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August 5, 2020

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, D.C. 20426

Re: PJM Interconnection, L.L.C., Docket Nos. EL19-58-00_ and ER19-1486-00_ Compliance Filing

Dear Secretary Bose:

In compliance with the Federal Energy Regulatory Commission's ("Commission") May 21, 2020 Order on Proposed Tariff and Operating Agreement Revisions[1] and July 1, 2020 Notice of Extension of Time[2] in the above referenced proceedings, PJM Interconnection, L.L.C. ("PJM") hereby submits modifications to the PJM Open Access Transmission Tariff ("Tariff")[3] to implement a forward-looking energy and ancillary services revenue offset ("EAS Offset") beginning with the Base Residual Auction for the Delivery Year that commences June 1, 2022.

As such, PJM requests that the Commission place the enclosed Tariff revisions into effect coincident with the effectiveness of the compliance Tariff revisions to implement changes to the Minimum Offer Price Rule ("MOPR"), beginning with the same Delivery Year, which are pending before the Commission in Docket Nos. EL16-49, et al.

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1 *PJM Interconnection, L.L.C.*, 171 FERC ¶ 61,153 (2020) ("May 21 Order").

2 *PJM Interconnection, L.L.C.*, Notice of Extension of Time, Docket Nos. EL19-58-000, et al. (July 1, 2020).

3 For the purpose of this filing, capitalized terms not defined herein shall have the meaning as contained in the Tariff.

I. BACKGROUND

On May 21, 2020, the Commission found PJM's reserves market unjust and unreasonable, while accepting PJM's proposed replacement rate, subject to a number of compliance changes, due within 45 days of the order. On July 1, 2020, the Commission granted PJM's June 25, 2020 request for a 30-day extension—until August 5—to submit a forward-looking EAS Offset.[4] On July 6, 2020, PJM submitted the directed compliance changes, other than the forward-looking EAS Offset.[5]

Following issuance of the May 21 Order, PJM has worked diligently with stakeholders to explore, analyze, develop, and support a forward-looking EAS Offset. In particular, PJM hosted five stakeholder meetings on developing a forward-looking EAS Offset. These sessions solicited and received stakeholder priorities on objectives for such an EAS Offset, considered various alternative approaches, and ultimately informed the development of the instant proposed forward-looking EAS Offset approach.

In addition, PJM retained the same independent consultants, i.e., The Brattle Group ("Brattle") and Sargent & Lundy ("S&L"), that have guided PJM's last several capacity market reviews, to provide their expertise and experience on developing forward-looking models for estimating wholesale energy and ancillary services revenues for a variety of resource types.[6] PJM worked closely with Brattle and S&L and arrived at a just and

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4 *PJM Interconnection, L.L.C.*, Notice of Extension of Time, Docket Nos. EL19-58-000, et al. (July 1, 2020).

5 *PJM Interconnection, L.L.C.*, Compliance Filing, Docket No. EL19-58-002 (July 6, 2020).

6 As the Commission observed in the May 21 Order, "'Brattle . . . states that [changing to a forward-looking offset] would 'provide a better representation of a developers' expectations for net energy revenues' and has recommended in all four of its Triennial/Quadrennial Review reports that PJM explore the use of a forward-looking [E&AS] Offset.'" May 21 Order at P 321 n.696 (citing and

reasonable, workable approach that is consistent with commercial practices for estimating the energy and ancillary services revenues the Capacity Market Sellers can reasonably expect to earn in the applicable future Delivery Year. PJM submits this filing in compliance with the Commission's directive to shift from an historic to a forward-looking EAS Offset for use in future RPM Auctions.

II. IN SATISFACTION OF THE MAY 21 ORDER, PJM IS PROPOSING A FORWARD-LOOKING EAS OFFSET APPROACH THAT ENSURES ENERGY AND RESERVE MARKET DESIGN CHANGES WILL BE INCORPORATED INTO THE CAPACITY MARKET

A. Commission Directive

In the May 21 Order, the Commission, pursuant to section 206 of the Federal Power Act,[7] found that implementation of the reserve market changes approved in the May 21 Order will "render[] PJM's [pre-existing] methodology for calculating the [EAS] Offset used in its capacity market unjust and unreasonable."[8] The Commission found that "a forward-looking methodology for determining the [EAS] Offset will allow changes to energy and ancillary services revenues stemming from energy market design modifications to be more readily incorporated into capacity market parameters and prices."[9] Accordingly, the Commission directed PJM to submit "a forward-looking [EAS] Offset that reasonably estimates expected future energy and ancillary services revenues for all Tariff provisions that rely on a determination of the [EAS] Offset."[10]

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quoting *PJM Interconnection, L.L.C.*, 167 FERC ¶ 61,029, at P 114 (2019), *aff'd on reh'g*, 171 FERC ¶ 61,040 (2020)).

7 16 U.S.C. § 824e.

8 May 21 Order at P 308.

9 May 21 Order at P 320.

10 May 21 Order at P 320.

B. PJM's Compliance Approach

In compliance with the Commission's directive, PJM is proposing a forward-looking approach to determine the net revenues that a resource can reasonably be expected to earn in PJM by providing EAS. To that end, PJM proposes to replace the existing tariff provisions, which currently calculate EAS revenues based on a historical rolling average, so that the EAS methodology will instead use forward-looking electricity and fuel data.[11] PJM evaluated a number of different approaches, derived considerable value from detailed engagement with stakeholders and the Independent Market Monitor for PJM ("Market Monitor"), and proposes an approach that is intended to honor the Commission's rationale for adopting as the replacement rate "[a] forward-looking [EAS] Offset [because it] is the best expectation of energy and ancillary services revenues in the given delivery year [which] should therefore include the effects of any large market changes that are expected to be in place in the given delivery year."[12]

A forward-looking approach necessarily relies on forward-looking data, and PJM's approach is grounded in forward energy and fuel prices at liquid trading points for the subject Delivery Year. Because buyers and sellers reflect anticipated changes in market

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[11] Given that PJM is proposing to implement the forward-looking EAS Offset commencing with the Base Residual Auction for the 2022/2023 Delivery Year so as to "appropriately harmonize[]" it with the implementation of the reserve market changes in May of 2022, the compliance Tariff revisions included in this filing make clear that the existing historical EAS Offset approach will remain in place for the Incremental Auctions for the 2021/2022 Delivery Year and the forward-looking EAS Offset will apply for the 2022/2023 Delivery Year and subsequent Delivery Years. *Compare* proposed Tariff, Attachment DD, section 5.10(a)(v), *with* proposed Tariff, Attachment DD, section 5.10(a)(v-1). Similarly, the compliance revisions updating the determination of the Market Seller Offer Cap to a forward-looking approach also make clear that the new approach will apply for the 2022/2023 Delivery Year and subsequent Delivery Years. *See* proposed Tariff, Attachment DD, section 6.8(d-1).

[12] May 21 Order at P 324.

design when transacting on a forward basis, PJM's approach thus appropriately implements the Commission's directive that the EAS Offset capture "changes to energy and ancillary services revenues stemming from energy market design modifications" and will incorporate those changes "into capacity market parameters and prices."[13] That is, as a liquid forward energy market should reflect market design changes in forward prices, the EAS Offset will also account for such market design changes.

As part of PJM's satisfaction of the compliance directive to "allow changes to energy and ancillary services revenues stemming from energy market design modifications to be more readily incorporated into capacity market parameters and prices,"[14] the proposed approach forecasts EAS revenues using a Projected EAS Dispatch Model, as explained in detail below, to strengthen the connection between liquid forward market prices and expected resource revenues. This change affects only the EAS Offset determination for dispatchable resources, e.g., natural gas-fired combustion turbine ("CT"), natural gas-fired combined cycle ("CC"), coal-fired steam turbines, and storage resources; PJM will use an assumed output model, also utilizing forward energy and fuel prices, as applicable, for nuclear, wind, and solar, when developing the forward EAS Offset as described below.[15] The new dispatch model is more consistent with commercial expectations of the revenue a resource can reasonably expect to earn in PJM's energy and ancillary services markets. As

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13 May 21 Order at P 320.

14 May 21 Order at P 320.

15 PJM typically does not dispatch such resource types and they generally do not ramp up or down their energy production in response to energy prices.

a result, the offers in the capacity market will better reflect the costs that a resource actually needs to recover through the capacity market.

PJM will employ the Projected EAS Dispatch model for the determination of energy *and* ancillary services revenues for dispatchable resources. As PJM explained in its initial filing in this proceeding, PJM employs a co-optimization algorithm to achieve the least-cost solution for simultaneously meeting energy demand and reserve requirements.[16] PJM proposes to employ a similar approach for determining energy and ancillary services[17] revenues for dispatchable resources. In addition, all generation resource types will continue to be credited with revenues for providing reactive service.

As the May 21 Order directed revisions "for all Tariff provisions that rely on a determination of the [EAS] Offset,"[18] PJM is proposing to apply the new EAS Offset approach to determining the Net Cost of New Entry ("CONE") for the Reference Resource CT plant assumed for the Variable Resource Requirement ("VRR") Curve, and to determining default and resource-specific MOPR Floor Offer Price values, and for resource-specific Market Seller Offer Caps. While PJM is not proposing to change the reference resource[19] for any resource type, or their costs and operating parameters, PJM is

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16 Enhanced Price Formation in Reserve Markets of PJM Interconnection, L.L.C., Docket No. EL19-58-000, at 14 (Mar. 29, 2019) ("EL19-58 Initial Filing").

17 There are as yet, however, no observable forward ancillary services markets; PJM therefore uses market or cost-based prices for ancillary services, as appropriate.

18 May 21 Order at P 320.

19 In this transmittal, PJM uses the uncapitalized term "reference resource" to refer to the representative hypothetical resources assumed to develop default resource-category MOPR floor prices, as distinct from the capitalized term "Reference Resource," defined in the Tariff and used to develop the CT-based Net Cone for the VRR Curve.

amending some resource parameter assumptions to be compatible with the new dispatch simulation approach as explained below, and further described in the Brattle Affidavit.[20]

PJM accordingly proposes a common forward-looking EAS Offset estimating method, with three main components, that is adaptable to each of these existing Tariff applications of the EAS Offset:

- Using publicly available energy and fuel price data from liquid forward markets for the same timeframe as the Delivery Year at issue, applying locational adjustments and hourly (for energy) and daily (for fuel) price shaping using commercially reasonable and customary methods;
- Running resource revenue models with the forward-based energy and fuel prices, and key resource characteristics and parameters, as inputs, using two basic model types:
    - A Projected EAS Dispatch Model for dispatchable resources; or
    - An assumed output model, for non-dispatchable resources, applied to the forward energy prices referenced above; and
- Estimating market-based ancillary service revenues using ancillary services prices in co-optimized dispatch models, plus cost-based reactive service revenues.

PJM proposes to adapt and apply that general method to estimate:

- The EAS Offset for the CT Reference Resource on which Net CONE in the VRR Curve is based, using forward natural gas prices and the Projected EAS Dispatch Model to produce co-optimized revenue estimates for energy and ancillary services;
- The EAS Offsets for resource-type default MOPR Offer Floor Prices, using resource-type-appropriate fuel and assumed output or Projected EAS Dispatch models;
- EAS Offset determination methodologies for resource-specific exceptions to the MOPR Floor Offer Prices, with certain defined flexibility, and certain defined limitations; and
- EAS Offset determination methodologies for resource-specific Market Seller Offer Price Caps.

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[20] Affidavit of Samuel A. Newell, James A. Read Jr., and Sang H. Gang on Behalf of PJM Interconnection, L.L.C. ("Brattle Aff."). The Brattle Aff. is Attachment C hereto.

In a couple of weeks will submit an informational filing providing illustrative EAS Offset and Net CONE values based on PJM's filed forward-looking EAS Offset approach. As the Tariff revisions in this filing will be the filed rate, the indicative EAS Offset values will simply facilitate understanding of the impact of the proposal.

1. Description and justification of main components of the overall forward EAS Offset estimating method.

a. <u>PJM's proposed compliance bases EAS Offset estimates for a Delivery Year on the energy and fuel prices in liquid futures markets for the time frame of that Delivery Year.</u>

As noted, the May 21 Order holds that "[a] forward-looking [EAS] Offset is the best expectation of energy and ancillary services revenues in the given delivery year and should therefore include the effects of any large market changes that are expected to be in place in the given delivery year."[21] This approach "allow[s] changes to energy and ancillary services revenues stemming from energy market design modifications to be more readily incorporated into capacity market parameters and prices."[22]

The May 21 Order also endorsed the view that a forward-looking EAS Offset "would 'provide a better representation of a developers' expectations for net energy revenues,'"[23] finding that a forward methodology "is consistent with project valuation methods used by market participants."[24]

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[21] May 21 Order at P 324.

[22] May 21 Order at P 320.

[23] May 21 Order at P 321 n.696 (citing and quoting *PJM Interconnection, L.L.C.*, 167 FERC ¶ 61,029, at P 114).

[24] May 21 Order at P 320.

PJM's compliance proposal is grounded in these findings, and proceeds from this guidance. Echoing the Commission's views, the Brattle/S&L experts "recommend that PJM adopt the principles and methods we would use when supporting a client in an investment or contract decision for a similar timeframe," including "rely[ing] on market prices to the extent they are observable."[25] The Brattle/S&L experts accordingly "recommend using forward prices for electric energy and natural gas applicable to PJM market participants" which "reflect expectations of market conditions at corresponding delivery dates and thus should incorporate assessments of the many factors that determine prices at delivery, including such factors as market design changes and additions and retirements of generation and transmission capacity."[26]

Several important design parameters flow from these principles, and have shaped this filing. First, the forward prices used in the energy and ancillary services revenue estimates are best taken from liquid futures markets. When markets are liquid (i.e., there are substantial numbers of both buyers and sellers), settlement prices will better reflect Market Participants' expectations about future conditions. Such markets also post their settlement prices publicly, and mark to market daily, allowing current and prospective Market Participants to see the market's current collective judgment on expected future conditions and to react to those prices based on their own expectations of future conditions, and their knowledge of their own plans, transactions, and operations. Consistent with this

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[25] Brattle Aff. ¶ 11. As noted in the Brattle Aff., Dr. Samuel A. Newell "has frequently used forward markets as part of asset valuation assignments to support investment decisions by market participants," *id.* ¶ 2, while Mr. James A. Read Jr. "has worked with many companies on valuation and risk management assignments, including the development of forward price curves and the modeling and estimation of price volatility." *Id.* ¶ 3.

[26] Brattle Aff. ¶ 11.

important condition, the Brattle/S&L experts carefully assess market liquidity, and propose reliance on particular market hubs and products that trade with sufficient liquidity.

Second, futures market products, locations, and time periods do not automatically supply every assumption needed for every EAS Offset estimate required by the Tariff. Other forward markets can help fill some of those gaps, such as PJM's long-term Financial Transmission Rights ("FTR") auctions, which usefully reveal market expectations about future locational (congestion-based) price differences. For other aspects of the analysis, patterns established in historic data are reasonably used to adapt the output of futures markets to meet the need for particular inputs to the EAS Offset estimate.

Third, because "[t]he price of natural gas . . . is one of the principal drivers of electric energy prices," and "forward electricity prices on any given date will reflect forward natural gas prices on that same date," the forward EAS estimating methodology should be "sensitive to the alignment of forward price observation dates and forward contract delivery dates for power, natural gas, and other fuel commodities," and thereby "avoid systematic errors in forecasts of [EAS] margins."[27]

As explained in the following subsections, PJM's proposed use of energy and fuel prices in the EAS Offset estimating methodology takes account of these principles.

i. Forward electric energy prices

The proposed forward EAS Offset methodology will rely on futures markets prices. As explained by the Brattle/S&L experts, the established futures markets are well-suited to this purpose because:

- they are "marked to market and resettled on a daily basis;"

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[27] Brattle Aff. ¶ 49.

- they "determine a settlement price for each contract on each business day;" and
- "the sponsoring exchange makes its futures settlement prices public."[28]

The futures markets also trade multiple electric energy and natural gas products for delivery at multiple times and multiple locations in the PJM Region, and thus provide abundant, current, public data on forward prices needed for a forward EAS estimate.

However, not all of those products, locations, and delivery periods exhibit the liquidity desired for a reliable forward EAS estimate. The Brattle/S&L experts therefore assessed liquidity for multiple alternatives, and identified those with sufficient liquidity to use as a source of forward prices. Liquidity, which is essentially trading interest, can and will change over time. For example, although the PJM Western Hub remains one of the most liquid trading hubs in the nation, activity at other trading hubs is evolving and, if anything, could be spurred by the implementation and use, over time, of this forward-looking EAS Offset. Therefore, rather than locking in a fixed set of trading hubs or requiring the Commission to adjudicate in future proceedings the liquidity of individual trading hubs on a hub by hub basis, PJM is not proposing to embed in the Tariff, at least at this time, the specific products and hubs that the consultants identified in this summer's analysis. Rather, PJM proposes to reflect in the Tariff that the particular hubs used for the EAS Offset will be specified in the PJM Manuals.[29]

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28 Brattle Aff. ¶ 46.

29 *See* Tariff, Attachment DD, section 5.10(a)(v-1)(C)(1). Under the Commission's "rule of reason," only matters that significantly affect rates, terms, and conditions of service, or that are reasonably susceptible to specification, must be included in the Tariff. *See City of Cleveland v. FERC*, 773 F.2d 1368, 1376 (D.C. Cir. 1985). Accordingly, for this reason, it is well understood that "study assumptions and parameters are likely to change over time as planners gain experience in implementing the new planning procedures. Thus, rigid specifications or formulas set out in the Tariff would likely lead to less reliable assessments due to the inability of planners to adapt to changing circumstances." *Sw. Power Pool, Inc.*, 136 FERC ¶ 61,050, at P 37 (2011). Likewise,

The Brattle/S&L experts use "open interest" as a gauge of futures market liquidity. Open interest in a futures market trading contract (i.e., a particular product for delivery at a particular place and time) "reflects the cumulative number of contracts that have been opened but not yet closed out or offset."[30] The Brattle/S&L experts explain that "the greater the open interest, the greater the amount of trading in the contract and thus the better the information revelation of market prices, other things being equal."[31] Moreover, "greater open interest and contract trade volumes reduce the chances that market prices can be manipulated successfully."[32]

For their liquidity analysis, the Brattle/S&L experts considered the open interest "at each of the trading hubs and transmission zones in PJM that are reported by [Intercontinental Exchange, Inc. ("ICE")]."[33] To measure open interest, they considered all products in the same product family (i.e., day-ahead peak, day-ahead off peak, real-time peak, and real-time off peak) because "the settlement prices for day-ahead and real-time contracts for long-term futures . . . are nearly identical," and "the aggregate level of activity [for the related products reasonably] inform[s] the level of liquidity."[34] For both the forward price and liquidity analyses, Brattle reviewed prices for 2024, reflecting that PJM

here PJM is including in the Tariff the formula and process for identifying the relevant hubs, but is not "hardwiring" the specific hubs into the Tariff.

30 Brattle Aff. ¶ 47. To be clear, there is a futures contract with a buyer and seller; the interest is "open" only because it has not yet gone to delivery or been liquidated.

31 Brattle Aff. ¶ 48.

32 Brattle Aff. ¶ 48.

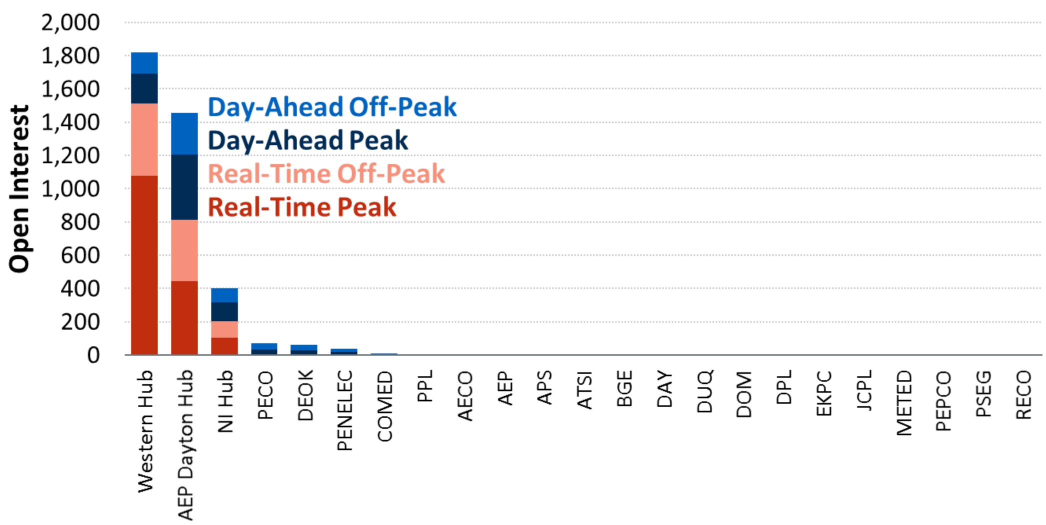
33 Brattle Aff. ¶ 50. They also checked open interest on electricity contracts traded on New York Mercantile Exchange platforms, but found it was more limited than open interest on the ICE. *Id.*

34 Brattle Aff. ¶ 50.

typically will undertake its pre-auction energy and ancillary services revenue estimating analyses roughly four years before the relevant Delivery Year.[35]

The results of their liquidity analysis are shown in Figure 1 below, which is taken from the Brattle Affidavit.

Figure 1: Open Interest for PJM Futures Products at Trading Hubs and Zones for Calendar Year 2024



As can be seen, open interest for these PJM energy products in 2024 is substantial for the three traded PJM Region hubs, but minimal to non-existent for the 20 traded PJM Region zones. Looking beyond 2024 to additional years, the Brattle/S&L experts also note that open interest at the PJM Zones "is . . . inconsistent from year to year."[36] Based on these facts, in their affidavit, they recommend using electric energy futures settlement

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35 Brattle Aff. ¶ 51.

36 Brattle Aff. ¶ 51.

prices at PJM Western Hub, AEP-Dayton Hub, and Northern Illinois Hub ("NI Hub") for the forward EAS estimates.[37]

PJM's compliance approach, per the Brattle/S&L experts' recommendation,[38] averages the settlement prices reported for the 30 most recent trading days.[39] This approach "balances the benefit of the most recent market information with potential vulnerability to market manipulation from indexing to a single day."[40]

PJM also proposes to use the day-ahead product's future prices. As the Brattle/S&L experts explain, the day-ahead and real-time futures prices "are nearly equivalent, such that relying on either will have little to no impact on the estimated E&AS net revenues."[41] PJM adopts their recommendation to use the day-ahead product prices. Moreover, the monthly prices from the day-ahead futures can be used to develop both hourly day-ahead prices and hourly real-time prices, relying on the distinct patterns of day-ahead and real-time hourly price shapes in the recent historic record, as discussed below.

In sum, the end result of this step of the analysis is forward day-ahead energy prices for each of the three PJM hubs, and for each month, on-peak period, and off-peak period in the Delivery Year.

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37 Brattle Aff. ¶ 14.

38 Brattle Aff. ¶ 16. Note that the daily interval here refers to settlement price updating. The underlying product is monthly (e.g., delivering energy at the specified location every day for the month of July 2024).

39 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(2).

40 Brattle Aff. ¶ 16. To implement the recommended 30-day averaging, PJM plans to retrieve, 180 days before the start of each Base Residual Auction, forward pricing data for each month of the future Delivery Year, and will use the daily settlement data from the 30 trading days prior to that date. This will provide PJM with time to calculate the EAS Offsets for the reference resources prior to having to post the preliminary default MOPR Floor Offer Prices at 150 days prior to the auction.

41 Brattle Aff. ¶ 16; *see* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(2).

ii. Determination of zonal prices

As noted above, there is little trading of day-ahead or real-time energy futures for delivery to individual PJM Zones in 2024, and the little trading observed is inconsistent from year-to-year. The Brattle/S&L experts correctly observe that "[t]he limited liquidity of zonal futures makes them more vulnerable to manipulation, which could cause large distortions in the capacity market parameters and outcomes."[42] While the zonal futures prices themselves should therefore be avoided in the analysis, fairly high correlations in historic prices between each hub and specific Zones enable ready mapping of Zones to hubs.

Specifically, the Brattle/S&L experts "analyzed the correlation of historical prices between the three electricity hubs and the 20 PJM zones, using monthly average peak and off-peak data for 2015-2019," and found that "for each zone, the hub with highest price correlation is that which is geographically closest," and this correlation persisted for both peak and off peak prices.[43] The resulting hub-Zone mapping is shown in the Brattle Affidavit.[44]

This mapping does not mean that PJM proposes simply to adopt for each Zone the price in the hub to which it is mapped. Rather, this mapping defines the appropriate sources and sinks for determining locational basis differentials between each Zone and its mapped

42 Brattle Aff. ¶ 51.

43 Brattle Aff. ¶ 53.

44 Brattle Aff. ¶ 53 & Table 5.

hub. Adding these differentials to the mapped hub price determines the corresponding Zone price.[45]

PJM proposes to use forward market information (i.e., long-term FTR auction results), along with historic data on marginal losses, to calculate forward monthly peak and off-peak prices for each Zone.[46] This is not a novel approach. As the Brattle/S&L experts explain, their "standard practice" for estimating future congestion differentials a few years out "is to use differences in congestion prices between each zone and the hub, from the latest long-term [FTR] auction."[47]

The longest-term FTRs traded in PJM's auctions are three years forward.[48] Even allowing for the fact that the latest long-term FTR auction results available at the time of PJM's EAS Offset calculations will be for the Delivery Year prior to that for which the Base Residual Auction is being run, "[t]he long-term FTRs are a reasonable indicator of the market's view of future congestion applicable in the [D]elivery [Y]ear and will reflect shifting patterns much more quickly than, for example, relying on historical congestion differentials from four to six years before the [D]elivery [Y]ear."[49]

As the Brattle/S&L experts explain, PJM's "long-term FTR auctions are centralized, multilateral, and locational-based markets, producing nodal clearing

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45 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(3).

46 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(3).

47 Brattle Aff. ¶ 17.

48 *See* Tariff, Attachment K – Appendix, section 7.1A.1; Operating Agreement, Schedule 1, section 7.1A.1.

49 Brattle Aff. ¶ 17. Although the Market Monitor has claimed that FTRs systematically understate congestion, their analysis ultimately shows only that it is hard to predict congestion occurring several years hence. By contrast, the Brattle/S&L experts explain that the specific Hub-to-zone FTRs relevant here do not appear systematically mis-priced based on the available evidence. *Id.* ¶¶ 54-56.

prices . . . . determined by bids from many market participants for source-sink pairs across the PJM system;" and have been found competitive, with ownership unconcentrated.[50] The consultants also "analyzed how well historical long-term FTR prices align with realized congestion in the day-ahead market between the trading hubs and zones during the same delivery years for 2011/12 to 2019/20."[51] Although "[l]ong-term FTRs of course do not accurately predict the realized congestion in the delivery year due to the uncertainty of the market conditions . . . FTR prices do incorporate trends . . . [and therefore] [u]sing FTR prices to forecast basis differentials incorporates such shifts sooner than using trailing historical prices to forecast [basis differentials]."[52]

Because PJM's long-term FTR product is annual, the auction prices need to be adjusted to obtain monthly values for the EAS Offset estimates.[53] For this purpose, "[i]t is reasonable to shape these annual prices by month using the congestion component of monthly average day-ahead price differentials between the zone and relevant hub from the past three years."[54]

In addition to the congestion differences, Zonal prices also need to incorporate the marginal losses expected between the hub and its mapped Zones. This adjustment is reasonably performed using historical zonal day-ahead loss prices (scaled by the

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50 Brattle Aff. ¶ 54.

51 Brattle Aff. ¶ 55.

52 Brattle Aff. ¶ 55 (citing example of regional price shifts from Marcellus shale gas production).

53 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(3).

54 Brattle Aff. ¶ 17. Specifically, PJM proposes to add "for each month of the year, the difference between (a) the historical monthly average day-ahead congestion price differentials between the Zone and relevant hub and (b) the historical annual average day-ahead congestion price differentials between the Zone and hub." Proposed Tariff, section 5.10(a)(v-1)(C)(3).

relationship between the forward price at the hub and the historic day-ahead Locational Marginal Pricing ("LMP") for the hub.[55] Such use of historic loss data "[is] sufficient because losses tend to be relatively small and more stable over time, and there is no forward-looking, market-based source for directly estimating future losses."[56]

The end result of this step of the analysis is forward day-ahead energy prices for each of the 20 PJM Zones, and for each month, on-peak period, and off-peak period in the Delivery Year.

iii. Forward natural gas prices

Fuel costs are a critical input to the energy and ancillary services revenue estimates as they are the principal cost incurred by most resources to obtain energy revenues. For the forward EAS Offset methodology, PJM proposes to use fuel futures market prices in a manner similar to the proposed methodology's use of electric energy futures market prices. This discussion focuses on natural gas prices, since the Reference Resource assumed for setting the VRR Curve is natural gas-fired. The approach for other fuels is adjusted as necessary, as discussed later in this transmittal.

As with energy futures prices, there are multiple futures markets for natural gas deliveries to PJM Region locations, but the liquidity of those markets varies for the 2024 time period used to match the energy futures prices. As with electric energy futures, open

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55 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(4).

56 Brattle Aff. ¶ 18. Specifically, PJM proposes to calculate the added loss differential as "as the average of the difference between the loss components of the historical on peak or off peak day-ahead LMPs for the Zone and relevant hub in that month across the three year period scaled by the ratio of the forward monthly average on-peak or off-peak day-ahead LMP at such hub to the average of the historical on-peak or off-peak day-ahead LMPs for such hub in that month across the three year period." *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(4).

interest is also reported for these natural gas futures trading hubs, which enables a reasonable assessment of liquidity. As explained in their affidavit, the Brattle/S&L experts found six gas hubs with sufficient liquidity (i.e., Chicago, Transco Zone 6 (non-NY), Dominion South, Michcon, TETCO M3, and Columbia-Appalachia TCO),[57] based on the open interest results summarized in their Figure 4.[58]

The PJM Region is also served by three other natural gas hubs, (i.e., Transco Zone 6 (NY), TGP LA 500 Leg, Transco Zone 5 Delivered) but their 2024 futures markets are not sufficiently liquid to rely on their settlement prices. However, based on historical price correlations, each of these hubs can be mapped to one of the six hubs that is sufficiently liquid in the 2024 futures market.[59] Once mapped, forward prices for these less-liquid hubs can be derived "by scaling the forward price of the mapped hub by the average ratio of monthly prices at the illiquid hub and the mapped [liquid] hub over the most recent three years."[60] This reliance on historic data is reasonable. The three hubs are only illiquid *in the futures market*; the locations were actively traded in the historic period, permitting reasonable assessment of the relationship between prices at these hubs and prices at the hub to which they are mapped.

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57 Brattle Aff. ¶¶ 29, 66.

58 Brattle Aff. ¶ 66 & Figure 4.

59 Brattle Aff. ¶ 66 & Table 6. PJM plans to memorialize this mapping in Manual 18. *See PJM Manual 18: PJM Capacity Market*, PJM Interconnection, L.L.C. (rev. 41, Jan. 1, 2019), http://www.pjm.com/-/media/documents/manuals/m18.ashx.

60 Brattle Aff. ¶ 30. Note that this use of historic prices to estimate monthly natural gas prices at illiquid hubs differs from the three simulations, discussed below, that each use one of three recent years of hourly price shaping data.

PJM proposes to use a simple average of natural gas settlement prices for the most recent 30 trading days, for the same reasons noted above for the forward energy prices.[61]

Finally, PJM will assign prices from the nine natural gas futures trading hubs to the 20 PJM Zones using the hub-zone mapping previously developed and recorded in PJM Manual 18.

iv. Shaping futures market monthly prices to the hourly and daily prices needed to make resource revenue estimates

The steps above produce monthly forward prices for electric energy and natural gas. Estimating resource revenues, however, requires prices on a shorter timescale, to capture the changing operating and economic conditions that drive resource dispatch, output, and revenues. Energy prices by hour, and natural gas prices by day, provide reasonable granularity for purposes of the estimate given this matches the timescale of the Day-ahead energy and gas markets. Historic data can help fill this gap.

For this purpose, one could shape monthly prices to hourly prices based on historic multi-year relationships, and then run the dispatch model using those prices. Different years will exhibit different pricing patterns; simply averaging price variations across multiple years will mute the in-year volatility that significantly affects resource revenues. That approach also would not sufficiently respect the strong relationship between electric energy prices and fuel prices. Trying to match, for example, a multi-year average pattern of gas prices to a multi-year average pattern of energy prices could ignore that a strong natural gas price trend produced a strong energy price trend. A synthetic year that tries to

[61] Brattle Aff. ¶ 16. Specifically, PJM will retrieve the forward gas price data 180 days before the relevant Base Residual Auction, and use data from the 30 preceding trading days at that time.

encompass multi-year pricing pattern variations thus may be *too* synthetic, and therefore less realistic. As the Brattle/S&L experts explain, "[h]istorical price patterns provide the best information for the hourly shapes of day-ahead and real-time prices," which warrants "using the price patterns from each of the three most recent years to capture random variation in price shapes from year to year."[62]

For this reason, PJM's proposed approach is slightly more sophisticated, which proposes to use historic pricing patterns from each of the three most recent years to produce three years of shaped hourly energy forward prices and shaped daily natural gas forward prices, and *then* run the revenue model separately for *each* of those years. Under this approach, the revenues resulting from those three years are averaged to produce an annual EAS estimate that reasonably encompasses varying patterns in hourly energy or daily natural gas prices.[63] PJM will produce hourly energy prices for each Zone, for each applicable generation bus,[64] and for the PJM Region.[65]

Specifically, PJM proposes to:

- Separately consider hourly electric energy prices and daily gas prices from each of the three most recent years, for three separate analyses;
- For each monthly on-peak period and off-peak period within a given historic year, develop an hourly energy price shape by dividing each individual hour's Day-ahead

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62 Brattle Aff. ¶ 19.

63 *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(C)(5) and 5.10(a)(v-1)(E)(5).

64 PJM will also determine prices to each applicable generation bus for use in determining resource-specific EAS Offsets by applying basis differentials from the Zone to the generation bus to the forward day-ahead and real-time hourly LMPs for the Zone. *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(6).

65 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(C)(7). To determine the PJM Region forward energy prices, PJM will take the load-weighted average of the monthly on-peak and off-peak Zonal LMPs, developed using the historical average load for each on-peak and off-peak period. Then, PJM will shape those monthly values to forward hourly LMPs using the same shaping process for zonal forward hourly LMPs, but use historical LMPs "for the PJM Region pricing point," i.e., (Pricing Node ID 1: PJM-RTO). *Id.*

or Real-time LMP by the average Day-ahead or Real-time LMP across all hours in the given period;[66]

- Apply that shape to the corresponding monthly on-peak period or off-peak period day-ahead price developed from the energy futures markets in the steps described above, to produce hourly energy prices for each hour in those periods, and thus for each hour of the year;[67]
- Develop daily natural gas price shapes in the same way, deriving in-period daily price patterns for each month of the historic year, and applying those patterns to the corresponding monthly prices developed from the natural gas futures markets;[68]
- Use the shaped forward hourly energy prices and shaped forward daily natural gas prices developed using shapes from each historic year;[69]
- Calculate net EAS revenues for each of those years using the appropriate model for the resource under consideration;[70] and
- Average the resulting three years of revenues to produce a single-year estimate.[71]

b. PJM is adding market-derived ancillary services revenues to the EAS Offset.

In addition to considering forward price data for energy and fuel, PJM is proposing to account for revenues from market-based ancillary service products in the EAS Offset, i.e., Synchronized Reserve, Non-synchronized Reserve, Secondary Reserve, and Regulation. The current EAS Offset approach omits such ancillary services, and instead only considers the cost-based revenues from providing reactive service as the representative of the estimated ancillary services revenues.[72] The reserve market reforms

[66] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(C)(5).

[67] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(C)(5).

[68] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(E)(5).

[69] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(C)(5) and 5.10(a)(v-1)(E)(5).

[70] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(A) (for the PJM Region) and (B) (for each Zone).

[71] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(A) (for the PJM Region) and (B) (for each Zone).

[72] *See* Tariff, Attachment DD, section 5.10(a)(v-1)(A)(b).

approved in the May 21 Order likely will increase the amount of non-reactive ancillary service revenues available to resources capable of providing them.[73] Accordingly, PJM is proposing to continue to provide credit for reactive services *and* start to account for revenues from other market-based ancillary services in the EAS Offset.

To do so, PJM will use a new dispatch model (i.e., the Projected EAS Dispatch discussed in the next section) that co-optimizes energy and reserves, similar to PJM's Day-ahead and Real-time Energy Markets. However, as Brattle explains, there are no observable forward markets for such ancillary services at this time, so PJM must rely on historical market prices for ancillary services.[74] Thus, for Synchronized and Non-synchronized Reserves, PJM will employ historical prices for these reserves in the Projected EAS Dispatch, where they will interact with the Forward Hourly LMPs, and commitment and dispatch projections for the resource will be made accordingly. Because these 10-minute reserve products have not previously been procured day-ahead, but will be procured day-ahead and in real-time under the reserve market reforms, PJM will use the historic real-time Synchronized and Non-Synchronized Reserve prices for simulated real-time reserve dispatch as a proxy for the unavailable historical day-ahead prices in the simulated day-ahead reserve dispatch. In other words, under PJM's new dispatch approach, it will determine revenues associated with Synchronized and Non-Synchronized Reserve on both day-ahead and real-time bases.

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73 *See* May 21 Order at P 314 ("[O]ne of the projected effects of PJM's proposal is to provide additional revenues to flexible resources.").

74 Brattle Aff. ¶ 22.

For Secondary Reserve, at this time, PJM is proposing to set the clearing price for Secondary Reserves to $0.00/MWh for both the day-ahead and real-time dispatch simulations. This is grounded in the fact that PJM's simulations have shown very low prices for Secondary Reserve ($0.00/MWh once rounded to the nearest penny),[75] and Brattle's conclusion that even without setting the price at $0.00/MWh, the product would not materially affect resources' net EAS revenues.[76] Accordingly, PJM's approach for Secondary Reserves is reasonable.

As PJM, Brattle and S&L worked on putting together a process to estimate forward ancillary services prices, the primary method discussed was one similar to that used for Regulation (explained further below)—to scale historic reserve market clearing prices by the ratio of the forward energy prices to the historic energy prices. While in the long-term, such an approach may be suitable, under the current set of forward energy prices, this would result in scaling *down* reserve market clearing prices by as much as 33 percent in some cases.[77] Such an outcome would be contrary to the expected increase in ancillary services market revenues relative to their historic levels following implementation of the market reforms adopted in the May 21 Order.[78] As a result, and in an effort to not introduce arbitrary bias into the new approach, PJM proposed to use unscaled, historic ancillary services market clearing prices for the initial implementation.

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75 *See* EL19-58 Initial Filing at 105 (citing *id.*, Attachment D (Affidavit of Adam Keech on Behalf of PJM Interconnection, L.L.C. ¶ 42, Table 4)).

76 Brattle Aff. ¶ 62.

77 *See* Brattle Aff. at Table 2.

78 *See, e.g.*, May 21 Order at P 314 ("[O]ne of the projected effects of PJM's proposal is to provide additional revenues to flexible resources.").

Over time, implementation of the reserve pricing reforms adopted in the May 21 Order will allow PJM and its stakeholders to observe the relationship between ancillary service prices and forward energy prices. Moreover, the market will be able to observe and consider this new relationship as forward energy curves and open interest submittals are developed. As a result, because of this 'chicken and egg' relationship between the two, PJM believes that the use of historic ancillary service revenues is a reasonable first step in implementing the Commission's requirements subject to re-examination and refinements in future quadrennial review proceedings.

For Regulation, because energy prices have historically been highly correlated with Regulation prices and the historical relationship between energy and regulation prices is not expected to change under the pending reserve pricing reforms,[79] PJM will rely not only on historical Regulation prices but historical and projected energy prices as well to develop the forward regulation prices. This is because Brattle demonstrates that Regulation prices "have correlated linearly with energy prices"[80] that can be used to scale historical hourly prices to the percent change in future energy prices relative to the corresponding historical prices.[81] Accordingly, the hourly forward regulation prices are derived by "scal[ing]" historical real-time prices for Regulation "to the ratio of the future hourly real-time energy price to the historic hourly real-time energy price."[82] PJM will use the Western pricing hub in PJM as the "appropriate price point" to perform the comparison between historical

79 Brattle Aff. ¶ 60.

80 Brattle Aff. ¶ 60.

81 Brattle Aff. ¶ 59.

82 Brattle Aff. ¶ 64.

and forward LMPs.[83] As Regulation continues to be a real-time only product, it will be modeled only on a real-time basis, based on scaled future real-time energy prices.

This approach for determining market-based ancillary services revenues is necessarily limited to only dispatchable resources. Thus, only CT, CC, coal, and storage resource types will, by default, be credited with revenues for Synchronized Reserve, Non-synchronized Reserve, and Regulation,[84] as these resource types are inherently capable of reliably ramping up or down their energy production when called upon to deploy. All resource types will continue to get credit for providing reactive services.

Accordingly, PJM is adding the new term "Forward Hourly Ancillary Services Prices" that will be included in the determination of the EAS Offset when the Projected EAS Dispatch model is used. PJM is also adding a new section 5.10(a)(v)(D) that details how the forward hourly prices for Synchronized, Non-Synchronized, and Secondary Reserve (both day-ahead and real-time)[85] and Regulation (real-time only)[86] will be determined as described above.

The forward price determination for ancillary services will, at a minimum, be re-evaluated in the next quadrennial review, which is slated to commence in the Spring of 2021. In the near term—i.e., before resource and the market have time to adjust to the new reserve market rules and observe implementation of the Operating Reserve Demand

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[83] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(D).

[84] *See* May 21 Order at P 257; *see also id.* at P 277 ("To the extent certain technology types are incapable of meeting the eligibility standard for providing reserves due to operating limitations, it is reasonable for PJM to prohibit those technology types from providing reserves.").

[85] *See* proposed Tariff, Attachment DD, sections 5.10(a)(v-1)(D)(1) & (2).

[86] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(D)(4).

Curves—PJM's approach provides a reasonable proxy for expected ancillary services revenues for the vast majority of resources, as it is expected that ancillary services will continue to only comprise a small fraction of a resource's annual revenues from PJM's energy and ancillary services markets.

Consistent with PJM's existing Tariff, sellers of resources that rely heavily on ancillary services for annual revenues may seek to use an alternate approach through a resource-specific MOPR Offer Floor Price determination. Indeed, any Capacity Market Sellers that would like a different ancillary revenues estimate for its resource's EAS Offset than one determined using the process outlined above and detailed in the Brattle Affidavit can seek a resource-specific exception and establish the resource's MOPR Floor Offer Price through that process.[87] For example, and subject to the strictures of the resource-specific exception process,[88] if a seller of a wind, solar, nuclear, or demand response resource would like to reflect revenues from the dispatched ancillary services in the EAS Offset for its resource, then the seller will need to demonstrate that its resource can (or has) earned revenues providing these reserve products. In addition, as discussed below, under the resource-specific exception process, sellers may propose to use different forward prices for ancillary services, but such prices must be from a publicly available source or be otherwise readily available (like through a subscription service) and demonstrated to be more appropriate for use on a resource-specific basis than the methodology set forth herein and in the Tariff.

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87 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(A) & (B)(ii).

88 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(3).

c. Replacing the Peak-Hour Dispatch model with the Projected EAS Dispatch model that simulates dispatch for all hours in a day with the objective of optimizing the resource's dispatch in response to input prices.

Once the forward energy and fuel prices, and the ancillary services prices, have been developed, PJM will input those, along with the applicable resource's operating parameters, into a dispatch model to determine an estimate of the resource's expected energy and ancillary services revenues for the future Delivery Year. Through the dispatch model, PJM will "simulate the generation and settlement of resources against shaped, forward-looking day-ahead and real-time energy and [ancillary services] prices,"[89] thereby ensuring that "energy market design modifications [are] more readily incorporated into capacity market parameters and prices."[90] Brattle/S&L observes that "this is best done with an optimization model that, like PJM's actual market, puts each resource to its highest value use, recognizing each resource's capabilities, costs, and operating constraints."[91] However, PJM's new dispatch model will only apply to dispatchable resources, e.g., CT, CC, coal, and storage, while PJM will continue to use an assumed output model for nuclear, wind, and solar, as PJM typically does not dispatch such resource types and they generally do not ramp up or down their energy production in response to energy prices.

