



PJM Interconnection, L.L.C.
2750 Monroe Blvd.
Audubon, PA 19403-2497

Thomas DeVita
Associate General Counsel
T: 610.635.3042 | F: 610.666.8211
thomas.devita@pjm.com

September 11, 2024

The Honorable Debbie-Anne A. Reese
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426-0001

*Re: PJM Interconnection, L.L.C.
Docket No. EL24-81-000*

Dear Acting Secretary Reese,

In its June 13, 2024 Order¹ in the above-captioned proceeding, the Federal Energy Regulatory Commission (“Commission”) found that PJM’s Open Access Transmission Tariff (“Tariff”) appears to be unjust, unreasonable, and unduly discriminatory or preferential because it includes provisions for Transmission Owners (“TOs”) to unilaterally elect TO Initial Funding.²

The Commission directed PJM Interconnection, L.L.C. (“PJM”) to, within 90 days of the order, either: (1) show cause as to why its Tariff remains just and reasonable and not unduly discriminatory or preferential and provide responses to the questions set forth in Appendix A; or (2) explain what changes to its Tariff it believes would remedy the identified concerns if the Commission were to determine that the Tariff has in fact become unjust, unreasonable, and unduly

¹ *PJM Interconnection, L.L.C.*, 187 FERC ¶ 61,170 (2024) (hereafter, the “June 13, 2024 Order”).

² The Commission explained in the June 13, 2024 Order that “Under TO Initial Funding, the transmission owner unilaterally elects to initially fund the network upgrade capital costs that it incurs to provide interconnection service to the interconnection customer, and the transmission owner subsequently recovers the network upgrade capital costs through charges that provide a return on and of these network upgrade capital costs from the interconnection customer.” June 13, 2024 Order at n.1.

discriminatory or preferential and, therefore, were to proceed to establish a replacement rate, and provide responses to the questions set forth in Appendix A.

The relevant Tariff language identified in the June 13, 2024 Order was exclusively drafted and filed by the PJM Transmission Owners in Docket No. ER21-2282, pursuant to their exclusive FPA section 205 filing rights and through a vote of the Transmission Owners Agreement Administrative Committee (“TOA-AC”). This Tariff language was not developed or approved by PJM, either independently or through a PJM stakeholder process.

Accordingly, PJM will defer to the PJM Transmission Owners’ response to the June 13, 2024 Order, which PJM understands is being concurrently filed today, as contemplated by the June 13, 2024 Order.³

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 (phone)
(202) 393-7741 (fax)
craig.glazer@pjm.com

Thomas DeVita
Associate General Counsel
PJM Interconnection, L.L.C.
2750 Monroe Blvd.
Audubon, PA 19403
(610) 635-3042 (phone)
(610) 666-8211 (fax)
thomas.devita@pjm.com

³ June 13, 2024 Order at n.118 (“We note that a number of the questions in Appendix A are similar to questions that the Commission asked the PJM TOs in the PJM Paper Hearing proceeding. PJM TOs may resubmit their responses to the questions and include any new evidence in response to the questions to the extent that the PJM TOs wish to have that evidence considered in the show cause proceeding for PJM.”).

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing document to be served on those parties on the official Service List compiled by the Secretary in this proceeding.

Dated at Audubon, Pennsylvania this 11th day of September 2024.

/s/ Thomas DeVita _____
Thomas DeVita
Associate General Counsel
PJM Interconnection, L.L.C.