Co-Located Load in the Compliance Order.

Respectfully submitted,

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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 at Washington, D.C., this 9th day of June 2026.

/s/ Wendy B. Warren

Wendy B. Warren

**Attorney for
PJM Interconnection, L.L.C.**