

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

**PJM Interconnection, L.L.C.**

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**Docket No. ER22-962-000**

**MOTION FOR EXTENSION OF TIME TO SUBMIT RESPONSES  
OF PJM INTERCONNECTION, L.L.C.**

Pursuant to Rules 212 and 2008 of the Federal Energy Regulatory Commission’s (“FERC” or the “Commission”) Rules of Practice and Procedure,<sup>1</sup> PJM Interconnection, L.L.C. (“PJM”) hereby moves for a 20-day extension of time to submit its responses to Commission Staff’s May 18, 2022 Request for Additional Information<sup>2</sup> in the above-captioned proceeding. Specifically, PJM respectfully requests an extension of the deadline to submit its responses from June 17, 2022, to July 7, 2022.

**I. BACKGROUND**

On February 1, 2022, PJM submitted proposed revisions to the PJM Open Access Transmission Tariff (“Tariff”), the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C. (“Operating Agreement”), and the Reliability Assurance Agreement among Load Serving Entities in the PJM Region (“RAA”),<sup>3</sup> in compliance with Order No. 2222 and associated orders.<sup>4</sup>

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<sup>1</sup> 18 C.F.R. §§ 385.212, 385.2008.

<sup>2</sup> *PJM Interconnection, L.L.C.*, Request for Additional Information, Docket No. ER22-962-000 (May 18, 2022) (hereafter, the “May 18, 2022 Request for Additional Information”).

<sup>3</sup> The Tariff, Operating Agreement, and RAA are currently located under PJM’s “Intra-PJM Tariffs” eTariff title, available here: <https://etariff.ferc.gov/TariffBrowser.aspx?tid=1731>. Terms not otherwise defined herein shall have the same meaning as set forth in the Tariff, Operating Agreement, and the RAA.

<sup>4</sup> *Participation of Distributed Energy Resource Aggregations in Markets Operated by Regional Transmission Organizations and Independent System Operators*, 172 FERC ¶ 61,247 (2020) (“Order No. 2222”). See Order No. 2222 at P 360 (“[A]fter consideration of the comments submitted, we will require each RTO/ISO to file the tariff changes needed to implement the requirements of this final rule within 270 days of the publication date of this final rule in the Federal Register.”). See also *Participation of Distributed Energy Resource Aggregations in Markets Operated by Regional Transmission Organizations and Independent System Operators*, Notice of Correction in

In the May 18, 2022 Request for Additional Information, Commission Staff presented 78 distinct questions to PJM, and directed responses within 30 days — by no later than June 17, 2022.<sup>5</sup>

## **II. MOTION FOR EXTENSION OF TIME TO SUBMIT RESPONSES**

PJM respectfully requests a 20-day extension of the deadline to submit its responses to the May 18, 2022 Request for Additional Information, from June 17, 2022, to July 7, 2022.

Under Rule 2008, “the time by which any person is required or allowed to act under any statute, rule, or order may be extended by the decisional authority for good cause, upon a motion made before the expiration of the period prescribed or previously extended.”<sup>6</sup> PJM submits that good cause exists to grant the requested extension in this circumstance, for the following four reasons.

First, the 78 distinct questions presented by Commission Staff in the May 18, 2022 Request for Additional Information are significant, both in terms of quantity and substance. Additional time will allow PJM staff to more thoroughly and completely respond to the questions, and by extension, allow the Commission to develop a more robust record in this proceeding.

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Federal Register of Compliance Deadline, Docket No. RM18-9-000 (Oct. 29, 2020) (“Notice is hereby given that the deadline to submit filings to comply with Order No. 2222 has been corrected and is July 19, 2021.”). *See also* *Midcontinent Indep. Sys. Operator, Inc.*, 175 FERC ¶ 61,013, at P 5 (2021) (“We grant MISO’s, SPP’s, and PJM’s requests for extension, until April 18, 2022, April 28, 2022, and February 1, 2022, respectively, to submit their filings in compliance with the requirements of Order No. 2222”). *See also* *Participation of Distributed Energy Resource Aggregations in Markets Operated by Regional Transmission Organizations and Independent System Operators*, 174 FERC ¶ 61,197 (2021) (“Order No. 2222-A”); *Participation of Distributed Energy Resource Aggregations in Markets Operated by Regional Transmission Organizations and Independent System Operators*, 175 FERC ¶ 61,227 (2021) (“Order No. 2222-B”).