Accordingly, as part of the updated EAS Offset approach, PJM is proposing to switch from using the Peak-Hour Dispatch market simulation to a "Projected EAS Dispatch" simulation. The Projected EAS Dispatch approach, like the existing Peak-Hour

89 Brattle Aff. ¶ 37.

90 May 21 Order at P 320.

91 Brattle Aff. ¶ 37.

Dispatch, takes the input prices as given and treats each generator as a price-taker, assuming that the reference resource will run when the estimated forward LMP exceeds the cost of operating the resource, without consideration of supply/demand balancing. However, the Projected EAS Dispatch approach will simulate whether the reference resource will run in any hour of the day and for any "contiguous period(s)," in which the resource would generate at a profit,[92] whereas, the Peak-Hour Dispatch only simulates whether the reference resource may be dispatched into the day-ahead and real-time energy market in four independent, four-hour blocks (between hour ending 8:00 and hour ending 23:00) each day. Further, the Peak-Hour Dispatch model does not account for ancillary service commitment and dispatch, unlike the Projected EAS Dispatch approach, which co-optimizes a resource's commitment and dispatch between the energy and ancillary service markets. Thus, Projected EAS Dispatch better simulates actual market outcomes and is more consistent with the resource's commercial expectations. As Brattle explains, PJM will employ "an industry-standard simulation model" that allows for "the same approach we often use in commercial applications."[93] To effectuate this change, PJM is establishing a new defined term "Projected EAS Dispatch" and deleting "Peak-Hour Dispatch," as it will no longer be used.[94]

To implement the Projected EAS Dispatch, PJM will employ a simulation software that offers a broad range of capabilities for modeling and optimization of energy systems.[95]

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92 Proposed Tariff, Definitions O-P-Q (definition of Projected EAS Dispatch).

93 *See* Brattle Aff. ¶ 37.

94 Proposed Tariff, Definitions O-P-Q.

95 Brattle Aff. ¶ 37.

Because the purpose of the exercise is to determine a resource's expected revenues, PJM will set the software's objective function to optimize the energy and ancillary services commitment and dispatch of the generator in order to maximize the resource's value (as measured by net profit) based on the input energy and ancillary service and fuel prices discussed above, subject to the constraints of the generator parameters.[96] To do so, the model will compare an energy offer, composed of the resource's marginal costs and other costs associated with generating energy, including the cost for a complete start and shutdown cycle, and for CTs only, add 10 percent of such costs, against the forward LMPs and ancillary service market clearing prices.[97]

The inclusion of the 10 percent adder for CTs carries forward that aspect of current EAS Offset. In the order on the 2018 quadrennial review, the Commission found consideration of the 10 percent adder in the EAS Offset to be just and reasonable because, it is "consistent with existing energy market rules," and "more fully reflects all eligible offer cost components, for the purpose of increasing the overall accuracy of the Net EAS Offset."[98] Brattle explains that it is "appropriate for the CT to account for increased net costs of matching gas supplies with flexible day-of changes in operations, as discussed in our [2018] Quadrennial Review report."[99] However, it would not necessarily be

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96 *See* proposed Tariff, Definitions O-P-Q (definition of Projected EAS Dispatch).

97 Proposed Tariff, Definitions O-P-Q (definition of Projected EAS Dispatch) ("For combustion turbine units only, the cost-based energy offer will include a 10 percent adder.").

98 *PJM Interconnection, L.L.C.*, 167 FERC ¶ 61,029, at P 128 (2019), *aff'd on reh'g*, 171 FERC ¶ 61,040, at P 31 (2020) ("We conclude that the adder is reasonable because taking into account a significant energy offer component improves accuracy of the EAS net revenue estimate and therefore helps to ensure just and reasonable Net CONE values.").

99 Brattle Aff. ¶ 35 (citing Periodic Review of Variable Resource Requirement Curve Shape and Key Parameters of PJM Interconnection, L.L.C., Docket No. ER19-105-000, Attachment G, Exhibit No. 2 (*Fourth Review of PJM's Variable Resource Requirement Curve*), at 23-24 (Oct. 12, 2018)).

appropriate to apply such adder for other resource types, particularly given that the EAS offset for other resource types is not used in the development of the Variable Resource Requirement curve, but rather is used for the development of the MOPR Floor Offer Prices and Market Seller Offer Caps. For example, Brattle notes that, because "the CC . . . operates as a baseload plant without substantially changing its operations for the real-time market[,] applying an adder in this context would underestimate [EAS] revenues and result in over-mitigation, with too high an offer floor."[100] In other words, the mitigated floor price (i.e., the MOPR Floor Offer Price) would be higher than necessary and thus may not reflect a competitive offer. In addition, the 10 percent cost adder "should not apply to coal and nuclear plants that do not buy natural gas and are not flexible, nor to other resources that do not use natural gas."[101] Thus, inclusion of the 10 percent cost adder in the definition of Projected EAS Dispatch—and applying it exclusively to CTs—ensures the dispatch properly evaluates the resource's costs when evaluating whether to commit or dispatch the resource. That rationale continues to be applicable to a CT (which was the unit at issue in the 2018 quadrennial review) but, in PJM's view, the Commission's rationale should not be whole scale taken out of context with blanket application to the MOPR Floor Offer Prices for all resources—an issue that was not before the Commission at the time of its deliberations on the 2018 quadrennial review.

The Projected EAS Dispatch will simulate commitment and dispatch for both the day-ahead and real-time energy and ancillary service markets. Similar to the sequencing of the day-ahead and real-time markets, the model will first run a day-ahead commitment

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[100] Brattle Aff. ¶ 35.

[101] Brattle Aff. ¶ 35.

and dispatch against the input forward day-ahead energy and ancillary service prices. A real-time commitment and dispatch against forward real-time energy and ancillary service prices is then run where the model assumes the resource runs in real-time for the periods in which it was committed day-ahead, but adjusts the dispatch for such hours based on the forward real-time LMPs and ancillary service prices. The resource may also be committed and dispatched for additional hours beyond those for which it was committed day-ahead. The gross revenues from such dispatch are then calculated assuming all day-ahead committed MWh are paid the forward day-ahead energy or ancillary service market clearing prices, as appropriate, and that any deviations between the real-time dispatch and the day-ahead dispatch are settled at the forward real-time energy or ancillary service market clearing prices, as appropriate. The settlement includes make-whole payments such that total gross revenues cover resource's real-time costs.

Thus, the Projected EAS Dispatch will forecast revenues from the resource based on the optimal commitment and dispatch of the resource per the objectives of the PJM energy and ancillary service markets, thus approximating actual resource behavior and reasonable commercial expectations.[102] To determine the "net" revenues that will comprise the EAS Offset, PJM subtracts the costs to generate (i.e., marginal, plus startup and shutdown costs) the energy MWh for the hourly intervals in which the resource is dispatched in the real-time model.

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[102] To the extent the simulation produces the scenario in which the unit cannot recover its real-time generation cost for the day (e.g., real-time LMPs that are lower than the day-ahead LMPs on which the resource was committed), the model credits the resource with an "uplift" (or make-whole) payment equivalent to the difference between the real-time generation cost and the revenue from energy and ancillary services. As such uplift payments occur in the same manner in PJM's energy markets today, the Projected EAS Dispatch model is simply and reasonably approximating PJM's energy markets.

To further approximate actual resource operations and commercial expectations, PJM will adjust the net revenues yielded by the model to linearly scale down the revenues to account for the resource's expected maintenance and unplanned (i.e., Equivalent Demand Forced Outage Rate ("EFORd")) outages. PJM will also assume maintenance outages. For example, PJM will assume CT and CC resources take a two-week maintenance outage during the shoulder month of October, when such resources often take scheduled outages.

The resulting simulated generation pattern and the corresponding revenues net of operating costs for each day of the Delivery Year yield the projected energy revenue portion of the EAS Offset for each reference resource. PJM performs this simulation with energy, ancillary services, and fuel prices shaped by historical data from each of the three full preceding calendar years, and then takes the average of the revenues yielded by the three simulations as the EAS Offset value for the resource.

2. Compliance Tariff changes to implement forward-looking EAS Offset approach

a. Application of the forward-looking EAS Offset approach to CTs to determine the VRR Curve

To implement the forward-looking EAS Offset approach, PJM is revising the description of the determination of the EAS Offset for the CT resource type for use in setting the VRR Curve.[103] First, PJM is updating the beginning of the section to state the forward and broader scope of the offset determination, i.e., that it also will determine

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[103] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1). As discussed above, PJM is maintaining the current EAS Offset methodology for use in the RPM Auctions for delivery Years for which the BRA has already been conducted. The forward looking EAS Offset will apply to RPM Auctions starting for the 2022/2023 Delivery Year and for subsequent Delivery Years.

ancillary services revenues from ancillary services market, and removing the statement that the determination will rely on historical revenues from the previous three years.[104] PJM is updating the inputs into the determination to specify the usage of day-ahead and real-time Forward Hourly LMP and Forward Hourly Ancillary Services Prices, and the Forward Daily Natural Gas Price for each day of the relevant future Delivery Year.[105] The reference to the Peak-Hour Dispatch is being replaced with Projected EAS Dispatch.[106]

PJM is also updating the provision for determining the zonal EAS Offset values such that the determination will rely on Forward Hourly LMP and Forward Daily Natural Gas Prices specific to that Zone. (The Forward Hourly Ancillary Services Prices for this purpose are not zone specific and are instead applicable throughout the PJM Region.)

To reflect the fact that, under the Projected EAS Dispatch, a CT is assumed to startup and shutdown much more often than under the Peak-Hour Dispatch, PJM is revising how major maintenance costs are accounted for in the EAS Offset determination. Previously, they were embedded within the variable operating and maintenance expense ("VOM") adder and expressed in terms of $/MWh, and thus, as approved following the PJM's 2018 quadrennial review proceeding, the stated VOM is $6.93/MWh.[107] However, PJM is now proposing to amortize major maintenance across both start costs (expressed as $/start) and incremental output costs (expressed as $/MWh), resulting in the stated VOM

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[104] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(A)(1). While PJM will not rely on a resource's historical revenues to determine an EAS Offset, PJM will rely on historical data in the dispatch process, as described above and in the Brattle Affidavit.

[105] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(A)(1)(b)-(d).

[106] *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(A)(1)(e).

[107] *See* Tariff, Attachment DD, section 5.10(a)(v-1)(A).

being "$1.95 per MWh and $11,732 per start."[108] As Brattle explains, the VOM costs are all derived from the 2018 quadrennial review, which "reported major maintenance costs of $23,464/start (in 2022 dollars)," and converted that cost per start figure "to $5.83/MWh by assuming an average capacity of 366 MW across CONE Areas and an average runtime of 11 hours per start."[109] However, in contrast to the Peak-Hour Dispatch's "limited ability . . . to directly account for start costs," which necessitated the $/MWh value, the Projected EAS Dispatch is "realistically flexible" and "showed very different dispatch patterns, with a range of duty-cycles averaging only half as many hours per start."[110] As a result, Brattle found that the Projected EAS approach was "under-counting major maintenance costs" by using the $/MWh value.[111] By contrast, accounting for major maintenance only in start costs and not in VOM "resulted in the opposite problem; the unit ran far more total hours and far more hours-per-start because the per-MWh cost was lower," which Brattle found "unrealistic because running for so many hours causes additional wear and tear and incurs major maintenance costs that were not being recognized."[112] Accordingly, for the forward EAS Offset determination, Brattle concluded that it is appropriate to separate these costs with 50 percent of major maintenance costs apportioned to startup costs (in $/start terms) and 50 percent apportioned to incremental energy costs (i.e., $/MWh).

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108 *See* proposed Tariff, Attachment DD, section 5.10(a)(v-1)(A)(1)(a).

109 Brattle Aff. ¶ 70.

110 Brattle Aff. ¶ 70.

111 Brattle Aff. ¶ 70.

112 Brattle Aff. ¶ 71.

Thus, half of the major maintenance cost of $23,464 per start, i.e., $11,732 per start, will be reflected in the start cost of the resource. The remainder will be expressed in $/MWh terms. If the resource "runs for many hours per start, major maintenance would be triggered by run hours and thus incurred at approximately $1.70/MWh," which Brattle has determined would "approximate[] the same total costs for major maintenance" as $23,464 per start.[113] Accordingly, PJM is including in the VOM $0.85/MWh for major maintenance (i.e., half of $1.70/MWh), plus the unchanged $1.10/MWh for consumables, waste disposal, and other VOM,[114] for an incremental VOM adder totaling $1.95/MWh. In other words, PJM is not altering the Reference Resource's major maintenance costs, but is instead reallocating the manner in which those costs are recovered.

With these changes, the EAS Offset for the CT will be determined using forward-looking prices and a dispatch model that more closely approximates market behavior and commercial expectations.

b. Application of the forward-looking EAS Offset approach to determine Default MOPR Floor Offer Prices

Consistent with the Commission's directive to update "all Tariff provisions that rely on a determination of the [EAS] Offset" with the new forward-looking approach,[115] PJM is revising the specific resource-type EAS Offset methodologies used for determining MOPR Floor Offer Prices. Those methodologies currently are pending before the Commission in Docket Nos. EL16-49, et al.[116] In proposing those methodologies, PJM

113 Brattle Aff. ¶ 72.

114 *See* Brattle Aff. ¶ 73.

115 May 21 Order at P 320.

116 Compliance Filing Concerning the Maximum Offer Price Rule, Request for Waiver of RPM Auction Deadlines, and Request for an Extended Comment Period of at Least 35 Days, Docket No ER18-

explained that "[w]hile the exact methodology may differ, each approach is based on the following fundamental principles: when is the resource likely to run; what is the [LMP] at that time; what ancillary service revenues can be expected; and what are the resource's applicable costs of providing energy and ancillary services that should be subtracted from such revenues."[117]

In addition to updating the methodologies, PJM is adding a provision that any Capacity Market Seller of a New Entry Capacity Resource with State Subsidy that wishes to deviate from the default EAS Offset value determined for the relevant Zone (whether a change in prices or operating parameters) must request a resource-specific MOPR Floor Offer Price.[118] Similarly, sellers of a Cleared Capacity Resource with State Subsidy that wish to use inputs different from those required must seek a resource-specific MOPR Floor Offer Price. In effect, these provisions require a seller that wants a resource-specific EAS Offset to also obtain a resource-specific gross CONE or Avoidable Cost Rate ("ACR") value.

i. *Tariff changes to implement the forward-looking EAS Offset to determine the MOPR Floor Offer Prices for New Entry Capacity Resources with State Subsidy*

In this filing, PJM does not propose to change the methodologies for determining the EAS Offset for each resource type, and PJM does not propose to change the stated amount of reactive revenues credited to each resource type. Rather, PJM is only proposing

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1314-003, at 60-63 (Mar. 18, 2020) ("March 18 Filing"); Second Compliance Filing Concerning Application of the Minimum Offer Price Rule, Docket No. ER18-1314-006, Attachment A at section 5.14(h-1)(2)(A)(i)-(ix) (June 1, 2020).

117 March 18 Filing at 60.

118 *See* proposed Tariff, Attachment DD, section 5.14(h-1)(2)(A).

to update each methodology as necessary to use forward-looking data (i.e., Forward Hourly LMP, Forward Hourly Ancillary Services Prices, and forecasted fuel prices), the Projected EAS Dispatch, and account for revenues from market-based ancillary services. Thus, the revisions to implement a forward-looking EAS Offset continue to reflect the characteristics inherent to the resource type (e.g., solar and wind can only run when the sun is shining or the wind is blowing). To the extent a resource parameter is stated, it is based on the same reference resource that was used to develop the Gross CONE values presented, and supported, in the March 18 Filing in Docket Nos. EL16-49, et al.

For coal, CC, and storage resource types, PJM is updating the EAS methodologies to specify that they will employ Forward Hourly LMP, Forward Hourly Ancillary Services Prices, and the Projected EAS Dispatch model to determine the EAS Offset.[119] Because of the switch to the Projected EAS Dispatch model, PJM also is updating the stated dispatch assumptions for these resource types. For CC resources, PJM is deleting the stated assumption that the resource must run "continuously during the full peak-hour period . . . rather than only during the four-hour blocks within such period that such resource is economic," because, unlike the Peak-Hour Dispatch, the Projected EAS Dispatch will treat all resources the same and will run them when profitable in accordance with the resource's costs and operating parameters.[120] PJM is also adjusting the stated heat rate from 6.532 MMbtu/Mwh to 6.501 MMbtu/Mwh to reflect an average heat rate for the reference resource, based on average ambient conditions, which Brattle finds "reasonabl[e]" because

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119 *See* proposed Tariff, Attachment DD, sections 5.14(h)(3) (combined cycle), 5.14(h-1)(2)(A)(ii) (coal), 5.14(h-1)(2)(A)(iv) (combined cycle), & 5.14(h-1)(2)(A)(viii) (storage).

120 *See* proposed Tariff, Attachment DD, sections 5.14(h)(3) & 5.14(h-1)(2)(A)(iv).

the Projected EAS Dispatch model does not consider ambient conditions.[121] For coal resources, PJM is removing the dispatch assumption that the resource should be "committed day-ahead in profitable blocks of at least eight hours, and then committed in real-time for profitable hours if not already committed day ahead,"[122] because the Projected EAS Dispatch will determine which hours the resource can run at a profit, i.e., when the applicable LMP exceeds the resource's costs to generation energy. For coal resources, PJM will use forecast coal prices, including from a vendor or report, because there is no liquid (or public) forward markets for coal.

For Capacity Storage Resources, PJM is removing all stated assumptions about when the resource will be dispatched and the formula for calculating energy market revenues based on those dispatch assumptions.[123] Because the assumption that the EAS Offset is developed based on the dispatch of a 1 MW resource with a 4 hour duration was previously embedded in the dispatch formula, PJM is restating this assumption so that it may be clearly understood and applied in the Projected EAS Dispatch, which more closely resembles PJM's energy and ancillary services markets. In addition, PJM is updating the roundtrip efficiency from 83.3 percent to 85 percent. The prior value was based on an assumed 1.2 MW of charging required to discharge 1 MW of output which yields an efficiency of output over input of 1.0/1.2 or 83.3 percent. The new 85 percent roundtrip

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121 Brattle Aff. ¶ 36.

122 *See* proposed Tariff, Attachment DD, section 5.14(h-1)(2)(A)(ii).

123 Proposed Tariff, Attachment DD, section 5.14(h-1)(2)(A)(viii).

efficiency parameter was developed by National Renewable Energy Laboratory[124] and reflects the operating characteristics of the reference resource used to develop the Gross CONE value PJM proposed in Docket Nos. EL16-49, et al.[125]

PJM is updating the EAS Offset methodologies for nuclear, solar, and wind resource types to use the Forward Hourly LMP for the Zone in which the resource is located.[126] As these resources generally are not dispatchable and do not provide regulation or reserves, PJM is not proposing to use the Projected EAS Dispatch model to estimate their expected revenues, but will instead continue to rely on assumed dispatch or the output models that reflect the market behavior for those resource types proposed in Docket Nos. EL16-49, et al.[127]

PJM is also clarifying that the stated dollar value is associated with revenues from reactive services specifically, not ancillary services more broadly.[128] This change reflects the fact that the forward-looking EAS Offset approach now allows for market-derived ancillary services revenues to be included the determination as well.

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[124] *See* Wesley Cole & A. Will Frazier, *Cost Projections for Utility-Scale Battery Storage: 2020 Update*, National Renewable Energy Laboratory (June 2020), https://www.nrel.gov/docs/fy20osti/75385.pdf.

[125] March 18 Filing at 49 n.127; *id.*, Attachment E (Affidavit of Adam J. Keech on Behalf of PJM Interconnection, L.L.C.) ¶ 15 & Appendix A.

[126] *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(A)(i) (nuclear), 5.14(h-1)(2)(a)(v-1) (solar), 5.14(h-1)(2)(A)(vi) (onshore wind), & 5.14(h-1)(2)(A)(vii) (offshore wind).

[127] *See* March 18 Filing at 61-62.

[128] *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(A)(i), (ii), (iv)-(viii).

ii. Tariff changes to implement the forward-looking EAS Offset to determine the MOPR Floor Offer Prices for Cleared Capacity Resources with State Subsidy

PJM is proposing to continue apply the same resource type-specific methodology used to determine the forward-looking EAS Offset for New Entry Capacity Resources with State Subsidy to Cleared Capacity Resources with State Subsidy. However, because Cleared Capacity Resources with State Subsidy will generally have an operating history, PJM's forward-looking EAS Offset approach for Cleared Capacity Resources with State Subsidy will input resource-specific operating parameters and costs into a dispatch against forward prices to estimate a resource's expected revenues. This approach is consistent with the Commission's directive to use unit-specific EAS Offset for determining a Cleared Capacity Resource with State Subsidy's applicable MOPR Offer Floor Price.[129] In other words, to determine the EAS Offset for an existing CC resource, for example, PJM must input that resource's costs and operating parameters into the Projected EAS Dispatch model along with the forward energy, ancillary services, and natural gas prices.

To provide transparency about which costs will be considered, PJM proposes to use costs as approved as part of the resource's Fuel Cost Policy and cost-based offer review process under Operating Agreement, Schedule 2.[130] Those costs are vetted, and the fuel cost policy upon which they are based, are reviewed by the Market Monitor and approved by PJM,[131] for the purpose of ensuring a resource's cost-based offers are determined in a

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129 *See PJM Interconnection, L.L.C.*, 171 FERC ¶ 61,035, at P 171 (2020).

130 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii).

131 *See* Operating Agreement, Schedule 2, section 2.

manner that represents the Market Sellers' applicable costs.[132] A Fuel Cost Policy, and other components of the cost-based offer that are approved as part of the Schedule 2 process, set forth reasonable costs associated with running the resource.

Similarly, for the standardized operating parameters, PJM proposes to use those values approved for use in a resource's approved parameter limited schedule.[133] A resource's parameter limited schedule must reflect the actual physical parameters of the unit.[134] Both of these sets of data must be approved by PJM for the resource to participate in PJM's energy market,[135] after review and consultation with the Market Monitor. Thus, these data sets are generally representative of the costs and operating parameters for each resource, and provide a reasonable set of standardized inputs for the EAS Offset determination.

However, not every necessary input must be pre-approved to participate in the energy market. Thus, PJM is specifying a few other common resource-specific default inputs and listing additional resource type-specific operating parameters required to properly perform each forward-looking EAS offset estimation. In particular, in the determination, PJM will use the resource's EFORd and annual revenue requirement for

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[132] A Fuel Cost Policy may include the following components: (1) incremental fuel cost, (2) incremental maintenance cost, (3) no-load cost during period of operation, (4) incremental labor cost, (5) emissions allowances /adders, (6) variable operation and maintenance adders, (7) 10 percent adder, and (7) other incremental operating costs. *See* Operating Agreement, Schedule 2, section 2.

[133] *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii).

[134] *See* Operating Agreement, Schedule 1, section 6.6(a).

[135] *See* Operating Agreement, Schedule 1, section 6.6(b) (parameter limited schedules) & Schedule 2, section 2 (Fuel Cost Policy).

providing reactive service, and use the Forward Hourly LMP at the generation bus applicable to the resource.[136]

For CT, CC, and coal resource types, PJM will use the resource's installed capacity rating and heat rate, "as determined as the resource's average heat rate at full load under standard conditions as submitted to the Market Monitoring Unit and the Office of the Interconnection."[137] But, for CC resources, PJM will determine two heat rates at those same standard conditions, one at base load and one at peak load (e.g., without duct burners and with duct burners). PJM also specifies how the maximum output of resource types will be determined in the assumed output model. For nuclear resource types, PJM will consider the resource's anticipated refueling schedule when determining availability.[138] For solar and wind resource types, PJM will use the output profiles for the most recent three calendar years, as available,[139] and for battery storage resources, PJM will use the resource's nameplate capacity rating(on a MW / MWh basis).[140]

c. Updates to the process for obtaining resource-specific MOPR Floor Offer Prices

Consistent with the existing and pending revisions to the MOPR, Capacity Market Sellers should have the option of using resource-specific projected revenues that may differ from the default projected EAS values for new entry resources or the resource-specific projected EAS values developed using PJM's standard approach described in section B

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136 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii)(c), (d), and (e).

137 Proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii)(f).

138 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii)(g).

139 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii)(h).

140 *See* proposed Tariff, Attachment DD, sections 5.14(h-1)(2)(B)(ii)(i).

above for existing resources. This will accommodate differences in specific resource characteristics, such as size, heat rate, and operating constraints that may not be best reflected by the applicable reference resources used to develop the default projected EAS values. Further, consistent with the Commission's directive to require the use of forward looking EAS Offset, Capacity Market Sellers may only obtain resource-specific projected EAS revenues that are based on forward looking dispatch models.

A resource-specific EAS calculation will be required for any Capacity Market Seller that seeks to obtain a resource-specific exception from the default MOPR Floor Offer Prices. The Market Monitor will develop the default EAS values for all resources that seek a resource-specific exception and for Cleared Capacity Resources with State Subsidy using a set of standard inputs based on resource's actual operating parameters, cost data, pricing points.[141] The Projected EAS Dispatch or assumed output models, as applicable for the resource type, will be used as the standard model in developing the EAS values using these inputs.

Capacity Market Sellers may only seek a customized EAS value under the resource-specific exception process if they are also seeking a resource-specific Gross CONE or ACR. Put another way, Capacity Market Sellers may not rely on the default Gross CONE or ACR value and seek only a resource-specific EAS value (based on non-standard inputs) to arrive at the applicable MOPR Floor Offer Price. This will ensure that Capacity Market Sellers cannot pick and choose values that are most favorable in determining a MOPR Offer Floor Price. Instead, if a Capacity Market Seller believes its resource-specific MOPR

[141] Alternatively, Capacity Market Sellers may submit their own EAS Offset value for review and approval.

Floor Offer Price should be less than the applicable default value, then it must demonstrate the resource-specific actual costs *and* projected revenues to arrive at the resource-specific MOPR Floor Offer Price. This approach will also result in a more accurate resource-specific value.

PJM proposes to allow Capacity Market Sellers to deviate from the aforementioned standard inputs used to develop the standard resource-specific EAS value where the seller can demonstrate additional or alternative inputs that better represent the resource-specific EAS costs and revenues. Further, Capacity Market Sellers should also have the ability to offer substituting models along with their alternative inputs for consideration by the Market Monitor, and ultimately PJM, that may better reflect the resource's specific projected net energy and ancillary services revenues when such model is shown to be reasonable.

While the resource-specific option will provide flexibility for Capacity Market Sellers to better reflect a Capacity Resources' actual costs and revenues, there will continue to be safeguards that ensure that the resource-specific EAS values are verifiable and reasonable. Specifically, Capacity Market Sellers must demonstrate the underlying Capacity Resources' operating parameters for existing Capacity Resources. For new Capacity Resources that are not yet in commercial operation, specifications from manufacturers and compatible environmental permitting, or the demonstrated operating parameters of other existing, comparable resources, as developed by the Capacity Market Seller and the Market Monitoring Unit may be permitted in modeling the resource's operating parameters.[142] Capacity Market Sellers must provide documentation to support the Capacity Resource's resource-specific performance and capability information.

In addition to these safeguards, Capacity Market Sellers may only rely on actual contractual evidence of alternative fuel prices or well-defined models that utilize publicly available forward prices for electricity and fuel sourced from liquid forward markets that can be shown to be superior for estimating the energy and ancillary service revenues of the particular unit undergoing the resource-specific review. Where liquid forward markets or contractual evidence are not available, estimates of future fuel prices or costs may be used.[143] Capacity Market Sellers may also change the hubs or data for basis adjustments used in PJM's default methodology to the extent they can demonstrate that there is publicly available data that better represents the particular forward economics of their resource. However, consistent with the hourly energy prices used in PJM's simulations, such data must be publicly available and sourced from forward markets. These requirements will ensure that the resource-specific projected net EAS value is objective and can be verified.

d. Application of the forward-looking EAS Offset approach to Determine Market Seller Offer Caps

To comply with the Commission's directive that "all Tariff provisions that rely on the determination of the EAS offset" be modified to reasonably estimate expected future energy and ancillary services revenue, PJM also proposes to modify the methodology for determining the projected market revenues used for purposes of determining a unit-specific Market Seller Offer Cap value. In particular, the existing methodology in Tariff,

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142 *See* proposed Tariff, Attachment DD, section 5.14(h-1)(2)(B)(ii).

143 *See* proposed Tariff, Attachment DD, sections 5.14(h)(5)(ii), 5.14(h-1)(3)(B), and 5.14(h-1)(3)(C).

Attachment DD, section 6.8(d) uses a historical rolling three-year average to calculate the projected energy and ancillary services market revenues. Accordingly, PJM proposes to add language in Tariff, Attachment DD, section 6.8(d-1) to calculate energy and ancillary services market revenues using PJM's forward-looking EAS Offset approach.

Given that Market Seller Offer Caps generally apply to existing resources, PJM proposes to employ the same default resource-specific methodology that will be used for determining projected EAS revenues for purposes of the MOPR,[144] i.e., the EAS Offset methodology for Cleared Capacity Resources with State Subsidy. Thus, PJM will require the offer cap determination to rely on cost data and operating parameters from the resource's approved Fuel Cost Policy (including other cost-based inputs approved in such process) and approved parameter limited schedule.[145] Similar to the EAS Offset determination process, PJM will allow Capacity Market Sellers to request adjustments to the standard resource-specific parameters or to propose their own estimate of Projected PJM Market Revenues. For either request, the Capacity Market Seller must provide documentation supporting a deviation from the standard approach, and the Market Monitor and PJM will review the request and approve or deny such request, pursuant to the terms for setting Market Seller Offer Caps in Tariff, Attachment DD, section 6.4.

Given that the same net EAS revenues will be used in the calculation of a unit-specific Market Seller Offer Cap value and a resource-specific MOPR Floor Offer Price, it is logical and reasonable to utilize the same methodology for determining a resource's net EAS revenues. This approach also ensures that the methodology used for determining unit-

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[144] *See* proposed Tariff, Attachment DD, section 6.8(d-1).

[145] *See* proposed Tariff, Attachment DD, section 6.8(d-1).

specific projected net EAS revenues will be consistent for purposes of both the MOPR and the Market Seller Offer Cap, just as under the current Tariff.

e. Application of the forward-looking EAS Offset approach to the Default MOPR Floor Offer Price for New Energy Efficiency Resources

The switch to a forward-looking EAS Offset approach also calls for updating the derivation of the MOPR Floor Offer Price for Energy Efficiency Resources that are New Entry Capacity Resources with State Subsidy. Previously, PJM proposed to state in the Tariff the MOPR Floor Offer Price of "$64/ICAP-MW-Day (Net Cost of New Entry)," which is the Gross CONE net of EAS revenues.[146] Stating the Net CONE value in the Tariff and revisiting it in the quadrennial review was reasonable when the EAS Offset was determined on a static historical basis. However, the adoption of forward-looking EAS Offset necessitates updating the MOPR Floor Offer Price for each RPM Auction, as new forward price information becomes known.

In the March 18 Filing, Brattle explained that it examined several energy efficiency programs in the PJM Region, for which there is accurate, publicly available cost information, and then based its Gross CONE determination on an average across those programs.[147] Specifically, Brattle calculated the Gross CONE value "based on the program costs, the program lifetime, and the 8.2% discount rate,"[148] where the 8.2% discount rate is "PJM's assumed discount rate for merchant generation" and "properly values the risks

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146 *See* March 18 Filing at 57-58; *id.*, Attachment B, proposed Tariff, Attachment DD, section 5.14(h)(2)(A).

147 *See* March 18 Filing, Attachment D (Affidavit of Samuel A. Newell, John M. Hagerty and Sang H. Gang on Behalf of PJM Interconnection, L.L.C.) ("MOPR Brattle Affidavit"), Exhibit No. 2 at 25.

148 *Id.* at 29-30.

related to future wholesale market value of the investment in [energy efficiency] programs."[149] To get the Net CONE value, Brattle "deducted the value of reduced [transmission and distribution] investment using the values assumed by each utility in its EE cost-effectiveness analysis."[150] For the energy and ancillary services revenues, Brattle evaluated the wholesale energy savings for each evaluated energy efficiency program. Brattle estimated wholesale energy savings based on the 3-year average of historical (2017-19) load weighted average energy prices in each Zone.[151]

PJM proposes to retain this overall approach but substitute in applicable Forward Hourly Prices for historical prices. More particularly, PJM is proposing to replace, in the Tariff, the stated Net CONE value with "[t]he default gross cost of new entry value for Energy Efficiency Resources, which shall be $644/ICAP MW-Day, which shall be offset by projected wholesale energy savings, as well as transmission and distribution savings of $95/ICAP MW-Day," and detail the forward-looking EAS Offset methodology for new Energy Efficiency Resources.[152] The stated values for Gross CONE and transmission and distribution investment are taken from Brattle's MOPR Affidavit included in the March 18 Filing, and converted from $/ICAP-kW-year terms to $/ICAP-MW-Day terms to be consistent with the other CONE values in the Tariff.[153]

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149 MOPR Brattle Affidavit, Exhibit No. 2 at 28.

150 *Id.* at 28.

151 *Id.* at 28.

152 *See* proposed Tariff, Attachment DD, section 5.14(h-1)(2)(A).

153 To do so, PJM first multiplied Brattle's Gross CONE value of $235/ICAP-kW-year and transmission and distribution savings value of $35/ICAP-kW-year by 1000 (to get a MW value) and second, took each product and divided by 365 to arrive at a daily MW value.

To determine the energy savings component of Net CONE, prior to each RPM Auction, PJM will multiply the projected energy price i.e., Forward Hourly LMP, against the amount of energy savings. For the annual energy savings, PJM will rely on the average annual energy savings that Brattle determined was created by the representative energy efficiency programs of "6,221 MWh/ICAP MW."[154] For the projected energy price, PJM will use "the weighted average of the annual real-time Forward Hourly LMPs of the zones of the representative energy efficiency programs." Thus, both values are based on the relative weight of each energy efficiency program, and the methodology will estimate the resource's projected wholesale energy savings (in $/ICAP-MW-Day terms) in the Zones in which the representative energy efficiency programs are located.[155]

To ensure the applicable energy efficiency programs underlying this methodology have sufficient cost and performance data, PJM will reevaluate and update, as necessary, the energy efficiency programs as part of each quadrennial review.

III. EFFECTIVE DATE

The May 21 Order directed PJM to present a schedule for implementing the reserve market changes and the forward-looking EAS Offset that allows the reserve market changes to go into effect "as early as practicable" and "appropriately harmonizes" implementation of the reserve market changes and the forward-looking EAS Offset with

[154] To arrive at 6,221 MWh/ICAP MW, PJM used the total annual energy savings determined by Brattle of 1,495 GWh and divided by the peak demand savings of 240 MW ICAP, which represents the installed capacity value of the programs. So each MW of ICAP resulted in 6,221 MWh of energy savings.

[155] *See* proposed Tariff, Attachment DD, section 5.14(h-1)(2)(A).

the capacity market changes pending in Docket Nos. EL16-49, et al., "while minimizing any [capacity] auction delays."[156]

Accordingly, and as PJM explained in its July 6 Compliance Filing, to best harmonize the change in the EAS Offset with the pending capacity market changes, PJM requests that the Commission make the enclosed Tariff changes to implement a forward-looking EAS Offset effective coincident with the pending capacity market changes in Docket Nos. EL16-49, et al.[157] Stated another way, PJM requests that the Commission assign the same effective date to both the Tariff sections implementing the forward-looking EAS Offset submitted in this filing and the pending changes to the Minimum Offer Price Rule in Docket Nos. EL16-49, et al. The same effective date for both sets of revisions would allow the forward-looking EAS Offset to be used for all capacity auctions for the 2022/2023 Delivery Year and subsequent Delivery Years.

IV. DOCUMENTS ENCLOSED

PJM encloses the following:

1. This transmittal letter;
2. Attachment A – Revised sections of the Tariff (redlined version);
3. Attachment B – Revised sections of the Tariff (clean version); and
4. Attachment C – Brattle Affidavit.

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156 May 21 Order at P 2.

157 July 6 Compliance Filing at 1, 13-15.

V. COMMUNICATIONS

Correspondence and communications with respect to this filing should be sent to the following persons:

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VI. SERVICE

PJM has served a copy of this filing on all PJM Members and on the affected state utility regulatory commissions in the PJM Region by posting this filing electronically. In accordance with the Commission's regulations,[158] PJM will post a copy of this filing to the FERC filings section of its internet site, located at the following link: http://www.pjm.com/documents/ferc-manuals/ferc-filings.aspx with a specific link to the newly-filed document, and will send an email on the same date as this filing to all PJM Members and all state utility regulatory commissions in the PJM Region[159] alerting them

158 *See* 18 C.F.R. §§ 35.2(e) and 385.2010(f)(3).

159 PJM already maintains, updates, and regularly uses email lists for all PJM Members and affected state commissions.

that this filing has been made by PJM and is available by following such link. If the document is not immediately available by using the referenced link, the document will be available through the referenced link within twenty-four hours of the filing.

Also, a copy of this filing will be available on the Commission's eLibrary website located at the following link: http:/www.ferc.gov/docs-filing/elibrary.aspx in accordance with the Commission's regulations and Order No. 714.[160]

VII. CONCLUSION

PJM respectfully requests that the Commission accept this compliance filing.

Respectfully submitted,

/s/ Ryan J. Collins

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160 *Electronic Tariff Filings*, Order No. 714, 124 FERC ¶ 61,270 (2008), *final rule*, Order No. 714-A, 147 FERC ¶ 61,115 (2014).

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 5th day of August 2020.

/s/ Ryan J. Collins

Attachment A

Revisions to the
PJM Open Access Transmission Tariff

(Marked/Redline Format)

Definitions – E - F

Economic-based Enhancement or Expansion:

"Economic-based Enhancement or Expansion" shall have the same meaning provided in the Operating Agreement.

Economic Load Response Participant:

"Economic Load Response Participant" shall mean a Member or Special Member that qualifies under Operating Agreement, Schedule 1, section 1.5A, and the parallel provisions of Tariff, Attachment K-Appendix, section 1.5A, to participate in the PJM Interchange Energy Market and/or Ancillary Services markets through reductions in demand.

Economic Maximum:

"Economic Maximum" shall mean the highest incremental MW output level, submitted to PJM market systems by a Market Participant, that a unit can achieve while following economic dispatch.

Economic Minimum:

"Economic Minimum" shall mean the lowest incremental MW output level, submitted to PJM market systems by a Market Participant, that a unit can achieve while following economic dispatch.

Effective FTR Holder:

"Effective FTR Holder" shall mean:

(i) For an FTR Holder that is either a (a) privately held company, or (b) a municipality or electric cooperative, as defined in the Federal Power Act, such FTR Holder, together with any Affiliate, subsidiary or parent of the FTR Holder, any other entity that is under common ownership, wholly or partly, directly or indirectly, or has the ability to influence, directly or indirectly, the management or policies of the FTR Holder; or

(ii) For an FTR Holder that is a publicly traded company including a wholly owned subsidiary of a publicly traded company, such FTR Holder, together with any Affiliate, subsidiary or parent of the FTR Holder, any other PJM Member has over 10% common ownership with the FTR Holder, wholly or partly, directly or indirectly, or has the ability to influence, directly or indirectly, the management or policies of the FTR Holder; or

(iii) an FTR Holder together with any other PJM Member, including also any Affiliate, subsidiary or parent of such other PJM Member, with which it shares common ownership, wholly or partly, directly or indirectly, in any third entity which is a PJM Member (e.g., a joint venture).

EFORd:

"EFORd" shall have the meaning specified in the PJM Reliability Assurance Agreement.

Electrical Distance:

"Electrical Distance" shall mean, for a Generation Capacity Resource geographically located outside the metered boundaries of the PJM Region, the measure of distance, based on impedance and in accordance with the PJM Manuals, from the Generation Capacity Resource to the PJM Region.

Eligible Customer:

"Eligible Customer" shall mean:

(i) Any electric utility (including any Transmission Owner and any power marketer), Federal power marketing agency, or any person generating electric energy for sale for resale is an Eligible Customer under the Tariff. Electric energy sold or produced by such entity may be electric energy produced in the United States, Canada or Mexico. However, with respect to transmission service that the Commission is prohibited from ordering by Section 212(h) of the Federal Power Act, such entity is eligible only if the service is provided pursuant to a state requirement that the Transmission Provider or Transmission Owner offer the unbundled transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner.

(ii) Any retail customer taking unbundled transmission service pursuant to a state requirement that the Transmission Provider or a Transmission Owner offer the transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner, is an Eligible Customer under the Tariff. As used in Tariff, Part VI, Eligible Customer shall mean only those Eligible Customers that have submitted a Completed Application.

Emergency Action:

"Emergency Action" shall mean any emergency action for locational or system-wide capacity shortages that either utilizes pre-emergency mandatory load management reductions or other emergency capacity, or initiates a more severe action including, but not limited to, a Voltage Reduction Warning, Voltage Reduction Action, Manual Load Dump Warning, or Manual Load Dump Action.

Emergency Condition:

"Emergency Condition" shall mean a condition or situation (i) that in the judgment of any Interconnection Party is imminently likely to endanger life or property; or (ii) that in the judgment of the Interconnected Transmission Owner or Transmission Provider is imminently likely (as determined in a non-discriminatory manner) to cause a material adverse effect on the security of, or damage to, the Transmission System, the Interconnection Facilities, or the transmission systems or distribution systems to which the Transmission System is directly or indirectly connected; or (iii) that in the judgment of Interconnection Customer is imminently likely (as determined in a non-discriminatory manner) to cause damage to the Customer Facility or to the Customer Interconnection Facilities. System restoration and black start shall be considered Emergency Conditions, provided that a Generation Interconnection Customer is not obligated by an Interconnection Service Agreement to possess black start capability. Any condition or situation that results from lack of sufficient generating capacity to meet load requirements or that results solely from economic conditions shall not constitute an Emergency Condition, unless one or more of the enumerated conditions or situations identified in this definition also exists.

Emergency Load Response Program:

"Emergency Load Response Program" shall mean the program by which Curtailment Service Providers may be compensated by PJM for Demand Resources that will reduce load when dispatched by PJM during emergency conditions, and is described in Operating Agreement, Schedule 1, section 8 and the parallel provisions of Tariff, Attachment K-Appendix, section 8.

Energy Efficiency Resource:

"Energy Efficiency Resource" shall have the meaning specified in the PJM Reliability Assurance Agreement.

Energy Market Opportunity Cost:

"Energy Market Opportunity Cost" shall mean the difference between (a) the forecasted cost to operate a specific generating unit when the unit only has a limited number of available run hours due to limitations imposed on the unit by Applicable Laws and Regulations, and (b) the forecasted future Locational Marginal Price at which the generating unit could run while not violating such limitations. Energy Market Opportunity Cost therefore is the value associated with a specific generating unit's lost opportunity to produce energy during a higher valued period of time occurring within the same compliance period, which compliance period is determined by the applicable regulatory authority and is reflected in the rules set forth in PJM Manual 15. Energy Market Opportunity Costs shall be limited to those resources which are specifically delineated in Operating Agreement, Schedule 2.

Energy Resource:

"Energy Resource" shall mean a Generating Facility that is not a Capacity Resource.

Energy Settlement Area:

"Energy Settlement Area" shall mean the bus or distribution of busses that represents the physical location of Network Load and by which the obligations of the Network Customer to PJM are settled.

Energy Storage Resource:

"Energy Storage Resource" shall mean a resource capable of receiving electric energy from the grid and storing it for later injection to the grid that participates in the PJM Energy, Capacity and/or Ancillary Services markets as a Market Participant.

Energy Storage Resource Model Participant:

"Energy Storage Resource Model Participant" shall mean an Energy Storage Resource utilizing the Energy Storage Resource Participation Model.

Energy Storage Resource Participation Model:

"Energy Storage Resource Participation Model" shall mean the participation model accepted by the Commission in Docket No. ER19-469-000.

Energy Transmission Injection Rights:

"Energy Transmission Injection Rights" shall mean the rights to schedule energy deliveries at a specified point on the Transmission System. Energy Transmission Injection Rights may be awarded only to a Merchant D.C. Transmission Facility that connects the Transmission System to another control area. Deliveries scheduled using Energy Transmission Injection Rights have rights similar to those under Non-Firm Point-to-Point Transmission Service.

Entity Providing Supply Services to Default Retail Service Provider:

"Entity Providing Supply Services to Default Retail Service Provider" shall mean any entity, including but not limited to a load aggregator or power marketer, providing supply services to an electric distribution company when that electric distribution company is serving as the default retail service provider, and that enters into a contract or similar obligation with such electric distribution company to serve retail customers who have not selected a competitive retail service provider.

Environmental Laws:

"Environmental Laws" shall mean applicable Laws or Regulations relating to pollution or protection of the environment, natural resources or human health and safety.

Environmentally-Limited Resource:

"Environmentally-Limited Resource" shall mean a resource which has a limit on its run hours imposed by a federal, state, or other governmental agency that will significantly limit its availability, on either a temporary or long-term basis. This includes a resource that is limited by a governmental authority to operating only during declared PJM capacity emergencies.

Equivalent Load:

"Equivalent Load" shall mean the sum of a Market Participant's net system requirements to serve its customer load in the PJM Region, if any, plus its net bilateral transactions.

Event of Default:

"Event of Default," as that term is used in Tariff, Attachment Q, shall mean a Financial Default, Credit Breach, or Credit Support Default.

Existing Generation Capacity Resource:

"Existing Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Export Credit Exposure:

"Export Credit Exposure" is determined for each Market Participant for a given Operating Day, and shall mean the sum of credit exposures for the Market Participant's Export Transactions for that Operating Day and for the preceding Operating Day.

Export Nodal Reference Price:

"Export Nodal Reference Price" at each location is the 97th percentile, shall be, the real-time hourly integrated price experienced over the corresponding two-month period in the preceding calendar year, calculated separately for peak and off-peak time periods. The two-month time periods used in this calculation shall be January and February, March and April, May and June, July and August, September and October, and November and December.

Export Transaction:

"Export Transaction" shall be a transaction by a Market Participant that results in the transfer of energy from within the PJM Control Area to outside the PJM Control Area. Coordinated External Transactions that result in the transfer of energy from the PJM Control Area to an adjacent Control Area are one form of Export Transaction.

Export Transaction Price Factor:

"Export Transaction Price Factor" for a prospective time interval shall be the greater of (i) PJM's forecast price for the time interval, if available, or (ii) the Export Nodal Reference Price, but shall not exceed the Export Transaction's dispatch ceiling price cap, if any, for that time interval. The Export Transaction Price Factor for a past time interval shall be calculated in the same manner as for a prospective time interval, except that the Export Transaction Price Factor may use a tentative or final settlement price, as available. If an Export Nodal Reference Price is not available for a particular time interval, PJM may use an Export Transaction Price Factor for that time interval based on an appropriate alternate reference price.

Export Transaction Screening:

"Export Transaction Screening" shall be the process PJM uses to review the Export Credit Exposure of Export Transactions against the Credit Available for Export Transactions, and deny or curtail all or a portion of an Export Transaction, if the credit required for such transactions is greater than the credit available for the transactions.

Export Transactions Net Activity:

"Export Transactions Net Activity" shall mean the aggregate net total, resulting from Export Transactions, of (i) Spot Market Energy charges, (ii) Transmission Congestion Charges, and (iii) Transmission Loss Charges, calculated as set forth in Operating Agreement, Schedule 1 and the parallel provisions of Tariff, Attachment K-Appendix. Export Transactions Net Activity may be positive or negative.

Extended Primary Reserve Requirement:

"Extended Primary Reserve Requirement" shall equal the Primary Reserve Requirement in a Reserve Zone or Reserve Sub-zone, plus 190 MW, plus any additional reserves scheduled under emergency conditions necessary to address operational uncertainty. The Extended Primary Reserve Requirement is calculated in accordance with the PJM Manuals.

Extended Summer Demand Resource:

"Extended Summer Demand Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Extended Summer Resource Price Adder:

"Extended Summer Resource Price Adder" shall mean, for Delivery Years through May 31, 2018, an addition to the marginal value of Unforced Capacity as necessary to reflect the price of Annual Resources and Extended Summer Demand Resources required to meet the applicable Minimum Extended Summer Resource Requirement.

Extended Synchronized Reserve Requirement:

"Extended Synchronized Reserve Requirement" shall equal the Synchronized Reserve Requirement in a Reserve Zone or Reserve Sub-zone, plus 190 MW, plus any additional reserves scheduled under emergency conditions necessary to address operational uncertainty. The Extended Synchronized Reserve Requirement is calculated in accordance with the PJM Manuals.

External Market Buyer:

"External Market Buyer" shall mean a Market Buyer making purchases of energy from the PJM Interchange Energy Market for consumption by end-users outside the PJM Region, or for load in the PJM Region that is not served by Network Transmission Service.

External Resource:

"External Resource" shall mean a generation resource located outside the metered boundaries of the PJM Region.

Facilities Study:

"Facilities Study" shall be an engineering study conducted by the Transmission Provider (in coordination with the affected Transmission Owner(s)) to: (1) determine the required modifications to the Transmission Provider's Transmission System necessary to implement the conclusions of the System Impact Study; and (2) complete any additional studies or analyses documented in the System Impact Study or required by PJM Manuals, and determine the required modifications to the Transmission Provider's Transmission System based on the conclusions of such additional studies. The Facilities Study shall include the cost and scheduled completion date for such modifications, that will be required to provide the requested transmission service or to accommodate a New Service Request. As used in the Interconnection Service Agreement or Construction Service Agreement, Facilities Study shall mean that certain Facilities Study conducted by Transmission Provider (or at its direction) to determine the design and specification of the Customer Funded Upgrades necessary to accommodate the New Service Customer's New Service Request in accordance with Tariff, Part VI, section 207.

Federal Power Act:

"Federal Power Act" shall mean the Federal Power Act, as amended, 16 U.S.C. §§ 791a, et seq.

FERC or Commission:

"FERC" or "Commission" shall mean the Federal Energy Regulatory Commission or any successor federal agency, commission or department exercising jurisdiction over the Tariff, Operating Agreement and Reliability Assurance Agreement.

FERC Market Rules:

"FERC Market Rules" mean the market behavior rules and the prohibition against electric energy market manipulation codified by the Commission in its Rules and Regulations at 18 CFR §§ 1c.2 and 35.37, respectively; the Commission-approved PJM Market Rules and any related proscriptions or any successor rules that the Commission from time to time may issue, approve or otherwise establish.

Final Offer:

"Final Offer" shall mean the offer on which a resource was dispatched by the Office of the Interconnection for a particular clock hour for the Operating Day.

Final RTO Unforced Capacity Obligation:

"Final RTO Unforced Capacity Obligation" shall mean the capacity obligation for the PJM Region, determined in accordance with RAA, Schedule 8.

Financial Close:

"Financial Close" shall mean the Capacity Market Seller has demonstrated that the Capacity Market Seller or its agent has completed the act of executing the material contracts and/or other documents necessary to (1) authorize construction of the project and (2) establish the necessary funding for the project under the control of an independent third-party entity. A sworn, notarized certification of an independent engineer certifying to such facts, and that the engineer has personal knowledge of, or has engaged in a diligent inquiry to determine, such facts, shall be sufficient to make such demonstration. For resources that do not have external financing, Financial Close shall mean the project has full funding available, and that the project has been duly authorized to proceed with full construction of the material portions of the project by the appropriate governing body of the company funding such project. A sworn, notarized certification by an officer of such company certifying to such facts, and that the officer has personal knowledge of, or has engaged in a diligent inquiry to determine, such facts, shall be sufficient to make such demonstration.

Financial Default:

"Financial Default" shall mean (a) the failure of a Member or Transmission Customer to make any payment for obligations under the Agreements when due, including but not limited to an invoice payment that has not been cured or remedied after notice has been given and any cure period has elapsed, (b) a bankruptcy proceeding filed by a Member, Transmission Customer or its Guarantor, or filed against a Member, Transmission Customer or its Guarantor and to which the Member, Transmission Customer or Guarantor, as applicable, acquiesces or that is not dismissed within 60 days, (c) a Member, Transmission Customer or its Guarantor, if any, is unable to meet its financial obligations as they become due, or (d) a Merger Without Assumption occurs in respect of the Member, Transmission Customer or any Guarantor of such Member or Transmission Customer.

Financial Transmission Right:

"Financial Transmission Right" or "FTR" shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2 and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2.

Financial Transmission Right Obligation:

"Financial Transmission Right Obligation" shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2(b), and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2(b).

Financial Transmission Right Option:

“Financial Transmission Right Option” shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2(c), and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2(c).

Firm Point-To-Point Transmission Service:

“Firm Point-To-Point Transmission Service” shall mean Transmission Service under the Tariff that is reserved and/or scheduled between specified Points of Receipt and Delivery pursuant to Tariff, Part II.

Firm Transmission Feasibility Study:

“Firm Transmission Feasibility Study” shall mean a study conducted by the Transmission Provider in accordance with Tariff, Part II, section 19.3 and Tariff, Part III, section 32.3.

Firm Transmission Withdrawal Rights:

“Firm Transmission Withdrawal Rights” shall mean the rights to schedule energy and capacity withdrawals from a Point of Interconnection of a Merchant Transmission Facility with the Transmission System. Firm Transmission Withdrawal Rights may be awarded only to a Merchant D.C. Transmission Facility that connects the Transmission System with another control area. Withdrawals scheduled using Firm Transmission Withdrawal Rights have rights similar to those under Firm Point-to-Point Transmission Service.

First Incremental Auction:

“First Incremental Auction” shall mean an Incremental Auction conducted 20 months prior to the start of the Delivery Year to which it relates.

Flexible Resource:

“Flexible Resource” shall mean a generating resource that must have a combined Start-up Time and Notification Time of less than or equal to two hours; and a Minimum Run Time of less than or equal to two hours.

Forecast Pool Requirement:

“Forecast Pool Requirement” shall have the meaning specified in the Reliability Assurance Agreement.

Foreign Guaranty:

“Foreign Guaranty” shall mean a Corporate Guaranty provided by an Affiliate of a Participant that is domiciled in a foreign country, and meets all of the provisions of Tariff, Attachment Q.

Form 715 Planning Criteria:

"Form 715 Planning Criteria" shall have the same meaning provided in the Operating Agreement.

Forward Daily Natural Gas Prices:

"Forward Daily Natural Gas Prices" shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(E).

Forward Hourly Ancillary Services Prices:

"Forward Hourly Ancillary Services Prices" shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(D).

Forward Hourly LMPs:

"Forward Hourly LMPs" shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(C).

FTR Credit Limit:

"FTR Credit Limit" shall mean the amount of credit established with PJMSettlement that an FTR Participant has specifically designated to be used for FTR activity in a specific customer account. Any such credit so set aside shall not be considered available to satisfy any other credit requirement the FTR Participant may have with PJMSettlement.

FTR Credit Requirement:

"FTR Credit Requirement" shall mean the amount of credit that a Participant must provide in order to support the FTR positions that it holds and/or for which it is bidding. The FTR Credit Requirement shall not include months for which the invoicing has already been completed, provided that PJMSettlement shall have up to two Business Days following the date of the invoice completion to make such adjustments in its credit systems. FTR Credit Requirements are calculated and applied separately for each separate customer account.

FTR Flow Undiversified:

"FTR Flow Undiversified" shall have the meaning established in Tariff, Attachment Q, section V*I.C.6*.

FTR Historical Value:

For each FTR for each month, "FTR Historical Value" shall mean the weighted average of historical values over three years for the FTR path using the following weightings: 50% - most recent year; 30% - second year; 20% - third year.

FTR Holder:

"FTR Holder" shall mean the PJM Member that has acquired and possesses an FTR.

FTR Monthly Credit Requirement Contribution:

For each FTR, for each month, "FTR Monthly Credit Requirement Contribution" shall mean the total FTR cost for the month, prorated on a daily basis, less the FTR Historical Value for the month. For cleared FTRs, this contribution may be negative; prior to clearing, FTRs with negative contribution shall be deemed to have zero contribution.

FTR Net Activity:

"FTR Net Activity" shall mean the aggregate net value of the billing line items for auction revenue rights credits, FTR auction charges, FTR auction credits, and FTR congestion credits, and shall also include day-ahead and balancing/real-time congestion charges up to a maximum net value of the sum of the foregoing auction revenue rights credits, FTR auction charges, FTR auction credits and FTR congestion credits.

FTR Participant:

"FTR Participant" shall mean any Market Participant that provides or is required to provide Collateral in order to participate in PJM's FTR *market*.

FTR Portfolio Auction Value:

"FTR Portfolio Auction Value" shall mean for each customer account of a Market Participant, the sum, calculated on a monthly basis, across all FTRs, of the FTR price times the FTR volume in MW.

Fuel Cost Policy:

"Fuel Cost Policy" shall mean the document provided by a Market Seller to PJM and the Market Monitoring Unit in accordance with PJM Manual 15 and Operating Agreement, Schedule 2, which documents the Market Seller's method used to price fuel for calculation of the Market Seller's cost-based offers for a generation resource.

Full Notice to Proceed:

"Full Notice to Proceed" shall mean that all material third party contractors have been given the notice to proceed with construction by the Capacity Market Seller or its agent, with a guaranteed completion date backed by liquidated damages.

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Obligation:

"Obligation" shall mean all amounts owed to PJMSettlement for purchases from the PJM Markets, Transmission Service, (under both Tariff, Part II and Tariff, Part III), and other services or obligations pursuant to the Agreements. In addition, aggregate amounts that will be owed to PJMSettlement in the future for capacity purchases within the PJM capacity markets will be added to this figure. Should other markets be formed such that Participants may incur future Obligations in those markets, then the aggregate amount of those Obligations will also be added to the Net Obligation.

Offer Data:

"Offer Data" shall mean the scheduling, operations planning, dispatch, new resource, and other data and information necessary to schedule and dispatch generation resources and Demand Resource(s) for the provision of energy and other services and the maintenance of the reliability and security of the Transmission System in the PJM Region, and specified for submission to the PJM Interchange Energy Market for such purposes by the Office of the Interconnection.

Office of the Interconnection:

"Office of the Interconnection" shall mean the employees and agents of PJM Interconnection, L.L.C. subject to the supervision and oversight of the PJM Board, acting pursuant to the Operating Agreement.

Office of the Interconnection Control Center:

"Office of the Interconnection Control Center" shall mean the equipment, facilities and personnel used by the Office of the Interconnection to coordinate and direct the operation of the PJM Region and to administer the PJM Interchange Energy Market, including facilities and equipment used to communicate and coordinate with the Market Participants in connection with transactions in the PJM Interchange Energy Market or the operation of the PJM Region.

On-Site Generators:

"On-Site Generators" shall mean generation facilities (including Behind The Meter Generation) that (i) are not Capacity Resources, (ii) are not injecting into the grid, (iii) are either synchronized or non-synchronized to the Transmission System, and (iv) can be used to reduce demand for the purpose of participating in the PJM Interchange Energy Market.

Open Access Same-Time Information System (OASIS) or PJM Open Access Same-Time Information System:

"Open Access Same-Time Information System," "PJM Open Access Same-Time Information System" or "OASIS" shall mean the electronic communication and information system and standards of conduct contained in Part 37 and Part 38 of the Commission's regulations and all additional requirements implemented by subsequent Commission orders dealing with OASIS for the collection and dissemination of information about transmission services in the PJM Region, established and operated by the Office of the Interconnection in accordance with FERC standards and requirements.

Operating Agreement of the PJM Interconnection, L.L.C., Operating Agreement or PJM Operating Agreement:

"Operating Agreement of the PJM Interconnection, L.L.C.," "Operating Agreement" or "PJM Operating Agreement" shall mean the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C. dated as of April 1, 1997 and as amended and restated as of June 2, 1997, including all Schedules, Exhibits, Appendices, addenda or supplements hereto, as amended from time to time thereafter, among the Members of the PJM Interconnection, L.L.C., on file with the Commission.

Operating Day:

"Operating Day" shall mean the daily 24 hour period beginning at midnight for which transactions on the PJM Interchange Energy Market are scheduled.

Operating Margin:

"Operating Margin" shall mean the incremental adjustments, measured in megawatts, required in PJM Region operations in order to accommodate, on a first contingency basis, an operating contingency in the PJM Region resulting from operations in an interconnected Control Area. Such adjustments may result in constraints causing Transmission Congestion Charges, or may result in Ancillary Services charges pursuant to the PJM Tariff.

Operating Margin Customer:

"Operating Margin Customer" shall mean a Control Area purchasing Operating Margin pursuant to an agreement between such other Control Area and the LLC.

Operating Reserve Demand Curve:

"Operating Reserve Demand Curve" shall mean a curve with prices on the y-axis and megawatts on the x-axis, which defines the relationship between each incremental megawatt of reserves that can be used to meet a given reserve requirement and the value placed on maintaining that megawatt level of reserve, expressed in $/MWh.

Operationally Deliverable:

"Operationally Deliverable" shall mean, as determined by the Office of the Interconnection, that there are no operational conditions, arrangements or limitations experienced or required that threaten, impair or degrade effectuation or maintenance of deliverability of capacity or energy from the external Generation Capacity Resource to loads in the PJM Region in a manner comparable to the deliverability of capacity or energy to such loads from Generation Capacity Resources located inside the metered boundaries of the PJM Region, including, without limitation, an identified need by an external Balancing Authority Area for a remedial action scheme or manual generation trip protocol, transmission facility switching arrangements that would have the effect of radializing load, or excessive or unacceptable frequency of regional reliability limit violations or (outside an interregional agreed congestion management process) of local reliability dispatch instructions and commitments.

Opportunity Cost:

"Opportunity Cost" shall mean a component of the Market Seller Offer Cap calculated in accordance with Tariff, Attachment DD, section 6.

OPSI Advisory Committee:

"OPSI Advisory Committee" shall mean the committee established under Tariff, Attachment M, section III.G.

Option to Build:

"Option to Build" shall mean the option of the New Service Customer to build certain Customer-Funded Upgrades, as set forth in, and subject to the terms of, the Construction Service Agreement.

Optional Interconnection Study:

"Optional Interconnection Study" shall mean a sensitivity analysis of an Interconnection Request based on assumptions specified by the Interconnection Customer in the Optional Interconnection Study Agreement.

Optional Interconnection Study Agreement:

"Optional Interconnection Study Agreement" shall mean the form of agreement for preparation of an Optional Interconnection Study, as set forth in Tariff, Attachment N-3.

Part I:

"Part I" shall mean the Tariff Definitions and Common Service Provisions contained in Tariff, Part I, sections 1 through 12A.

Part II:

"Part II" shall mean Tariff, Part II, sections 13 through 27A pertaining to Point-To-Point Transmission Service in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part III:

"Part III" shall mean Tariff, Part III, sections 28 through 35 pertaining to Network Integration Transmission Service in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part IV:

"Part IV" shall mean Tariff, Part IV, sections 36 through 112C pertaining to generation or merchant transmission interconnection to the Transmission System in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part V:

"Part V" shall mean Tariff, Part V, sections 113 through 122 pertaining to the deactivation of generating units in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part VI:

"Part VI" shall mean Tariff, Part VI, sections 200 through 237 pertaining to the queuing, study, and agreements relating to New Service Requests, and the rights associated with Customer-Funded Upgrades in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Participant:

"Participant" shall mean a Market Participant and/or Transmission Customer and/or Applicant requesting to be an active Market Participant and/or Transmission Customer**.**

Parties:

"Parties" shall mean the Transmission Provider, as administrator of the Tariff, and the Transmission Customer receiving service under the Tariff. PJMSettlement shall be the Counterparty to Transmission Customers.

Peak-Hour Dispatch:

"Peak-Hour Dispatch" shall mean, for purposes of calculating the Energy and Ancillary Services Revenue Offset under Tariff, Attachment DD, section 5, an assumption, as more fully set forth in the PJM Manuals, that the Reference Resource is committed in the Day-ahead Energy Market in four distinct blocks of four hours of continuous output for each block from the peak-hour period beginning with the hour ending 0800 EPT through to the hour ending 2300 EPT for any day when the average day-ahead LMP for the area for which the Net Cost of New Entry is being determined is greater than, or equal to, the cost to generate (including the cost for a complete start and shutdown cycle), plus 10% of such costs, for at least two hours during each four-hour block, where such blocks shall be assumed to be committed independently; provided that, if there are not at least two economic hours in any given four-hour block, then the Reference Resource shall be assumed not to be committed for such block; and to the extent not committed in any such block in the Day-ahead Energy Market under the above conditions based on Day-Ahead LMPs, is dispatched in the Real-time Energy Market for such block if the Real-Time LMP is greater than or equal to the cost to generate, plus 10% of such costs, under the same conditions as described above for the Day-ahead Energy Market.

Peak Market Activity:

"Peak Market Activity" shall mean a measure of exposure for which credit is required, involving peak exposures in rolling three-week periods over a year timeframe, with two semi-annual reset points, pursuant to provisions of Tariff, Attachment Q, section VII.A. Peak Market Activity shall exclude FTR Net Activity, Virtual Transactions Net Activity, and Export Transactions Net Activity.

Peak Season:

"Peak Season" shall mean the weeks containing the 24th through 36th Wednesdays of the calendar year. Each such week shall begin on a Monday and end on the following Sunday, except for the week containing the 36th Wednesday, which shall end on the following Friday.

Percentage Internal Resources Required:

"Percentage Internal Resources Required" shall have the meaning specified in the Reliability Assurance Agreement.

Performance Assessment Interval:

"Performance Assessment Interval" shall mean each Real-time Settlement Interval for which an Emergency Action has been declared by the Office of the Interconnection, provided, however, that Performance Assessment Intervals for a Base Capacity Resource shall not include any intervals outside the calendar months of June through September.

Permissible Technological Advancement:

"Permissible Technological Advancement" shall mean a proposed technological change such as an advancement to turbines, inverters, plant supervisory controls or other similar advancements to the technology proposed in the Interconnection Request that is submitted to the Transmission Provider no later than the return of an executed Facilities Study Agreement (or, if a Facilities Study is not required, prior to the return of an executed Interconnection Service Agreement). Provided such change may not: (i) increase the capability of the Generating Facility as specified in the original Interconnection Request; (ii) represent a different fuel type from the original Interconnection Request; or (iii) cause any material adverse impact(s) on the Transmission System with regard to short circuit capability limits, steady-state thermal and voltage limits, or dynamic system stability and response. If the proposed technological advancement is a Permissible Technological Advancement, no additional study will be necessary and the proposed technological advancement will not be considered a Material Modification.

PJM:

"PJM" shall mean PJM Interconnection, L.L.C., including the Office of the Interconnection as referenced in the PJM Operating Agreement. When such term is being used in the RAA it shall also include the PJM Board.

PJM Administrative Service:

"PJM Administrative Service" shall mean the services provided by PJM pursuant to Tariff, Schedule 9.

PJM Board:

"PJM Board" shall mean the Board of Managers of the LLC, acting pursuant to the Operating Agreement except when such term is being used in Tariff, Attachment M, in which case PJM Board shall mean the Board of Managers of PJM or its designated representative, exclusive of any members of PJM Management.

PJM Control Area:

"PJM Control Area" shall mean the Control Area recognized by NERC as the PJM Control Area.

PJM Entities:

"PJM Entities" shall mean PJM, including the Market Monitoring Unit, the PJM Board, and PJM's officers, employees, representatives, advisors, contractors, and consultants.

PJM Interchange:

"PJM Interchange" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load exceeds, or is exceeded by, the sum of the interval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup; or (c) the interval scheduled deliveries of Spot Market Energy by a Market Seller from an External Resource; or (d) the interval net metered output of any other Market Seller; or (e) the interval scheduled deliveries of Spot Market Energy to an External Market Buyer; or (f) the inteval scheduled deliveries to an Internal Market Buyer that is not a Network Service User.

PJM Interchange Energy Market:

"PJM Interchange Energy Market" shall mean the regional competitive market administered by the Office of the Interconnection for the purchase and sale of spot electric energy at wholesale in interstate commerce and related services established pursuant to Operating Agreement, Schedule 1, and the parallel provisions of Tariff, Attachment K – Appendix.

PJM Interchange Export:

"PJM Interchange Export" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load is exceeded by the sum of the inteval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup sales; or (c) the interval scheduled deliveries of Spot Market Energy by a Market Seller from an External Resource; or (d) the interval net metered output of any other Market Seller.

PJM Interchange Import:

"PJM Interchange Import" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load exceeds the sum of the interval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup purchases; or (c) the interval scheduled deliveries of Spot Market Energy to an External Market Buyer; or (d) the interval scheduled deliveries to an Internal Market Buyer that is not a Network Service User.

PJM Liaison:

"PJM Liaison" shall mean the liaison established under Tariff, Attachment M, section III.I.

PJM Management:

"PJM Management" shall mean the officers, executives, supervisors and employee managers of PJM.

PJM Manuals:

"PJM Manuals" shall mean the instructions, rules, procedures and guidelines established by the Office of the Interconnection for the operation, planning, and accounting requirements of the PJM Region and the PJM Interchange Energy Market.

PJM Markets:

"PJM Markets" shall mean the PJM Interchange Energy Market, capacity markets, including the RPM auctions, and any other market operated by PJM, together with all bilateral or other wholesale electric power and energy transactions, capacity transactions, ancillary services transactions (including black start service), transmission transactions, Financial Transmission

Rights transactions, or transactions in any other market operated under the Agreements within the PJM Region, wherein Market Participants may incur Obligations to PJM and/or PJMSettlement.

PJM Market Rules:

"PJM Market Rules" shall mean the rules, standards, procedures, and practices of the PJM Markets set forth in the PJM Tariff, the PJM Operating Agreement, the PJM Reliability Assurance Agreement, the PJM Consolidated Transmission Owners Agreement, the PJM Manuals, the PJM Regional Practices Document, the PJM-Midwest Independent Transmission System Operator Joint Operating Agreement or any other document setting forth market rules.

PJM Net Assets:

"PJM Net Assets**"** shall mean the total assets per PJM's consolidated quarterly or year-end financial statements most recently issued as of the date of the receipt of written notice of a claim less amounts for which PJM is acting as a temporary custodian on behalf of its Members, transmission developers/Designated Entities, and generation developers, including, but not limited to, cash deposits related to credit requirement compliance, study and/or interconnection receivables, member prepayments, invoiced amounts collected from Net Buyers but have not yet been paid to Net Sellers, and excess congestion (as described in Operating Agreement, Schedule 1, section 5.2.6, and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.6).

PJM Region:

"PJM Region" shall have the meaning specified in the Operating Agreement.

PJM Regional Practices Document:
"PJM Regional Practices Document" shall mean the document of that title that compiles and describes the practices in the PJM Markets and that is made available in hard copy and on the Internet.

PJM Region Installed Reserve Margin:

"PJM Region Installed Reserve Margin" shall mean the percent installed reserve margin for the PJM Region required pursuant to RAA, Schedule 4.1, as approved by the PJM Board.

PJM Region Peak Load Forecast:

"PJM Region Peak Load Forecast" shall mean the peak load forecast used by the Office of the Interconnection in determining the PJM Region Reliability Requirement, and shall be determined on both a preliminary and final basis as set forth in Tariff, Attachment DD, section 5.

PJM Region Reliability Requirement:

"PJM Region Reliability Requirement" shall mean, for purposes of the Base Residual Auction, the Forecast Pool Requirement multiplied by the Preliminary PJM Region Peak Load Forecast, less the sum of all Preliminary Unforced Capacity Obligations of FRR Entities in the PJM Region; and, for purposes of the Incremental Auctions, the Forecast Pool Requirement multiplied by the updated PJM Region Peak Load Forecast, less the sum of all updated Unforced Capacity Obligations of FRR Entities in the PJM Region.

PJMSettlement:

"PJM Settlement" or "PJM Settlement, Inc." shall mean PJM Settlement, Inc. (or its successor), established by PJM as set forth in Operaitng Agreement, section 3.3.

PJM Tariff, Tariff, O.A.T.T., OATT or PJM Open Access Transmission Tariff:

"PJM Tariff," "Tariff," "O.A.T.T.," "OATT," or "PJM Open Access Transmission Tariff" shall mean that certain PJM Open Access Transmission Tariff, including any schedules, appendices or exhibits attached thereto, on file with FERC and as amended from time to time thereafter.

Plan:

"Plan" shall mean the PJM market monitoring plan set forth in Tariff, Attachment M.

Planned Demand Resource:

"Planned Demand Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planned External Financed Generation Capacity Resource:

"Planned External Financed Generation Capacity Resource" shall mean a Planned External Generation Capacity Resource that, prior to August 7, 2015, has an effective agreement that is the equivalent of an Interconnection Service Agreement, has submitted to the Office of the Interconnection the appropriate certification attesting achievement of Financial Close, and has secured at least 50 percent of the MWs of firm transmission service required to qualify such resource under the deliverability requirements of the Reliability Assurance Agreement.

Planned External Generation Capacity Resource:

"Planned External Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planned Financed Generation Capacity Resource:

"Planned Financed Generation Capacity Resource" shall mean a Planned Generation Capacity Resource that, prior to August 7, 2015, has an effective Interconnection Service Agreement and has submitted to the Office of the Interconnection the appropriate certification attesting achievement of Financial Close.

Planned Generation Capacity Resource:

"Planned Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planning Period:

"Planning Period" shall mean the 12 moths beginning June 1 and extending through May 31 of the following year, or such other period approved by the Members Committee.

Planning Period Balance:

"Planning Period Balance" shall mean the entire period of time remaining in the Planning Period following the month that a monthly auction is conducted.

Planning Period Quarter:

"Planning Period Quarter" shall mean any of the following three month periods in the Planning Period: June, July and August; September, October and November; December, January and February; or March, April and May.

Point(s) of Delivery:

"Point(s) of Delivery" shall mean the point(s) on the Transmission Provider's Transmission System where capacity and energy transmitted by the Transmission Provider will be made available to the Receiving Party under Tariff, Part II. The Point(s) of Delivery shall be specified in the Service Agreement for Long-Term Firm Point-To-Point Transmission Service.

Point of Interconnection:

"Point of Interconnection" shall mean the point or points where the Customer Interconnection Facilities interconnect with the Transmission Owner Interconnection Facilities or the Transmission System.

Point(s) of Receipt:

"Point(s) of Receipt" shall mean point(s) of interconnection on the Transmission Provider's Transmission System where capacity and energy will be made available to the Transmission Provider by the Delivering Party under Tariff, Part II. The Point(s) of Receipt shall be specified in the Service Agreement for Long-Term Firm Point-To-Point Transmission Service.

Point-To-Point Transmission Service:

“Point-To-Point Transmission Service shall mean the reservation and transmission of capacity and energy on either a firm or non-firm basis from the Point(s) of Receipt to the Point(s) of Delivery under Tariff, Part II.

Power Purchaser:

“Power Purchaser” shall mean the entity that is purchasing the capacity and energy to be transmitted under the Tariff.

PRD Curve:

“PRD Curve” shall have the meaning provided in the Reliability Assurance Agreement.

PRD Provider:

“PRD Provider” shall have the meaning provided in the Reliability Assurance Agreement.

PRD Reservation Price:

“PRD Reservation” Price shall have the meaning provided in the Reliability Assurance Agreement.

PRD Substation:

“PRD Substation” shall have the meaning provided in the Reliability Assurance Agreement.

Pre-Confirmed Application:

“Pre-Confirmed Application” shall be an Application that commits the Eligible Customer to execute a Service Agreement upon receipt of notification that the Transmission Provider can provide the requested Transmission Service.

Pre-Emergency Load Response Program:

“Pre-Emergency Load Response Program” shall be the program by which Curtailment Service Providers may be compensated by PJM for Demand Resources that will reduce load when dispatched by PJM during pre-emergency conditions, and is described in Operating Agreement, Schedule 1, section 8 and the parallel provisions of Tariff, Attachment K-Appendix, section 8.

Pre-Expansion PJM Zones:

“Pre-Expansion PJM Zones” shall be zones included in the Tariff, along with applicable Schedules and Attachments, for certain Transmission Owners – Atlantic City Electric Company, Baltimore Gas and Electric Company, Delmarva Power and Light Company, Jersey Central Power and Light Company, Mid-Atlantic Interstate Transmission, LLC (“MAIT”) (MAIT owns and operates the transmission facilities in the Metropolitan Edison Company Zone and the

Pennsylvania Electric Company Zone), PECO Energy Company, Pennsylvania Power & Light Group, Potomac Electric Power Company, Public Service Electric and Gas Company, Allegheny Power, and Rockland Electric Company.

Price Responsive Demand:

"Price Responsive Demand" shall have the meaning provided in the Reliability Assurance Agreement.

Primary Reserve:

"Primary Reserve" shall mean the total reserve capability of generation resources that can be converted fully into energy or *Economic Load Response Participant r*esources whose demand can be reduced within ten minutes of a request from the Office of the Interconnection dispatcher, and is comprised of both Synchronized Reserve and Non-Synchronized Reserve.

Primary Reserve Alert

"Primary Reserve Alert" shall mean a notification from PJM to alert Members of an anticipated shortage of Operating Reserve capacity for a future critical period.

Primary Reserve Requirement:

"Primary Reserve Requirement" shall mean the *demand for Primary Reserves* in a Reserve Zone or Reserve Sub-zone, as *defined by the Operating Reserve Demand Curve for* Primary Reserve. *The requirement can be satisfied by any combination of Synchronized Reserve or Non-Synchronized Reserve resources.*

Principal:

"Principal" shall mean (i) the chief executive officer or senior manager that controls or directs strategy for the Participant, (ii) the chief legal officer or general counsel, (iii) the chief financial officer or senior manager that controls or directs the financial affairs and investments of the Participant, (iv) the chief risk officer or senior manager responsible for managing commodity and derivatives market risks, and (v) the officer or senior manager responsible for or to be responsible for transactions in the applicable PJM Markets. If, due to the Participant's business enterprise, structure or otherwise, the functions attributed to any of such Principals are performed by an individual or entity separate from the Participant (such as a risk management department in an affiliate, or a director or manager at an entity that controls or invests in the Participant), then for that Participant the term Principal shall mean that individual, or the senior officer or manager of that entity, that performs such function.

Prior CIL Exception External Resource:

"Prior CIL Exception External Resource" shall mean an external Generation Capacity Resource for which (1) a Capacity Market Seller had, prior to May 9, 2017, cleared a Sell Offer in an RPM

Auction under the exception provided to the definition of Capacity Import Limit as set forth in RAA, Article I or (2) an FRR Entity committed, prior to May 9, 2017, in an FRR Capacity Plan under the exception provided in the definition of Capacity Import Limit. In the event only a portion (in MW) of an external Generation Capacity Resource has a Pseudo-Tie into the PJM Region, that portion of the external Generation Capacity Resource, which can include up to the maximum megawatt amount cleared in any prior RPM auction or committed in an FRR Capacity Plan (and no other portion thereof) is eligible for treatment as a Prior CIL Exception External Resource if such portion satisfies the requirements of the first sentence of this definition.

Project Financing:

"Project Financing" shall mean: (a) one or more loans, leases, equity and/or debt financings, together with all modifications, renewals, supplements, substitutions and replacements thereof, the proceeds of which are used to finance or refinance the costs of the Customer Facility, any alteration, expansion or improvement to the Customer Facility, the purchase and sale of the Customer Facility or the operation of the Customer Facility; (b) a power purchase agreement pursuant to which Interconnection Customer's obligations are secured by a mortgage or other lien on the Customer Facility; or (c) loans and/or debt issues secured by the Customer Facility.

Project Finance Entity:

"Project Finance Entity" shall mean: (a) a holder, trustee or agent for holders, of any component of Project Financing; or (b) any purchaser of capacity and/or energy produced by the Customer Facility to which Interconnection Customer has granted a mortgage or other lien as security for some or all of Interconnection Customer's obligations under the corresponding power purchase agreement.

Projected EAS Dispatch:

"Projected EAS Dispatch" shall mean, for purposes of calculating the Net Energy and Ancillary Services Revenue Offset, a simulated dispatch with the objective of committing and dispatching a resource for the purpose of maximizing its net revenues. The calculation shall take inputs including Forward Hourly LMPs, Forward Hourly Ancillary Service Prices, and Forward Daily Natural Gas Prices or forecasted fuel prices, as applicable, in addition to the operating parameters and costs of the specific resource, including the cost emission allowances. Using operating parameters, forward or forecasted fuel prices, as applicable and other cost pricing inputs, a composite, cost-based energy offer is created for the resource such that its commitment and dispatch is co-optimized between energy and ancillary services in the Day-Ahead Energy Market and then the Real-Time Energy Market considering the electricity and ancillary service price inputs. In the Real-Time Energy Market co-optimization, the resource is assumed to be operating in the hours it was scheduled in the Day-Ahead Energy Market but is dispatched according to the real-time price inputs. In the hours where the resource was not committed in the Day-Ahead Market, the resource may be committed and dispatched in real-time only subject to the real-time electricity and ancillary service price inputs and the resource's offer and operating parameters. For combustion turbine units only, the cost-based energy offer will include a 10 percent adder.

Projected PJM Market Revenues:

"Projected PJM Market Revenues" shall mean a component of the Market Seller Offer Cap calculated in accordance with Tariff, Attachment DD, section 6.

Proportional Multi-Driver Project:

"Proportional Multi-Driver Project" shall have the same meaning provided in the Operating Agreement.

Provisional Interconnection Service:

"Provisional Interconnection Service" shall mean interconnection service provided by Transmission Provider associated with interconnecting the Interconnection Customer's Generating Facility to Transmission Provider's Transmission System and enabling that Transmission System to receive electric energy and capacity from the Generating Facility at the Point of Interconnection, pursuant to the terms of the Interconnection Service Agreement and, if applicable, the Tariff.

Pseudo-Tie:

"Pseudo-Tie" shall have the same meaning provided in the Operating Agreement.

Public Policy Objectives:

"Public Policy Objectives" shall have the same meaning provided in the Operating Agreement.

Public Policy Requirements:

"Public Policy Requirements" shall have the same meaning provided in the Operating Agreement.

Qualifying Transmission Upgrade:

"Qualifying Transmission Upgrade" shall mean a proposed enhancement or addition to the Transmission System that: (a) will increase the Capacity Emergency Transfer Limit into an LDA by a megawatt quantity certified by the Office of the Interconnection; (b) the Office of the Interconnection has determined will be in service on or before the commencement of the first Delivery Year for which such upgrade is the subject of a Sell Offer in the Base Residual Auction; (c) is the subject of a Facilities Study Agreement executed before the conduct of the Base Residual Auction for such Delivery Year and (d) a New Service Customer is obligated to fund through a rate or charge specific to such facility or upgrade.

Queue Position:

“Queue Position” shall mean the priority assigned to an Interconnection Request, a Completed Application, or an Upgrade Request pursuant to applicable provisions of Tariff, Part VI.

5.10 Auction Clearing Requirements

The Office of the Interconnection shall clear each Base Residual Auction and Incremental Auction for a Delivery Year in accordance with the following:

a) Variable Resource Requirement Curve

The Office of the Interconnection shall determine Variable Resource Requirement Curves for the PJM Region and for such Locational Deliverability Areas as determined appropriate in accordance with subsection (a)(iii) for such Delivery Year to establish the level of Capacity Resources that will provide an acceptable level of reliability consistent with the Reliability Principles and Standards. It is recognized that the variable resource requirement reflected in the Variable Resource Requirement Curve can result in an optimized auction clearing in which the level of Capacity Resources committed for a Delivery Year exceeds the PJM Region Reliability Requirement (for Delivery Years through May 31, 2018, less the Short-Term Resource Procurement Target) or Locational Deliverability Area Reliability Requirement (for Delivery Year through May 31, 2018, less the Short-Term Resource Procurement Target for the Zones associated with such LDA) for such Delivery Year. For any auction, the Updated Forecast Peak Load, and Short-Term Resource Procurement Target applicable to such auction, shall be used, and Price Responsive Demand from any applicable approved PRD Plan, including any associated PRD Reservation Prices, shall be reflected in the derivation of the Variable Resource Requirement Curves, in accordance with the methodology specified in the PJM Manuals.

i) Methodology to Establish the Variable Resource Requirement Curve

Prior to the Base Residual Auction, in accordance with the schedule in the PJM Manuals, the Office of the Interconnection shall establish the Variable Resource Requirement Curve for the PJM Region as follows:

- Each Variable Resource Requirement Curve shall be plotted on a graph on which Unforced Capacity is on the x-axis and price is on the y-axis;

- For the 2015/2016, 2016/2017, and 2017/2018 Delivery Years, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), (iii) a straight line connecting points (2) and (3), and (iv) a vertical line from point (3) to the x-axis, where:

    - For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin ("IRM")% minus 3%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target;

  - For point (2), price equals: (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset) divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 1%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target; and

  - For point (3), price equals [0.2 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 5%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target;

- For the 2018/2019 Delivery Year and subsequent Delivery Years through and including the Delivery Year commencing June 1, 2021, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), and (iii) a straight line connecting points (2) and (3), where:

  - For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin (“IRM”)% minus 0.2%) divided by (100% plus IRM%)];

  - For point (2), price equals: [0.75 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 2.9%) divided by (100% plus IRM%)]; and

  - For point (3), price equals zero and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 8.8%) divided by (100% plus IRM%)].

- For the 2022/2023 Delivery Year and subsequent Delivery Years, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), and (iii) a straight line connecting points (2) and (3), where:

- For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin ("IRM")% minus 1.2%) divided by (100% plus IRM%)];

- For point (2), price equals: [0.75 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 1.9%) divided by (100% plus IRM%)]; and

- For point (3), price equals zero and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 7.8%) divided by (100% plus IRM%)].

ii) For any Delivery Year, the Office of the Interconnection shall establish a separate Variable Resource Requirement Curve for each LDA for which:

A. the Capacity Emergency Transfer Limit is less than 1.15 times the Capacity Emergency Transfer Objective, as determined by the Office of the Interconnection in accordance with NERC and Applicable Regional Entity guidelines; or

B. such LDA had a Locational Price Adder in any one or more of the three immediately preceding Base Residual Auctions; or

C. such LDA is determined in a preliminary analysis by the Office of the Interconnection to be likely to have a Locational Price Adder, based on historic offer price levels; provided however that for the Base Residual Auction conducted for the Delivery Year commencing on June 1, 2012, the Eastern Mid-Atlantic Region ("EMAR"), Southwest Mid-Atlantic Region ("SWMAR"), and Mid-Atlantic Region ("MAR") LDAs shall employ separate Variable Resource Requirement Curves regardless of the outcome of the above three tests; and provided further that the Office of the Interconnection may establish a separate Variable Resource Requirement Curve for an LDA not otherwise qualifying under the above three tests if it finds that such is required to achieve an acceptable level of reliability consistent with the Reliability Principles and Standards, in which case the Office of the Interconnection shall post such finding, such

LDA, and such Variable Resource Requirement Curve on its internet site no later than the March 31 last preceding the Base Residual Auction for such Delivery Year. The same process as set forth in subsection (a)(i) shall be used to establish the Variable Resource Requirement Curve for any such LDA, except that the Locational Deliverability Area Reliability Requirement for such LDA shall be substituted for the PJM Region Reliability Requirement and, for Delivery Years through May 31, 2018, the LDA Short-Term Resource Procurement Target shall be substituted for the PJM Region Short-Term Resource Procurement Target. For purposes of calculating the Capacity Emergency Transfer Limit under this section, all generation resources located in the PJM Region that are, or that qualify to become, Capacity Resources, shall be modeled at their full capacity rating, regardless of the amount of capacity cleared from such resource for the immediately preceding Delivery Year.

For each such LDA, for the 2018/2019 Delivery Year and subsequent Delivery Years, the Office of the Interconnection shall (a) determine the Net Cost of New Entry for each Zone in such LDA, with such Net Cost of New Entry equal to the applicable Cost of New Entry value for such Zone minus the Net Energy and Ancillary Services Revenue Offset value for such Zone, and (b) compute the average of the Net Cost of New Entry values of all such Zones to determine the Net Cost of New Entry for such LDA. The Net Cost of New Entry for use in an LDA in any Incremental Auction for the 2015/2016, 2016/2017, and 2017/2018 Delivery Years shall be the Net Cost of New Entry used for such LDA in the Base Residual Auction for such Delivery Year.

iii) Procedure for ongoing review of Variable Resource Requirement Curve shape.

Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall perform a review of the shape of the Variable Resource Requirement Curve, as established by the requirements of the foregoing subsection. Such analysis shall be based on simulation of market conditions to quantify the ability of the market to invest in new Capacity Resources and to meet the applicable reliability requirements on a probabilistic basis. Based on the results of such review, PJM shall prepare a recommendation to either modify or retain the existing Variable Resource Requirement Curve shape. The Office of the Interconnection shall post the recommendation and shall review the recommendation through the stakeholder process to solicit stakeholder input. If a modification of the Variable Resource Requirement Curve shape is recommended, the following process shall be followed:

A) If the Office of the Interconnection determines that the Variable Resource Requirement Curve shape should be modified, Staff of the Office of the Interconnection shall propose a new Variable Resource Requirement Curve shape on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

B) The PJM Members shall review the proposed modification to the Variable Resource Requirement Curve shape.

C) The PJM Members shall either vote to (i) endorse the proposed modification, (ii) propose alternate modifications or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

D) The PJM Board of Managers shall consider a proposed modification to the Variable Resource Requirement Curve shape, and the Office of the Interconnection shall file any approved modified Variable Resource Requirement Curve shape with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

iv) Cost of New Entry

A) For the Incremental Auctions for the 2019/2020, 2020/2021, and 2021/2022 Delivery Years, the Cost of New Entry for the PJM Region and for each LDA shall be the respective value used in the Base Residual Auction for such Delivery Year and LDA. For the Delivery Year commencing on June 1, 2022, and continuing thereafter unless and until changed pursuant to subsection (B) below, the Cost of New Entry for the PJM Region shall be the average of the Cost of New Entry for each CONE Area listed in this section as adjusted pursuant to subsection (a)(iv)(B).

Geographic Location Within the PJM Region Encompassing These Zones	**Cost of New Entry in $/MW-Year**
PS, JCP&L, AE, PECO, DPL, RECO (“CONE Area 1”)	108,000
BGE, PEPCO (“CONE Area 2”)	109,700
AEP, Dayton, ComEd, APS, DQL, ATSI, DEOK, EKPC, Dominion, OVEC (“CONE Area 3”)	105,500
PPL, MetEd, Penelec (“CONE Area 4”)	105,500

B) Beginning with the 2023/2024 Delivery Year, the CONE for each CONE Area shall be adjusted to reflect changes in generating plant construction costs based on changes in the Applicable United States Bureau of Labor Statistics ("BLS") Composite Index, and then adjusted further by a factor of 1.022 to reflect the annual decline in bonus depreciation scheduled under federal corporate tax law, in accordance with the following:

(1) The Applicable BLS Composite Index for any Delivery Year and CONE Area shall be the most recently published twelve-month change, at the time CONE values are required to be posted for the Base Residual Auction for such Delivery Year, in a composite of the BLS Quarterly Census of Employment and Wages for Utility System Construction (weighted 20%), the BLS Producer Price Index for Construction Materials and Components (weighted 55%), and the BLS Producer Price Index Turbines and Turbine Generator Sets (weighted 25%), as each such index is further specified for each CONE Area in the PJM Manuals.