<sup>5</sup> *See* May 18, 2022 Request for Additional Information at 34 (“A response to this letter must be filed within 30 days of the date of this letter in accordance with the Commission’s electronic tariff requirements using Type of Filing Code 80 – Compliance.”).

<sup>6</sup> 18 C.F.R. § 385.2008(a).

Second, stakeholder engagement has been a cornerstone of PJM’s Order No. 2222 compliance approach from its inception in October 2020.<sup>7</sup> Additional time beyond the specified 30 days will afford PJM more opportunities to engage with its stakeholders and receive their feedback on the important issues raised by Commission Staff in the May 18, 2022 Request for Additional Information.

Third, no party will be prejudiced by granting the requested extension. This is because: (i) as a Federal Power Act section 206<sup>8</sup> proceeding, the Commission is not statutorily required to act on PJM’s Order No. 2222 compliance filing in this docket prior to July 7; (ii) the extra time will not impact PJM’s proposed implementation dates in any way;<sup>9</sup> and (iii) under Rule 213, all parties are procedurally permitted to file responsive pleadings to PJM’s submission,<sup>10</sup> irrespective of whether PJM files on June 17 or July 7.

Fourth, there is recent precedent for granting an identical extension to a similarly-situated entity, as the Commission in October granted a 20-day extension to the New York Independent System Operator, Inc. (“NYISO”), to allow more time for NYISO to respond to its own Order No. 2222 request for additional information.<sup>11</sup>

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<sup>7</sup> See *PJM Interconnection, L.L.C.*, Order No. 2222 Compliance Filing of PJM Interconnection, L.L.C., Docket No. ER22-962-000, at 13-16 (Feb. 1, 2022).

<sup>8</sup> 16 U.S.C. § 824e.

<sup>9</sup> PJM has proposed an effective date of February 2, 2026 for the Tariff, Operating Agreement, and RAA revisions proposed in its compliance filing, and an effective date of July 1, 2023 for a limited subset of revisions—dates far in exceedance of July 7, 2022.

<sup>10</sup> See 18 C.F.R. § 385.213(a)(2), (3) (“An answer may not be made to a protest, an answer, a motion for oral argument, or a request for rehearing, unless otherwise ordered by the decisional authority. A presiding officer may prohibit an answer to a motion for interlocutory appeal. If an answer is not otherwise permitted under this paragraph, no responsive pleading may be made . . . . An answer may be made to any pleading, if not prohibited under paragraph (a)(2) of this section.”).

<sup>11</sup> *Ny. Indep. Sys. Operator, Inc.*, Notice of Extension of Time, Docket No. ER21-2460-000 (Oct. 19, 2021) (“On October 5, 2021, New York Independent System Operator, Inc. (NYISO) filed a motion for an extension of time, from November 1, 2021 to November 19, 2021, to respond to the Commission’s request for additional information issued in response to NYISO’s proposed revisions to its Market Administration and Control Area Services Tariff and Open Access Transmission Tariff to comply with Order No. 2222 . . . . Upon consideration, notice is hereby given that

### III. CONCLUSION

In accordance with the foregoing, PJM respectfully requests that the Commission grant this motion, and extend the deadline for PJM to submit its responses to the May 18, 2022 Request for Additional Information, from June 17, 2022, to July 7, 2022.

Respectfully submitted,

/s/ Thomas DeVita

Craig Glazer  
Vice President – Federal Government Policy  
PJM Interconnection, L.L.C.  
1200 G Street, N.W.  
Suite 600  
Washington, D.C. 20005  
(202) 423-4743  
[Craig.Glazer@pjm.com](mailto:Craig.Glazer@pjm.com)

Thomas DeVita  
Assistant General Counsel  
PJM Interconnection, L.L.C.  
2750 Monroe Boulevard  
Audubon, PA 19403  
(610) 635-3042  
[Thomas.DeVita@pjm.com](mailto:Thomas.DeVita@pjm.com)

*On behalf of  
PJM Interconnection, L.L.C.*

May 26, 2022

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NYISO's requested extension of time is granted, and the deadline for submitting its response to the Commission's request is extended to and including November 19, 2021.").

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this 26<sup>th</sup> day of May, 2022 caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

/s/ Thomas DeVita

Thomas DeVita

Assistant General Counsel

PJM Interconnection, L.L.C.

2750 Monroe Boulevard

Audubon, PA 19403

(610) 635-3042

[Thomas.DeVita@pjm.com](mailto:Thomas.DeVita@pjm.com)