(2) The CONE in a CONE Area shall be adjusted prior to the Base Residual Auction for each Delivery Year by applying the Applicable BLS Composite Index for such CONE Area to the Benchmark CONE for such CONE Area, and then multiplying the result by 1.022.

(3) The Benchmark CONE for a CONE Area shall be the CONE used for such CONE Area in the Base Residual Auction for the prior Delivery Year (provided, however that the Gross CONE values stated in subsection (a)(iv)(A) above shall be the Benchmark CONE values for the 2022/2023 Delivery Year to which the Applicable BLS Composite Index shall be applied to determine the CONE for subsequent Delivery Years), and then multiplying the result by 1.022.

(4) Notwithstanding the foregoing, CONE values for any CONE Area for any Delivery Year shall be subject to amendment pursuant to appropriate filings with FERC under the Federal Power Act, including, without limitation, any filings resulting from the process described in section 5.10(a)(vi)(C) or any filing to establish new or revised CONE Areas.

v) Net Energy and Ancillary Services Revenue Offset up to the 2021/2022 Delivery Year:

A) The Office of the Interconnection shall determine the Net Energy and Ancillary Services Revenue Offset each year for the PJM Region as (A) the annual average of the revenues that would have been received by the Reference Resource from the PJM energy markets during a period of three consecutive calendar years preceding the time of the determination, based on (1) the heat rate and other characteristics of such Reference Resource; (2) fuel prices reported during such period at an appropriate pricing point for the PJM Region with a fuel transmission adder appropriate for such region, as set forth in the PJM Manuals, assumed variable operation and maintenance expenses for such resource of $6.93 per MWh, and actual PJM hourly average Locational Marginal Prices recorded in the PJM Region during such period; and (3) an assumption that the Reference Resource would be dispatched for both the Day-Ahead and Real-Time Energy Markets on a Peak-Hour Dispatch basis; plus (B) ancillary service revenues of $2,199 per MW-year.

B) The Office of the Interconnection also shall determine a Net Energy and Ancillary Service Revenue Offset each year for each Zone, using the same procedures and methods as set forth in the previous subsection; provided, however, that: (1) the average hourly LMPs for such Zone shall be used in place of the PJM Region average hourly LMPs; (2) if such Zone was not integrated into the PJM Region for the entire applicable period, then the offset shall be calculated using only those whole calendar years during which the Zone was integrated; and (3) a posted fuel pricing point in such Zone, if available, and (if such pricing point is not available in such Zone) a fuel transmission adder appropriate to such Zone from an appropriate PJM Region pricing point shall be used for each such Zone.

v-1) Net Energy and Ancillary Services Revenue Offset for the 2022/2023 Delivery and subsequent Delivery Years:

A) The Office of the Interconnection shall determine the Net Energy and Ancillary Services Revenue Offset each year for the PJM Region as (1) the average of the net energy and ancillary services revenues that the Reference Resource is projected to receive from the PJM energy and ancillary service markets for the applicable Delivery Year from three separate simulations, with each such simulation using forward prices shaped using historical data from one of the three consecutive calendar years preceding the time of the determination for the RPM Auction to take account of year-to-year variability in such hourly shapes. Each net energy and ancillary services revenue simulation is based on (a) the heat rate and other characteristics of such Reference Resource such as assumed variable operation and maintenance expenses of $1.95 per MWh and $11,732/start, and emissions costs; (b) Forward Hourly LMPs for the PJM Region; (c) Forward Hourly Ancillary Services Prices , (d) Forward Daily Natural Gas Prices at an appropriate pricing point for the PJM Region with a fuel transmission adder appropriate for such region, as set forth in the PJM Manuals; and (e) an assumption that the Reference Resource would be dispatched on a Projected EAS Dispatch basis; plus (2) reactive service revenues of $2,199 per MW-year.

B) The Office of the Interconnection also shall determine a Net Energy and Ancillary Service Revenue Offset each year for each Zone, using the same procedures and methods as set forth in the previous subsection; provided, however, that: (1) the Forward Hourly LMPs for such Zone shall be used in place of the Forward Hourly LMP for the PJM Region; (2) if such Zone was not integrated into the PJM Region for the entire three calendar years preceeding the time of the determination for the RPM Auction, then simulations shall rely on only those whole calendar years during which the Zone was integrated; and (3) Forward Daily Natural Gas Prices for the fuel pricing point mapped to such Zone.

C) "Forward Hourly LMPs" shall be determined as follows:

(1) Identify the liquid hub to which each Zone is mapped, as specified in the PJM Manuals.

(2) For each liquid hub, calculate the average day-ahead on-peak and day-ahead off-peak energy prices for each month during the Delivery Year over the most recent thirty trading days as of 180 days prior to the Base Residual Auction. For each of the remaining steps, the historical prices used herein shall be taken from the most recent three calendar years preceding the time of the determination for the RPM Auction:

(3) Determine and add monthly basis differentials between the hub and each of its mapped Zones to the forward monthly day-ahead on-peak and off-peak energy prices for the hub. This differential is developed using the prices for the Planning Period closest in time to the Delivery Year from the most recent long-term Financial Transmission Rights auction conducted prior to the Base Residual Auction. The difference between the annual long-term Financial Transmission Rights auction prices for the Zone and the hub are converted to monthly values by adding, for each month of the year, the difference between (a) the historical monthly average day-ahead congestion price differentials between the Zone and relevant hub and (b) the historical annual average day-ahead congestion price differentials between the Zone and hub. This step is only used when developing forward prices for locations other than the liquid hubs;

(4) Determine and add marginal loss differentials to the forward monthly day-ahead on-peak and off-peak energy prices for the hub. For each month of the year, calculate the marginal loss differential, which is the average of the difference between the loss components of the historical on peak or off peak day-ahead LMPs for the Zone and relevant

hub in that month across the three year period scaled by the ratio of (a) the forward monthly average on-peak or off-peak day-ahead LMP at such hub to (b) the average of the historical on-peak or off-peak day-ahead LMPs for such hub in that month across the three year period. This step is only used when developing forward prices for locations other than the liquid hubs;

(5) Shape the forward monthly day-ahead on-peak and off-peak prices to (a) forward hourly day-ahead LMPs using historic hourly day-ahead LMP shapes for the Zone and (b) forward hourly real-time LMPs using historic hourly real-time LMP shapes for the Zone. The historic hourly shapes are based on the ratio of the historic day-ahead or real-time LMP for the Zone for each given hour in a monthly on-peak or off-peak period to the average of the historic day-ahead or real-time LMP for the Zone for all hours in such monthly on-peak or off-peak period. The historical prices used in this step shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction;

(6) For unit-specific energy and ancillary service offset calculations, determine and apply basis differentials from the Zone to the generation bus to the forward day-ahead and real-time hourly LMPs for the Zone. The differential for each hour of the year is developed using the difference between the historical DA or RT LMP for the generation bus and the historical DA or RT LMP for the Zone in which the generation bus is located for that same hour; and

(7) Develop the Forward Hourly LMPs for the PJM Region pricing point. Calculate the load-weighted average of the monthly on-peak and off-peak Zonal LMPs developed in step (4) above, using the historical average load within each monthly on-peak or off-peak period. The load-weighted average monthly on-peak or off-peak Zonal LMPs are then shaped to forward hourly day-ahead and real-time LMPs using the same procedure as defined in step (5) above, except using historical LMPs for the PJM Region pricing point.

D) Forward Hourly Ancillary Services Prices shall include prices for Synchronized Reserve, Non-Synchronized Reserve, Secondary Reserve and Regulation and shall be determined as follows. The historical prices used herein shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction:

(1) For Synchronized Reserve, the forward day-ahead and real-time market clearing prices for the Reserve Zone for each hour of the Delivery Year shall be equal to the historical real-time Synchronized Reserve Market Clearing Price for the Reserve Zone for the corresponding hour of the year.

(2) For Non-Synchronized Reserve, the forward day-ahead and real-time market clearing prices for the Reserve Zone for each hour of the Delivery Year shall be equal to the historical real-time Non-Synchronized Reserve Market Clearing Price for the Reserve Zone for the corresponding hour of the year.

(3) For Secondary Reserve, the forward day-ahead and real-time Secondary Reserve market clearing price shall be $0.00/MWh for all hours.

(4) For Regulation, the forward real-time Regulation market clearing price shall be calculated by multiplying the historical real-time hourly Regulation market clearing price for each hour of the Delivery Year by the ratio of the real-time Forward Hourly LMP at an appropriate pricing point, as defined in the PJM manuals, to the historic hourly real-time LMP at such pricing point for the corresponding hour of the year; and

E) Forward Daily Natural Gas Prices shall be determined as follows:

(1) Map each Zone to the appropriate natural gas hub in the PJM Region, as listed in the PJM Manuals;

(2) Map each natural gas hub lacking sufficient liquidity to the liquid hub to which it has the highest historic price correlation;

(3) For each sufficiently liquid natural gas hub, calculate the simple average natural gas monthly settlement prices over the most recent thirty trading days as of 180 days prior to the Base Residual Auction;

(4) Calculate the forward monthly prices for each illiquid hub by scaling the forward monthly price of the mapped liquid hub by the average ratio of historical monthly prices at the insufficiently liquid hub to the historical monthly prices at

the sufficiently liquid over the most recent three calendar years preceding the time of determination for the RPM Auction;

(5) Shape the forward monthly prices for each hub to Forward Daily Natural Gas Prices using historic daily natural gas price shapes for the hub. The historic daily shapes are based on the ratio of the historic price for the hub for each given day in a month to the average of the historic prices for the hub for all days in such month. The daily prices are then assigned to each hour starting 10am Eastern Prevailing Time each day. The historical prices used in this step shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction.

vi) Process for Establishing Parameters of Variable Resource Requirement Curve

A) The parameters of the Variable Resource Requirement Curve will be established prior to the conduct of the Base Residual Auction for a Delivery Year and will be used for such Base Residual Auction.

B) The Office of the Interconnection shall determine the PJM Region Reliability Requirement and the Locational Deliverability Area Reliability Requirement for each Locational Deliverability Area for which a Variable Resource Requirement Curve has been established for such Base Residual Auction on or before February 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values will be applied, in accordance with the Reliability Assurance Agreement.

C) Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the calculation of the Cost of New Entry for each CONE Area.

1) If the Office of the Interconnection determines that the Cost of New Entry values should be modified, the Staff of the Office of the Interconnection shall propose new Cost of New Entry values on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

2) The PJM Members shall review the proposed values.

3) The PJM Members shall either vote to (i) endorse the proposed values, (ii) propose alternate values or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

4) The PJM Board of Managers shall consider Cost of New Entry values, and the Office of the Interconnection shall file any approved modified Cost of New Entry values with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

D) Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the methodology set forth in this Attachment for determining the Net Energy and Ancillary Services Revenue Offset for the PJM Region and for each Zone.

1) If the Office of the Interconnection determines that the Net Energy and Ancillary Services Revenue Offset methodology should be modified, Staff of the Office of the Interconnection shall propose a new Net Energy and Ancillary Services Revenue Offset methodology on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new methodology would be applied.

2) The PJM Members shall review the proposed methodology.

3) The PJM Members shall either vote to (i) endorse the proposed methodology, (ii) propose an alternate methodology or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new methodology would be applied.

4) The PJM Board of Managers shall consider the Net Revenue Offset methodology, and the Office of the Interconnection shall file any approved modified Net Energy and Ancillary Services Revenue Offset values with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

b) Locational Requirements

The Office of Interconnection shall establish locational requirements prior to the Base Residual Auction to quantify the amount of Unforced Capacity that must be committed in each Locational Deliverability Area, in accordance with the PJM Reliability Assurance Agreement.

c) Resource Requirements and Constraints

Prior to the Base Residual Auction and each Incremental Auction for the Delivery Years starting on June 1, 2014 and ending May 31, 2017, the Office of the Interconnection shall establish the Minimum Annual Resource Requirement and the Minimum Extended Summer Resource Requirement for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year. Prior to the Base Residual Auction and Incremental Auctions for the 2017/2018 Delivery Year, the Office of the Interconnection shall establish the Limited Resource Constraints and the Sub-Annual Resource Constraints for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year. Prior to the Base Residual Auction and Incremental Auctions for 2018/2019 and 2019/2020 Delivery Years, the Office of the Interconnection shall establish the Base Capacity Demand Resource Constraints and the Base Capacity Resource Constraints for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year.

d) Preliminary PJM Region Peak Load Forecast for the Delivery Year

The Office of the Interconnection shall establish the Preliminary PJM Region Load Forecast for the Delivery Year in accordance with the PJM Manuals by February 1, prior to the conduct of the Base Residual Auction for such Delivery Year.

e) Updated PJM Region Peak Load Forecasts for Incremental Auctions

The Office of the Interconnection shall establish the updated PJM Region Peak Load Forecast for a Delivery Year in accordance with the PJM Manuals by February 1, prior to the conduct of the First, Second, and Third Incremental Auction for such Delivery Year.

5.14 Clearing Prices and Charges

a) Capacity Resource Clearing Prices

For each Base Residual Auction and Incremental Auction, the Office of the Interconnection shall calculate a clearing price to be paid for each megawatt-day of Unforced Capacity that clears in such auction. The Capacity Resource Clearing Price for each LDA will be the marginal value of system capacity for the PJM Region, without considering locational constraints, adjusted as necessary by any applicable Locational Price Adders, Annual Resource Price Adders, Extended Summer Resource Price Adders, Limited Resource Price Decrements, Sub-Annual Resource Price Decrements, Base Capacity Demand Resource Price Decrements, and Base Capacity Resource Price Decrements, all as determined by the Office of the Interconnection based on the optimization algorithm. If a Capacity Resource is located in more than one Locational Deliverability Area, it shall be paid the highest Locational Price Adder in any applicable LDA in which the Sell Offer for such Capacity Resource cleared. The Annual Resource Price Adder is applicable for Annual Resources only. The Extended Summer Resource Price Adder is applicable for Annual Resources and Extended Summer Demand Resources.

The Locational Price Adder applicable to each cleared Seasonal Capacity Performance Resource is determined during the post-processing of the RPM Auction results consistent with the manner in which the auction clearing algorithm recognizes the contribution of Seasonal Capacity Performance Resource Sell Offers in satisfying an LDA’s reliability requirement. For each LDA with a positive Locational Price Adder with respect to the immediate higher level LDA, starting with the lowest level constrained LDAs and moving up, PJM determines the quantity of equally matched Summer-Period Capacity Performance Resources and Winter-Period Capacity Performance Resources located and cleared within that LDA. Up to this quantity, the cleared Summer-Period Capacity Performance Resources and Winter-Period Capacity Performance Resources with the lowest Sell Offer prices will be compensated using the highest Locational Price Adder applicable to such LDA; and any remaining Seasonal Capacity Performance Resources cleared within the LDA are effectively moved to the next higher level constrained LDA, where they are considered in a similar manner for compensation.

b) Resource Make-Whole Payments

If a Sell Offer specifies a minimum block, and only a portion of such block is needed to clear the market in a Base Residual or Incremental Auction, the MW portion of such Sell Offer needed to clear the market shall clear, and such Sell Offer shall set the marginal value of system capacity. In addition, the Capacity Market Seller shall receive a Resource Make-Whole Payment equal to the Capacity Resource Clearing Price in such auction times the difference between the Sell Offer's minimum block MW quantity and the Sell Offer's cleared MW quantity. If the Sell Offer price of a cleared Seasonal Capacity Performance Resource exceeds the applicable Capacity Resource Clearing Price, the Capacity Market Seller shall receive a Resource Make-Whole Payment equal to the difference between the Sell Offer price and Capacity Resource Clearing Price in such RPM Auction. The cost for any such Resource Make-Whole Payments required in a Base Residual Auction or Incremental Auction for adjustment of prior capacity commitments shall be collected pro rata from all LSEs in the LDA in which such payments were made, based on their Daily Unforced Capacity Obligations. The cost for any such Resource Make-Whole

Payments required in an Incremental Auction for capacity replacement shall be collected from all Capacity Market Buyers in the LDA in which such payments were made, on a pro-rata basis based on the MWs purchased in such auction.

c) New Entry Price Adjustment

A Capacity Market Seller that submits a Sell Offer based on a Planned Generation Capacity Resource that clears in the BRA for a Delivery Year may, at its election, submit Sell Offers with a New Entry Price Adjustment in the BRAs for the two immediately succeeding Delivery Years if:

1. Such Capacity Market Seller provides notice of such election at the time it submits its Sell Offer for such resource in the BRA for the first Delivery Year for which such resource is eligible to be considered a Planned Generation Capacity Resource. When the Capacity Market Seller provides notice of such election, it must specify whether its Sell Offer is contingent upon qualifying for the New Entry Price Adjustment. The Office of the Interconnection shall not clear such contingent Sell Offer if it does not qualify for the New Entry Price Adjustment.

2. All or any part of a Sell Offer from the Planned Generation Capacity Resource submitted in accordance with section 5.14(c)(1) is the marginal Sell Offer that sets the Capacity Resource Clearing Price for the LDA.

3. Acceptance of all or any part of a Sell Offer that meets the conditions in section 5.14(c)(1)-(2) in the BRA increases the total Unforced Capacity committed in the BRA (including any minimum block quantity) for the LDA in which such Resource will be located from a megawatt quantity below the LDA Reliability Requirement, minus the Short Term Resource Procurement Target, to a megawatt quantity at or above a megawatt quantity at the price-quantity point on the VRR Curve at which the price is 0.40 times the applicable Net CONE divided by (one minus the pool-wide average EFORd).

4. Such Capacity Market Seller submits Sell Offers in the BRA for the two immediately succeeding Delivery Years for the entire Unforced Capacity of such Generation Capacity Resource committed in the first BRA under section 5.14(c)(1)-(2) equal to the lesser of: A) the price in such seller's Sell Offer for the BRA in which such resource qualified as a Planned Generation Capacity Resource that satisfies the conditions in section 5.14(c)(1)-(3); or B) 0.90 times the Net CONE applicable in the first BRA in which such Planned Generation Capacity Resource meeting the conditions in section 5.14(c)(1)-(3) cleared, on an Unforced Capacity basis, for such LDA.

5. If the Sell Offer is submitted consistent with section 5.14(c)(1)-(4) the foregoing conditions, then:

(i) in the first Delivery Year, the Resource sets the Capacity Resource Clearing Price for the LDA and all cleared resources in the LDA receive the Capacity Resource Clearing Price set by the Sell Offer as the marginal offer, in accordance with sections 5.12(a) and 5.14(a).

(ii) in either of the subsequent two BRAs, if any part of the Sell Offer from the Resource clears, it shall receive the Capacity Resource Clearing Price for such LDA for its cleared capacity and for any additional minimum block quantity pursuant to section 5.14(b); or

(iii) if the Resource does not clear, it shall be deemed resubmitted at the highest price per MW-day at which the megawatt quantity of Unforced Capacity of such Resource that cleared the first-year BRA will clear the subsequent-year BRA pursuant to the optimization algorithm described in section 5.12(a) of this Attachment, and

(iv) the resource with its Sell Offer submitted shall clear and shall be committed to the PJM Region in the amount cleared, plus any additional minimum-block quantity from its Sell Offer for such Delivery Year, but such additional amount shall be no greater than the portion of a minimum-block quantity, if any, from its first-year Sell Offer satisfying section 5.14(c)(1)-(3) that is entitled to compensation pursuant to section 5.14(b) of this Attachment; and

(v) the Capacity Resource Clearing Price, and the resources cleared, shall be re-determined to reflect the resubmitted Sell Offer. In such case, the Resource for which the Sell Offer is submitted pursuant to section 5.14(c)(1)-(4) shall be paid for the entire committed quantity at the Sell Offer price that it initially submitted in such subsequent BRA. The difference between such Sell Offer price and the Capacity Resource Clearing Price (as well as any difference between the cleared quantity and the committed quantity), will be treated as a Resource Make-Whole Payment in accordance with Section 5.14(b). Other capacity resources that clear the BRA in such LDA receive the Capacity Resource Clearing Price as determined in Section 5.14(a).

6. The failure to submit a Sell Offer consistent with Section 5.14(c)(i)-(iii) in the BRA for Delivery Year 3 shall not retroactively revoke the New Entry Price Adjustment for Delivery Year 2. However, the failure to submit a Sell Offer consistent with section 5.14(c)(4) in the BRA for Delivery Year 2 shall make the resource ineligible for the New Entry Pricing Adjustment for Delivery Years 2 and 3.

7. For each Delivery Year that the foregoing conditions are satisfied, the Office of the Interconnection shall maintain and employ in the auction clearing for such LDA a separate VRR Curve, notwithstanding the outcome of the test referenced in Section 5.10(a)(ii) of this Attachment.

8. On or before August 1, 2012, PJM shall file with FERC under FPA section 205, as determined necessary by PJM following a stakeholder process, tariff changes to establish a long-term auction process as a not unduly discriminatory means to provide adequate

long-term revenue assurances to support new entry, as a supplement to or replacement of this New Entry Price Adjustment.

d) Qualifying Transmission Upgrade Payments

A Capacity Market Seller that submitted a Sell Offer based on a Qualifying Transmission Upgrade that clears in the Base Residual Auction shall receive a payment equal to the Capacity Resource Clearing Price, including any Locational Price Adder, of the LDA into which the Qualifying Transmission Upgrade is to increase Capacity Emergency Transfer Limit, less the Capacity Resource Clearing Price, including any Locational Price Adder, of the LDA from which the upgrade was to provide such increased CETL, multiplied by the megawatt quantity of increased CETL cleared from such Sell Offer. Such payments shall be reflected in the Locational Price Adder determined as part of the Final Zonal Capacity Price for the Zone associated with such LDAs, and shall be funded through a reduction in the Capacity Transfer Rights allocated to Load-Serving Entities under section 5.15, as set forth in that section. PJMSettlement shall be the Counterparty to any cleared capacity transaction resulting from a Sell Offer based on a Qualifying Transmission Upgrade.

e) Locational Reliability Charge

In accordance with the Reliability Assurance Agreement, each LSE shall incur a Locational Reliability Charge (subject to certain offsets and other adjustments as described in sections 5.14B, 5.14C, 5.14D, 5.14E and 5.15) equal to such LSE's Daily Unforced Capacity Obligation in a Zone during such Delivery Year multiplied by the applicable Final Zonal Capacity Price in such Zone. PJMSettlement shall be the Counterparty to the LSEs' obligations to pay, and payments of, Locational Reliability Charges.

f) The Office of the Interconnection shall determine Zonal Capacity Prices in accordance with the following, based on the optimization algorithm:

i) The Office of the Interconnection shall calculate and post the Preliminary Zonal Capacity Prices for each Delivery Year following the Base Residual Auction for such Delivery Year. The Preliminary Zonal Capacity Price for each Zone shall be the sum of: 1) the marginal value of system capacity for the PJM Region, without considering locational constraints; 2) the Locational Price Adder, if any, for the LDA in which such Zone is located; provided however, that if the Zone contains multiple LDAs with different Capacity Resource Clearing Prices, the Zonal Capacity Price shall be a weighted average of the Capacity Resource Clearing Prices for such LDAs, weighted by the Unforced Capacity of Capacity Resources cleared in each such LDA; 3) an adjustment, if required, to account for adders paid to Annual Resources and Extended Summer Demand Resources in the LDA for which the zone is located; 4) an adjustment, if required, to account for Resource Make-Whole Payments; and (5) an adjustment, if required to provide sufficient revenue for payment of any PRD Credits, all as determined in accordance with the optimization algorithm.

ii) The Office of the Interconnection shall calculate and post the Adjusted Zonal Capacity Price following each Incremental Auction. The Adjusted Zonal Capacity Price for each Zone shall equal the sum of: (1) the average marginal value of system capacity weighted by the Unforced Capacity cleared in all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (2) the average Locational Price Adder weighted by the Unforced Capacity cleared in all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (3) an adjustment, if required, to account for adders paid to Annual Resources and Extended Summer Demand Resources for all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (4) an adjustment, if required, to account for Resource Make-Whole Payments for all actions previously conducted (excluding any Resource Make-Whole Payments to be charged to the buyers of replacement capacity); and (5) an adjustment, if required to provide sufficient revenue for payment of any PRD Credits. The Adjusted Zonal Capacity Price may decrease if Unforced Capacity is decommitted or the Resource Clearing Price decreases in an Incremental Auction.

iii) The Office of the Interconnection shall calculate and post the Final Zonal Capacity Price for each Delivery Year after the final auction is held for such Delivery Year, as set forth above. The Final Zonal Capacity Price for each Zone shall equal the Adjusted Zonal Capacity Price, as further adjusted to reflect any decreases in the Nominated Demand Resource Value of any existing Demand Resource cleared in the Base Residual Auction and Second Incremental Auction.

g) Resource Substitution Charge

Each Capacity Market Buyer in an Incremental Auction securing replacement capacity shall pay a Resource Substitution Charge equal to the Capacity Resource Clearing Price resulting from such auction multiplied by the megawatt quantity of Unforced Capacity purchased by such Market Buyer in such auction.

h) Minimum Offer Price Rule for Certain *New* Generation Capacity Resources *that are not Capacity Resources with State Subsidy*

(1) For purposes of this section, the Net Asset Class Costs of New Entry shall be asset-class estimates of competitive, cost-based nominal levelized Cost of New Entry, net of energy and ancillary service revenues. Determination of the gross Cost of New Entry component of the Net Asset Class Cost of New Entry shall be consistent with the methodology used to determine the Cost of New Entry set forth in Section 5.10(a)(iv)(A) of this Attachment. *This section only applies to new Generation Capacity Resources that do not receive or are not entitled to receive a State Subsidy, meaning that such resources are not Capacity Resources with State Subsidy. To the extent a new Generation Capacity Resource is a Capacity Resource with State Subsidy, then the provisions in Tariff, Attachment DD, section 5.14(h-1) apply.*

The gross Cost of New Entry component of Net Asset Class Cost of New Entry shall be, for purposes of the *2022/2023* Delivery Year and subsequent Delivery Years, the values indicated in the table below for each CONE Area for a combustion turbine generator ("CT"), and a combined cycle generator ("CC") respectively, and shall be adjusted for subsequent Delivery Years in accordance with subsection (h)(2) below. For purposes of Incremental Auctions for the *2021/2022* Delivery Year, the MOPR Floor Offer Price shall be the same as that used in the Base Residual Auction for such Delivery Year. The estimated energy and ancillary service revenues for each type of plant shall be determined as described in subsection (h)(3) below. Notwithstanding the foregoing, the Net Asset Class Cost of New Entry shall be zero for: (i) Sell Offers based on nuclear, coal or Integrated Gasification Combined Cycle facilities; or (ii) Sell Offers based on hydroelectric, wind, or solar facilities.

	CONE Area 1	CONE Area 2	CONE Area 3	CONE Area 4
CT $/MW-yr	*108,000*	*109,700*	*105,500*	*105,500*
CC $/MW-yr	*118,400*	*122,000*	*111,900*	*114,200*

(2) Beginning with the Delivery Year that begins on June 1, 2019, the gross Cost of New Entry component of the Net Asset Class Cost of New Entry shall be adjusted to reflect changes in generating plant construction costs in the same manner as set forth for the cost of new entry in section 5.10(a)(iv)(B), provided, however, that the Applicable BLS Composite Index used for CC plants shall be calculated from the three indices referenced in that section but weighted *20*% for the wages index, *55*% for the construction materials index, and *25*% for the turbines index, and provided further that nothing herein shall preclude the Office of the Interconnection from filing to change the Net Asset Class Cost of New Entry for any Delivery Year pursuant to appropriate filings with FERC under the Federal Power Act.

(3) For the 2021/2022 Delivery Year, f~~F~~or purposes of this provision, the net energy and ancillary services revenue estimate for a combustion turbine generator shall be that determined by section 5.10(a)(v)(A) of this Attachment DD, provided that the energy revenue estimate for each CONE Area shall be based on the Zone within such CONE Area that has the highest energy revenue estimate calculated under the methodology in that subsection. The net energy and ancillary services revenue estimate for a combined cycle generator shall be determined in the same manner as that prescribed for a combustion turbine generator in the previous sentence, except that the heat rate assumed for the combined cycle resource shall be *6.553* MMbtu/Mwh, the variable operations and maintenance expenses for such resource shall be $*2.11* per MWh, the Peak-Hour Dispatch scenario for both the Day-Ahead and Real-Time Energy Markets shall be modified to dispatch the CC resource continuously during the full peak-hour period, as described in *Peak-Hour Dispatch*, for each such period that the resource is economic (using the test set forth in such *definition*), rather than only during the four-hour blocks within such period that such resource is economic, and the ancillary service revenues shall be $*3350* per MW-year.

For the 2022/2023 Delivery Year and subsequent Delivery Years, for purposes of this provision, the net energy and ancillary services revenue estimate for a combustion turbine generator shall be that determined by Tariff, Attachment DD, section 5.10(a)(v-1)(A), provided that the energy and ancillary services revenue estimate for each CONE Area shall be based on the Zone within such CONE Area that has the highest energy revenue estimate calculated under the methodology in that subsection. The net energy and ancillary services revenue estimate for a combined cycle generator shall be determined in the same manner as that prescribed for a combustion turbine generator in the previous sentence, except that the heat rate assumed for the combined cycle resource shall be 6.501 MMbtu/MWh, the variable operations and maintenance expenses for such resource shall be $2.11 per MWh, a 10% adder will not be included in the energy offer, and the reactive service revenues shall be $3,350 per MW-year.

(4) Any Sell Offer that is based on *either (i) or (ii), and (iii)*:

i) a Generation Capacity Resource located in the PJM Region that is submitted in an RPM Auction for a Delivery Year unless a Sell Offer based on that resource has cleared an RPM Auction for that or any prior Delivery Year, or until a Sell Offer based on that resource clears an RPM auction for that or any subsequent Delivery Year; or

ii) a Generation Capacity Resource located outside the PJM Region (where such Sell Offer is based solely on such resource) that requires sufficient transmission investment for delivery to the PJM Region to indicate a long-term commitment to providing capacity to the PJM Region, unless a Sell Offer based on that resource has cleared an RPM Auction for that or any prior Delivery Year, or until a Sell offer based on that resource clears an RPM Auction for that or any subsequent Delivery Year*;*

iii) in any LDA for which a separate VRR Curve is established for use in the Base Residual Auction for the Delivery Year relevant to the RPM Auction in which such offer is submitted, and that is less than 90 percent of the applicable Net Asset Class Cost of New Entry or, if there is no applicable Net Asset Class Cost of New Entry, less than 70 percent of the Net Asset Class Cost of New Entry for a combustion turbine generator as provided in subsection (h)(1) above shall be set to equal 90 percent of the applicable Net Asset Class Cost of New Entry (or set equal to 70 percent of such cost for a combustion turbine, where there is no otherwise applicable net asset class figure), unless the Capacity Market Seller obtains the prior determination from the Office of the Interconnection described in subsection (5) hereof. This provision applies to Sell Offers submitted in Incremental Auctions conducted after December 19, 2011, provided that the Net Asset Class Cost of New Entry values for any such Incremental Auctions for the 2012-13 or 2013-14 Delivery Years shall be the Net Asset Class Cost of New Entry values posted by the Office of the Interconnection for the Base Residual Auction for the 2014-15 Delivery Year.

(5) Unit-Specific Exception. A Sell Offer meeting the criteria in subsection (4) shall be permitted and shall not be re-set to the price level specified in that subsection if the Capacity Market Seller obtains a determination from the Office of the Interconnection or the Commission, prior to the RPM Auction in which it seeks to submit the Sell Offer, that such Sell Offer is permissible because it is consistent with the competitive, cost-based, fixed, net cost of new entry were the resource to rely solely on revenues from PJM-administered markets. The following process and requirements shall apply to requests for such determinations:

i) The Capacity Market Seller may request such a determination by no later than one hundred twenty (120) days prior to the commencement of the offer period for the RPM Auction in which it seeks to submit its Sell Offer, by submitting simultaneously to the Office of the Interconnection and the Market Monitoring Unit a written request with all of the required documentation as described below and in the PJM Manuals. For such purpose, the Office of the Interconnection shall post, by no later than one hundred fifty (150) days prior to the commencement of the offer period for the relevant RPM Auction, a preliminary estimate for the relevant Delivery Year of the minimum offer level expected to be established under subsection

(4). If the minimum offer level subsequently established for the relevant Delivery Year is less than the Sell Offer, the Sell Offer shall be permitted and no exception shall be required.

ii) As more fully set forth in the PJM Manuals, the Capacity Market Seller must include in its request for an exception under this subsection documentation to support the fixed development, construction, operation, and maintenance costs of the planned generation resource, as well as estimates of offsetting net revenues, or, sufficient data for the Office of the Interconnection and the Market Monitoring Unit to produce such an estimate. Estimates of costs or revenues shall be supported at a level of detail comparable to the cost and revenue estimates used to support the Net Asset Class Cost of New Entry established under this section 5.14(h). As more fully set forth in the PJM Manuals, supporting documentation for project costs may include, as applicable and available, a complete project description; environmental permits; vendor quotes for plant or equipment; evidence of actual costs of recent comparable projects; bases for electric and gas interconnection costs and any cost contingencies; bases and support for property taxes, insurance, operations and maintenance ("O&M") contractor costs, and other fixed O&M and administrative or general costs; financing documents for construction–period and permanent financing or evidence of recent debt costs of the seller for comparable investments; and the bases and support for the claimed capitalization ratio, rate of return, cost-recovery period, inflation rate, or other parameters used in financial modeling. Such documentation also shall identify and support any sunk costs that the Capacity Market Seller has reflected as a reduction to its Sell Offer. The request shall include a certification, signed by an officer of the Capacity Market Seller, that the claimed costs accurately reflect, in all material respects, the seller's reasonably expected costs of new entry and that the request satisfies all standards for an exception hereunder.

The request also shall identify all revenue sources relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above.

For the 2021/2022 Delivery Year, i~~I~~n making such demonstration, the Capacity Market Seller may rely upon forecasts of competitive electricity prices in the PJM Region based on well defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, energy demand, emissions allowance prices, and expected environmental or energy policies that affect the seller's forecast of electricity prices in such region, employing input data from sources readily available to the public. Documentation for net revenues also may include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, and ancillary service capabilities. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

For the 2022/2023 Delivery Year and subsequent Delivery Years, in making such demonstration, the Capacity Market Seller may rely upon revenues projected by well defined, forward-looking dispatch models, designed to generally follow the rules and processes of PJM's energy and ancillary services markets. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price.Where forward fuel markets are not available, publicly available estimates of future fuel prices may be used. The model shall also contain estimates of variable operation and maintenance costs, which may include Maintenance Adders, and emissions allowance prices. Documentation for net revenues also must include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, capacity factors and ancillary service capabilities.

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices, and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, and plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

iii) A Sell Offer evaluated hereunder shall be permitted if the information provided reasonably demonstrates that the Sell Offer's competitive, cost-based, fixed, net cost of new entry is below the minimum offer level prescribed by subsection (4), based on competitive cost advantages relative to the costs estimated for subsection (4), including, without limitation, competitive cost advantages resulting from the Capacity Market Seller's business model, financial condition, tax status, access to capital or other similar conditions affecting the applicant's costs, or based on net revenues that are reasonably demonstrated hereunder to be higher than estimated for subsection (4). Capacity Market Sellers shall be asked to demonstrate that claimed cost advantages or sources of net revenue that are irregular or anomalous, that do not reflect arm's-length transactions, or that are not in the ordinary course of the Capacity Market Seller's business are consistent with the standards of this subsection. Failure to adequately support such costs or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in denial of an exception hereunder by the Office of the Interconnection.

iv) The Market Monitoring Unit shall review the information and documentation in support of the request and shall provide its findings whether the proposed Sell Offer is acceptable, in accordance with the standards and criteria hereunder, in writing, to the Capacity Market Seller and the Office of the Interconnection by no later than ninety (90) days prior to the commencement of the offer period for such auction. The Office of the Interconnection shall also review all exception requests and documentation and shall provide in writing to the Capacity Market Seller, and the Market Monitoring Unit, its determination whether the requested Sell Offer is acceptable and if not it shall calculate and provide to such Capacity Market Seller, a minimum Sell Offer based on the data and documentation received, by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. If the Office of the Interconnection determines that the requested Sell Offer is acceptable, the Capacity Market Seller Shall notify the Market Monitoring Unit and the Office of the Interconnection, in writing, of the minimum level of Sell Offer to which it agrees to commit by no later than sixty (60) days prior to the commencement of the offer period for the relevant RPM Auction.

h-1) Minimum Offer Price Rule for Capacity Resources with State Subsidy

*(1) **General Rule.** Any Sell Offer based on either a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with a State Subsidy submitted in any RPM Auction shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the Capacity Market Seller qualifies for an exemption with respect to such Capacity Resource with a State Subsidy prior to the submission of such offer.*

(A) Effect of Exemption. To the extent a Sell Offer in any RPM Auction is based on a Capacity Resource with State Subsidy that qualifies for any of the exemptions defined in Tariff, Attachment DD, sections 5.14(h-1)(4)-(8), the Sell Offer for such resource shall not be limited by the MOPR Floor Offer Price, unless otherwise specified.

(B) Effect of Exception. To the extent a Sell Offer in any RPM Auction for any Delivery Year is based on a Capacity Resource with State Subsidy for which the Capacity Market Seller obtains, prior to the submission of such offer, a resource-specific exception, such offer may include an offer price below the default MOPR Floor Offer Price applicable to such resource type, but no lower than the resource-specific MOPR Floor Offer Price determined in such exception process.

(C) Process for Establishing a Capacity Resource with a State Subsidy.

(i) By no later than one hundred and twenty (120) days prior to the commencement of the offer period of any RPM Auction conducted for the 2022/2023 Delivery Year and all subsequent Delivery Years, each Capacity Market Seller must certify to the Office of Interconnection, in accordance with the PJM Manuals, whether or not each Capacity Resource (other than Demand Resource and Energy Efficiency Resource) that the Capacity Market Seller intends to offer into the RPM Auction qualifies as a Capacity Resource with a State Subsidy (including by way of Jointly Owned Cross-Subsidized Capacity Resource) and identify (with specificity) any State Subsidy. Capacity Market Sellers that intend to offer a Demand Resource or an Energy Efficiency Resource into the RPM Auction shall certify to the Office of Interconnection, in accordance with the PJM Manuals, whether or not such Demand Resource or Energy Efficiency Resource qualifies as a Capacity Resource with a State Subsidy no later than thirty (30) days prior to the commencement of the offer period of any RPM Auction conducted for the 2022/2023 Delivery Year and all subsequent Delivery Years. All Capacity

Market Sellers shall be responsible for each certification irrespective of any guidance developed by the Office of the Interconnection and the Market Monitoring Unit. A Capacity Resource shall be deemed a Capacity Resource with State Subsidy if the Capacity Market Seller fails to timely certify whether or not a Capacity Resource is entitled to a State Subsidy, unless the Capacity Market Seller receives a waiver from the Commission or the Capacity Resource previously received a resource-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-1)(3).

(ii) The requirements in subsection (i) above do not apply to Capacity Resources for which the Market Seller designated whether or not it is subject to a State Subsidy and the associated subsidies to which the Capacity Resource is entitled in a prior Delivery Year, unless there has been a change in the set of those State Subsidy(ies), or for those which are eligible for the Demand Resource or Energy Efficiency exemption, Capacity Storage Resource exemption, Self-Supply Entity exemption, or the Renewable Portfolio Standard exemption.

(iii) Once a Capacity Market Seller has certified a Capacity Resource as a Capacity Resource with a State Subsidy, the status of such Capacity Resource will remain unchanged unless and until the Capacity Market Seller (or a subsequent Capacity Market Seller) that owns or controls such Capacity Resource provides a certification of a change in such status, the Office of the Interconnection removes such status, or by FERC order. All Capacity Market Sellers shall have an ongoing obligation to certify to the Office of Interconnection and the Market Monitoring Unit a Capacity Resource's change in status as a Capacity Resource with State Subsidy within 5 days of such change.

*(2) **Minimum Offer Price Rule.** Any Sell Offer for a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with State Subsidy that does not qualify for any of the exemptions, as defined in Tariff, Attachment DD, sections 5.14(h-1)(4)-(8), shall have an offer price no lower than the applicable MOPR Floor Offer Price.*

(A) New Entry MOPR Floor Offer Price. For a New Entry Capacity Resource with State Subsidy the applicable MOPR Floor Offer Price, based on the net cost of new entry for each resource type, shall be, at the election of the Capacity Market Seller, (i) the resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-1)(3) below or (ii) if applicable, the default New Entry MOPR Floor Offer Price for the applicable resource based on the gross cost of new entry values shown in the table below, as adjusted for Delivery Years subsequent to the 2022/2023 Delivery Year, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

Resource Type	***Gross Cost of New Entry (2022/2023 $/ MW-day) (Nameplate)***
Nuclear	*$2,000*
Coal	*$1,068*
Combined Cycle	*$320*
Combustion Turbine	*$294*

Fixed Solar PV	*$271*
Tracking Solar PV	*$290*
Onshore Wind	*$420*
Offshore Wind	*$1,155*
Battery Energy Storage	*$532*
Generation Backed Demand Resource	*$254*

The gross cost of new entry values in the table above are expressed in dollars per MW-day in terms of nameplate megawatts. For purposes of submitting a Sell Offer, the gross cost of new entry values must be converted to a net cost of new entry by subtracting the estimated net energy and ancillary service revenues, as determined below, from the gross cost of new entry. However, the resultant net cost of new entry of the battery energy storage resource type in the table above must be multiplied by 2.5. The net cost of new entry based on nameplate capacity is then converted to Unforced Capacity ("UCAP") MW-day. To determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for thermal generation resource types and battery energy storage resource types, the applicable class average EFORd; for wind and solar generation resource types, the applicable class average capacity value factor; or for Demand Resources and Energy Efficiency Resources, the Forecast Pool Requirement, as applicable to the relevant RPM Auction. The resulting default New Entry MOPR Floor Offer price in UCAP/MW-day terms shall be applied to each MW offered for the Capacity Resource regardless of the actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource.

The default New Entry MOPR Floor Offer Price for load-backed Demand Resources (i.e., the MW portion of Demand Resources that is not supported by generation) shall be separately determined for each Locational Deliverability Area as the MW-weighted average offer price of load-backed Demand Resources from the most recent three Base Residual Auctions, where the MW weighting shall be determined based on the portion of each Sell Offer for a load-backed portion of the Demand Resource that is supported by end-use customer locations on the registrations used in the pre-registration process for such Base Residual Auctions, as described in the PJM Manuals.

The default gross cost of new entry ~~*New Entry MOPR Floor Offer Price*~~ *for Energy Efficiency Resources shall be $*644/ICAP MW-Day, which shall be offset by projected wholesale energy savings, as well as transmission and distribution savings of $95/ICAP MW-Day, to determine the default New Entry MOPR Floor Offer Price (Net Cost of New Entry), where the projected wholesale energy savings are determined utilizing the cost and performance data of relevant programs offered by representative energy efficiency programs with sufficiently detailed publicly available data. The wholesale energy savings, in $/ICAP MW-day, shall be calculated prior to each RPM Auction and be equal to the average annual energy savings of 6,221 MWh/ICAP MW times the weighted average of the annual real-time Forward Hourly LMPs of the Zones of the representative energy efficiency programs, where the weighting is developed from the annual energy savings in the relevant Zones, divided by 365~~*64/ICAP MW-Day (Net Cost of New Entry)*~~*.*

Commencing with the Base Residual Auction for the 2023/2024 Delivery Year, the Office of the Interconnection shall adjust the default gross costs of new entry in the table above and for load-backed Demand Resources, and post the preliminary estimates of the adjusted applicable default New Entry MOPR Floor Offer Prices on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the adjusted applicable default New Entry MOPR Floor Offer Prices for all resource types except for load-backed Demand Resources and Energy Efficiency Resources, the Office of the Interconnection shall adjust the gross costs of new entry utilizing, for combustion turbine and combined cycle resource types, the same Applicable BLS Composite Index applied for such Delivery Year to adjust the CONE value used to determine the Variable Resource Requirement Curve, in accordance with Tariff, Attachment DD, section 5.10(a)(iv), and for all other resource types, the "BLS Producer Price Index Turbines and Turbine Generator Sets" component of the Applicable BLS Composite Index used to determine the Variable Resource Requirement Curve shall be replaced with the "BLS Producer Price Index Final Demand, Goods Less Food & Energy, Private Capital Equipment" when adjusting the gross costs of new entry. The resultant value shall then be then adjusted further by a factor of 1.022 for nuclear, coal, combustion turbine, combine cycle, and generation-backed Demand Resource types or 1.01 for solar, wind, and storage resource types to reflect the annual decline in bonus depreciation scheduled under federal corporate tax law. Updated estimates of the net energy and ancillary service revenues for each default resource type and applicable Zone, which shall include, but are not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2 shall then be subtracted from the adjusted gross costs of new entry to determine the adjusted New Entry MOPR Floor Offer Price. The net energy and ancillary services revenue shall be the the average of the net energy and ancillary services revenues that the resource is projected to receive from the PJM energy and ancillary service markets for the applicable Delivery Year from three separate simulations, with each such simulation using forward prices shaped using historical data from one of each of the three consecutive calendar years preceding the time of the determination for the RPM Auction to take account of year-to-year variability in such hourly shapes. Each net energy and ancillary services revenue simulation shall be conducted~~*is equal to the average of the annual net revenues of the three most recent calendar years preceding the Base Residual Auction, where such annual net revenues shall be determined*~~ *in accordance with the following and the PJM Manuals:*

(i) for nuclear resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined by the gross energy market revenue determined by the product of [average annual* ~~*zonal*~~ *day-ahead* Forward Hourly *LMP*s for such Zone, *times 8,760 hours times the annual average equivalent availability factor of all PJM nuclear resources] minus the total annual cost to produce energy determined by the product of [8,760 hours times the annual average equivalent availability factor of all PJM nuclear resources times $9.02/MWh for a single unit plant or $7.66/MWh for a multi-unit plant] where these hourly cost rates include fuel costs and variable operation and maintenance expenses, inclusive of Maintenance Adder costs, plus* ~~*an ancillary*~~reactive *services revenue of $3,350/MW-year;*

(ii) for coal resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined by* the Projected EAS~~*a simulated*~~ D~~*d*~~*ispatch of a 650 MW coal unit (with heat rate of 8,638 BTU/kWh and variable operations and maintenance variable operation and maintenance expenses, inclusive of Maintenance Adder costs, of $9.50/MWh) using* day-ahead and real-time Forward Hourly LMPs for such Zone and Forward

Hourly Ancillary Service Prices, and daily forecasted ~~applicable~~ coal prices, as set forth in the PJM Manuals, plus reactive ~~and an ancillary~~ services revenue of $3,350/MW-year~~. The unit is committed day-ahead in profitable blocks of at least eight hours, and then committed in real-time for profitable hours if not already committed day ahead~~;

(iii) for combustion turbine resource type, the net energy and ancillary services revenue estimate for each Zone shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v-1)(B) for the Reference Resource combustion turbine.

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate for each Zone shall be determined in the same manner as that prescribed for a combustion turbine resource type, except that the heat rate assumed for the combined cycle resource shall be 6,501~~6,553~~ BTU/kwh, the variable operations and maintenance expenses for such resource, inclusive of Maintenance Adder costs, shall be $2.11/MWh, ~~the Peak-Hour Dispatch scenario for both the Day-Ahead and Real-Time Energy Markets shall be modified to dispatch the CC resource continuously during the full peak-hour period, as described in Peak-Hour Dispatch, for each such period that the resource is economic (using the test set forth in such section), rather than only during the four-hour blocks within such period that such resource is economic, and the ancillary services revenue shall be~~ plus reactive services revenue of $3,350/MW-year.

(v) for solar PV resource type, the net energy and ancillary services revenue estimate for each Zone shall be determined using a solar resource model that provides the average MW output level, expressed as a percentage of nameplate rating, by hour of day (for each of the 24-hours of a day) and by calendar month (for each of the twelve months of a year). The annual net energy market revenues are determined by multiplying the solar output level of each hour by the real-time Forward Hourly~~zonal~~ LMP for such Zone and applicable to such hour with this product summed across all of the hours of an annual period, plus ~~an ancillary~~ reactive services revenue of $3,350/MW-year. Two separate solar resource models are used, one model for a fixed panel resource and a second model for a tracking panel resource;

(vi) for onshore wind resource type, the net energy and ancillary services revenue estimate for each Zone shall be determined using a wind resource model that provides the average MW output level, expressed as a percentage of nameplate rating, by hour of day (for each of the 24-hours of a day) and by calendar month (for each of the twelve months of a year). The annual energy market revenues are determined by multiplying the wind output level of each hour by the real-time Forward Hourly ~~zonal~~ LMP for such Zone applicable to such hour with this product summed across all of the hours of an annual period, plus ~~an ancillary~~ reactive services revenue of $3,350/MW-year;

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate for each Zone shall be determined by the gross energy market revenue equal to the product of [the average annual ~~zonal~~ real-time Forward Hourly LMP for such Zone times 8,760 hours times an assumed annual capacity factor of 45%], plus ~~an ancillary~~reactive services revenue of $3,350/MW-year;

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by the Projected EAS Dispatch of a 1 MW, 4MWh resource, with an 85% roundtrip efficiency, and assumed to be dispatched between 95% and 5% state of charge against day-ahead and real-time Forward Hourly LMPs for such Zone and Forward Hourly Ancillary Service Prices~~a simulated dispatch against historical real-time zonal LMPs where the resource is assumed to be dispatched for the four hours of highest LMP of a daily~~

~~*twenty-four hour period if the average LMP of these four hours exceeds 120% of the average LMP of the four lowest LMP hours of the same twenty-four hour period. The net energy market revenues will be determined by the product of [hourly output of 1 MW times the hourly LMP for each hour of assumed discharging] minus the product of [hourly consumption of 1.2 MW times the hourly LMP for each hour of assumed charging] with this net value summed across all of the hours of an annual period*~~*, plus* ~~*an ancillary*~~ reactive *services revenue of $3,350/MW-year*~~*. An 83.3% efficiency of the battery energy storage resource is reflected by assuming each 1.0 MW of discharge requires 1.2 MW of charge*~~*; and*

(ix) for generation-backed Demand Resource, the net energy and ancillary services revenue estimate shall be zero dollars.

Beginning with the Delivery Year that commences June 1, 2022, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the default gross cost of new entry values. Such review may include, without limitation, analyses of the fixed development, construction, operation, and maintenance costs for such resource types. Based on the results of such review, PJM shall propose either to modify or retain the default gross cost of new entry values stated in the table above and the default gross cost of new entry value ~~*New Entry MOPR Floor Offer Price*~~ *for Energy Efficiency Resources. The Office of the Interconnection shall post publicly and solicit stakeholder comment regarding the proposal. If, as a result of this process, changes to the default gross cost of new entry values* ~~*or the default New Entry MOPR Floor Offer Price for Energy Efficiency*~~ *are proposed, the Office of the Interconnection shall file such proposed modifications with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.*

New Entry Capacity Resource with State Subsidy for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a resource-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource for the relevant RPM Auction.

(B) Cleared MOPR Floor Offer Prices.

(i) *For a Cleared Capacity Resource with State Subsidy, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (*~~*i*~~a*) based on the resource-specific MOPR Floor Offer Price , as determined in accordance with Tariff, Attachment DD, section 5.14(h-1)(3) below, or (*~~*ii*~~b*) if available, the default Avoidable Cost Rate for the applicable resource type shown in the table below, as adjusted for Delivery Years subsequent for the 2022/2023 Delivery Year to reflect changes in avoidable costs, net of projected PJM market revenues equal to the resource's* ~~*historical*~~ *net energy and ancillary service* revenues for the resource type, as determined in accordance with subsection (ii) below.~~*consistent with Tariff, Attachment DD, section 6.8(d).*~~

Existing Resource Type	*Default Gross ACR (2022/2023 ($/MW-day) (Nameplate)*
Nuclear - single	*$697*
Nuclear - dual	*$445*
Coal	*$80*
Combined Cycle	*$56*
Combustion Turbine	*$50*
Solar PV (fixed and tracking)	*$40*
Wind Onshore	*$83*
Generation-backed Demand Response	*$3*
Load-backed Demand Response	*$0*
Energy Efficiency	*$0*

The default gross Avoidable Cost Rate values in the table above are expressed in dollars per MW-day in terms of nameplate megawatts. For purposes of submitting a Sell Offer, the default Avoidable Cost Rate values must be net of estimated net energy and ancillary service revenues, and then the difference is ultimately converted to Unforced Capacity ("UCAP") MW-day, where the UCAP MW-day value will be determined based on the resource-specific EFORd for thermal generation resource types and battery energy storage resource types, resource-specific capacity value factor for solar and wind generation resource types (based on the ratio of Capacity Interconnection Rights to nameplate capacity, appropriately time-weighted for any winter Capacity Interconnection Rights), or the Forecast Pool Requirement for Demand Resources and Energy Efficiency Resources, as applicable to the relevant RPM Auction. The resulting default Cleared MOPR Floor Offer price in UCAP/MW-day terms shall be applied to each MW offered for the Capacity Resource regardless of actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource.

Commencing with the Base Residual Auction for the 2023/2024 Delivery Year, the Office of the Interconnection shall adjust the default Avoidable Cost Rates in the table above, and post the adjusted values on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the adjusted Avoidable Cost Rates, the Office of the Interconnection shall utilize the 10-year average Handy-Whitman Index in order to adjust the Gross ACR values to account for expected inflation. Updated estimates of the net energy and ancillary service revenues shall be determined on a resource-specific basis in accordance with Tariff, Attachment DD, section 6.8(d) and the PJM Manuals.

Beginning with the Delivery Year that commences June 1, 2022, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the default Avoidable Cost Rates for Capacity Resources with State Subsidies that have cleared in an RPM Auction for any prior Delivery Year. Such review may include, without limitation, analyses of *the avoidable costs of such resource types. Based on the results of such review, PJM shall propose either to modify or retain the default Avoidable Cost Rate values stated in the table above. The Office of the Interconnection shall post publicly and solicit stakeholder comment regarding the proposal. If, as a result of this process, changes to the default Avoidable Cost Rate values are proposed, the Office of the Interconnection shall file such proposed modifications with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.*

Cleared Capacity Resources with State Subsidy for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a resource-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

(ii) The net energy and ancillary services revenue is equal to forecasted net revenues which shall be determined in accordance with the applicable resource type net energy and ancillary services revenue determination methodology set forth in Tariff, Attachment DD, section 5.14(h-1)(2)(A)(i) through (ix) and using the subject resource's operating parameters as determined in accordance with the PJM Manuals based on (a) offers submitted in the Day-ahead Energy Market and Real-time Energy Market over the calendar year preceding the time of the determination for the RPM Auction; (b) the resource-specific operating parameters approved, as applicable, in accordance with Operating Agreement, Schedule 1, section 6.6(b) and Operating Agreement, Schedule 2 (including any Fuel Costs, emissions costs, Maintenance Adders, and Operating Costs); (c) the resource's EFORd; (d) Forward Hourly LMPs at the generation bus as determined in accordance with Tariff, Attachment DD, section 5.10(a)(v-1)(C)(6); and (e) the resource's stated annual revenue requirement for reactive services; plus any unit-specific bilateral contract. In addition, the following resource type-specific parameters shall be considered; (f) for combustion turbine, combined cycle, and coal resource types: the installed capacity rating, ramp rate (which shall be equal to the maximum ramp rate included in the resource's energy offers over the most recent previous calendar year preceding the determination for the RPM Auction), and the heat rate as determined as the resource's average heat rate at full load as submitted to the Market Monitoring Unit and the Office of the Interconnection, where for combined cycle resources heat rates will be determined at base load and at peak load (e.g., without duct burners and with duct burners), as applicable; (g) for nuclear resource type: anticipated refueling schedule; (h) for solar and wind resource types: the resource's output profiles for the most recent three calendar years, as available; and (i) for battery storage resource type: the nameplate capacity rating (on a MW / MWh basis).

To the extent the resource has not achieved commercial operation, the operating parameters used in the simulation of the net energy and ancillary service revenues will be based on the manufacturer's specifications and/or from parameters used for other existing, comparable resources, as developed by the Market Monitoring Unit and the Capacity Market Seller, and accepted by the Office of the Interconnection.

A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Cleared Capacity Resource with State Subsidy based on a net energy and ancillary services revenue determination that does not use the foregoing methodology or parameter inputs stated for that resource type shall, at its election, submit a request for a resource-specific MOPR Floor Offer Price for such Capacity Resource pursuant to Tariff, Attachment DD, section 5.14(h-1)(3) below.

(3) Resource-Specific Exception. A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with State Subsidy below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a resource-specific exception for such Capacity Resource. A Sell Offer below the default MOPR Floor Offer Price, but no lower than the resource-specific MOPR Floor Offer Price, shall be permitted if the Capacity Market Seller obtains approval from the Office of the Interconnection or the Commission, prior to the RPM Auction in which it seeks to submit the Sell Offer. The resource-specific MOPR Floor Offer Price determined under this provision shall be based on the resource-specific EFORd for thermal generation resource types and battery energy storage resource types, resource-specific capacity value factor for solar and wind generation resource types (based on the ratio of Capacity Interconnection Rights to nameplate capacity, appropriately time-weighted for any winter Capacity Interconnection Rights), or the Forecast Pool Requirement for Demand Resources and Energy Efficiency Resources, as applicable to the relevant RPM Auction and shall be applied to each MW offered by the resource regardless of actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource. Such Sell Offer is permissible because it is consistent with the competitive, cost-based, fixed, net cost were the resource to rely solely on revenues exclusive of any State Subsidy. All supporting data must be provided for all requests. The following requirements shall apply to requests for such determinations:

(A) The Capacity Market Seller shall submit a written request with all of the required documentation as described below and in the PJM Manuals. For such purpose, the Capacity Market Seller shall submit the resource-specific exception request to the Office of the Interconnection and the Market Monitoring Unit no later than one hundred twenty (120) days prior to the commencement of the offer period for the RPM Auction in which it seeks to submit its Sell Offer. For such purpose, the Office of the Interconnection shall post, by no later than one hundred fifty (150) days prior to the commencement of the offer period for the relevant RPM Auction, a preliminary estimate for the relevant Delivery Year of the default Minimum Floor Offer Prices, determined pursuant to Tariff, Attachment DD, sections 5.14(h-1)(2)(A) and (B). If the final applicable default Minimum Floor Offer Price subsequently established for the relevant Delivery Year is less than the Sell Offer, the Sell Offer shall be permitted and no exception shall be required.

(B) For a resource-specific exception for a New Entry Capacity Resource with State Subsidy, the Capacity Market Seller must include in its request for an exception under this subsection documentation to support the fixed development, construction, operation, and maintenance costs of the Capacity Resource, as well as estimates of offsetting net revenues.

The financial modeling assumptions for calculating Cost of New Entry for Generation Capacity Resources and generation-backed Demand Resources shall be: (i) nominal levelization of gross costs, (ii) asset life of twenty years, (iii) no residual value, (iv) all project costs included with no *sunk costs excluded, (v) use first year revenues (which may include revenues from the sale of renewable energy credits for purposes other than state-mandated or state-sponsored programs), and (vi) weighted average cost of capital based on the actual cost of capital for the entity proposing to build the Capacity Resource. Notwithstanding the foregoing, a Capacity Market Seller that seeks to utilize an asset life other than twenty years (but no greater than 35 years) shall provide evidence to support the use of a different asset life, including but not limited to, the asset life term for such resource as utilized in the Capacity Market Seller's financial accounting (e.g., independently audited financial statements), or project financing documents for the resource or evidence of actual costs or financing assumptions of recent comparable projects to the extent the seller has not executed project financing for the resource (e.g., independent project engineer opinion or manufacturer's performance guarantee), or opinions of third-party experts regarding the reasonableness of the financing assumptions used for the project itself or in comparable projects. Capacity Market Sellers may also rely on evidence presented in federal filings, such as its FERC Form No. 1 or an SEC Form 10-K, to demonstrate an asset life other than 20 years of similar asset projects.*

Supporting documentation for project costs may include, as applicable and available, a complete project description; environmental permits; vendor quotes for plant or equipment; evidence of actual costs of recent comparable projects; bases for electric and gas interconnection costs and any cost contingencies; bases and support for property taxes, insurance, operations and maintenance ("O&M") contractor costs, and other fixed O&M and administrative or general costs; financing documents for construction-period and permanent financing or evidence of recent debt costs of the seller for comparable investments; and the bases and support for the claimed capitalization ratio, rate of return, cost-recovery period, inflation rate, or other parameters used in financial modeling. In addition to the certification, signed by an officer of the Capacity Market Seller, the request must include a certification that the claimed costs accurately reflect, in all material respects, the seller's reasonably expected costs of new entry and that the request satisfies all standards for a resource-specific exception hereunder. The request also shall identify all revenue sources (exclusive of any State Subsidies) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above. In making such demonstration, the Capacity Market Seller may rely upon ~~*forecasts of competitive electricity prices in the PJM Region based on*~~ revenues projected by *well-defined*, forward-looking dispatch *models* designed to generally follow the rules and processes of PJM's energy and ancillary services market. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price. Where forward fuel markets are not available, publicly available~~*that include fully documented*~~ *estimates of future fuel* prices may be used. The model shall also contain estimates of~~*prices,*~~ *variable operation and maintenance expenses,* which may include Maintenance Adders, and~~*energy demand,*~~ *emissions allowance prices*.~~*, and expected environmental or energy policies that affect the seller's forecast of electricity prices in such region, employing input data from sources readily available to the public.*~~ *Documentation for net revenues also* ~~*may*~~ must *include, as available and applicable, plant performance and capability information, including heat rate,* *start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses,* capacity factors, *and ancillary service capabilities. Any evaluation of net revenues should be consistent with Operating Agreement, Schedule 2, including, but not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable.*

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, plus plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

The default assumptions for calculating resource-specific Cost of New Entry for Energy Efficiency Resources shall be based on, as supported by documentation provided by the Capacity Market Seller: the nominal-levelized annual cost to implement the Energy Efficiency program or to install the Energy Efficiency measure reflective of the useful life of the implemented Energy Efficiency equipment, and the offsetting savings associated with avoided wholesale energy costs and other claimed savings provided by implementing the Energy Efficiency program or installing the Energy Efficiency measure.

The default assumptions for calculating resource-specific Cost of New Entry for load-backed Demand Resources shall be based on, as supported by documentation provided by the Capacity Market Seller, program costs required for the resource to meet the capacity obligations of a Demand Resource, including all fixed operating and maintenance cost and weighted average cost of capital based on the actual cost of capital for the entity proposing to develop the Demand Resource.

For generation-backed Demand Resources, the determination of a resource-specific MOPR Floor Offer Price shall only consider the resource's costs related to participation in the Reliability Pricing Model and meeting a capacity commitment. The Capacity Market Seller must provide supporting documentation (at the end-use customer level) of the cost associated with participation as a Demand Resource and an attestation from the Demand Resource that all other costs are not related to participation as a Demand Resource, such as the costs associated with installation and operation of the generation unit, and will be accrued and paid regardless of participation in the Reliability Pricing Model. To the extent the Capacity Market Seller includes all costs associated with the generation unit supporting the Demand Resource then demand charge management benefits at the retail level (as supported by documentation at the end-use customer level) may also be considered as an additional offset to such costs. Supporting documentation (at the end-use customer level) may include, but is not limited to, historic end-use customer bills and associated analysis that identifies the annual retail avoided cost from the *operation of such generation unit or the business case to support installation of the generator or regulatory requirements where the generator would be required absent participation in the Reliability Pricing Model.*

(C) For a Resource-Specific Exception for a Cleared Capacity Resource with State Subsidy that is a generation resource, the Capacity Market Seller shall submit a Sell Offer consistent with the unit-specific Market Seller Offer Cap process pursuant to Tariff, Attachment DD, section 6.8; except that the 10% uncertainty adder may not be included in the "Adjustment Factor." In addition and notwithstanding the requirements of Tariff, Attachment DD, section 6.8, the Capacity Market Seller ~~*may*~~shall*, at its election, include in its request for an exception under this subsection documentation to support projected energy and ancillary services markets revenues. Such a request shall identify all revenue sources (exclusive of any State Subsidies) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above. In making such demonstration, the Capacity Market Seller may rely upon* revenues projected by ~~*forecasts of competitive electricity prices in the PJM Region based on*~~ *well-defined*, forward-looking dispatch *models* designed to generally follow the rules and processes of PJM's energy and ancillary services market. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price. Where forward fuel markets are not avaliable, publicly avaliable estimates of future fuel sources may be used. The model shall also contain estimates of~~*that include fully documented estimates of future fuel prices,*~~ *variable operation and maintenance expenses*, which may include Maintenance Adders, and~~*, energy demand,*~~ *emissions allowance prices*.~~*, and expected environmental or energy policies that affect the seller's forecast of electricity prices in such region, employing input data from sources readily available to the public.*~~ *Documentation for net revenues also* ~~*may*~~ must *include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses,* capacity factors, *and ancillary service capabilities. Any evaluation of revenues should include, but would not be not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2.*

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, plus plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the

Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

The resource-specific MOPR Floor Offer Price for a Cleared Capacity Resource with State Subsidy that is a generation-backed Demand Resource will be determined based on only costs associated with the resource participating in the Reliability Pricing Model and satisfying a capacity commitment or, to the extent the Capacity Market Seller includes all costs associated with the generation unit supporting the Demand Resource, then demand charge management benefits at the retail level (as supported by documentation at the end-use customer level) may also be considered as an additional offset to such costs. Supporting documentation (at the end-use customer level) may include but is not limited to, historic end-use customer bills and associated analysis that identifies the annual retail avoided cost from the operation of such generation unit or the business case to support installation of the generator or regulatory requirements where the generator would be required absent participation in the Reliability Pricing Model.

(D) A Sell Offer evaluated at the resource-specific exception shall be permitted if the information provided reasonably demonstrates that the Sell Offer's competitive, cost-based, fixed, net cost of new entry is below the default MOPR Floor Offer Price, based on competitive cost advantages relative to the costs estimated by the default MOPR Floor Offer Price, including, without limitation, competitive cost advantages resulting from the Capacity Market Seller's business model, financial condition, tax status, access to capital or other similar conditions affecting the applicant's costs, or based on net revenues that are reasonably demonstrated hereunder to be higher than those estimated by the default MOPR Floor Offer Price. Capacity Market Sellers shall demonstrate that claimed cost advantages or sources of net revenue that are irregular or anomalous, that do not reflect arm's-length transactions, or that are not in the ordinary course of the Capacity Market Seller's business are consistent with the standards of this subsection. Failure to adequately support such costs or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in denial of a resource-specific exception by the Office of the Interconnection.

(E) The Capacity Market Seller must submit a sworn, notarized certification of a duly authorized officer, certifying that the officer has personal knowledge of the resource-specific exception request and that to the best of his/her knowledge and belief: (1) the information supplied to the Market Monitoring Unit and the Office of Interconnection to support its request for an exception is true and correct; (2) the Capacity Market Seller has disclosed all material facts relevant to the request for the exception; and (3) the request satisfies the criteria for the exception.

(F) The Market Monitoring Unit shall review, in an open and transparent manner with the Capacity Market Seller and the Office of the Interconnection, the information and documentation in support of the request and shall provide its findings whether the proposed Sell Offer is acceptable, in accordance with the standards and criteria hereunder, in writing, to the Capacity Market Seller and the Office of the Interconnection by no later than ninety (90) days prior to the commencement of the offer period for such auction. The Office of the Interconnection shall also review, in an open and transparent manner, all exception requests and documentation and shall provide in writing to the Capacity Market Seller, and the Market

Monitoring Unit, its determination whether the requested Sell Offer is acceptable and if not it shall calculate and provide to such Capacity Market Seller, a minimum Sell Offer based on the data and documentation received, by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. After the Office of the Interconnection determines with the advice and input of Market Monitor, the acceptable minimum Sell Offer, the Capacity Market Seller shall notify the Market Monitoring Unit and the Office of the Interconnection, in writing, of the minimum level of Sell Offer to which it agrees to commit by no later than sixty (60) days prior to the commencement of the offer period for the relevant RPM Auction, and in making such determination, the Capacity Market Seller may consider the applicable default MOPR Floor Offer Price and may select such default value if it is lower than the resource-specific determination. A Capacity Market Seller that is dissatisfied with any determination hereunder may seek any remedies available to it from FERC; provided, however, that the Office of the Interconnection will proceed with administration of the Tariff and market rules based on the lower of the applicable default MOPR Floor Offer Price and the resource-specific determination unless and until ordered to do otherwise by FERC.

(4) Competitive Exemption.

(A) A Capacity Resource with State Subsidy may be exempt from the Minimum Offer Price Rule under this subsection 5.14(h-1) in any RPM Auction if the Capacity Market Seller certifies to the Office of Interconnection, in accordance with the PJM Manuals, that the Capacity Market Seller of such Capacity Resource elects to forego receiving any State Subsidy for the applicable Delivery Year no later than thirty (30) days prior to the commencement of the offer period for the relevant RPM Auction. Notwithstanding the foregoing, the competitive exemption is not available to Capacity Resources with State Subsidy that (A) are owned or offered by Self-Supply Entities, (B) are no longer entitled to receive a State Subsidy but are still considered a Capacity Resource with State Subsidy solely because they have not cleared an RPM Auction since last receiving a State Subsidy, or (C) are Jointly Owned Cross-Subsidized Capacity Resources or is the subject of a bilateral transaction (including but not limited to those reported pursuant to Tariff, Attachment DD, section 4.6) and not all Capacity Market Sellers of the supporting facility unanimously elect the competitive exemption and certify that no State Subsidy will be received associated with supporting the resource. A new Generation Capacity Resource that is a Capacity Resource with State Subsidy may elect the competitive exemption; however, in such instance, the applicable MOPR Floor Offer Price will be determined in accordance with the minimum offer price rules for certain new Generation Capacity Resources as provided in Tariff, Attachment DD, section 5.14(h), which apply the minimum offer price rule to the new Generation Capacity Resources located in an LDA where a separate VRR Curve is established as provided in Tariff, Attachment DD, section 5.14(h)(4).

(B) (i) The Capacity Market Seller shall not receive a State Subsidy for any part of the relevant Delivery Year in which it elects a competitive exemption or certifies that it is not a Capacity Resource with State Subsidy. In furtherance of this prohibition, if a Capacity Resource that (1) is a New Entry Capacity Resource with State Subsidy that elects the competitive exemption in subsection (4)(A) above and clears an RPM Auction for a given Delivery Year, but prior to the end of that Delivery Year elects to accept a State Subsidy for the associated Delivery Year or an earlier Delivery Year or (2) is not a Capacity Resource with State Subsidy at the time of the RPM Auction for the Delivery Year for which it first cleared an

RPM Auction but prior to the end of that Delivery Year receives a State Subsidy for the associated Delivery Year or an earlier Delivery Year, or (3) in the case of Demand Resource, is an end-use customer location MW that receives a State Subsidy and is included in a Demand Resource Registration pursuant to RAA, Schedule 6 to satisfy a Demand Resource commitment that was not designated as a Capacity Resource with State Subsidy at the time it cleared the relevant RPM Auction, then the Capacity Market Seller of that Capacity Resource or end-use customer location MW shall not receive RPM revenues for such resource or end-use customer location MW for any part of that Delivery Year and may not participate in any RPM Auction with such resource or end-use customer location MW, or be eligible to use such resource or end-use customer location MW as replacement capacity starting June 1 of the Delivery Year after the Capacity Market Seller or end-use customer location MW first receives the State Subsidy and continuing for a period of 20 years, except for battery energy storage, for which such participation restriction shall apply for a period of 15 years. A Jointly Owned Cross-Subsidized Capacity Resource that meets the requirements of either of the two preceding subsections (B)(i)(1) or (2), shall not receive RPM revenues for any part of that Delivery Year and may not participate in any RPM Auction or be eligible to be used as replacement capacity starting June 1 of the Delivery Year and continuing for the number of years specified above, after any joint Capacity Market Seller of the underlying facility first receives the State Subsidy. A Capacity Resource with State Subsidy that is the subject of a bilateral transaction that meets the requirements of either of the two preceding subsections (B)(i)(1) or (2) shall not receive RPM revenues for any part of that Delivery Year and may not participate in any RPM Auction or be eligible to be used as replacement capacity starting June 1 of the Delivery Year and continuing for the number of years specified above if any owner or Capacity Market Seller of the facility receives a State Subsidy. The Capacity Market Seller(s) of any such Capacity Resource or Jointly Owned Cross-Subsidized Capacity Resource shall also return to the Office of the Interconnection any revenues paid to such Capacity Resource associated with their capacity commitment for such Delivery Year and shall retain their RPM commitment and associated obligations for such Delivery Year and for any future Delivery Years in which the resource has already secured a capacity commitment, including any Non-Performance Charges relating to the capacity and remain eligible to collect Performance Payments under this Tariff, Attachment DD, section 10A for the relevant Delivery Year and any subsequent Delivery Years for which it already received an RPM commitment. Notwithstanding the foregoing, Capacity Resources that lose their eligibility to participate in RPM pursuant to this section remain eligible for commitment in an FRR Capacity Plan.

(ii) If any Capacity Resource that has previously cleared an RPM Auction (1) is a Cleared Capacity Resource with State Subsidy that claims the competitive exemption pursuant to subsection (4)(A) above in an RPM Auction and clears such RPM Auction or (2) was not a Capacity Resource with State Subsidy at the time it cleared an RPM Auction for a given Delivery Year but later becomes entitled to receive a State Subsidy for that Delivery Year, and the Capacity Market Seller subsequently elects to accept a State Subsidy for any part of that Delivery Year, or (3) in the case of Demand Resource, is an end-use customer location that receives a State Subsidy and is included in a Demand Resource Registration pursuant to RAA, Schedule 6 to satisfy a Demand Resource commitment that was not designated as a Capacity Resource with State Subsidy at the time it cleared the relevant RPM Auction, then the Capacity Market Seller of that Capacity Resource or end-use customer location may not receive RPM revenues for such resource or end-use customer location for any part of that Delivery Year,

unless it can demonstrate that it would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3). All Capacity Market Sellers of a Jointly Owned Cross-Subsidized Capacity Resource that meets the requirements of either of the two preceding subsections (B)(ii)(1) or (2) may not receive RPM revenues for any part of that Delivery Year if any joint Capacity Market Seller of the underlying facility accepts a subsidy for that Delivery Year, unless the Capacity Market Seller can demonstrate that the facility would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3). A Capacity Resource with State Subsidy that is the subject of a bilateral transaction may not receive RPM revenues for any part of that Delivery Year if any owner or Capacity Market Seller of the underlying facility receives a State Subsidy for that Delivery Year, unless the Capacity Market Seller can demonstrate that the facility would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3), if any owner or Capacity Market Seller of the facility receives a State Subsidy. The Capacity Market Seller(s) of any such Capacity Resources or Jointly Owned Cross-Subsidized Capacity Resource shall return to the Office of the Interconnection any revenues paid to such Capacity Resource associated with their capacity commitment for such Delivery Year and shall retain their RPM commitment and associated obligations for the relevant Delivery Year and remain eligible to collect Performance Payments or to pay Non-Performance Charges, as applicable, pursuant to Tariff, Attachment DD, section 10A.

(iii) Any revenues returned to the Office of the Interconnection pursuant to the preceding subsections (i) and (ii) shall be allocated to the relevant load that paid for the State Subsidy (to the extent possible). If the Office of Interconnection cannot identify the relevant load responsible for the State Subsidy, then the returned revenues would be allocated across all load in the RTO that has not selected the FRR Alternative. Such revenues shall be distributed on a pro-rata basis to such LSEs that were charged a Locational Reliability Charge based on their Daily Unforced Capacity Obligations.

(5) Self-Supply Entity exemption. A Capacity Resource that was owned, or bilaterally contracted, by a Self-Supply Entity on December 19, 2019, shall be exempt from the Minimum Offer Price Rule if such Capacity Resource remains owned or bilaterally contracted by such Self-Supply Entity and satisfies at least one of the criteria specified below:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(6) Renewable Portfolio Standard Exemption. A Capacity Resource with State Subsidy shall be exempt from the Minimum Offer Price Rule if such Capacity Resource (1) receives or is entitled to receive State Subsidies through renewable energy credits or equivalent credits associated with a state-mandated or state-sponsored renewable portfolio standard ("RPS") program or equivalent program as of December 19, 2019 and (2) satisfies at least one of the following criteria:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(7) Demand Resource and Energy Efficiency Resource Exemption.

(A) A Capacity Resource with State Subsidy that is Demand Resource or an Energy Efficiency Resource shall be exempt from the Minimum Offer Price Rule if such Capacity Resource satisfies at least one of the following criteria:

(i) has successfully cleared an RPM Auction prior to December 19, 2019. For purposes of this subsection (a), individual customer location registrations (or for utility-based residential load curtailment program, based on the total number of participating customers) that participated as Demand Resource and cleared in an RPM Auction prior to December 19, 2019, and were submitted to PJM no later than 45 days prior to the BRA for the 2022/2023 Delivery Year shall be deemed eligible for the Demand Resource and Energy Efficiency Resource Exemption; or

(ii) has completed registration on or before December 19, 2019; or

(iii) is supported by a post-installation measurement and verification report for Energy Efficiency Resources approved by PJM on or before December 19, 2019 (calculated for each installation period, Zone and Sub-Zone by using the greater of the latest approved post-installation measurement and verification report prior to December 19, 2019 or the maximum MW cleared for a Delivery Year across all auctions conducted prior to December 19, 2019).

(B) All registered locations that qualify for the Demand Resource and Energy Efficiency Resource exemption shall continue to remain exempt even if the MW of nominated capacity increases between RPM Auctions unless any MW increase in the nominated capacity is due to an investment made for the sole purpose of increasing the curtailment

capability of the location in the capacity market. In such case, the MW of increased capability will not be qualified for the Demand Resource and Energy Efficiency Resource exemption.

(8) Capacity Storage Resource Exemption. A Capacity Resource with State Subsidy that is a Capacity Storage Resource shall be exempt from the Minimum Offer Price Rule if such Capacity Storage Resource satisfies at least one of the following criteria:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(9) Procedures and Remedies in Cases of Suspected Fraud or Material Misrepresentation or Omissions in Connection with a Capacity Resource with State Subsidy. In the event the Office of the Interconnection, with advice and input from the Market Monitoring Unit, reasonably believes that a certification of a Capacity Resource's status contains fraudulent or material misrepresentations or omissions such that the Capacity Market Seller's Capacity Resource is a Capacity Resource with a State Subsidy (including whether the Capacity Resource is a Jointly Owned Cross-Subsidized Capacity Resource) or does not qualify for a competitive exemption or contains information that is inconsistent with the resource-specific exception, then:

(A) A Capacity Market Seller shall, within five (5) business days upon receipt of the request for additional information, provide any supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate whether such Capacity Resource is a Capacity Resource with State Subsidy or whether the Capacity Market Seller is eligible for the competitive exemption. If the Office of the Interconnection determines that the Capacity Resource's status as a Capacity Resource with State Subsidy is different from that specified by the Capacity Market Seller or is not eligible for a competitive exemption pursuant to subsection (4) above, the Office of the Interconnection shall notify, in writing, the Capacity Market Seller of such determination by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. A Capacity Market Seller that is dissatisfied with any determination hereunder may seek any remedies available to it from FERC; provided, however, if the Office of Interconnection determines that the subject resource is a Capacity Resource with State Subsidy or is not eligible for a competitive exemption pursuant to subsection (4) above, such Capacity Resource shall be subject to the Minimum Offer Price Rule, unless and until ordered to do otherwise by FERC.

(B) if the Office of the Interconnection does not provide written notice of suspected fraudulent or material misrepresentation or omission at least sixty-five (65) days before the start of the relevant RPM Auction, then the Office of the Interconnection may file the

certification that contains any alleged fraudulent or material misrepresentation or omission with FERC. In such event, if the Office of Interconnection determines that a resource is a Capacity Resource with State Subsidy that is subject to the Minimum Offer Price Rule, the Office of the Interconnection will proceed with administration of the Tariff and market rules on that basis unless and until ordered to do otherwise by FERC. The Office of the Interconnection shall implement any remedies ordered by FERC; and

(C) prior to applying the Minimum Offer Price Rule, the Office of the Interconnection, with advice and input of the Market Monitoring Unit, shall notify the affected Capacity Market Seller and, to the extent practicable, provide the Capacity Market Seller an opportunity to explain the alleged fraudulent or material misrepresentation or omission. Any filing to FERC under this provision shall seek fast track treatment and neither the name nor any identifying characteristics of the Capacity Market Seller or the resource shall be publicly revealed, but otherwise the filing shall be public. The Capacity Market Seller may submit a revised certification for that Capacity Resource for subsequent RPM Auctions, including RPM Auctions held during the pendency of the FERC proceeding. In the event that the Capacity Market Seller is cleared by FERC from such allegations of fraudulent or material misrepresentations or omissions then the certification shall be restored to the extent and in the manner permitted by FERC. The remedies required by this subsection to be requested in any filing to FERC shall not be exclusive of any other remedies or penalties that may be pursued against the Capacity Market Seller.

i) Capacity Export Charges and Credits

(1) Charge

Each Capacity Export Transmission Customer shall incur for each day of each Delivery Year a Capacity Export Charge equal to the Reserved Capacity of Long-Term Firm Transmission Service used for such export ("Export Reserved Capacity") multiplied by (the Final Zonal Capacity Price for such Delivery Year for the Zone encompassing the interface with the Control Area to which such capacity is exported minus the Final Zonal Capacity Price for such Delivery Year for the Zone in which the resources designated for export are located, but not less than zero). If more than one Zone forms the interface with such Control Area, then the amount of Reserved Capacity described above shall be apportioned among such Zones for purposes of the above calculation in proportion to the flows from such resource through each such Zone directly to such interface under CETO/CETL analysis conditions, as determined by the Office of the Interconnection using procedures set forth in the PJM Manuals. The amount of the Reserved Capacity that is associated with a fully controllable facility that crosses such interface shall be completely apportioned to the Zone within which such facility terminates.

(2) Credit

To recognize the value of firm Transmission Service held by any such Capacity Export Transmission Customer, such customer assessed a charge under section 5.14(i)(1) also shall receive a credit, comparable to the Capacity Transfer Rights provided to Load-Serving Entities under section 5.15. Such credit shall be equal to the locational capacity price difference specified in section 5.14(i)(1) times the Export Customer's Allocated Share determined as follows:

Export Customer's Allocated Share equals

(Export Path Import * Export Reserved Capacity) /

(Export Reserved Capacity + Daily Unforced Capacity Obligations of all LSEs in such Zone).

Where:

"Export Path Import" means the megawatts of Unforced Capacity imported into the export interface Zone from the Zone in which the resource designated for export is located.

If more than one Zone forms the interface with such Control Area, then the amount of Export Reserved Capacity shall be apportioned among such Zones for purposes of the above calculation in the same manner as set forth in subsection (i)(1) above.

(3) Distribution of Revenues

Any revenues collected from the Capacity Export Charge with respect to any capacity export for a Delivery Year, less the credit provided in subsection (i)(2) for such Delivery Year, shall be distributed to the Load Serving Entities in the export-interface Zone that were assessed a

Locational Reliability Charge for such Delivery Year, pro rata based on the Daily Unforced Capacity Obligations of such Load-serving Entities in such Zone during such Delivery Year. If more than one Zone forms the interface with such Control Area, then the revenues shall be apportioned among such Zones for purposes of the above calculation in the same manner as set forth in subsection (i)(1) above.

5.14A [Reserved.]

5.14B Generating Unit Capability Verification Test Requirements Transition Provision for RPM Delivery Years 2014/2015, 2015/2016, and 2016/2017

A. This transition provision applies only with respect to Generation Capacity Resources with existing capacity commitments for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years that experience reductions in verified installed capacity available for sale as a direct result of revised generating unit capability verification test procedures effective with the summer 2014 capability tests, as set forth in the PJM Manuals. A Generation Capacity Resource meeting the description of the preceding sentence, and the Capacity Market Seller of such a resource, are hereafter in this section 5.14B referred to as an "Affected Resource" and an "Affected Resource Owner," respectively.

B. For each of its Affected Resources, an Affected Resource Owner is required to provide documentation to the Office of the Interconnection sufficient to show a reduction in installed capacity value as a direct result of the revised capability test procedures. Upon acceptance by the Office of the Interconnection, the Affected Resource's installed capacity value will be updated in the eRPM system to reflect the reduction, and the Affected Resource's Capacity Interconnection Rights value will be updated to reflect the reduction, effective June 1, 2014. The reduction's impact on the Affected Resource's existing capacity commitments for the 2014/2015 Delivery Year will be determined in Unforced Capacity terms, using the final EFORd value established by the Office of the Interconnection for the 2014/2015 Delivery Year as applied to the Third Incremental Auction for the 2014/2015 Delivery Year, to convert installed capacity to Unforced Capacity. The reduction's impact on the Affected Resource's existing capacity commitments for each of the 2015/2016 and 2016/2017 Delivery Years will be determined in Unforced Capacity terms, using the EFORd value from each Sell Offer in each applicable RPM Auction, applied on a pro-rata basis, to convert installed capacity to Unforced Capacity. The Unforced Capacity impact for each Delivery Year represents the Affected Resource's capacity commitment shortfall, resulting wholly and directly from the revised capability test procedures, for which the Affected Resource Owner is subject to a Capacity Resource Deficiency Charge for the Delivery Year, as described in section 8 of this Attachment DD, unless the Affected Resource Owner (i) provides replacement Unforced Capacity, as described in section 8.1 of this Attachment DD, prior to the start of the Delivery Year to resolve the Affected Resource's total capacity commitment shortfall; or (ii) requests relief from Capacity Resource Deficiency Charges that result wholly and directly from the revised capability test procedures by electing the transition mechanism described in this section 5.14B ("Transition Mechanism").

C. Under the Transition Mechanism, an Affected Resource Owner may elect to have the Unforced Capacity commitments for all of its Affected Resources reduced for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years to eliminate the capacity commitment shortfalls, across all of its Affected Resources, that result wholly and directly from the revised capability test procedures, and for which the Affected Resource Owner otherwise would be subject to Capacity Resource Deficiency Charges for the Delivery Year. In electing this option, the Affected Resource Owner relinquishes RPM Auction Credits associated with the reductions in Unforced Capacity commitments for all of its Affected Resources for the Delivery Year, and Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are adjusted accordingly. Affected Resource Owners wishing to elect the Transition Mechanism for the 2015/2016 Delivery Year must notify the Office of the Interconnection by May 30, 2014. Affected Resource Owners wishing to elect the Transition Mechanism for the 2016/2017 Delivery Year must notify the Office of the Interconnection by July 25, 2014.

D. The Office of the Interconnection will offset the total reduction (across all Affected Resources and Affected Resource Owners) in Unforced Capacity commitments associated with the Transition Mechanism for the 2015/2016 and 2016/2017 Delivery Years by applying corresponding adjustments to the quantity of Buy Bid or Sell Offer activity in the upcoming Incremental Auctions for each of those Delivery Years, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD.

E. By electing the Transition Mechanism, an Affected Resource Owner may receive relief from applicable Capacity Resource Deficiency Charges for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years, and a Locational UCAP Seller that sells Locational UCAP based on an Affected Resource owned by the Affected Resource Owner may receive relief from applicable Capacity Resource Deficiency Charges for the 2014/2015 Delivery Year, to the extent that the Affected Resource Owner demonstrates, to the satisfaction of the Office of the Interconnection, that an inability to deliver the amount of Unforced Capacity previously committed for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years is due to a reduction in verified installed capacity available for sale as a direct result of revised generating unit capability verification test procedures effective with the summer 2014 capability tests, as set forth in the PJM Manuals; provided, however, that the Affected Resource Owner must provide the Office of the Interconnection with all information deemed necessary by the Office of the Interconnection to assess the merits of the request for relief.

5.14C Demand Response Operational Resource Flexibility Transition Provision for RPM Delivery Years 2015/2016 and 2016/2017

A. This transition provision applies only to Demand Resources for which a Curtailment Service Provider has existing RPM commitments for the 2015/2016 or 2016/2017 Delivery Years (alternatively referred to in this section 5.14C as "Applicable Delivery Years" and each an "Applicable Delivery Year") that (i) cannot satisfy the 30-minute notification requirement as described in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; (ii) are not excepted from the 30-minute notification requirement as described in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; and (iii) cleared in the Base Residual Auction or First Incremental Auction for the 2015/2016 Delivery Year, or cleared in the Base Residual Auction for the 2016/2017 Delivery Year. A Demand Resource meeting these criteria and the Curtailment Service Provider of such a resource are hereafter in this section 5.14C referred to as an "Affected Demand Resource" and an "Affected Curtailment Service Provider," respectively.

B. For this section 5.14C to apply to an Affected Demand Resource, the Affected Curtailment Service Provider must notify the Office of the Interconnection in writing, with regard to the following information by the applicable deadline:

i) For each applicable Affected Demand Resource: the number of cleared megawatts of Unforced Capacity for the Applicable Delivery Year by end-use customer site that the Affected Curtailment Service Provider cannot deliver, calculated based on the most current information available to the Affected Curtailment Service Provider; the end-use customer name; electric distribution company's account number for the end-use customer; address of end-use customer; type of Demand Resource (i.e., Limited DR, Annual DR, Extended Summer DR); the Zone or sub-Zone in which the end-use customer is located; and, a detailed description of why the end-use customer cannot comply with the 30-minute notification requirement or qualify for one of the exceptions to the 30-minute notification requirement provided in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA.

ii) If applicable, a detailed analysis that quantifies the amount of cleared megawatts of Unforced Capacity for the Applicable Delivery Year for prospective customer sales that could not be contracted by the Affected Curtailment Service Provider because of the 30-minute notification requirement provided in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA that the Affected Curtailment

Service Provider cannot deliver, by type of Demand Resource (i.e. Limited DR, Annual DR, Extended Summer DR) and by Zone and sub-Zone, as applicable. The analysis should include the amount of Unforced Capacity expected from prospective customer sales for each Applicable Delivery Year and must include supporting detail to substantiate the difference in reduced sales expectations. The Affected Curtailment Service Provider should maintain records to support its analysis.

1. For the 2015/2016 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Third Incremental Auction for the 2015/2016 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Third Incremental Auction for the 2015/2016 Delivery Year.

2. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Second Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Second or Third Incremental Auctions for the 2016/2017 Delivery Year.

3. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Third Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision must not have sold or offered to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Second Incremental Auction for the 2016/2017 Delivery Year, and may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Third Incremental Auction for the 2016/2017 Delivery Year.

C. For the Third Incremental Auction for the 2015/2016 Delivery Year and the First, Second, and Third Incremental Auctions for the 2016/2017 Delivery Year, the Office of the Interconnection shall publish aggregate information on the undeliverable megawatts declared under this transition provision (hereafter, “non-viable megawatts”), by type of Demand Resource and by Zone or sub-Zone, concurrently with its posting of planning parameters for the applicable Scheduled Incremental Auction. Non-viable megawatts for a Scheduled Incremental Auction for an Applicable Delivery Year represent those megawatts meeting the criteria of subsection A above and declared in accordance with subsection B above. Prior to each Third Incremental Auction for an Applicable Delivery Year, the Office of the Interconnection shall apply adjustments equal to the declared non-viable megawatt quantity to the quantity of Buy Bid or Sell Offer activity in the upcoming Scheduled Incremental Auctions for the Applicable Delivery Year, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD. Prior to the Second Incremental Auction for the 2016/2017 Delivery Year, the Office of the Interconnection shall adjust the recalculated PJM Region Reliability Requirement and recalculated LDA Reliability Requirements, as described in section 5.4(c) of this Attachment DD, by the applicable quantity of declared non-viable megawatts, and shall update the PJM Region Reliability Requirement and each LDA Reliability Requirement for such Second Incremental Auction only if the combined change of the applicable adjustment and applicable recalculation is greater than or equal to the lessor of (i) 500 megawatts or (ii) one percent of the prior PJM Region Reliability Requirement or one percent of the prior LDA Reliability Requirement, as applicable.

D. Prior to the start of each Applicable Delivery Year, the Office of the Interconnection shall reduce, by type of Demand Resource and by Zone or sub-Zone, the capacity commitment of each Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year based on the non-viable megawatts declared by the Affected Curtailment Service Provider under this transition provision. If the Affected Curtailment Service Provider cleared megawatts from multiple Affected Demand Resources of the same type and Zone or sub-Zone, or cleared megawatts in multiple RPM Auctions for the Applicable Delivery Year, the Office of the Interconnection shall allocate the reduction in capacity commitment by type of Demand Resource and by Zone or sub-Zone across the applicable Affected Demand Resources and relevant RPM Auctions. Such allocation shall be performed on a pro-rata basis, based on megawatts cleared by the Affected Demand Resources in the relevant RPM Auctions.

E. For each Applicable Delivery Year, an Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year relinquishes an Affected Demand Resource's RPM Auction Credits for the amount of capacity commitment reduction as determined under subsection D above. Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are also adjusted accordingly.

5.14D Capacity Performance and Base Capacity Transition Provision for RPM Delivery Years 2016/2017 and 2017/2018

A. This transition provision applies only for procuring Capacity Performance Resources for the 2016/2017 and 2017/2018 Delivery Years.

B. For both the 2016/2017 and 2017/2018 Delivery Years, PJM will hold a Capacity Performance Transition Incremental Auction to procure Capacity Performance Resources.

1. For each Capacity Performance Transition Incremental Auction, the optimization algorithm shall consider:

- the target quantities of Capacity Performance Resources specified below;
- the Sell Offers submitted in such auction.

The Office of the Interconnection shall submit a Buy Bid based on the quantity of Capacity Performance Resources specified for that Delivery Year. For the 2016/2017 Delivery Year, the Office of the Interconnection shall submit a Buy Bid, at a price no higher than 0.5 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year, for a quantity of Capacity Performance Resources equal to 60 percent of the updated Reliability Requirement for the PJM Region. For the 2017/2018 Delivery Year, the Office of the Interconnection shall submit a Buy Bid, at a price no higher than 0.6 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year, for a quantity of Capacity Performance Resources equal to 70 percent of the updated Reliability Requirement for the PJM Region.

2. For each Capacity Performance Transition Incremental Auction, the Office of the Interconnection shall calculate a clearing price to be paid for each megawatt-day of Unforced Capacity that clears in such auction. For the 2016/2017 Delivery Year, the Capacity Resource Clearing Price for any Capacity Performance Transition Incremental Auction shall not exceed 0.5 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year. For the 2017/2018 Delivery Year, the Capacity Resource Clearing Price for any Capacity Performance Transition Incremental Auction shall not exceed 0.6 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year.

3. A Capacity Market Seller may offer any Capacity Resource that has not been committed in an FRR Capacity Plan, that qualifies as a Capacity Performance Resource under section 5.5A(a) and that (i) has not cleared an RPM Auction for that Delivery Year; or (ii) has cleared in an RPM Auction for that Delivery Year. A Capacity Market Seller may offer an external Generation Capacity Resource to the extent that such resource: (i) is reasonably expected, by the relevant Delivery Year, to meet all applicable requirements to be treated as equivalent to PJM Region internal generation that is not subject to NERC tagging as an interchange transaction; (ii) has long-term firm transmission service confirmed on the complete transmission path from such resource into PJM; and (iii) is, by written commitment of the Capacity Market Seller, subject to the same obligations imposed on Generation Capacity Resources located in the PJM Region by section 6.6 of Attachment DD of the PJM Tariff to offer their capacity into RPM Auctions.

4. Capacity Resources that already cleared an RPM Auction for a Delivery Year, retain the capacity obligations for that Delivery Year, and clear in a Capacity Performance Transition Incremental Auction for the same Delivery Year shall: (i) receive a payment equal to the Capacity Resource Clearing Price as established in that Capacity Performance Transition Incremental Auction; and (ii) not be eligible to receive a payment for clearing in any prior RPM Auction for that Delivery Year.

D. All Capacity Performance Resources that clear in a Capacity Performance Transition Incremental Auction will be subject to the Non-Performance Charge set forth in section 10A.

5.14E Demand Response Legacy Direct Load Control Transition Provision for RPM Delivery Years 2016/2017, 2017/2018, and 2018/2019

A. This transition provision applies only to Demand Resources for which a Curtailment Service Provider has existing RPM commitments for the 2016/2017, 2017/2018, or 2018/2019 Delivery Years (alternatively referred to in this section 5.14E as “Applicable Delivery Years” and each an “Applicable Delivery Year”) that (i) qualified as Legacy Direct Load Control before June 1, 2016 as described in Section G of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; (ii) cannot meet the requirements for using statistical sampling for residential non-interval metered customers as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; and (iii) cleared in the

Base Residual Auction or First Incremental Auction for the 2016/2017 Delivery Year, cleared in the Base Residual Auction for the 2017/2018 Delivery Year, or cleared in the Base Residual Auction for the 2018/2019 Delivery Year. A Demand Resource meeting these criteria and the Curtailment Service Provider of such a resource are hereafter in this section 5.14E referred to as an "Affected Demand Resource" and an "Affected Curtailment Service Provider," respectively.

B. For this section 5.14E to apply to an Affected Demand Resource, the Affected Curtailment Service Provider must notify the Office of the Interconnection in writing, with regard to the following information, by the applicable deadline:

i) For each applicable Affected Demand Resource: the number of cleared megawatts of Unforced Capacity for the Applicable Delivery Year by end-use customer site that the Affected Curtailment Service Provider cannot deliver, calculated based on the most current information available to the Affected Curtailment Service Provider; electric distribution company's account number for the end-use customer; address of end-use customer; type of Demand Resource (i.e., Limited DR, Annual DR, Extended Summer DR); the Zone or sub-Zone in which the end-use customer is located; and, a detailed description of why the endues customer cannot comply with statistical sampling for residential non-interval metered customers requirement as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA.

ii) If applicable, a detailed analysis that quantifies the amount of cleared megawatts of Unforced Capacity for the Applicable Delivery Year for prospective customer sales that could not be contracted by the Affected Curtailment Service Provider because of the statistical sampling for residential non-interval metered customers requirement as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA that the Affected Curtailment Service Provider cannot deliver, by type of Demand Resource (i.e. Limited DR, Annual DR, Extended Summer DR) and by Zone and sub-Zone, as applicable. The analysis should include the amount of Unforced Capacity expected from prospective customer sales for each Applicable Delivery Year and must include supporting detail to substantiate the difference in reduced sales expectations. The Affected Curtailment Service Provider should maintain records to support its analysis.

1. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Second and/or Third Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the Second or Third Incremental Auction for the 2016/2017 Delivery Year.

2. For the 2017/2018 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the First, Second and/or Third Incremental Auction for the 2017/2018 Delivery Year. Such

Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the First, Second or Third Incremental Auctions for the 2017/2018 Delivery Year.

3. For the 2018/2019 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the First, Second and/or Third Incremental Auction for the 2018/2019 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the First, Second or Third Incremental Auctions for the 2018/2019 Delivery Year.

C. For the Second and Third Incremental Auction for the 2016/2017 Delivery Year, the First, Second, and Third Incremental Auctions for the 2017/2018 Delivery Year, and the First, Second, and Third Incremental Auctions for the 2018/2019 Delivery Year, the Office of the Interconnection shall publish aggregate information on the undeliverable megawatts declared under this transition provision (hereafter, "non-viable megawatts"), by type of Demand Resource and by Zone or sub-Zone, concurrently with its posting of planning parameters for the applicable Scheduled Incremental Auction. Non-viable megawatts for a Scheduled Incremental Auction for an Applicable Delivery Year represent those megawatts meeting the criteria of subsection A above and declared in accordance with subsection B above. Prior to each Scheduled Incremental Auction for an Applicable Delivery Year, the Office of the Interconnection shall apply adjustments equal to the declared non-viable megawatt quantity to the quantity of Buy Bid or Sell Offer activity in the upcoming Scheduled Incremental Auctions for the Applicable Delivery Year, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD. Prior to the Second Incremental Auction for the 2016/2017 Delivery Year, the First and Second Incremental Auction for the 2017/2018 Delivery Year, and the First and Second Incremental Auction for the 2018/2019 Delivery Year, the Office of the Interconnection shall adjust the recalculated PJM Region Reliability Requirement and recalculated LDA Reliability Requirements, as described in section 5.4(c) of this Attachment DD, by the applicable quantity of declared non-viable megawatts, and shall update the PJM Region Reliability Requirement and each LDA Reliability Requirement for such Incremental Auction only if the combined change of the applicable adjustment and applicable recalculation is greater than or equal to the lessor of (i) 500 megawatts or (ii) one percent of the prior PJM Region Reliability Requirement or one percent of the prior LDA Reliability Requirement, as applicable.

D. Prior to the start of each Applicable Delivery Year, the Office of the Interconnection shall reduce, by type of Demand Resource and by Zone or sub-Zone, the capacity commitment of each Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year based on the non-viable megawatts declared by the Affected Curtailment Service Provider under this transition provision. If the Affected Curtailment Service Provider cleared megawatts from multiple Affected Demand Resources of the same type and Zone or sub-Zone, or cleared MWs in multiple RPM Auctions for the Applicable Delivery Year, the Office of the Interconnection shall allocate the reduction in capacity commitment by type of Demand Resource and by Zone or sub-Zone across the applicable Affected Demand Resources and relevant RPM Auctions. Such allocation shall be performed on a pro-rata basis, based on megawatts cleared by the Affected Demand Resources in the relevant RPM Auctions.

E. For each Applicable Delivery Year, an Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year relinquishes an Affected Demand Resource's RPM Auction credits for the amount of capacity commitment reduction as determined under subsection D above. Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are also adjusted accordingly.

6. MARKET POWER MITIGATION

6.1 Applicability

The provisions of the Market Monitoring Plan (in Tariff, Attachment M and Attachment - M Appendix and this section 6) shall apply to the Reliability Pricing Model Auctions.

6.2 Process

(a) [Reserved for Future Use]

(b) In accordance with the schedule specified in the PJM Manuals, following PJM's conduct of a Base Residual Auction or Incremental Auction pursuant to Tariff, Attachment DD, section 5.12, but prior to the Office of the Interconnection's final determination of clearing prices and charges pursuant to Tariff, Attachment DD, section 5.14, the Office of the Interconnection shall: (i) apply the Market Structure Test to any LDA having a Locational Price Adder greater than zero and to the entire PJM region; (ii) apply Market Seller Offer Caps, if required under this section 6; and (iii) recompute the optimization algorithm to clear the auction with the Market Seller Offer Caps in place.

(c) Within seven days after the deadline for submission of Sell Offers in a Base Residual Auction or Incremental Auction, the Office of the Interconnection shall file with FERC a report of any determination made pursuant to Tariff, Attachment DD, section 5.14(h), Tariff, Attachment DD, section 6.5(a)(ii), or Tariff, Attachment DD, section 6.7(c) identified in such sections as subject to the procedures of this section. Such report shall list each such determination, the information considered in making each such determination, and an explanation of each such determination. Any entity that objects to any such determination may file a written objection with FERC no later than seven days after the filing of the report. Any such objection must not merely allege that the determination was in error, and must provide support for the objection, demonstrating that the determination overlooked or failed to consider relevant evidence. In the event that no objection is filed, the determination shall be final. In the event that an objection is filed, FERC shall issue any decision modifying the determination no later than 60 days after the filing of such report; otherwise, the determination shall be final. Final auction results shall reflect any decision made by FERC regarding the report.

6.3 Market Structure Test

(a) [Reserved for Future Use]

(b) Market Structure Test.

A constrained LDA or the PJM Region shall fail the Market Structure Test, and mitigation shall be applied to all jointly pivotal suppliers (including all Affiliates of such suppliers, and all third-party supply in the relevant LDA controlled by such suppliers by contract), if, as to the Sell Offers that comprise the incremental supply determined pursuant to section 6.3(c) below that are based on Generation Capacity Resources, there are not more than three jointly pivotal suppliers. The Office of the Interconnection shall apply the Market Structure Test. The Office of the Interconnection shall confirm the results of the Market Structure Test with the Market Monitoring Unit.

(c) Determination of Incremental Supply

In applying the Market Structure Test, the Office of the Interconnection shall consider all (i) incremental supply (provided, however, that the Office of the Interconnection shall consider only such supply available from Generation Capacity Resources) available to solve the constraint applicable to a constrained LDA offered at less than or equal to 150% of the cost-based clearing price; or (ii) supply for the PJM Region, offered at less than or equal to 150% of the cost-based clearing price, provided that supply in this section includes only the lower of cost-based or market-based offers from Generation Capacity Resources. Cost-based clearing prices are the prices resulting from the RPM auction algorithm using the lower of cost-based or price-based offers for all Capacity Resources.

6.4 Market Seller Offer Caps

(a) The Market Seller Offer Cap, stated in dollars per MW/day of unforced capacity, applicable to price-quantity offers within the Base Offer Segment for an Existing Generation Capacity Resource shall be the Avoidable Cost Rate for such resource, less the Projected PJM Market Revenues for such resource, stated in dollars per MW/day of unforced capacity, provided, however, that the default Market Seller Offer Cap for any Capacity Performance Resource shall be the product of (the Net Cost of New Entry applicable for the Delivery Year and Locational Deliverability Area for which such Capacity Performance Resource is offered times the average of the Balancing Ratios in the three consecutive calendar years (during the Performance Assessment Intervals in such calendar years) that precede the Base Residual Auction for such Delivery Year), however, for the Base Residual Auction for the 2021/2022 Delivery Year, the Balancing Ratio used in the determination of the default Market Seller Offer Cap shall be 78.5 percent, and provided further that the submission of a Sell Offer with an Offer Price at or below the revised Market Seller Offer Cap permitted under this proviso shall not, in and of itself, be deemed an exercise of market power in the RPM market*; nor shall a Sell Offer with an Offer Price equal to the applicable MOPR Floor Offer Price, in and of itself, be deemed an exercise of market power in the RPM market*. Notwithstanding the previous sentence, a Capacity Market Seller may seek and obtain a Market Seller Offer Cap for a Capacity Performance Resource that exceeds the revised Market Seller Offer Cap permitted under the prior sentence, if it supports and obtains approval of such alternative offer cap pursuant to the procedures and standards of subsection (b) of this section 6.4. A Capacity Market Seller may not use the Capacity Performance default Market Seller Offer Cap, and also seek to include any one or more categories of the Avoidable Cost Rate defined in Tariff, Attachment DD, section 6.8 below. The Market Seller Offer Cap for an Existing Generation Capacity Resource shall be the Opportunity Cost for such resource, if applicable, as determined in accordance with Tariff, Attachment DD, section 6.7. Nothing herein shall preclude any Capacity Market Seller and the Market Monitoring Unit from agreeing to, nor require either such entity to agree to, an alternative market seller offer cap determined on a mutually agreeable basis. Any such alternative offer cap shall be filed with the Commission for its approval. This provision is duplicated in Tariff, Attachment M-Appendix, section II.E.3.

(b) For each Existing Generation Capacity Resource, a potential Capacity Market Seller must provide to the Market Monitoring Unit and the Office of the Interconnection data and documentation required under section 6.7 below to establish the level of the Market Seller Offer Cap applicable to each resource by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction. The Capacity Market Seller must promptly address any concerns identified by the Market Monitoring Unit regarding the data and documentation provided, review the Market Seller Offer Cap proposed by the Market Monitoring Unit, and attempt to reach agreement with the Market Monitoring Unit on the level of the Market Seller Offer Cap by no later than ninety (90) days prior to the commencement of the offer period for the applicable RPM Auction. The Capacity Market Seller shall notify the Market Monitoring Unit in writing, with a copy to the Office of the Interconnection, whether an agreement with the Market Monitoring Unit has been reached or, if no agreement has been reached, specifying the level of Market Seller Offer Cap to which it commits by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction. The Office of the Interconnection shall review the data submitted by the Capacity Market Seller, make a determination whether to accept or reject the requested unit-specific Market Seller Offer Cap, and notify the Capacity Market Seller and the Market Monitoring Unit of its determination in writing, by no later than sixty-five (65) days prior to the commencement of the offer period for the applicable RPM Auction. If the Market Monitoring Unit does not provide its determination to the Capacity Market Seller and the Office of the Interconnection by the specified deadline, by no later than sixty-five (65) days prior to the commencement of the offer period for the applicable RPM Auction the Office of the Interconnection will make the determination of the level of the Market Seller Offer Cap, which shall be deemed to be final. If the Capacity Market Seller does not notify the Market Monitoring Unit and the Office of the Interconnection of the Market Seller Offer Cap it desires to utilize by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction, it shall be required to utilize a Market Seller Offer Cap determined using the applicable default Avoidable Cost Rate specified in section 6.7(c) below.

(c) Nothing in this section precludes the Capacity Market Seller from filing a petition with FERC seeking a determination of whether the Sell Offer complies with the requirements of the Tariff.

(d) For any Third Incremental Auction for Delivery Years through the 2017/2018 Delivery Year, the Market Seller Offer Cap for an Existing Generation Capacity Resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to 1.1 times the Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year. For any Third Incremental Auction for the 2018/2019 or 2019/2020 Delivery Years, the Market Seller Offer Cap for an Existing Generation Capacity Resource offering as a Base Capacity resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to 1.1 times the Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year. For any Third Incremental Auction for the 2018/2019 Delivery Year or any subsequent Delivery Year, the Market Seller Offer Cap for an Existing Generation Capacity Resource offering as a Capacity Performance Resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to the greater of the Net Cost of New Entry times the Balancing Ratio for the relevant LDA and Delivery Year or 1.1 times the

Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year.

6.5 Mitigation

The Office of the Interconnection shall apply market power mitigation measures in any Base Residual Auction or Incremental Auction for any LDA, Unconstrained LDA Group, or the PJM Region that fails the Market Structure Test.

(a) Mitigation for Generation Capacity Resources.

i) Existing Generation Capacity Resource

Mitigation will be applied on a unit-specific basis and only if the Sell Offer of Unforced Capacity from an Existing Generation Capacity Resource: (1) is greater than the Market Seller Offer Cap applicable to such resource; and (2) would, absent mitigation, increase the Capacity Resource Clearing Price in the relevant auction. If such conditions are met, such Sell Offer shall be set equal to the *higher of the applicable* Market Seller Offer Cap *or the applicable MOPR Floor Offer Price*.

ii) Planned Generation Capacity Resources

(A) Sell Offers based on Planned Generation Capacity Resources (including External Planned Generation Capacity Resources) shall be presumed to be competitive and shall not be subject to market power mitigation in any Base Residual Auction or Incremental Auction for which such resource qualifies as a Planned Generation Capacity Resource, but any such Sell Offer shall be rejected if it meets the criteria set forth in subsection (C) below, unless the Capacity Market Seller obtains approval from FERC for use of such offer prior to the close of the offer period for the applicable RPM Auction.

(B) Sell Offers based on Planned Generation Capacity Resources (including Planned External Generation Capacity Resources) shall be deemed competitive and not be subject to mitigation if: (1) collectively all such Sell Offers provide Unforced Capacity in an amount equal to or greater than two times the incremental quantity of new entry required to meet the LDA Reliability Requirement; and (2) at least two unaffiliated suppliers have submitted Sell Offers for Planned Generation Capacity Resources in such LDA. Notwithstanding the foregoing, any Capacity Market Seller, together with Affiliates, whose Sell Offers based on Planned Generation Capacity Resources in that modeled LDA are pivotal, shall be subject to mitigation.

(C) Where the two conditions stated in subsection (B) above are not met, or the Sell Offer is pivotal, the Sell Offer shall be rejected if it exceeds *the higher of the applicable MOPR Floor Offer Price, if applicable, or* 140 percent of: 1) the average of location-adjusted Sell Offers for Planned

Generation Capacity Resources from the same asset class as such Sell Offer, submitted (and not rejected) (Asset-Class New Plant Offers) for such Delivery Year; or 2) if there are no Asset-Class New Plant Offers for such Delivery Year, the average of Asset-Class New Plant Offers for all prior Delivery Years; or 3) if there are no Asset-Class New Plant Offers for any prior Delivery Year, the Net CONE applicable for such Delivery Year in the LDA for which such Sell Offer was submitted. For purposes of this section, asset classes shall be as stated in section 6.7(c) below as effective for such Delivery Year, and Asset-Class New Plant Offers shall be location-adjusted by the ratio between the Net CONE effective for such Delivery Year for the LDA in which the Sell Offer subject to this section was submitted and the average, weighted by installed capacity, of the Net CONEs for all LDAs in which the units underlying such Asset Class New Plant Offers are located. Following the conduct of the applicable auction and before the final determination of clearing prices, in accordance with Section 6.2(b) above, each Capacity Market Seller whose Sell Offer is so rejected shall be notified in writing by the Office of the Interconnection by no later than one (1) Business Day after the close of the offer period for the applicable RPM Auction and allowed an opportunity to submit a revised Sell Offer that does not exceed such threshold within one (1) Business Day of the Office of the Interconnection's rejection of such Sell Offer. If such revised Sell Offer is accepted by the Office of the Interconnection, the Office of the Interconnection then shall clear the auction with such revised Sell Offer in place. Pursuant to Tariff, Attachment M-Appendix, Section II.F, the Market Monitoring Unit shall notify in writing each Capacity Market Seller whose Sell Offer has been determined to be non-competitive and subject to mitigation, with a copy to the Office of the Interconnection, by no later than one (1) Business Day after the close of the offer period for the applicable RPM Auction.

(b) Mitigation for Demand Resources

The Market Seller Offer Cap shall not be applied to Sell Offers of Demand Resources or Energy Efficiency Resources.

6.6 Offer Requirement for Capacity Resources

(a) To avoid application of subsection (h) below, all of the installed capacity of all Existing Generation Capacity Resources located in the PJM Region shall be offered by the Capacity Market Seller that owns or controls all or part of such resource (which may include submission as Self-Supply) in all RPM Auctions for each Delivery Year, less any amount determined by the Office of the Interconnection to be eligible for an exception to this RPM must-offer requirement, where installed capacity is determined as of the date on which bidding commences for each RPM Auction pursuant to Tariff, Attachment DD, section 5.6.6. The Unforced Capacity of such resources is determined using the EFORd value that is submitted by the Capacity Market Seller in its Sell Offer, which shall not exceed the maximum EFORd for that resource as defined in section 6.6(b). If a resource should be included on the list of Existing

Generation Capacity Resources subject to the RPM must-offer requirement that is maintained by the Market Monitoring Unit pursuant to Tariff, Attachment M-Appendix, section II.C.1, but is omitted therefrom whether by mistake of the Market Monitoring Unit or failure of the Capacity Market Seller that owns or controls all or part of such resource to provide information about the resource to the Market Monitoring Unit, this shall not excuse such resource from the RPM must-offer requirement.

(b) For each Existing Generation Capacity Resource, a potential Capacity Market Seller must timely provide to the Market Monitoring Unit and the Office of the Interconnection all data and documentation required under this section 6.6 to establish the maximum EFORd applicable to each resource in accordance with standards and procedures specified in the PJM Manuals. The maximum EFORd that may be used in a Sell Offer for RPM Auctions held prior to the date on which the final EFORds used for a Delivery Year are posted, is the greater of (i) the average EFORd for the five consecutive years ending on the September 30 that last precedes the Base Residual Auction, or (ii) the EFORd for the 12 months ending on the September 30 that last precedes the Base Residual Auction.

Notwithstanding the foregoing, a Capacity Market Seller may request an alternate maximum EFORd for Sell Offers submitted in such auctions if it has a documented, known reason that would result in an increase in its EFORd, by submitting a written request to the Market Monitoring Unit and Office of the Interconnection, along with data and documentation required to support the request for an alternate maximum EFORd, by no later one hundred twenty (120) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. The Capacity Market Seller must address any concerns identified by the Market Monitoring Unit and/or the Office of the Interconnection regarding the data and documentation provided and attempt to reach agreement with the Market Monitoring Unit on the level of the alternate maximum EFORd by no later than ninety (90) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. As further described in Tariff, Attachment M-Appendix, section II.C, the Market Monitoring Unit shall notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination of the requested alternate maximum EFORd by no later than ninety (90) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. By no later than eighty (80) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year, the Capacity Market Seller shall notify the Office of the Interconnection and the Market Monitoring Unit in writing whether it agrees with the Market Monitoring Unit on the alternate maximum EFORd or, if no agreement has been reached, specifying the level of alternate maximum EFORd to which it commits. If a Capacity Market Seller fails to request an alternate maximum EFORd prior to the specified deadlines, the maximum EFORd for the applicable RPM Auction shall be deemed to be the default EFORd calculated pursuant to this section.

The maximum EFORd that may be used in a Sell Offer for Third Incremental Auction, and for Conditional Incremental Auctions held after the date on which the final EFORd used for a Delivery Year is posted, is the EFORd for the 12 months ending on the September 30 that last precedes the submission of such offers.

(c) [Reserved for Future Use]

(d) In the event that a Capacity Market Seller and the Market Monitoring Unit cannot agree on the maximum level of the alternate EFORd that may be used in a Sell Offer for RPM Auctions held prior to the date on which the final EFORds used for a Delivery Year are posted, the Office of the Interconnection shall make its own determination of the maximum level of the alternate EFORd based on the requirements of the Tariff and the PJM Manuals, per Tariff, Attachment DD, section 5.8, by no later than sixty-five (65) days prior to the commencement of the offer period for the Base Residual for the applicable Delivery Year, and shall notify the Capacity Market Seller and the Market Monitoring Unit in writing of such determination.

(e) Nothing in this section precludes the Capacity Market Seller from filing a petition with FERC seeking a determination of whether the EFORd complies with the requirements of the Tariff.

(f) Notwithstanding the foregoing, a Capacity Market Seller may submit an EFORd that it chooses for an RPM Auction held prior to the date on which the final EFORd used for a Delivery Year is posted, provided that (i) it has participated in good faith with the process described in this section 6.6 and in Tariff, Attachment M-Appendix, section II.C, (ii) the offer is no higher than the level defined in any agreement reached by the Capacity Market Seller and the Market Monitoring Unit that resulted from the foregoing process, and (iii) the offer is accepted by the Office of the Interconnection subject to the criteria set forth in the Tariff and the PJM Manuals.

(g) A Capacity Market Seller that owns or controls an existing generation resource in the PJM Region that is capable of qualifying as an Existing Generation Capacity Resource as of the date on which bidding commences for an RPM Auction may not avoid the rule in subsection (a) or be removed from Capacity Resource status by failing to qualify as a Generation Capacity Resource, or by attempting to remove a unit previously qualified as a Generation Capacity Resource from classification as a Capacity Resource for that RPM Auction. However, generation resource may qualify for an exception to the RPM must-offer requirement, as shown by appropriate documentation, if the Capacity Market Seller that owns or controls such resource demonstrates that it: (i) is reasonably expected to be physically unable to participate in the relevant Delivery Year; (ii) has a financially and physically firm commitment to an external sale of its capacity, or (iii) was interconnected to the Transmission System as an Energy Resource and not subsequently converted to a Capacity Resource.

In order to establish that a resource is reasonably expected to be physically unable to participate in the relevant auction as set forth in (i) above, the Capacity Market Seller must demonstrate that:

A. It has a documented plan in place to retire the resource prior to or during the Delivery Year, and has submitted a notice of Deactivation to the Office of the Interconnection consistent with Tariff, Part V, section 113.1, without regard to whether the Office of the Interconnection has requested the Capacity Market Seller to continue to operate the resource beyond its desired deactivation date in accordance with Tariff, Part V, section 113.2 for the purpose of maintaining the reliability of the PJM Transmission System and the Capacity Market Seller has agreed to do so;

B. Significant physical operational restrictions cause long term or permanent changes to the installed capacity value of the resource, or the resource is under major repair that will extend into the applicable Delivery Year, that will result in the imposition of RPM performance penalties pursuant to Tariff, Attachment DD;

C. The Capacity Market Seller is involved in an ongoing regulatory proceeding (e.g. – regarding potential environmental restrictions) specific to the resource and has received an order, decision, final rule, opinion or other final directive from the regulatory authority that will result in the retirement of the resource; or

D. A resource considered an Existing Generating Capacity Resource because it cleared an RPM Auction for a Delivery Year prior to the Delivery Year of the relevant auction, but which is not yet in service, is unable to achieve full commercial operation prior to the Delivery Year of the relevant auction. The Capacity Market Seller must submit to the Office of the Interconnection and the Market Monitoring Unit a written sworn, notarized statement of a corporate officer certifying that the resource will not be in full commercial operation prior to the referenced Delivery Year.

In order to establish that a resource has a financially and physically firm commitment to an external sale of its capacity as set forth in (ii) above, the Capacity Market Seller must demonstrate that it has entered into a unit-specific bilateral transaction for service to load located outside the PJM Region, by a demonstration that such resource is identified on a unit-specific basis as a network resource under the transmission tariff for the control area applicable to such external load, or by an equivalent demonstration of a financially and physically firm commitment to an external sale. The Capacity Market Seller additionally shall identify the megawatt amount, export zone, and time period (in days) of the export.

A Capacity Market Seller that seeks approval for an exception to the RPM must-offer requirement, for any reason other than the reason specified in Paragraph A above, shall first submit such request in writing, along with all supporting data and documentation, to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction.

In order to obtain an exception to the RPM must-offer requirement for the reason specified in Paragraph A above, a Capacity Market Seller shall first submit a preliminary exception request in writing, along with supporting data and documentation indicating the reasons and conditions upon which the Capacity Market Seller is relying in its analysis of whether to retire such resource, to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than (a) November 1, 2013 for the Base Residual Auction for the 2017/2018 Delivery Year, (b) the September 1 that last precedes the Base Residual Auction for the 2018/2019 and subsequent Delivery Years, and (c) two hundred forty (240) days prior to the commencement of the offer period for the applicable Incremental Auction. By no later than five (5) Business Days after receipt of any such preliminary exception requests, the Office of the Interconnection will post on its website a summary of the number of megawatts of Generation Capacity Resources for which it has received notification of preliminary exception requests, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

Thereafter, as applicable, such Capacity Market Seller shall by no later than (a) the December 1 that last precedes the Base Residual Auction for the applicable Delivery Year, or (b) one hundred twenty (120) days prior to the commencement of the offer period for the applicable Incremental Auction, either (a) notify the Office of the Interconnection and the Market Monitoring Unit in writing that it is withdrawing its preliminary exception request and explaining the changes to its analysis of whether to retire such resource that support its decision to withdraw, or (b) demonstrate that it has met the requirements specified under Paragraph A above. By no later than five (5) Business Days after receipt of such notification, the Office of the Interconnection will post on its website a revised summary of the number of megawatts of Generation Capacity Resources for which it has received requests for exceptions to the RPM must-offer requirement for the reason specified in Paragraph A above, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

A Capacity Market Seller that seeks to remove a Generation Capacity Resource from Capacity Resource status shall first submit a preliminary request in writing, along with supporting data and documentation indicating the reasons and conditions upon which the Capacity Market Seller is relying in its analysis of whether to remove the Capacity Resource status of such resource to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than (a) the September 1 that last precedes the Base Residual Auction, and (b) two hundred forty (240) days prior to the commencement of the offer period for the applicable Incremental Auction. For the Base Residual Auction for the 2023/2024 Delivery Year, a Capacity Market Seller that seeks to remove a Generation Capacity Resource from Capacity Resource status shall first submit such preliminary request by no later than November 1, 2019. By no later than five (5) Business Days after receipt of any such preliminary requests, the Office of the Interconnection will post on its website a summary of the number of megawatts of Generation Capacity Resources for which it has received notification of preliminary requests, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

Thereafter, as applicable, such Capacity Market Seller shall, by no later than (a) the December 1 that last precedes the Base Residual Auction for the applicable Delivery Year, or (b) one hundred twenty (120) days prior to the commencement of the offer period for the applicable Incremental Auction, notify the Office of the Interconnection and the Market Monitoring Unit in writing that it is either (a) withdrawing its preliminary request and explaining the changes to its analysis that support its decision to withdraw, or (b) confirming its preliminary decision to remove the Generation Capacity Resource from Capacity Resource status. By no later than five (5) Business Days after receipt of such notification, the Office of the Interconnection will post on its website a revised summary of the number of megawatts of Generation Capacity Resources for which it has received requests to remove its Capacity Resource status, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

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 and shall notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination of the request to remove the Generation Capacity Resource from Capacity Resource status, and whether a market power issue has been identified, by no later than ninety (90) days prior to the commencement of the offer period for the applicable RPM Auction. Such notice shall include the specific market power impact resulting from the proposed removal of the Generation Capacity Resource from Capacity Resource status, as well as an initial assessment of any steps that could be taken to mitigate the market power impact.

A Capacity Market Seller may only remove the Generation Capacity Resource from Capacity Resource status if (i) the Market Monitoring Unit has determined that the Generation Capacity Resource meets the applicable criteria set forth in Tariff, Attachment DD, sections 5.6.6 and this section 6.6 and the Office of the Interconnection agrees with this determination, or (ii) the Commission has issued an order terminating the Capacity Resource status of the resource, or (iii) it is required as set forth in Tariff, Attachment DD, section 6.6A(c). Nothing herein shall require a Market Seller to offer its resource into an RPM Auction prior to seeking to remove a resource from Capacity Resource status, subject to satisfaction of this section 6.6. A Generation Capacity Resource that is removed from Capacity Resource status shall no longer qualify as an Existing Generation Capacity Resource, and the Capacity Interconnection Rights associated with such facility shall be subject to termination in accordance with the rules described in Tariff, Part VI, section 230.3.3. The Office of the Interconnection shall amend the applicable Interconnection Service Agreement or wholesale market participation agreement to reflect any such removal of the Capacity Interconnection Rights, and shall report the amended agreement to the Commission in the same manner as the original (e.g., FERC filing or Electronic Quarterly Reports). The Office of the Interconnection shall file the amended agreement unexecuted if the Interconnection Customer or wholesale market participant does not sign the amended Interconnection Service Agreement or wholesale market participation agreement.

If the Capacity Market Seller disagrees with the Market Monitoring Unit's determination of its request to remove a resource from Capacity Resource status or its request for an exception to the RPM must-offer requirement, it must notify the Market Monitoring Unit in writing, with a copy to the Office of the Interconnection, of the same by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction. After the Market Monitoring Unit has made its determination of whether a resource may be removed from Capacity Resource status, or whether the resource meets one of the exceptions thereto, and has notified the Capacity Market Seller and the Office of the Interconnection of the same pursuant to Tariff, Attachment M-Appendix, section II.C.4, the Office of the Interconnection shall approve or deny the request. The request shall be deemed to be approved by the Office of the Interconnection, consistent with the determination of the Market Monitoring Unit, unless the Office of the Interconnection notifies the Capacity Market Seller and Market Monitoring Unit, by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences, that the request is denied.

If the Market Monitoring Unit does not timely notify the Capacity Market Seller and the Office of the Interconnection of its determination of the request to remove a Generation Capacity Resource from Capacity Resource status or for an exception to the RPM must-offer requirement, the Office of the Interconnection shall make the determination whether the request shall be approved or denied, and will notify the Capacity Market Seller of its determination in writing, with a copy to the Market Monitoring Unit, by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences.

After the Market Monitoring Unit and the Office of the Interconnection have made their determinations of whether a resource meets the criteria to qualify for an exception to the RPM must-offer requirement, the Capacity Market Seller must notify the Market Monitoring Unit and the Office of the Interconnection whether it intends to exclude from its Sell Offer some or all of the subject capacity on the basis of an identified exception by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences. PJM does not make determinations of whether withholding of capacity constitutes market power. A Generation Capacity Resource that does not qualify for submission into an RPM Auction because it is not owned or controlled by the Capacity Market Seller for a full Delivery Year is not subject to the offer requirement hereunder; provided, however, that a Capacity Market Seller planning to transfer ownership or control of a Generation Capacity Resource during a Delivery Year pursuant to a sale or transfer agreement entered into after March 26, 2009 shall be required to satisfy the offer requirement hereunder for the entirety of such Delivery Year and may satisfy such requirement by providing for the assumption of this requirement by the transferee of ownership or control under such agreement.

If a Capacity Market Seller doesn’t timely seek to remove a Generation Capacity Resource from Capacity Resource status or timely submit a request for an exception to the RPM must-offer requirement, the Generation Capacity Resource shall only be removed from Capacity Resource status, and may only be approved for an exception to the RPM must-offer requirement, upon the Capacity Market Seller requesting and receiving an order from FERC, prior to the close of the offer period for the applicable RPM Auction, directing the Office of the Interconnection to remove the resource from Capacity Resource status and/or granting an exception to the RPM must-offer requirement or a waiver of the RPM must-offer requirement as to such resource.

(h) Any existing generation resource located in the PJM Region that satisfies the criteria in the definition of Existing Generation Capacity Resource as of the date on which bidding commences for the Base Residual Auction for a Delivery Year, that is not offered into such Base Residual Auction, and that does not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any subsequent Incremental Auctions conducted for such Delivery Year; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE’s Unforced Capacity Obligation, or any entity’s obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

All generation resources located in the PJM Region that satisfy the criteria in the definition of Existing Generation Capacity Resource as of the date on which bidding commences for an Incremental Auction for a particular Delivery Year, but that did not satisfy such criteria as of the date that on which bidding commenced in the Base Residual Auction for that Delivery Year, that is not offered into that Incremental Auction, and that does not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any subsequent Incremental Auctions conducted for such Delivery Year; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE's Unforced Capacity Obligation, or any entity's obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

All Existing Generation Capacity Resources that are offered into a Base Residual Auction or Incremental Auction for a particular Delivery Year but do not clear in such auction, that are not offered into each subsequent Incremental Auction, and that do not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any Incremental Auctions conducted for such Delivery Year subsequent to such failure to offer; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE's Unforced Capacity Obligation, or any entity's obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

Any such Existing Generation Capacity Resources may also be subject to further action by the Market Monitoring Unit under the terms of Tariff, Attachment M and Tariff, Attachment M – Appendix.

(i) In addition to the remedies set forth in subsections (g) and (h) above, if the Market Monitoring Unit determines that one or more Capacity Market Sellers' failure to offer part or all of one or more existing generation resources, for which the Office of the Interconnection has not approved an exception to the RPM must-offer requirement, into an RPM Auction as required by this Section 6.6 would result in an increase of greater than five percent in any Zonal Capacity Price determined through such auction, and the Office of the Interconnection agrees with that determination, the Office of the Interconnection shall apply to FERC for an order, on an expedited basis, directing such Capacity Market Seller to participate in the relevant RPM Auction, or for other appropriate relief, and PJM will postpone clearing the auction pending FERC's decision on the matter. If the Office of the Interconnection disagrees with the Market Monitoring Unit's determination and does not apply to FERC for an order directing the Capacity Market Seller to participate in the auction or for other appropriate relief, the Market Monitoring Unit may exercise its powers to inform Commission staff of its concerns and to seek appropriate relief.

6.6A Offer Requirement for Capacity Performance Resources

(a) For the 2018/2019 Delivery Year and subsequent Delivery Years, the installed capacity of every Generation Capacity Resource located in the PJM Region that is capable (or that reasonably can become capable) of qualifying as a Capacity Performance Resource shall be offered as a Capacity Performance Resource by the Capacity Market Seller that owns or controls all or part of such resource (which may include submission as Self-Supply) in all RPM Auctions for each such Delivery Year, less any amount determined by the Office of the Interconnection to be eligible for an exception to the Capacity Performance Resource must-offer requirement, where installed capacity is determined as of the date on which bidding commences for each RPM Auction pursuant to Tariff, Attachment DD, section 5.6.6.

(b) Determinations of EFORd and Unforced Capacity made under this section 6.6 as to a Generation Capacity Resource shall govern the offers required under this section as to the same Generation Capacity Resource.

(c) Exceptions to the requirement in subsection (a) shall be permitted only for a resource which the Capacity Market Seller demonstrates is reasonably expected to be physically incapable of satisfying the requirements of a Capacity Performance Resource. Intermittent Resources, Capacity Storage Resources, Demand Resources, and Energy Efficiency Resources shall not be required to offer as a Capacity Performance Resource, but shall not be precluded from being offered as a Capacity Performance Resource at a level that demonstrably satisfies such requirements. Exceptions shall be determined using the same timeline and procedures as specified in section 6.6.

Effective with the 2023/2024 Delivery Year, Capacity Market Sellers seeking an exception for a Base Residual Auction on the basis that a resource is incapable of meeting the Capacity Performance Resource requirement shall include a documented plan with the submission of their request showing the steps the Capacity Market Seller intends to pursue for the resource to become physically capable of satisfying the requirements of a Capacity Performance Resource. Such plan shall include (i) a timeline for design, permitting, procurement, and construction milestones, as applicable, where such timeline shall not exceed one Base Residual Auction exception, and (ii) evidence of corporate commitment (e.g., an SEC filing, a press release, or a letter from a duly authorized corporate officer indicating intent to make such investment). Periodic updates on the progress, shall be provided by the Capacity Market Seller to the Office of the Interconnection and the Market Monitoring Unit for their review by no later than (i) one hundred twenty (120) days prior to the commencement of the offer period for subsequent Incremental Auctions for the applicable Delivery Years, and (ii) the December 1 that last precedes subsequent Base Residual Auctions. The Capacity Market Seller shall also immediately notify the Office of the Interconnection and the Market Monitoring Unit of any material changes to the plan that may occur. Upon request by a Capacity Market Seller, a one year extension to the plan timeline shall be permissible only for delays not caused by the Capacity Market Seller, and that could not have been remedied through the exercise of due diligence by the Capacity Market Seller. In no event may an exception be requested by the Capacity Market Seller for more than two Base Residual Auctions.

Failure to submit a documented plan, or lack of good faith effort by a Capacity Market Seller to make an Existing Generation Capacity Resource physically capable of meeting the requirements of a Capacity Performance Resource in accordance with a documented plan, shall result in the removal of the resource's Capacity Resource status effective with the first future Delivery Year for which the resource was granted an exception, no earlier than the 2023/2024 Delivery Year. The Office of the Interconnection shall amend the applicable Interconnection Service Agreement or wholesale market participation agreement to reflect any such removal of the Capacity Interconnection Rights, and shall report the amended agreement to the Commission in the same manner as the original (e.g. FERC Filing or Electronic Quarterly Reports). The Office of the Interconnection shall file the amended agreement unexecuted if the Interconnection Customer or wholesale market participant does not sign the amended Interconnection Service Agreement or wholesale market participation agreement. The required change in Capacity Resource status shall only apply to those Generation Capacity Resources that are shown to be physically incapable of satisfying the requirements of a Capacity Performance Resource.

(d) A resource not exempted or excepted under subsection (c) hereof that is capable of qualifying as a Capacity Performance Resource and does not offer into an RPM Auction as a

Capacity Performance Resource shall be subject to the same restrictions on subsequent offers, and other possible remedies, as specified in section 6.6.

6.7 Data Submission

(a) Potential participants in any PJM Reliability Pricing Model Auction shall submit, together with supporting documentation for each item, to the Market Monitoring Unit and the Office of the Interconnection no later than one hundred twenty (120) days prior to the posted date for the conduct of such auction, a list of owned or controlled generation resources by PJM transmission zone for the specified Delivery Year, including the amount of gross capacity, the EFORd and the net (unforced) capacity. A potential participant intending to offer any Capacity Performance Resource at or below the default Market Seller Offer Cap described in Tariff, Attachment DD, section 6.4(a) must provide the associated offer cap and the MW to which the offer cap applies.

(b) Except as provided in subsection (c) below, potential participants in any PJM Reliability Pricing Model Auction in any LDA or Unconstrained LDA Group that request a unit specific Avoidable Cost Rate shall, in addition, submit the following data, together with supporting documentation for each item, to the Market Monitoring Unit no later than one hundred twenty (120) days prior to the commencement of the offer period for such auction:

i. If the Capacity Market Seller intends to submit a non-zero price in its Sell Offer in any such auction, the Capacity Market Seller shall submit a calculation of the Avoidable Cost Rate and Projected PJM Market Revenues, as defined in subsection (d) below, together with detailed supporting documentation.

ii. If the Capacity Market Seller intends to submit a Sell Offer based on opportunity cost, the Capacity Market Seller shall also submit a calculation of Opportunity Cost, as defined in subsection (d), with detailed supporting documentation.

(c) Potential auction participants identified in subsection (b) above need not submit the data specified in that subsection for any Generation Capacity Resource:

i. that is in an Unconstrained LDA Group or, if this is the relevant market, the entire PJM Region, and is in a resource class identified in the table below as not likely to include the marginal price-setting resources in such auction; or

ii. for which the potential participant commits that any Sell Offer it submits as to such resource shall not include any price above: (1) the applicable default level identified below for the relevant resource class, less (2) the Projected PJM Market Revenues for such resource, as determined in accordance with this Tariff.

Nothing herein precludes the Market Monitoring Unit from requesting additional information from any potential auction participant as deemed necessary by the Market Monitoring Unit, including, without limitation, additional cost data on resources in a class that is not otherwise expected to include the marginal price setting resource as outlined in Tariff, Attachment M-Appendix, section II.G. Any Sell Offer submitted in any auction that is inconsistent with any agreement or commitment made pursuant to this subsection shall be rejected, and the Capacity Market Seller shall be required to resubmit a Sell Offer that complies with such agreement or commitment within one (1) Business Day of the Office of the Interconnection's rejection of such Sell Offer. If the Capacity Market Seller does not timely resubmit its Sell Offer, fails to request a unit-specific Avoidable Cost Rate by the specified deadline, or if the Office of the Interconnection determines that the information provided by the Capacity Market Seller in support of the requested unit-specific Avoidable Cost Rate or Sell Offer is incomplete, the Capacity Market Seller shall be deemed to have submitted a Sell Offer that complies with the commitments made under this subsection, with a default offer for the applicable class of resource or nearest comparable class of resource determined under this subsection (c)(ii). The obligation imposed under section 6.6(a) above shall not be satisfied unless and until the Capacity Market Seller submits (or is deemed to have submitted) a Sell Offer that conforms to its commitments made pursuant to this subsection or subject to the procedures set forth in section 6.4 above and Tariff, Attachment M-Appendix, section II.H.

The default retirement and mothball Avoidable Cost Rates ("ACR") referenced in this subsection (c)(ii) are as set forth in the tables below for the 2013/2014 Delivery Year through the 2016/2017 Delivery Year. Capacity Market Sellers shall use the one-year mothball Avoidable Cost Rate shown below, unless such Capacity Market Seller satisfies the criteria set forth in section 6.7(e) below, in which case the Capacity Market Seller may use the retirement Avoidable Cost Rate. PJM shall also publish on its Web site the number of Generation Capacity Resources and megawatts per LDA that use the retirement Avoidable Cost Rates. A Capacity Market Seller may not use the default Market Seller Offer Cap contained in the ACR tables in this subsection, and also seek to include any one or more categories of the Avoidable Cost Rate defined section 6.8 below.

Maximum Avoidable Cost Rates by Technology Class								
Technology	**2013/14 Mothball ACR ($/MW-Day)**	**2013/14 Retirement ACR ($/MW-Day)**	**2014/15 Mothball ACR ($/MW-Day)**	**2014/15 Retirement ACR ($/MW-Day)**	**2015/16 Mothball ACR ($/MW-Day)**	**2015/16 Retirement ACR ($/MW-Day)**	**2016/2017 Mothball ACR ($/MW-Day)**	**2016/2017 Retirement ACR ($/MW-Day)**
Nuclear	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pumped Storage	$23.64	$33.19	$24.56	$34.48	$25.56	$35.89	$24.05	$33.78
Hydro	$80.80	$105.67	$83.93	$109.76	$87.35	$114.24	$82.23	$107.55
Sub-Critical Coal	$193.98	$215.02	$201.49	$223.35	$209.71	$232.46	$197.43	$218.84
Super Critical Coal	$200.41	$219.21	$208.17	$227.70	$216.66	$236.99	$203.96	$223.10
Waste Coal - Small	$255.81	$309.83	$265.72	$321.83	$276.56	$334.96	$260.35	$315.34
Waste Coal – Large	$94.61	$114.29	$98.27	$118.72	$102.28	$123.56	$96.29	$116.32
Wind	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
CC-2 on 1 Frame F	$35.18	$49.90	$36.54	$51.83	$38.03	$53.94	$35.81	$50.79
CC-3 on 1 Frame	$39.06	$52.89	$40.57	$54.94	$42.23	$57.18	$39.75	$53.83

E/Siemens								
CC–3 or More on 1 or More Frame F	$30.46	$42.28	$31.64	$43.92	$32.93	$45.71	$30.99	$43.03
CC-NUG Cogen. Frame B or E Technology	$130.76	$175.71	$135.82	$182.52	$141.36	$189.97	$133.09	$178.83
CT - 1st & 2nd Gen. Aero (P&W FT 4)	$27.96	$37.19	$29.04	$38.63	$30.22	$40.21	$28.45	$37.85
CT - 1st & Gen. Frame B	$27.63	$36.87	$28.70	$38.30	$29.87	$39.86	$28.11	$37.52
CT - 2nd Gen. Frame E	$26.26	$35.14	$27.28	$36.50	$28.39	$37.99	$26.73	$35.77
CT - 3rd Gen. Aero (GE LM 6000)	$63.57	$93.70	$66.03	$97.33	$68.72	$101.30	$64.70	$95.37
CT - 3rd Gen. Aero (P&W FT - 8 TwinPak)	$33.34	$49.16	$34.63	$51.06	$36.04	$53.14	$33.93	$50.03
CT - 3rd Gen. Frame F	$26.96	$38.83	$28.00	$40.33	$29.14	$41.98	$27.43	$39.52
Diesel	$29.92	$37.98	$31.08	$39.45	$32.35	$41.06	$30.44	$38.66
Oil and Gas Steam	$74.20	$90.33	$77.07	$93.83	$80.21	$97.66	$75.51	$91.94

Commencing with the Base Residual Auction for the 2017/2018 Delivery Year, the Office of the Interconnection shall determine the default retirement and mothball Avoidable Cost Rates referenced in section (c)(ii) above, and post them on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the applicable ACR rates, the Office of the Interconnection shall use the actual rate of change in the historical values from the Handy-Whitman Index of Public Utility Construction Costs or a comparable index approved by the Commission ("Handy-Whitman Index") to the extent they are available to update the base values for the Delivery Year, and for future Delivery Years for which the updated Handy-Whitman Index values are not yet available the Office of the Interconnection shall update the base values for the Delivery Year using the most recent ten-calendar-year annual average rate of change. The ACR rates shall be expressed in dollar values for the applicable Delivery Year.

Maximum Avoidable Cost Rates by Technology Class **(Expressed in 2011 Dollars for the 2011/2012 Delivery Year)**		
Technology	**Mothball ACR ($/MW-Day)**	**Retirement ACR ($/MW-Day)**
Combustion Turbine - Industrial Frame	$24.13	$33.04
Coal Fired	$136.91	$157.83
Combined Cycle	$29.58	$40.69
Combustion Turbine - Aero Derivative	$26.13	$37.18
Diesel	$25.46	$32.33
Hydro	$68.78	$89.96
Oil and Gas Steam	$63.16	$76.90
Pumped Storage	$20.12	$28.26

To determine the default retirement and mothball ACR values for the 2017/2018 Delivery Year, the Office of the Interconnection shall multiply the base default retirement and mothball ACR values in the table above by a factor equal to one plus the most recent annual average rate of change in the July Handy-Whitman Indices for the 2011 to 2013 calendar years to determine updated base default retirement and mothball ACR values. The updated base default retirement and mothball ACR values shall then be multiplied by a factor equal to one plus the most recent ten-calendar-year annual average rate of change in the applicable Handy-Whitman Index, taken to the fourth power, as calculated by the Office of the Interconnection and posted to its website.

To determine the default retirement and mothball ACR values for the 2018/2019 and 2019/2020 Delivery Years for Base Capacity Resources, the Office of the Interconnection shall multiply the updated base default retirement and mothball ACR values from the immediately preceding Delivery Year by a factor equal to one plus the most recent annual average rate of change in the July Handy-Whitman Index. These values become the new adjusted base default retirement and mothball ACR values, as calculated by the Office of the Interconnection and posted to its website. These resulting adjusted base values for the Delivery Year shall be multiplied by a factor equal to one plus the most recent ten-calendar-year annual average rate of change in the applicable Handy-Whitman Index, taken to the fourth power, as calculated by the Office of the Interconnection and posted to its website.

PJM shall also publish on its website the number of Generation Capacity Resources and megawatts per LDA that use the retirement Avoidable Cost Rates.

After the Market Monitoring Unit conducts its annual review of the table of default Avoidable Cost Rates included in section 6.7(c) above in accordance with the procedure specified in Tariff, Attachment M-Appendix, section II.H, it will provide updated values or notice of its determination that updated values are not needed to Office of the Interconnection. In the event that the Office of the Interconnection determines that the values should be updated, the Office of the Interconnection shall file its proposed values with the Commission by no later than October 30th prior to the commencement of the offer period for the first RPM Auction for which it proposes to apply the updated values.

(d) In order for costs to qualify for inclusion in the Market Seller Offer Cap, the Capacity Market Seller must provide to the Market Monitoring Unit and the Office of the Interconnection relevant unit-specific cost data concerning each data item specified as set forth in section 6 by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction. If cost data is not available at the time of submission for the time periods specified in section 6.8 below, costs may be estimated for such period based on the most recent data available, with an explanation of and basis for the estimate used, as may be further specified in the PJM Manuals. Based on the data and calculations submitted by the Capacity Market Sellers for each existing generation resource and the formulas specified below, the Market Monitoring Unit shall calculate the Market Seller Offer Cap for each such resource, and notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination pursuant to Tariff, Attachment M-Appendix, section II.E.

i. Avoidable Cost Rate: The Avoidable Cost Rate for an existing generation resource shall be determined using the formula below and applied to the unit's Base Offer Segment.

ii. Opportunity Cost: Opportunity Cost shall be the documented price available to an existing generation resource in a market external to PJM. In the event that the total MW of existing generation resources submitting opportunity cost offers in any auction for a Delivery Year exceeds the firm export capability of the PJM system for such Delivery Year, or the capability of external markets to import capacity in such year, the Office of the Interconnection will accept such offers on a competitive basis. PJM will construct a supply curve of opportunity cost offers, ordered by opportunity cost, and accept such offers to export starting with the highest opportunity cost, until the maximum level of such exports is reached. The maximum level of such exports is the lesser of the Office of the Interconnection's ability to permit firm exports or the ability of the importing area(s) to accept firm imports or imports of capacity, taking account of relevant export limitations by location. If, as a result, an opportunity cost offer is not accepted from an existing generation resource, the Market Seller Offer Cap applicable to Sell Offers relying on such generation resource shall be the Avoidable Cost Rate less the Projected Market Revenues for such resource (as defined in section 6.4 above). The default Avoidable Cost Rate shall be the one year mothball Avoidable Cost Rate set forth in the tables in section 6.7(c) above unless Capacity Market Seller satisfies the criteria delineated in section 6.7(e) below.

iii. Projected PJM Market Revenues: Projected PJM Market Revenues are defined by section 6.8(d) below, for any Generation Capacity Resource to which the Avoidable Cost Rate is applied.

(e) In order for the retirement Avoidable Cost Rate set forth in the table in section 6.7(c) to apply, by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction, a Capacity Market Seller must submit to the Office of the Interconnection and the Market Monitoring Unit a written sworn, notarized statement of a corporate officer representing that the Capacity Market Seller will retire the Generation Capacity Resource if it does not receive during the relevant Delivery Year at least the applicable retirement Avoidable Cost Rate because it would be uneconomic to continue to operate the Generation Capacity Resource in the Delivery Year without the retirement Avoidable Cost Rate, and specifying the date the Generation Capacity Resource would otherwise be retired.

6.8 Avoidable Cost Definition

(a) **Avoidable Cost Rate**:

The Avoidable Cost Rate for a Generation Capacity Resource that is the subject of a Sell Offer shall be determined using the following formula, expressed in dollars per MW-year:

Avoidable Cost Rate = [Adjustment Factor * (AOML + AAE + AFAE + AME + AVE + ATFI + ACC + ACLE) + ARPIR + APIR + CPQR]

Where:

- **Adjustment Factor** equals 1.10 (to provide a margin of error for understatement of costs) plus an additional adjustment referencing the 10-year average Handy-Whitman Index in order to account for expected inflation from the time interval between the submission of the Sell Offer and the commencement of the Delivery Year.

- **AOML (Avoidable Operations and Maintenance Labor)** consists of the avoidable labor expenses related directly to operations and maintenance of the generating unit for the twelve months preceding the month in which the data must be provided. The categories of expenses included in AOML are those incurred for: (a) on-site based labor engaged in operations and maintenance activities; (b) off-site based labor engaged in on-site operations and maintenance activities directly related to the generating unit; and (c) off-site based labor engaged in off-site operations and maintenance activities directly related to generating unit equipment removed from the generating unit site.

    - **AAE (Avoidable Administrative Expenses)** consists of the avoidable administrative expenses related directly to employees at the generating unit for twelve months preceding the month in which the data must be provided. The categories of expenses included in AAE are those incurred for: (a) employee expenses (except employee expenses included in AOML); (b) environmental fees; (c) safety and operator training; (d) office supplies; (e) communications; and (f) annual plant test, inspection and analysis.

- **AFAE (Avoidable Fuel Availability Expenses) c**onsists of avoidable operating expenses related directly to fuel availability and delivery for the generating unit that can be demonstrated by the Capacity Market Seller based on data for the twelve months preceding the month in which the data must be provided , or on reasonable projections for the Delivery Year supported by executed contracts, published tariffs, or other data sufficient to demonstrate with reasonable certainty the level of costs that have been or shall be incurred for such purpose. The categories of expenses included in AFAE are those incurred for: (a) firm gas pipeline transportation; (b) natural gas storage costs; (c) costs of gas balancing agreements; and (d) costs of gas park and loan services. AFAE expenses are for firm fuel supply and apply solely for offers for a Capacity Performance Resource

- **AME (Avoidable Maintenance Expenses)** consists of avoidable maintenance expenses (other than expenses included in AOML) related directly to the generating unit for the twelve months preceding the month in which the data must be provided. The categories of expenses included in AME are those incurred for: (a) chemical and materials consumed during maintenance of the generating unit; and (b) rented maintenance equipment used to maintain the generating unit.

- **AVE (Avoidable Variable Expenses)** consists of avoidable variable expenses related directly to the generating unit incurred in the twelve months preceding the month in which the data must be provided. The categories of expenses included in AVE are those incurred for: (a) water treatment chemicals and lubricants; (b) water, gas, and electric service (not for power generation); and (c) waste water treatment.

- **ATFI (Avoidable Taxes, Fees and Insurance)** consists of avoidable expenses related directly to the generating unit incurred in the twelve months preceding the month in which the data must be provided. The categories of expenses included in AFTI are those incurred for: (a) insurance, (b) permits and licensing fees, (c) site security and utilities for maintaining security at the site; and (d) property taxes.

- **ACC (Avoidable Carrying Charges)** consists of avoidable short-term carrying charges related directly to the generating unit in the twelve months preceding the month in which the data must be provided. Avoidable short-term carrying charges shall include short term carrying charges for maintaining reasonable levels of inventories of fuel and spare parts that result from short-term operational unit decisions as measured by industry best practice standards. For the purpose of determining ACC, short term is the time period in which a reasonable replacement of inventory for normal, expected operations can occur.

- **ACLE (Avoidable Corporate Level Expenses)** consists of avoidable corporate level expenses directly related to the generating unit incurred in the twelve months preceding the month in which the data must be provided. Avoidable corporate level expenses shall include only such expenses that are directly linked to providing tangible services required for the operation of the generating unit proposed for Deactivation. The categories of avoidable expenses included in ACLE are those incurred for: (a) legal services, (b) environmental reporting; and (c) procurement expenses.

- **CPQR (Capacity Performance Quantifiable Risk)** consists of the quantifiable and reasonably-supported costs of mitigating the risks of non-performance associated with submission of a Capacity Performance Resource offer (or of a Base Capacity Resource offer for the 2018/19 or 2019/20 Delivery Years), such as insurance expenses associated with resource non-performance risks. CPQR shall be considered reasonably supported if it is based on actuarial practices generally used by the industry to model or value risk and if it is based on actuarial practices used by the Capacity Market Seller to model or value risk in other aspects of the Capacity Market Seller's business. Such reasonable support shall also include an officer certification that the modeling and valuation of the CPQR was developed in accord with such practices. Provision of such reasonable support shall be sufficient to establish the CPQR. A Capacity Market Seller may use other methods or forms of support for its proposed CPQR that shows the CPQR is limited to risks the seller faces from committing a Capacity Resource hereunder, that quantifies the costs of mitigating such risks, and that includes supporting documentation (which may include an officer certification) for the identification of such risks and quantification of such costs. Such showing shall establish the proposed CPQR upon acceptance by the Office of the Interconnection.

- **APIR (Avoidable Project Investment Recovery Rate) = PI * CRF**

Where:

  - **PI** is the amount of project investment completed prior to June 1 of the Delivery Year, except for Mandatory Capital Expenditures ("CapEx") for which the project investment must be completed during the Delivery Year, that is reasonably required to enable a Generation Capacity Resource that is the subject of a Sell Offer to continue operating or improve availability during Peak-Hour Periods during the Delivery Year.

- **CRF** is the annual capital recovery factor from the following table, applied in accordance with the terms specified below.

Age of Existing Units (Years)	Remaining Life of Plant (Years)	Levelized CRF
1 to 5	30	0.107
6 to 10	25	0.114
11 to 15	20	0.125
16 to 20	15	0.146
21 to 25	10	0.198
25 Plus	5	0.363
Mandatory CapEx	4	0.450
40 Plus Alternative	1	1.100

Unless otherwise stated, Age of Existing Unit shall be equal to the number of years since the Unit commenced commercial operation, up to and through the relevant Delivery Year.

Remaining Life of Plant defines the amortization schedule (i.e., the maximum number of years over which the Project Investment may be included in the Avoidable Cost Rate.)

Capital Expenditures and Project Investment

For any given Project Investment, a Capacity Market Seller may make a one-time election to recover such investment using: (i) the highest CRF and associated recovery schedule to which it is entitled; or (ii) the next highest CRF and associated recovery schedule. For these purposes, the CRF and recovery schedule for the 25 Plus category is the next highest CRF and recovery schedule for both the Mandatory CapEx and the 40 Plus Alternative categories. The Capacity Market Seller using the above table must provide the Market Monitoring Unit with information, identifying and supporting such election, including but not limited to the age of the unit, the amount of the Project Investment, the purpose of the investment, evidence of corporate commitment (e.g., an SEC filing, a press release, or a letter from a duly authorized corporate officer indicating intent to make such investment), and detailed information concerning the governmental requirement (if applicable). Absent other written notification, such election shall be deemed based on the CRF such Seller employs for the first Sell Offer reflecting recovery of any portion of such Project Investment.

For any resource using the CRF and associated recovery schedule from the CRF table that set the Capacity Resource Clearing Price in any Delivery Year, such Capacity Market Seller must also provide to the Market Monitoring Unit, for informational purposes only, evidence of the actual expenditure of the Project Investment, when such information becomes available.

If the project associated with a Project Investment that was included in a Sell Offer using a CRF and associated recovery schedule from the above table has not entered into commercial operation prior to the end of the relevant Delivery Year, and the resource's Sell Offer sets the clearing price for the relevant LDA, the Capacity Market Seller shall be required to elect to either (i) pay a charge that is equal to the difference between the Capacity Resource Clearing Price for such LDA for the relevant Delivery Year and what the clearing price would have been absent the

APIR component of the Avoidable Cost Rate, this difference to be multiplied by the cleared MW volume from such Resource ("rebate payment"); (ii) hold such rebate payment in escrow, to be released to the Capacity Market Seller in the event that the project enters into commercial operation during the subsequent Delivery Year or rebated to LSEs in the relevant LDA if the project has not entered into commercial operation during the subsequent Delivery Year; or (iii) make a reasonable investment in the amount of the PI in other Existing Generation Capacity Resources owned or controlled by the Capacity Market Seller or its Affiliates in the relevant LDA. The revenue from such rebate payments shall be allocated pro rata to LSEs in the relevant LDA(s) that were charged a Locational Reliability Charge for such Delivery Year, based on their Daily Unforced Capacity Obligation in the relevant LDA(s). If the Sell Offer from the Generation Capacity Resource did not set the Capacity Resource Clearing Price in the relevant LDA, no alternative investment or rebate payment is required. If the difference between the Capacity Resource Clearing Price for such LDA for the relevant Delivery Year and what the clearing price would have been absent the APIR amount does not exceed the greater of $10 per MW-day or a 10% increase in the clearing price, no alternative investment or rebate payment is required.

Mandatory CapEx Option

The Mandatory CapEx CRF and recovery schedule is an option available, beginning in the third BRA (Delivery Year 2009-10), to a resource that must make a Project Investment to comply with a governmental requirement that would otherwise materially impact operating levels during the Delivery Year, where: (i) such resource is a coal, oil or gas-fired resource that began commercial operation no fewer than fifteen years prior to the start of the first Delivery Year for which such recovery is sought, and such Project Investment is equal to or exceeds $200/kW of capitalized project cost; or (ii) such resource is a coal-fired resource located in an LDA for which a separate VRR Curve has been established for the relevant Delivery Years, and began commercial operation at least 50 years prior to the conduct of the relevant BRA.

A Capacity Market Seller that wishes to elect the Mandatory CapEx option for a Project Investment must do so beginning with the Base Residual Auction for the Delivery Year in which such project is expected to enter commercial operation. A Sell Offer submitted in any Base Residual Auction for which the Mandatory CapEx option is selected may not exceed an offer price equivalent to 0.90 times the then-current Net CONE (on an unforced-equivalent basis).

40 Plus Alternative Option

The 40 Plus Alternative CRF and recovery schedule is an option available, beginning in the third BRA (Delivery Year 2009-10), for a resource that is a gas- or oil-fired resource that began commercial operation no less than 40 years prior to the conduct of the relevant BRA (excluding, however, any resource in any Delivery Year for which the resource is receiving a payment under Tariff, Part V. Generation Capacity Resources electing this 40 Plus Alternative CRF shall be treated as At Risk Generation for purposes of the sensitivity runs in the RTEP process). Resources electing the 40 Plus Alternative option will be modeled in the RTEP process as "at-risk" at the end of the one-year amortization period.

A Capacity Market Seller that wishes to elect the 40 Plus Alternative option for a Project Investment must provide written notice of such election to the Office of the Interconnection no later than six months prior to the Base Residual Auction for which such election is sought; provided however that shorter notice may be provided if unforeseen circumstances give rise to the need to make such election and such seller gives notice as soon as practicable.

The Office of the Interconnection shall give market participants reasonable notice of such election, subject to satisfaction of requirements under the PJM Operating Agreement for protection of confidential and commercially sensitive information. A Sell Offer submitted in any Base Residual Auction for which the 40 Plus Alternative option is selected may not exceed an offer price equivalent to the then-current Net CONE (on an unforced-equivalent basis).

Multi-Year Pricing Option

A Seller submitting a Sell Offer with an APIR component that is based on a Project Investment of at least $450/kW may elect this Multi-Year Pricing Option by providing written notice to such effect the first time it submits a Sell Offer that includes an APIR component for such Project Investment. Such option shall be available on the same terms, and under the same conditions, as are available to Planned Generation Capacity Resources under Tariff, Attachment DD, section 5.14(c).

- **ARPIR (Avoidable Refunds of Project Investment Reimbursements)** consists of avoidable refund amounts of Project Investment Reimbursements payable by a Generation Owner to PJM under Tariff, Part V, section 118 or avoidable refund amounts of project investment reimbursements payable by a Generation Owner to PJM under a Cost of Service Recovery Rate filed under Tariff, Part V, section 119 and approved by the Commission.

(b) For the purpose of determining an Avoidable Cost Rate, avoidable expenses are incremental expenses directly required to operate a Generation Capacity Resource that a Generation Owner would not incur if such generating unit did not operate in the Delivery Year or meet Availability criteria during Peak-Hour Periods during the Delivery Year.

(c) Variable costs that are directly attributable to the production of energy shall be excluded from a Market Seller's generation resource Avoidable Cost Rate. Notwithstanding the foregoing, a Market Seller that included variable costs attributable to the production of energy in a generation resource's Avoidable Cost Rate prior to April 15, 2019 shall not include such costs in such generation resource's Maintenance Adders or Operating Costs for any Delivery Year for which it has already included such costs in the generation resource's Avoidable Cost Rate. A Market Seller implicated by this paragraph may continue including such variable costs attributable to the production of energy in its Avoidable Cost Rate for each generation resource for any Delivery Year for which it already did so prior to April 15, 2019.

(d) For Delivery Years up to and including the 2021/2022 Delivery Year, p~~P~~rojected PJM Market Revenues for any Generation Capacity Resource to which the Avoidable Cost Rate is applied shall include all actual unit-specific revenues from PJM energy markets, ancillary services, and unit-specific bilateral contracts from such Generation Capacity Resource, net of energy and ancillary services market offers for such resource. Net energy market revenues shall be based on the non-zero market-based offers of the Capacity Market Seller of such Generation

Capacity Resource unless one of the following conditions is met, in which case the cost-based offer shall be used: (x) the market-based offer for the resource is zero, (y) the market-based offer for the resource is higher than its cost-based offer and such offer has been mitigated, or (z) the market-based offer for the resource is less than such Capacity Market Seller's fuel and environmental costs for the resource which shall be determined either by directly summing the fuel and environmental costs if they are available, or by subtracting from the cost-based offer for the resource all costs developed pursuant to the Operating Agrement and PJM Manuals that are not fuel or environmental costs.

The calculation of Projected PJM Market Revenues shall be equal to the rolling simple average of such net revenues as described above from the three most recent whole calendar years prior to the year in which the BRA is conducted.

If a Generation Capacity Resource did not receive PJM market revenues during the entire relevant time period because the Generation Capacity Resource was not integrated into PJM during the full period, then the Projected PJM Market Revenues shall be calculated using only those whole calendar years within the full period in which such Resource received PJM market revenues.

If a Generation Capacity Resource did not receive PJM market revenues during the entire relevant time period because it was not in commercial operation during the entire period, or if data is not available to the Capacity Market Seller for the entire period, despite the good faith efforts of such seller to obtain such data, then the Projected PJM Market Revenues shall be calculated based upon net revenues received over the entire period by comparable units, to be developed by the MMU and the Capacity Market Seller.

(d-1) For the 2022/2023 Delivery and subsequent Delivery Years, Pprojected PJM Market Revenues for any Generation Capacity Resource to which the Avoidable Cost Rate is applied shall be equal to forecasted net revenues, which shall be determined in accordance with Tariff, Attachment DD, section 5.14(h-1)(2)(B)(ii), or for resource types not specified in such section, in a manner consistent with the methodologies described in such section, that utilizes Forward Hourly LMPs and Forward Hourly Ancillary Service Prices for such resource, forecasted fuel prices as applicable, as well as resource-specific operating parameters and capability information specific to the simulated dispatch of such resource, where such dispatch shall either consider the hourly output profiles for Intermittent Resources in a manner consistent with solar and onshore wind methodologies, or utilize the Projected EAS Dispatch. To the extent the resource has achieved commercial operation, the dispatch shall utilize the resource-specific operating parameters as determined in accordance with the PJM Manuals based on offers submitted in the Day-ahead Energy Market and Real-time Energy Market, as well as the operating parameters approved, as applicable, in accordance with Operating Agreement, Schedule 1, section 6.6(b) and Operating Agreement, Schedule 2 (including any Fuel Costs, emissions costs, Maintenance Adders, and Operating Costs). Adjustments to resource-specific operating parameters may be submitted to the Market Monitoring Unit and the Office of the Interconnection for review and consideration in the simulated dispatch with supporting documentation. For resources that have not yet achieved commercial operation, the operating parameters used in the simulation of the net energy and ancillary service revenues will be based on the manufacturer's specifications and/or from parameters used for other existing, comparable resources, as developed by the Market Monitoring Unit and the Capacity Market Seller, and accepted by the Office of the Interconnection.

In the alternative, the Capacity Market Seller may provide their own estimate of Projected PJM Market Revenues to the Market Monitoring Unit and the Office of the Interconnection for review and approval. Such a request shall identify all revenue sources (exclusive of any State Subsidies), including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standards prescribed above. In making such demonstration, the Capacity Market Seller may rely upon revenues projected by well-defined, forward-looking dispatch models designed to generally follow the rules and processes of PJM's energy and ancillary services markets. Such models must utilize forward prices for energy, ancillary service and fuel in the PJM Region based on contractual evidence of an alternative fuel price or sourced from liquid forward markets (where available), and other publicly available data to develop the forward prices used in the estimate. Where forward fuel markets are not available, publicly available estimates of future fuel sources may be used. The model shall also contain estimates of variable operation and maintenance expenses, which may include Maintenance Adders, and emissions allowance prices. Documentation for net revenues also must include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, capacity factors, and ancillary service capabilities. Any evaluation of revenues should include, but would not be not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2.

Attachment B

Revisions to the
PJM Open Access Transmission Tariff

(Clean Format)

Definitions – E - F

Economic-based Enhancement or Expansion:

"Economic-based Enhancement or Expansion" shall have the same meaning provided in the Operating Agreement.

Economic Load Response Participant:

"Economic Load Response Participant" shall mean a Member or Special Member that qualifies under Operating Agreement, Schedule 1, section 1.5A, and the parallel provisions of Tariff, Attachment K-Appendix, section 1.5A, to participate in the PJM Interchange Energy Market and/or Ancillary Services markets through reductions in demand.

Economic Maximum:

"Economic Maximum" shall mean the highest incremental MW output level, submitted to PJM market systems by a Market Participant, that a unit can achieve while following economic dispatch.

Economic Minimum:

"Economic Minimum" shall mean the lowest incremental MW output level, submitted to PJM market systems by a Market Participant, that a unit can achieve while following economic dispatch.

Effective FTR Holder:

"Effective FTR Holder" shall mean:

(i) For an FTR Holder that is either a (a) privately held company, or (b) a municipality or electric cooperative, as defined in the Federal Power Act, such FTR Holder, together with any Affiliate, subsidiary or parent of the FTR Holder, any other entity that is under common ownership, wholly or partly, directly or indirectly, or has the ability to influence, directly or indirectly, the management or policies of the FTR Holder; or

(ii) For an FTR Holder that is a publicly traded company including a wholly owned subsidiary of a publicly traded company, such FTR Holder, together with any Affiliate, subsidiary or parent of the FTR Holder, any other PJM Member has over 10% common ownership with the FTR Holder, wholly or partly, directly or indirectly, or has the ability to influence, directly or indirectly, the management or policies of the FTR Holder; or

(iii) an FTR Holder together with any other PJM Member, including also any Affiliate, subsidiary or parent of such other PJM Member, with which it shares common ownership, wholly or partly, directly or indirectly, in any third entity which is a PJM Member (e.g., a joint venture).

EFORd:

“EFORd” shall have the meaning specified in the PJM Reliability Assurance Agreement.

Electrical Distance:

“Electrical Distance” shall mean, for a Generation Capacity Resource geographically located outside the metered boundaries of the PJM Region, the measure of distance, based on impedance and in accordance with the PJM Manuals, from the Generation Capacity Resource to the PJM Region.

Eligible Customer:

“Eligible Customer” shall mean:

(i) Any electric utility (including any Transmission Owner and any power marketer), Federal power marketing agency, or any person generating electric energy for sale for resale is an Eligible Customer under the Tariff. Electric energy sold or produced by such entity may be electric energy produced in the United States, Canada or Mexico. However, with respect to transmission service that the Commission is prohibited from ordering by Section 212(h) of the Federal Power Act, such entity is eligible only if the service is provided pursuant to a state requirement that the Transmission Provider or Transmission Owner offer the unbundled transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner.

(ii) Any retail customer taking unbundled transmission service pursuant to a state requirement that the Transmission Provider or a Transmission Owner offer the transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner, is an Eligible Customer under the Tariff. As used in Tariff, Part VI, Eligible Customer shall mean only those Eligible Customers that have submitted a Completed Application.

Emergency Action:

“Emergency Action” shall mean any emergency action for locational or system-wide capacity shortages that either utilizes pre-emergency mandatory load management reductions or other emergency capacity, or initiates a more severe action including, but not limited to, a Voltage Reduction Warning, Voltage Reduction Action, Manual Load Dump Warning, or Manual Load Dump Action.

Emergency Condition:

“Emergency Condition” shall mean a condition or situation (i) that in the judgment of any Interconnection Party is imminently likely to endanger life or property; or (ii) that in the judgment of the Interconnected Transmission Owner or Transmission Provider is imminently likely (as determined in a non-discriminatory manner) to cause a material adverse effect on the security of, or damage to, the Transmission System, the Interconnection Facilities, or the transmission systems or distribution systems to which the Transmission System is directly or indirectly connected; or (iii) that in the judgment of Interconnection Customer is imminently likely (as determined in a non-discriminatory manner) to cause damage to the Customer Facility or to the Customer Interconnection Facilities. System restoration and black start shall be considered Emergency Conditions, provided that a Generation Interconnection Customer is not obligated by an Interconnection Service Agreement to possess black start capability. Any condition or situation that results from lack of sufficient generating capacity to meet load requirements or that results solely from economic conditions shall not constitute an Emergency Condition, unless one or more of the enumerated conditions or situations identified in this definition also exists.

Emergency Load Response Program:

"Emergency Load Response Program" shall mean the program by which Curtailment Service Providers may be compensated by PJM for Demand Resources that will reduce load when dispatched by PJM during emergency conditions, and is described in Operating Agreement, Schedule 1, section 8 and the parallel provisions of Tariff, Attachment K-Appendix, section 8.

Energy Efficiency Resource:

"Energy Efficiency Resource" shall have the meaning specified in the PJM Reliability Assurance Agreement.

Energy Market Opportunity Cost:

"Energy Market Opportunity Cost" shall mean the difference between (a) the forecasted cost to operate a specific generating unit when the unit only has a limited number of available run hours due to limitations imposed on the unit by Applicable Laws and Regulations, and (b) the forecasted future Locational Marginal Price at which the generating unit could run while not violating such limitations. Energy Market Opportunity Cost therefore is the value associated with a specific generating unit's lost opportunity to produce energy during a higher valued period of time occurring within the same compliance period, which compliance period is determined by the applicable regulatory authority and is reflected in the rules set forth in PJM Manual 15. Energy Market Opportunity Costs shall be limited to those resources which are specifically delineated in Operating Agreement, Schedule 2.

Energy Resource:

"Energy Resource" shall mean a Generating Facility that is not a Capacity Resource.

Energy Settlement Area:

"Energy Settlement Area" shall mean the bus or distribution of busses that represents the physical location of Network Load and by which the obligations of the Network Customer to PJM are settled.

Energy Storage Resource:

"Energy Storage Resource" shall mean a resource capable of receiving electric energy from the grid and storing it for later injection to the grid that participates in the PJM Energy, Capacity and/or Ancillary Services markets as a Market Participant.

Energy Storage Resource Model Participant:

"Energy Storage Resource Model Participant" shall mean an Energy Storage Resource utilizing the Energy Storage Resource Participation Model.

Energy Storage Resource Participation Model:

"Energy Storage Resource Participation Model" shall mean the participation model accepted by the Commission in Docket No. ER19-469-000.

Energy Transmission Injection Rights:

"Energy Transmission Injection Rights" shall mean the rights to schedule energy deliveries at a specified point on the Transmission System. Energy Transmission Injection Rights may be awarded only to a Merchant D.C. Transmission Facility that connects the Transmission System to another control area. Deliveries scheduled using Energy Transmission Injection Rights have rights similar to those under Non-Firm Point-to-Point Transmission Service.

Entity Providing Supply Services to Default Retail Service Provider:

"Entity Providing Supply Services to Default Retail Service Provider" shall mean any entity, including but not limited to a load aggregator or power marketer, providing supply services to an electric distribution company when that electric distribution company is serving as the default retail service provider, and that enters into a contract or similar obligation with such electric distribution company to serve retail customers who have not selected a competitive retail service provider.

Environmental Laws:

"Environmental Laws" shall mean applicable Laws or Regulations relating to pollution or protection of the environment, natural resources or human health and safety.

Environmentally-Limited Resource:

"Environmentally-Limited Resource" shall mean a resource which has a limit on its run hours imposed by a federal, state, or other governmental agency that will significantly limit its availability, on either a temporary or long-term basis. This includes a resource that is limited by a governmental authority to operating only during declared PJM capacity emergencies.

Equivalent Load:

"Equivalent Load" shall mean the sum of a Market Participant's net system requirements to serve its customer load in the PJM Region, if any, plus its net bilateral transactions.

Event of Default:

"Event of Default," as that term is used in Tariff, Attachment Q, shall mean a Financial Default, Credit Breach, or Credit Support Default.

Existing Generation Capacity Resource:

"Existing Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Export Credit Exposure:

"Export Credit Exposure" is determined for each Market Participant for a given Operating Day, and shall mean the sum of credit exposures for the Market Participant's Export Transactions for that Operating Day and for the preceding Operating Day.

Export Nodal Reference Price:

"Export Nodal Reference Price" at each location is the 97th percentile, shall be, the real-time hourly integrated price experienced over the corresponding two-month period in the preceding calendar year, calculated separately for peak and off-peak time periods. The two-month time periods used in this calculation shall be January and February, March and April, May and June, July and August, September and October, and November and December.

Export Transaction:

"Export Transaction" shall be a transaction by a Market Participant that results in the transfer of energy from within the PJM Control Area to outside the PJM Control Area. Coordinated External Transactions that result in the transfer of energy from the PJM Control Area to an adjacent Control Area are one form of Export Transaction.

Export Transaction Price Factor:

"Export Transaction Price Factor" for a prospective time interval shall be the greater of (i) PJM's forecast price for the time interval, if available, or (ii) the Export Nodal Reference Price, but shall not exceed the Export Transaction's dispatch ceiling price cap, if any, for that time interval. The Export Transaction Price Factor for a past time interval shall be calculated in the same manner as for a prospective time interval, except that the Export Transaction Price Factor may use a tentative or final settlement price, as available. If an Export Nodal Reference Price is not available for a particular time interval, PJM may use an Export Transaction Price Factor for that time interval based on an appropriate alternate reference price.

Export Transaction Screening:

"Export Transaction Screening" shall be the process PJM uses to review the Export Credit Exposure of Export Transactions against the Credit Available for Export Transactions, and deny or curtail all or a portion of an Export Transaction, if the credit required for such transactions is greater than the credit available for the transactions.

Export Transactions Net Activity:

"Export Transactions Net Activity" shall mean the aggregate net total, resulting from Export Transactions, of (i) Spot Market Energy charges, (ii) Transmission Congestion Charges, and (iii) Transmission Loss Charges, calculated as set forth in Operating Agreement, Schedule 1 and the parallel provisions of Tariff, Attachment K-Appendix. Export Transactions Net Activity may be positive or negative.

Extended Primary Reserve Requirement:

"Extended Primary Reserve Requirement" shall equal the Primary Reserve Requirement in a Reserve Zone or Reserve Sub-zone, plus 190 MW, plus any additional reserves scheduled under emergency conditions necessary to address operational uncertainty. The Extended Primary Reserve Requirement is calculated in accordance with the PJM Manuals.

Extended Summer Demand Resource:

"Extended Summer Demand Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Extended Summer Resource Price Adder:

"Extended Summer Resource Price Adder" shall mean, for Delivery Years through May 31, 2018, an addition to the marginal value of Unforced Capacity as necessary to reflect the price of Annual Resources and Extended Summer Demand Resources required to meet the applicable Minimum Extended Summer Resource Requirement.

Extended Synchronized Reserve Requirement:

"Extended Synchronized Reserve Requirement" shall equal the Synchronized Reserve Requirement in a Reserve Zone or Reserve Sub-zone, plus 190 MW, plus any additional reserves scheduled under emergency conditions necessary to address operational uncertainty. The Extended Synchronized Reserve Requirement is calculated in accordance with the PJM Manuals.

External Market Buyer:

"External Market Buyer" shall mean a Market Buyer making purchases of energy from the PJM Interchange Energy Market for consumption by end-users outside the PJM Region, or for load in the PJM Region that is not served by Network Transmission Service.

External Resource:

"External Resource" shall mean a generation resource located outside the metered boundaries of the PJM Region.

Facilities Study:

"Facilities Study" shall be an engineering study conducted by the Transmission Provider (in coordination with the affected Transmission Owner(s)) to: (1) determine the required modifications to the Transmission Provider's Transmission System necessary to implement the conclusions of the System Impact Study; and (2) complete any additional studies or analyses documented in the System Impact Study or required by PJM Manuals, and determine the required modifications to the Transmission Provider's Transmission System based on the conclusions of such additional studies. The Facilities Study shall include the cost and scheduled completion date for such modifications, that will be required to provide the requested transmission service or to accommodate a New Service Request. As used in the Interconnection Service Agreement or Construction Service Agreement, Facilities Study shall mean that certain Facilities Study conducted by Transmission Provider (or at its direction) to determine the design and specification of the Customer Funded Upgrades necessary to accommodate the New Service Customer's New Service Request in accordance with Tariff, Part VI, section 207.

Federal Power Act:

"Federal Power Act" shall mean the Federal Power Act, as amended, 16 U.S.C. §§ 791a, et seq.

FERC or Commission:

"FERC" or "Commission" shall mean the Federal Energy Regulatory Commission or any successor federal agency, commission or department exercising jurisdiction over the Tariff, Operating Agreement and Reliability Assurance Agreement.

FERC Market Rules:

"FERC Market Rules" mean the market behavior rules and the prohibition against electric energy market manipulation codified by the Commission in its Rules and Regulations at 18 CFR §§ 1c.2 and 35.37, respectively; the Commission-approved PJM Market Rules and any related proscriptions or any successor rules that the Commission from time to time may issue, approve or otherwise establish.

Final Offer:

"Final Offer" shall mean the offer on which a resource was dispatched by the Office of the Interconnection for a particular clock hour for the Operating Day.

Final RTO Unforced Capacity Obligation:

"Final RTO Unforced Capacity Obligation" shall mean the capacity obligation for the PJM Region, determined in accordance with RAA, Schedule 8.

Financial Close:

"Financial Close" shall mean the Capacity Market Seller has demonstrated that the Capacity Market Seller or its agent has completed the act of executing the material contracts and/or other documents necessary to (1) authorize construction of the project and (2) establish the necessary funding for the project under the control of an independent third-party entity. A sworn, notarized certification of an independent engineer certifying to such facts, and that the engineer has personal knowledge of, or has engaged in a diligent inquiry to determine, such facts, shall be sufficient to make such demonstration. For resources that do not have external financing, Financial Close shall mean the project has full funding available, and that the project has been duly authorized to proceed with full construction of the material portions of the project by the appropriate governing body of the company funding such project. A sworn, notarized certification by an officer of such company certifying to such facts, and that the officer has personal knowledge of, or has engaged in a diligent inquiry to determine, such facts, shall be sufficient to make such demonstration.

Financial Default:

"Financial Default" shall mean (a) the failure of a Member or Transmission Customer to make any payment for obligations under the Agreements when due, including but not limited to an invoice payment that has not been cured or remedied after notice has been given and any cure period has elapsed, (b) a bankruptcy proceeding filed by a Member, Transmission Customer or its Guarantor, or filed against a Member, Transmission Customer or its Guarantor and to which the Member, Transmission Customer or Guarantor, as applicable, acquiesces or that is not dismissed within 60 days, (c) a Member, Transmission Customer or its Guarantor, if any, is unable to meet its financial obligations as they become due, or (d) a Merger Without Assumption occurs in respect of the Member, Transmission Customer or any Guarantor of such Member or Transmission Customer.

Financial Transmission Right:

"Financial Transmission Right" or "FTR" shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2 and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2.

Financial Transmission Right Obligation:

"Financial Transmission Right Obligation" shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2(b), and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2(b).

Financial Transmission Right Option:

"Financial Transmission Right Option" shall mean a right to receive Transmission Congestion Credits as specified in Operating Agreement, Schedule 1, section 5.2.2(c), and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.2(c).

Firm Point-To-Point Transmission Service:

"Firm Point-To-Point Transmission Service" shall mean Transmission Service under the Tariff that is reserved and/or scheduled between specified Points of Receipt and Delivery pursuant to Tariff, Part II.

Firm Transmission Feasibility Study:

"Firm Transmission Feasibility Study" shall mean a study conducted by the Transmission Provider in accordance with Tariff, Part II, section 19.3 and Tariff, Part III, section 32.3.

Firm Transmission Withdrawal Rights:

"Firm Transmission Withdrawal Rights" shall mean the rights to schedule energy and capacity withdrawals from a Point of Interconnection of a Merchant Transmission Facility with the Transmission System. Firm Transmission Withdrawal Rights may be awarded only to a Merchant D.C. Transmission Facility that connects the Transmission System with another control area. Withdrawals scheduled using Firm Transmission Withdrawal Rights have rights similar to those under Firm Point-to-Point Transmission Service.

First Incremental Auction:

"First Incremental Auction" shall mean an Incremental Auction conducted 20 months prior to the start of the Delivery Year to which it relates.

Flexible Resource:

"Flexible Resource" shall mean a generating resource that must have a combined Start-up Time and Notification Time of less than or equal to two hours; and a Minimum Run Time of less than or equal to two hours.

Forecast Pool Requirement:

"Forecast Pool Requirement" shall have the meaning specified in the Reliability Assurance Agreement.

Foreign Guaranty:

"Foreign Guaranty" shall mean a Corporate Guaranty provided by an Affiliate of a Participant that is domiciled in a foreign country, and meets all of the provisions of Tariff, Attachment Q.

Form 715 Planning Criteria:

“Form 715 Planning Criteria” shall have the same meaning provided in the Operating Agreement.

Forward Daily Natural Gas Prices:

“Forward Daily Natural Gas Prices” shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(E).

Forward Hourly Ancillary Services Prices:

“Forward Hourly Ancillary Services Prices” shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(D).

Forward Hourly LMPs:

“Forward Hourly LMPs” shall have the meaning provided in Tariff, Attachment DD, section 5.10(a)(v-1)(C).

FTR Credit Limit:

“FTR Credit Limit” shall mean the amount of credit established with PJMSettlement that an FTR Participant has specifically designated to be used for FTR activity in a specific customer account. Any such credit so set aside shall not be considered available to satisfy any other credit requirement the FTR Participant may have with PJMSettlement.

FTR Credit Requirement:

“FTR Credit Requirement” shall mean the amount of credit that a Participant must provide in order to support the FTR positions that it holds and/or for which it is bidding. The FTR Credit Requirement shall not include months for which the invoicing has already been completed, provided that PJMSettlement shall have up to two Business Days following the date of the invoice completion to make such adjustments in its credit systems. FTR Credit Requirements are calculated and applied separately for each separate customer account.

FTR Flow Undiversified:

“FTR Flow Undiversified” shall have the meaning established in Tariff, Attachment Q, section V*I.C.6*.

FTR Historical Value:

For each FTR for each month, “FTR Historical Value” shall mean the weighted average of historical values over three years for the FTR path using the following weightings: 50% - most recent year; 30% - second year; 20% - third year.

FTR Holder:

“FTR Holder” shall mean the PJM Member that has acquired and possesses an FTR.

FTR Monthly Credit Requirement Contribution:

For each FTR, for each month, ”FTR Monthly Credit Requirement Contribution” shall mean the total FTR cost for the month, prorated on a daily basis, less the FTR Historical Value for the month. For cleared FTRs, this contribution may be negative; prior to clearing, FTRs with negative contribution shall be deemed to have zero contribution.

FTR Net Activity:

“FTR Net Activity” shall mean the aggregate net value of the billing line items for auction revenue rights credits, FTR auction charges, FTR auction credits, and FTR congestion credits, and shall also include day-ahead and balancing/real-time congestion charges up to a maximum net value of the sum of the foregoing auction revenue rights credits, FTR auction charges, FTR auction credits and FTR congestion credits.

FTR Participant:

“FTR Participant” shall mean any Market Participant that provides or is required to provide Collateral in order to participate in PJM’s FTR *market*.

FTR Portfolio Auction Value:

“FTR Portfolio Auction Value” shall mean for each customer account of a Market Participant, the sum, calculated on a monthly basis, across all FTRs, of the FTR price times the FTR volume in MW.

Fuel Cost Policy:

“Fuel Cost Policy” shall mean the document provided by a Market Seller to PJM and the Market Monitoring Unit in accordance with PJM Manual 15 and Operating Agreement, Schedule 2, which documents the Market Seller’s method used to price fuel for calculation of the Market Seller’s cost-based offers for a generation resource.

Full Notice to Proceed:

“Full Notice to Proceed” shall mean that all material third party contractors have been given the notice to proceed with construction by the Capacity Market Seller or its agent, with a guaranteed completion date backed by liquidated damages.

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Obligation:

“Obligation” shall mean all amounts owed to PJMSettlement for purchases from the PJM Markets, Transmission Service, (under both Tariff, Part II and Tariff, Part III), and other services or obligations pursuant to the Agreements. In addition, aggregate amounts that will be owed to PJMSettlement in the future for capacity purchases within the PJM capacity markets will be added to this figure. Should other markets be formed such that Participants may incur future Obligations in those markets, then the aggregate amount of those Obligations will also be added to the Net Obligation.

Offer Data:

“Offer Data” shall mean the scheduling, operations planning, dispatch, new resource, and other data and information necessary to schedule and dispatch generation resources and Demand Resource(s) for the provision of energy and other services and the maintenance of the reliability and security of the Transmission System in the PJM Region, and specified for submission to the PJM Interchange Energy Market for such purposes by the Office of the Interconnection.

Office of the Interconnection:

“Office of the Interconnection” shall mean the employees and agents of PJM Interconnection, L.L.C. subject to the supervision and oversight of the PJM Board, acting pursuant to the Operating Agreement.

Office of the Interconnection Control Center:

“Office of the Interconnection Control Center” shall mean the equipment, facilities and personnel used by the Office of the Interconnection to coordinate and direct the operation of the PJM Region and to administer the PJM Interchange Energy Market, including facilities and equipment used to communicate and coordinate with the Market Participants in connection with transactions in the PJM Interchange Energy Market or the operation of the PJM Region.

On-Site Generators:

“On-Site Generators” shall mean generation facilities (including Behind The Meter Generation) that (i) are not Capacity Resources, (ii) are not injecting into the grid, (iii) are either synchronized or non-synchronized to the Transmission System, and (iv) can be used to reduce demand for the purpose of participating in the PJM Interchange Energy Market.

Open Access Same-Time Information System (OASIS) or PJM Open Access Same-Time Information System:

“Open Access Same-Time Information System,” “PJM Open Access Same-Time Information System” or “OASIS” shall mean the electronic communication and information system and standards of conduct contained in Part 37 and Part 38 of the Commission's regulations and all additional requirements implemented by subsequent Commission orders dealing with OASIS for the collection and dissemination of information about transmission services in the PJM Region, established and operated by the Office of the Interconnection in accordance with FERC standards and requirements.

Operating Agreement of the PJM Interconnection, L.L.C., Operating Agreement or PJM Operating Agreement:

"Operating Agreement of the PJM Interconnection, L.L.C.," "Operating Agreement" or "PJM Operating Agreement" shall mean the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C. dated as of April 1, 1997 and as amended and restated as of June 2, 1997, including all Schedules, Exhibits, Appendices, addenda or supplements hereto, as amended from time to time thereafter, among the Members of the PJM Interconnection, L.L.C., on file with the Commission.

Operating Day:

"Operating Day" shall mean the daily 24 hour period beginning at midnight for which transactions on the PJM Interchange Energy Market are scheduled.

Operating Margin:

"Operating Margin" shall mean the incremental adjustments, measured in megawatts, required in PJM Region operations in order to accommodate, on a first contingency basis, an operating contingency in the PJM Region resulting from operations in an interconnected Control Area. Such adjustments may result in constraints causing Transmission Congestion Charges, or may result in Ancillary Services charges pursuant to the PJM Tariff.

Operating Margin Customer:

"Operating Margin Customer" shall mean a Control Area purchasing Operating Margin pursuant to an agreement between such other Control Area and the LLC.

Operating Reserve Demand Curve:

"Operating Reserve Demand Curve" shall mean a curve with prices on the y-axis and megawatts on the x-axis, which defines the relationship between each incremental megawatt of reserves that can be used to meet a given reserve requirement and the value placed on maintaining that megawatt level of reserve, expressed in $/MWh.

Operationally Deliverable:

"Operationally Deliverable" shall mean, as determined by the Office of the Interconnection, that there are no operational conditions, arrangements or limitations experienced or required that threaten, impair or degrade effectuation or maintenance of deliverability of capacity or energy from the external Generation Capacity Resource to loads in the PJM Region in a manner comparable to the deliverability of capacity or energy to such loads from Generation Capacity Resources located inside the metered boundaries of the PJM Region, including, without limitation, an identified need by an external Balancing Authority Area for a remedial action scheme or manual generation trip protocol, transmission facility switching arrangements that would have the effect of radializing load, or excessive or unacceptable frequency of regional reliability limit violations or (outside an interregional agreed congestion management process) of local reliability dispatch instructions and commitments.

Opportunity Cost:

"Opportunity Cost" shall mean a component of the Market Seller Offer Cap calculated in accordance with Tariff, Attachment DD, section 6.

OPSI Advisory Committee:

"OPSI Advisory Committee" shall mean the committee established under Tariff, Attachment M, section III.G.

Option to Build:

"Option to Build" shall mean the option of the New Service Customer to build certain Customer-Funded Upgrades, as set forth in, and subject to the terms of, the Construction Service Agreement.

Optional Interconnection Study:

"Optional Interconnection Study" shall mean a sensitivity analysis of an Interconnection Request based on assumptions specified by the Interconnection Customer in the Optional Interconnection Study Agreement.

Optional Interconnection Study Agreement:

"Optional Interconnection Study Agreement" shall mean the form of agreement for preparation of an Optional Interconnection Study, as set forth in Tariff, Attachment N-3.

Part I:

"Part I" shall mean the Tariff Definitions and Common Service Provisions contained in Tariff, Part I, sections 1 through 12A.

Part II:

"Part II" shall mean Tariff, Part II, sections 13 through 27A pertaining to Point-To-Point Transmission Service in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part III:

"Part III" shall mean Tariff, Part III, sections 28 through 35 pertaining to Network Integration Transmission Service in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part IV:

"Part IV" shall mean Tariff, Part IV, sections 36 through 112C pertaining to generation or merchant transmission interconnection to the Transmission System in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part V:

"Part V" shall mean Tariff, Part V, sections 113 through 122 pertaining to the deactivation of generating units in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Part VI:

"Part VI" shall mean Tariff, Part VI, sections 200 through 237 pertaining to the queuing, study, and agreements relating to New Service Requests, and the rights associated with Customer-Funded Upgrades in conjunction with the applicable Common Service Provisions of Tariff, Part I and appropriate Schedules and Attachments.

Participant:

"Participant" shall mean a Market Participant and/or Transmission Customer and/or Applicant requesting to be an active Market Participant and/or Transmission Customer**.**

Parties:

"Parties" shall mean the Transmission Provider, as administrator of the Tariff, and the Transmission Customer receiving service under the Tariff. PJMSettlement shall be the Counterparty to Transmission Customers.

Peak-Hour Dispatch:

"Peak-Hour Dispatch" shall mean, for purposes of calculating the Energy and Ancillary Services Revenue Offset under Tariff, Attachment DD, section 5, an assumption, as more fully set forth in the PJM Manuals, that the Reference Resource is committed in the Day-ahead Energy Market in four distinct blocks of four hours of continuous output for each block from the peak-hour period beginning with the hour ending 0800 EPT through to the hour ending 2300 EPT for any day when the average day-ahead LMP for the area for which the Net Cost of New Entry is being determined is greater than, or equal to, the cost to generate (including the cost for a complete start and shutdown cycle), plus 10% of such costs, for at least two hours during each four-hour block, where such blocks shall be assumed to be committed independently; provided that, if there are not at least two economic hours in any given four-hour block, then the Reference Resource shall be assumed not to be committed for such block; and to the extent not committed in any such block in the Day-ahead Energy Market under the above conditions based on Day-Ahead LMPs, is dispatched in the Real-time Energy Market for such block if the Real-Time LMP is greater than or equal to the cost to generate, plus 10% of such costs, under the same conditions as described above for the Day-ahead Energy Market.

Peak Market Activity:

"Peak Market Activity" shall mean a measure of exposure for which credit is required, involving peak exposures in rolling three-week periods over a year timeframe, with two semi-annual reset points, pursuant to provisions of Tariff, Attachment Q, section VII.A. Peak Market Activity shall exclude FTR Net Activity, Virtual Transactions Net Activity, and Export Transactions Net Activity.

Peak Season:

"Peak Season" shall mean the weeks containing the 24th through 36th Wednesdays of the calendar year. Each such week shall begin on a Monday and end on the following Sunday, except for the week containing the 36th Wednesday, which shall end on the following Friday.

Percentage Internal Resources Required:

"Percentage Internal Resources Required" shall have the meaning specified in the Reliability Assurance Agreement.

Performance Assessment Interval:

"Performance Assessment Interval" shall mean each Real-time Settlement Interval for which an Emergency Action has been declared by the Office of the Interconnection, provided, however, that Performance Assessment Intervals for a Base Capacity Resource shall not include any intervals outside the calendar months of June through September.

Permissible Technological Advancement:

"Permissible Technological Advancement" shall mean a proposed technological change such as an advancement to turbines, inverters, plant supervisory controls or other similar advancements to the technology proposed in the Interconnection Request that is submitted to the Transmission Provider no later than the return of an executed Facilities Study Agreement (or, if a Facilities Study is not required, prior to the return of an executed Interconnection Service Agreement). Provided such change may not: (i) increase the capability of the Generating Facility as specified in the original Interconnection Request; (ii) represent a different fuel type from the original Interconnection Request; or (iii) cause any material adverse impact(s) on the Transmission System with regard to short circuit capability limits, steady-state thermal and voltage limits, or dynamic system stability and response. If the proposed technological advancement is a Permissible Technological Advancement, no additional study will be necessary and the proposed technological advancement will not be considered a Material Modification.

PJM:

"PJM" shall mean PJM Interconnection, L.L.C., including the Office of the Interconnection as referenced in the PJM Operating Agreement. When such term is being used in the RAA it shall also include the PJM Board.

PJM Administrative Service:

"PJM Administrative Service" shall mean the services provided by PJM pursuant to Tariff, Schedule 9.

PJM Board:

"PJM Board" shall mean the Board of Managers of the LLC, acting pursuant to the Operating Agreement except when such term is being used in Tariff, Attachment M, in which case PJM Board shall mean the Board of Managers of PJM or its designated representative, exclusive of any members of PJM Management.

PJM Control Area:

"PJM Control Area" shall mean the Control Area recognized by NERC as the PJM Control Area.

PJM Entities:

"PJM Entities" shall mean PJM, including the Market Monitoring Unit, the PJM Board, and PJM's officers, employees, representatives, advisors, contractors, and consultants.

PJM Interchange:

"PJM Interchange" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load exceeds, or is exceeded by, the sum of the interval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup; or (c) the interval scheduled deliveries of Spot Market Energy by a Market Seller from an External Resource; or (d) the interval net metered output of any other Market Seller; or (e) the interval scheduled deliveries of Spot Market Energy to an External Market Buyer; or (f) the inteval scheduled deliveries to an Internal Market Buyer that is not a Network Service User.

PJM Interchange Energy Market:

"PJM Interchange Energy Market" shall mean the regional competitive market administered by the Office of the Interconnection for the purchase and sale of spot electric energy at wholesale in interstate commerce and related services established pursuant to Operating Agreement, Schedule 1, and the parallel provisions of Tariff, Attachment K – Appendix.

PJM Interchange Export:

"PJM Interchange Export" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load is exceeded by the sum of the inteval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup sales; or (c) the interval scheduled deliveries of Spot Market Energy by a Market Seller from an External Resource; or (d) the interval net metered output of any other Market Seller.

PJM Interchange Import:

"PJM Interchange Import" shall mean the following, as determined in accordance with the Operating Agreement and Tariff: (a) for a Market Participant that is a Network Service User, the amount by which its interval Equivalent Load exceeds the sum of the interval outputs of its operating generating resources; or (b) for a Market Participant that is not a Network Service User, the amount of its Spot Market Backup purchases; or (c) the interval scheduled deliveries of Spot Market Energy to an External Market Buyer; or (d) the interval scheduled deliveries to an Internal Market Buyer that is not a Network Service User.

PJM Liaison:

"PJM Liaison" shall mean the liaison established under Tariff, Attachment M, section III.I.

PJM Management:

"PJM Management" shall mean the officers, executives, supervisors and employee managers of PJM.

PJM Manuals:

"PJM Manuals" shall mean the instructions, rules, procedures and guidelines established by the Office of the Interconnection for the operation, planning, and accounting requirements of the PJM Region and the PJM Interchange Energy Market.

PJM Markets:

"PJM Markets" shall mean the PJM Interchange Energy Market, capacity markets, including the RPM auctions, and any other market operated by PJM, together with all bilateral or other wholesale electric power and energy transactions, capacity transactions, ancillary services transactions (including black start service), transmission transactions, Financial Transmission

Rights transactions, or transactions in any other market operated under the Agreements within the PJM Region, wherein Market Participants may incur Obligations to PJM and/or PJMSettlement.

PJM Market Rules:

"PJM Market Rules" shall mean the rules, standards, procedures, and practices of the PJM Markets set forth in the PJM Tariff, the PJM Operating Agreement, the PJM Reliability Assurance Agreement, the PJM Consolidated Transmission Owners Agreement, the PJM Manuals, the PJM Regional Practices Document, the PJM-Midwest Independent Transmission System Operator Joint Operating Agreement or any other document setting forth market rules.

PJM Net Assets:

"PJM Net Assets**"** shall mean the total assets per PJM's consolidated quarterly or year-end financial statements most recently issued as of the date of the receipt of written notice of a claim less amounts for which PJM is acting as a temporary custodian on behalf of its Members, transmission developers/Designated Entities, and generation developers, including, but not limited to, cash deposits related to credit requirement compliance, study and/or interconnection receivables, member prepayments, invoiced amounts collected from Net Buyers but have not yet been paid to Net Sellers, and excess congestion (as described in Operating Agreement, Schedule 1, section 5.2.6, and the parallel provisions of Tariff, Attachment K-Appendix, section 5.2.6).

PJM Region:

"PJM Region" shall have the meaning specified in the Operating Agreement.

PJM Regional Practices Document:
"PJM Regional Practices Document" shall mean the document of that title that compiles and describes the practices in the PJM Markets and that is made available in hard copy and on the Internet.

PJM Region Installed Reserve Margin:

"PJM Region Installed Reserve Margin" shall mean the percent installed reserve margin for the PJM Region required pursuant to RAA, Schedule 4.1, as approved by the PJM Board.

PJM Region Peak Load Forecast:

"PJM Region Peak Load Forecast" shall mean the peak load forecast used by the Office of the Interconnection in determining the PJM Region Reliability Requirement, and shall be determined on both a preliminary and final basis as set forth in Tariff, Attachment DD, section 5.

PJM Region Reliability Requirement:

"PJM Region Reliability Requirement" shall mean, for purposes of the Base Residual Auction, the Forecast Pool Requirement multiplied by the Preliminary PJM Region Peak Load Forecast, less the sum of all Preliminary Unforced Capacity Obligations of FRR Entities in the PJM Region; and, for purposes of the Incremental Auctions, the Forecast Pool Requirement multiplied by the updated PJM Region Peak Load Forecast, less the sum of all updated Unforced Capacity Obligations of FRR Entities in the PJM Region.

PJMSettlement:

"PJM Settlement" or "PJM Settlement, Inc." shall mean PJM Settlement, Inc. (or its successor), established by PJM as set forth in Operaitng Agreement, section 3.3.

PJM Tariff, Tariff, O.A.T.T., OATT or PJM Open Access Transmission Tariff:

"PJM Tariff," "Tariff," "O.A.T.T.," "OATT," or "PJM Open Access Transmission Tariff" shall mean that certain PJM Open Access Transmission Tariff, including any schedules, appendices or exhibits attached thereto, on file with FERC and as amended from time to time thereafter.

Plan:

"Plan" shall mean the PJM market monitoring plan set forth in Tariff, Attachment M.

Planned Demand Resource:

"Planned Demand Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planned External Financed Generation Capacity Resource:

"Planned External Financed Generation Capacity Resource" shall mean a Planned External Generation Capacity Resource that, prior to August 7, 2015, has an effective agreement that is the equivalent of an Interconnection Service Agreement, has submitted to the Office of the Interconnection the appropriate certification attesting achievement of Financial Close, and has secured at least 50 percent of the MWs of firm transmission service required to qualify such resource under the deliverability requirements of the Reliability Assurance Agreement.

Planned External Generation Capacity Resource:

"Planned External Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planned Financed Generation Capacity Resource:

"Planned Financed Generation Capacity Resource" shall mean a Planned Generation Capacity Resource that, prior to August 7, 2015, has an effective Interconnection Service Agreement and has submitted to the Office of the Interconnection the appropriate certification attesting achievement of Financial Close.

Planned Generation Capacity Resource:

"Planned Generation Capacity Resource" shall have the meaning specified in the Reliability Assurance Agreement.

Planning Period:

"Planning Period" shall mean the 12 moths beginning June 1 and extending through May 31 of the following year, or such other period approved by the Members Committee.

Planning Period Balance:

"Planning Period Balance" shall mean the entire period of time remaining in the Planning Period following the month that a monthly auction is conducted.

Planning Period Quarter:

"Planning Period Quarter" shall mean any of the following three month periods in the Planning Period: June, July and August; September, October and November; December, January and February; or March, April and May.

Point(s) of Delivery:

"Point(s) of Delivery" shall mean the point(s) on the Transmission Provider's Transmission System where capacity and energy transmitted by the Transmission Provider will be made available to the Receiving Party under Tariff, Part II. The Point(s) of Delivery shall be specified in the Service Agreement for Long-Term Firm Point-To-Point Transmission Service.

Point of Interconnection:

"Point of Interconnection" shall mean the point or points where the Customer Interconnection Facilities interconnect with the Transmission Owner Interconnection Facilities or the Transmission System.

Point(s) of Receipt:

"Point(s) of Receipt" shall mean point(s) of interconnection on the Transmission Provider's Transmission System where capacity and energy will be made available to the Transmission Provider by the Delivering Party under Tariff, Part II. The Point(s) of Receipt shall be specified in the Service Agreement for Long-Term Firm Point-To-Point Transmission Service.

Point-To-Point Transmission Service:

“Point-To-Point Transmission Service shall mean the reservation and transmission of capacity and energy on either a firm or non-firm basis from the Point(s) of Receipt to the Point(s) of Delivery under Tariff, Part II.

Power Purchaser:

“Power Purchaser” shall mean the entity that is purchasing the capacity and energy to be transmitted under the Tariff.

PRD Curve:

“PRD Curve” shall have the meaning provided in the Reliability Assurance Agreement.

PRD Provider:

“PRD Provider” shall have the meaning provided in the Reliability Assurance Agreement.

PRD Reservation Price:

“PRD Reservation” Price shall have the meaning provided in the Reliability Assurance Agreement.

PRD Substation:

“PRD Substation” shall have the meaning provided in the Reliability Assurance Agreement.

Pre-Confirmed Application:

“Pre-Confirmed Application” shall be an Application that commits the Eligible Customer to execute a Service Agreement upon receipt of notification that the Transmission Provider can provide the requested Transmission Service.

Pre-Emergency Load Response Program:

“Pre-Emergency Load Response Program” shall be the program by which Curtailment Service Providers may be compensated by PJM for Demand Resources that will reduce load when dispatched by PJM during pre-emergency conditions, and is described in Operating Agreement, Schedule 1, section 8 and the parallel provisions of Tariff, Attachment K-Appendix, section 8.

Pre-Expansion PJM Zones:

“Pre-Expansion PJM Zones” shall be zones included in the Tariff, along with applicable Schedules and Attachments, for certain Transmission Owners – Atlantic City Electric Company, Baltimore Gas and Electric Company, Delmarva Power and Light Company, Jersey Central Power and Light Company, Mid-Atlantic Interstate Transmission, LLC (“MAIT”) (MAIT owns and operates the transmission facilities in the Metropolitan Edison Company Zone and the

Pennsylvania Electric Company Zone), PECO Energy Company, Pennsylvania Power & Light Group, Potomac Electric Power Company, Public Service Electric and Gas Company, Allegheny Power, and Rockland Electric Company.

Price Responsive Demand:

"Price Responsive Demand" shall have the meaning provided in the Reliability Assurance Agreement.

Primary Reserve:

"Primary Reserve" shall mean the total reserve capability of generation resources that can be converted fully into energy or *Economic Load Response Participant r*esources whose demand can be reduced within ten minutes of a request from the Office of the Interconnection dispatcher, and is comprised of both Synchronized Reserve and Non-Synchronized Reserve.

Primary Reserve Alert

"Primary Reserve Alert" shall mean a notification from PJM to alert Members of an anticipated shortage of Operating Reserve capacity for a future critical period.

Primary Reserve Requirement:

"Primary Reserve Requirement" shall mean the *demand for Primary Reserves* in a Reserve Zone or Reserve Sub-zone, as *defined by the Operating Reserve Demand Curve for* Primary Reserve. *The requirement can be satisfied by any combination of Synchronized Reserve or Non-Synchronized Reserve resources.*

Principal:

"Principal" shall mean (i) the chief executive officer or senior manager that controls or directs strategy for the Participant, (ii) the chief legal officer or general counsel, (iii) the chief financial officer or senior manager that controls or directs the financial affairs and investments of the Participant, (iv) the chief risk officer or senior manager responsible for managing commodity and derivatives market risks, and (v) the officer or senior manager responsible for or to be responsible for transactions in the applicable PJM Markets. If, due to the Participant's business enterprise, structure or otherwise, the functions attributed to any of such Principals are performed by an individual or entity separate from the Participant (such as a risk management department in an affiliate, or a director or manager at an entity that controls or invests in the Participant), then for that Participant the term Principal shall mean that individual, or the senior officer or manager of that entity, that performs such function.

Prior CIL Exception External Resource:

"Prior CIL Exception External Resource" shall mean an external Generation Capacity Resource for which (1) a Capacity Market Seller had, prior to May 9, 2017, cleared a Sell Offer in an RPM

Auction under the exception provided to the definition of Capacity Import Limit as set forth in RAA, Article I or (2) an FRR Entity committed, prior to May 9, 2017, in an FRR Capacity Plan under the exception provided in the definition of Capacity Import Limit. In the event only a portion (in MW) of an external Generation Capacity Resource has a Pseudo-Tie into the PJM Region, that portion of the external Generation Capacity Resource, which can include up to the maximum megawatt amount cleared in any prior RPM auction or committed in an FRR Capacity Plan (and no other portion thereof) is eligible for treatment as a Prior CIL Exception External Resource if such portion satisfies the requirements of the first sentence of this definition.

Project Financing:

"Project Financing" shall mean: (a) one or more loans, leases, equity and/or debt financings, together with all modifications, renewals, supplements, substitutions and replacements thereof, the proceeds of which are used to finance or refinance the costs of the Customer Facility, any alteration, expansion or improvement to the Customer Facility, the purchase and sale of the Customer Facility or the operation of the Customer Facility; (b) a power purchase agreement pursuant to which Interconnection Customer's obligations are secured by a mortgage or other lien on the Customer Facility; or (c) loans and/or debt issues secured by the Customer Facility.

Project Finance Entity:

"Project Finance Entity" shall mean: (a) a holder, trustee or agent for holders, of any component of Project Financing; or (b) any purchaser of capacity and/or energy produced by the Customer Facility to which Interconnection Customer has granted a mortgage or other lien as security for some or all of Interconnection Customer's obligations under the corresponding power purchase agreement.

Projected EAS Dispatch:

"Projected EAS Dispatch" shall mean, for purposes of calculating the Net Energy and Ancillary Services Revenue Offset, a simulated dispatch with the objective of committing and dispatching a resource for the purpose of maximizing its net revenues. The calculation shall take inputs including Forward Hourly LMPs, Forward Hourly Ancillary Service Prices, and Forward Daily Natural Gas Prices or forecasted fuel prices, as applicable, in addition to the operating parameters and costs of the specific resource, including the cost emission allowances. Using operating parameters, forward or forecasted fuel prices, as applicable and other cost pricing inputs, a composite, cost-based energy offer is created for the resource such that its commitment and dispatch is co-optimized between energy and ancillary services in the Day-Ahead Energy Market and then the Real-Time Energy Market considering the electricity and ancillary service price inputs. In the Real-Time Energy Market co-optimization, the resource is assumed to be operating in the hours it was scheduled in the Day-Ahead Energy Market but is dispatched according to the real-time price inputs. In the hours where the resource was not committed in the Day-Ahead Market, the resource may be committed and dispatched in real-time only subject to the real-time electricity and ancillary service price inputs and the resource's offer and operating parameters. For combustion turbine units only, the cost-based energy offer will include a 10 percent adder.

Projected PJM Market Revenues:

"Projected PJM Market Revenues" shall mean a component of the Market Seller Offer Cap calculated in accordance with Tariff, Attachment DD, section 6.

Proportional Multi-Driver Project:

"Proportional Multi-Driver Project" shall have the same meaning provided in the Operating Agreement.

Provisional Interconnection Service:

"Provisional Interconnection Service" shall mean interconnection service provided by Transmission Provider associated with interconnecting the Interconnection Customer's Generating Facility to Transmission Provider's Transmission System and enabling that Transmission System to receive electric energy and capacity from the Generating Facility at the Point of Interconnection, pursuant to the terms of the Interconnection Service Agreement and, if applicable, the Tariff.

Pseudo-Tie:

"Pseudo-Tie" shall have the same meaning provided in the Operating Agreement.

Public Policy Objectives:

"Public Policy Objectives" shall have the same meaning provided in the Operating Agreement.

Public Policy Requirements:

"Public Policy Requirements" shall have the same meaning provided in the Operating Agreement.

Qualifying Transmission Upgrade:

"Qualifying Transmission Upgrade" shall mean a proposed enhancement or addition to the Transmission System that: (a) will increase the Capacity Emergency Transfer Limit into an LDA by a megawatt quantity certified by the Office of the Interconnection; (b) the Office of the Interconnection has determined will be in service on or before the commencement of the first Delivery Year for which such upgrade is the subject of a Sell Offer in the Base Residual Auction; (c) is the subject of a Facilities Study Agreement executed before the conduct of the Base Residual Auction for such Delivery Year and (d) a New Service Customer is obligated to fund through a rate or charge specific to such facility or upgrade.

Queue Position:

“Queue Position” shall mean the priority assigned to an Interconnection Request, a Completed Application, or an Upgrade Request pursuant to applicable provisions of Tariff, Part VI.

5.10 Auction Clearing Requirements

The Office of the Interconnection shall clear each Base Residual Auction and Incremental Auction for a Delivery Year in accordance with the following:

a) Variable Resource Requirement Curve

The Office of the Interconnection shall determine Variable Resource Requirement Curves for the PJM Region and for such Locational Deliverability Areas as determined appropriate in accordance with subsection (a)(iii) for such Delivery Year to establish the level of Capacity Resources that will provide an acceptable level of reliability consistent with the Reliability Principles and Standards. It is recognized that the variable resource requirement reflected in the Variable Resource Requirement Curve can result in an optimized auction clearing in which the level of Capacity Resources committed for a Delivery Year exceeds the PJM Region Reliability Requirement (for Delivery Years through May 31, 2018, less the Short-Term Resource Procurement Target) or Locational Deliverability Area Reliability Requirement (for Delivery Year through May 31, 2018, less the Short-Term Resource Procurement Target for the Zones associated with such LDA) for such Delivery Year. For any auction, the Updated Forecast Peak Load, and Short-Term Resource Procurement Target applicable to such auction, shall be used, and Price Responsive Demand from any applicable approved PRD Plan, including any associated PRD Reservation Prices, shall be reflected in the derivation of the Variable Resource Requirement Curves, in accordance with the methodology specified in the PJM Manuals.

i) Methodology to Establish the Variable Resource Requirement Curve

Prior to the Base Residual Auction, in accordance with the schedule in the PJM Manuals, the Office of the Interconnection shall establish the Variable Resource Requirement Curve for the PJM Region as follows:

- Each Variable Resource Requirement Curve shall be plotted on a graph on which Unforced Capacity is on the x-axis and price is on the y-axis;

- For the 2015/2016, 2016/2017, and 2017/2018 Delivery Years, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), (iii) a straight line connecting points (2) and (3), and (iv) a vertical line from point (3) to the x-axis, where:

    - For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin (“IRM”)% minus 3%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target;

  - For point (2), price equals: (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset) divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 1%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target; and

  - For point (3), price equals [0.2 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 5%) divided by (100% plus IRM%)], and for Delivery Years through May 31, 2018, minus the Short-Term Resource Procurement Target;

- For the 2018/2019 Delivery Year and subsequent Delivery Years through and including the Delivery Year commencing June 1, 2021, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), and (iii) a straight line connecting points (2) and (3), where:

  - For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin (“IRM”)% minus 0.2%) divided by (100% plus IRM%)];

  - For point (2), price equals: [0.75 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 2.9%) divided by (100% plus IRM%)]; and

  - For point (3), price equals zero and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 8.8%) divided by (100% plus IRM%)].

- For the 2022/2023 Delivery Year and subsequent Delivery Years, the Variable Resource Requirement Curve for the PJM Region shall be plotted by combining (i) a horizontal line from the y-axis to point (1), (ii) a straight line connecting points (1) and (2), and (iii) a straight line connecting points (2) and (3), where:

- For point (1), price equals: {the greater of [the Cost of New Entry] or [1.5 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)]} divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus the approved PJM Region Installed Reserve Margin ("IRM")% minus 1.2%) divided by (100% plus IRM%)];

- For point (2), price equals: [0.75 times (the Cost of New Entry minus the Net Energy and Ancillary Service Revenue Offset)] divided by (one minus the pool-wide average EFORd) and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 1.9%) divided by (100% plus IRM%)]; and

- For point (3), price equals zero and Unforced Capacity equals: [the PJM Region Reliability Requirement multiplied by (100% plus IRM% plus 7.8%) divided by (100% plus IRM%)].

ii) For any Delivery Year, the Office of the Interconnection shall establish a separate Variable Resource Requirement Curve for each LDA for which:

A. the Capacity Emergency Transfer Limit is less than 1.15 times the Capacity Emergency Transfer Objective, as determined by the Office of the Interconnection in accordance with NERC and Applicable Regional Entity guidelines; or

B. such LDA had a Locational Price Adder in any one or more of the three immediately preceding Base Residual Auctions; or

C. such LDA is determined in a preliminary analysis by the Office of the Interconnection to be likely to have a Locational Price Adder, based on historic offer price levels; provided however that for the Base Residual Auction conducted for the Delivery Year commencing on June 1, 2012, the Eastern Mid-Atlantic Region ("EMAR"), Southwest Mid-Atlantic Region ("SWMAR"), and Mid-Atlantic Region ("MAR") LDAs shall employ separate Variable Resource Requirement Curves regardless of the outcome of the above three tests; and provided further that the Office of the Interconnection may establish a separate Variable Resource Requirement Curve for an LDA not otherwise qualifying under the above three tests if it finds that such is required to achieve an acceptable level of reliability consistent with the Reliability Principles and Standards, in which case the Office of the Interconnection shall post such finding, such

LDA, and such Variable Resource Requirement Curve on its internet site no later than the March 31 last preceding the Base Residual Auction for such Delivery Year. The same process as set forth in subsection (a)(i) shall be used to establish the Variable Resource Requirement Curve for any such LDA, except that the Locational Deliverability Area Reliability Requirement for such LDA shall be substituted for the PJM Region Reliability Requirement and, for Delivery Years through May 31, 2018, the LDA Short-Term Resource Procurement Target shall be substituted for the PJM Region Short-Term Resource Procurement Target. For purposes of calculating the Capacity Emergency Transfer Limit under this section, all generation resources located in the PJM Region that are, or that qualify to become, Capacity Resources, shall be modeled at their full capacity rating, regardless of the amount of capacity cleared from such resource for the immediately preceding Delivery Year.

For each such LDA, for the 2018/2019 Delivery Year and subsequent Delivery Years, the Office of the Interconnection shall (a) determine the Net Cost of New Entry for each Zone in such LDA, with such Net Cost of New Entry equal to the applicable Cost of New Entry value for such Zone minus the Net Energy and Ancillary Services Revenue Offset value for such Zone, and (b) compute the average of the Net Cost of New Entry values of all such Zones to determine the Net Cost of New Entry for such LDA. The Net Cost of New Entry for use in an LDA in any Incremental Auction for the 2015/2016, 2016/2017, and 2017/2018 Delivery Years shall be the Net Cost of New Entry used for such LDA in the Base Residual Auction for such Delivery Year.

iii) Procedure for ongoing review of Variable Resource Requirement Curve shape.

Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall perform a review of the shape of the Variable Resource Requirement Curve, as established by the requirements of the foregoing subsection. Such analysis shall be based on simulation of market conditions to quantify the ability of the market to invest in new Capacity Resources and to meet the applicable reliability requirements on a probabilistic basis. Based on the results of such review, PJM shall prepare a recommendation to either modify or retain the existing Variable Resource Requirement Curve shape. The Office of the Interconnection shall post the recommendation and shall review the recommendation through the stakeholder process to solicit stakeholder input. If a modification of the Variable Resource Requirement Curve shape is recommended, the following process shall be followed:

A) If the Office of the Interconnection determines that the Variable Resource Requirement Curve shape should be modified, Staff of the Office of the Interconnection shall propose a new Variable Resource Requirement Curve shape on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

B) The PJM Members shall review the proposed modification to the Variable Resource Requirement Curve shape.

C) The PJM Members shall either vote to (i) endorse the proposed modification, (ii) propose alternate modifications or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

D) The PJM Board of Managers shall consider a proposed modification to the Variable Resource Requirement Curve shape, and the Office of the Interconnection shall file any approved modified Variable Resource Requirement Curve shape with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

iv) Cost of New Entry

A) For the Incremental Auctions for the 2019/2020, 2020/2021, and 2021/2022 Delivery Years, the Cost of New Entry for the PJM Region and for each LDA shall be the respective value used in the Base Residual Auction for such Delivery Year and LDA. For the Delivery Year commencing on June 1, 2022, and continuing thereafter unless and until changed pursuant to subsection (B) below, the Cost of New Entry for the PJM Region shall be the average of the Cost of New Entry for each CONE Area listed in this section as adjusted pursuant to subsection (a)(iv)(B).

Geographic Location Within the PJM Region Encompassing These Zones	**Cost of New Entry in $/MW-Year**
PS, JCP&L, AE, PECO, DPL, RECO (“CONE Area 1”)	108,000
BGE, PEPCO (“CONE Area 2”)	109,700
AEP, Dayton, ComEd, APS, DQL, ATSI, DEOK, EKPC, Dominion, OVEC (“CONE Area 3”)	105,500
PPL, MetEd, Penelec (“CONE Area 4”)	105,500

B) Beginning with the 2023/2024 Delivery Year, the CONE for each CONE Area shall be adjusted to reflect changes in generating plant construction costs based on changes in the Applicable United States Bureau of Labor Statistics ("BLS") Composite Index, and then adjusted further by a factor of 1.022 to reflect the annual decline in bonus depreciation scheduled under federal corporate tax law, in accordance with the following:

(1) The Applicable BLS Composite Index for any Delivery Year and CONE Area shall be the most recently published twelve-month change, at the time CONE values are required to be posted for the Base Residual Auction for such Delivery Year, in a composite of the BLS Quarterly Census of Employment and Wages for Utility System Construction (weighted 20%), the BLS Producer Price Index for Construction Materials and Components (weighted 55%), and the BLS Producer Price Index Turbines and Turbine Generator Sets (weighted 25%), as each such index is further specified for each CONE Area in the PJM Manuals.

(2) The CONE in a CONE Area shall be adjusted prior to the Base Residual Auction for each Delivery Year by applying the Applicable BLS Composite Index for such CONE Area to the Benchmark CONE for such CONE Area, and then multiplying the result by 1.022.

(3) The Benchmark CONE for a CONE Area shall be the CONE used for such CONE Area in the Base Residual Auction for the prior Delivery Year (provided, however that the Gross CONE values stated in subsection (a)(iv)(A) above shall be the Benchmark CONE values for the 2022/2023 Delivery Year to which the Applicable BLS Composite Index shall be applied to determine the CONE for subsequent Delivery Years), and then multiplying the result by 1.022.

(4) Notwithstanding the foregoing, CONE values for any CONE Area for any Delivery Year shall be subject to amendment pursuant to appropriate filings with FERC under the Federal Power Act, including, without limitation, any filings resulting from the process described in section 5.10(a)(vi)(C) or any filing to establish new or revised CONE Areas.

v) Net Energy and Ancillary Services Revenue Offset up to the 2021/2022 Delivery Year:

A) The Office of the Interconnection shall determine the Net Energy and Ancillary Services Revenue Offset each year for the PJM Region as (A) the annual average of the revenues that would have been received by the Reference Resource from the PJM energy markets during a period of three consecutive calendar years preceding the time of the determination, based on (1) the heat rate and other characteristics of such Reference Resource; (2) fuel prices reported during such period at an appropriate pricing point for the PJM Region with a fuel transmission adder appropriate for such region, as set forth in the PJM Manuals, assumed variable operation and maintenance expenses for such resource of $6.93 per MWh, and actual PJM hourly average Locational Marginal Prices recorded in the PJM Region during such period; and (3) an assumption that the Reference Resource would be dispatched for both the Day-Ahead and Real-Time Energy Markets on a Peak-Hour Dispatch basis; plus (B) ancillary service revenues of $2,199 per MW-year.

B) The Office of the Interconnection also shall determine a Net Energy and Ancillary Service Revenue Offset each year for each Zone, using the same procedures and methods as set forth in the previous subsection; provided, however, that: (1) the average hourly LMPs for such Zone shall be used in place of the PJM Region average hourly LMPs; (2) if such Zone was not integrated into the PJM Region for the entire applicable period, then the offset shall be calculated using only those whole calendar years during which the Zone was integrated; and (3) a posted fuel pricing point in such Zone, if available, and (if such pricing point is not available in such Zone) a fuel transmission adder appropriate to such Zone from an appropriate PJM Region pricing point shall be used for each such Zone.

v-1) Net Energy and Ancillary Services Revenue Offset for the 2022/2023 Delivery and subsequent Delivery Years:

A) The Office of the Interconnection shall determine the Net Energy and Ancillary Services Revenue Offset each year for the PJM Region as (1) the average of the net energy and ancillary services revenues that the Reference Resource is projected to receive from the PJM energy and ancillary service markets for the applicable Delivery Year from three separate simulations, with each such simulation using forward prices shaped using historical data from one of the three consecutive calendar years preceding the time of the determination for the RPM Auction to take account of year-to-year variability in such hourly shapes. Each net energy and ancillary services revenue simulation is based on (a) the heat rate and other characteristics of such Reference Resource such as assumed variable operation and maintenance expenses of $1.95 per MWh and $11,732/start, and emissions costs; (b) Forward Hourly LMPs for the PJM Region; (c) Forward Hourly Ancillary Services Prices , (d) Forward Daily Natural Gas Prices at an appropriate pricing point for the PJM Region with a fuel transmission adder appropriate for such region, as set forth in the PJM Manuals; and (e) an assumption that the Reference Resource would be dispatched on a Projected EAS Dispatch basis; plus (2) reactive service revenues of $2,199 per MW-year.

B) The Office of the Interconnection also shall determine a Net Energy and Ancillary Service Revenue Offset each year for each Zone, using the same procedures and methods as set forth in the previous subsection; provided, however, that: (1) the Forward Hourly LMPs for such Zone shall be used in place of the Forward Hourly LMP for the PJM Region; (2) if such Zone was not integrated into the PJM Region for the entire three calendar years preceeding the time of the determination for the RPM Auction, then simulations shall rely on only those whole calendar years during which the Zone was integrated; and (3) Forward Daily Natural Gas Prices for the fuel pricing point mapped to such Zone.

C) "Forward Hourly LMPs" shall be determined as follows:

(1) Identify the liquid hub to which each Zone is mapped, as specified in the PJM Manuals.

(2) For each liquid hub, calculate the average day-ahead on-peak and day-ahead off-peak energy prices for each month during the Delivery Year over the most recent thirty trading days as of 180 days prior to the Base Residual Auction. For each of the remaining steps, the historical prices used herein shall be taken from the most recent three calendar years preceding the time of the determination for the RPM Auction:

(3) Determine and add monthly basis differentials between the hub and each of its mapped Zones to the forward monthly day-ahead on-peak and off-peak energy prices for the hub. This differential is developed using the prices for the Planning Period closest in time to the Delivery Year from the most recent long-term Financial Transmission Rights auction conducted prior to the Base Residual Auction. The difference between the annual long-term Financial Transmission Rights auction prices for the Zone and the hub are converted to monthly values by adding, for each month of the year, the difference between (a) the historical monthly average day-ahead congestion price differentials between the Zone and relevant hub and (b) the historical annual average day-ahead congestion price differentials between the Zone and hub. This step is only used when developing forward prices for locations other than the liquid hubs;

(4) Determine and add marginal loss differentials to the forward monthly day-ahead on-peak and off-peak energy prices for the hub. For each month of the year, calculate the marginal loss differential, which is the average of the difference between the loss components of the historical on peak or off peak day-ahead LMPs for the Zone and relevant

hub in that month across the three year period scaled by the ratio of (a) the forward monthly average on-peak or off-peak day-ahead LMP at such hub to (b) the average of the historical on-peak or off-peak day-ahead LMPs for such hub in that month across the three year period. This step is only used when developing forward prices for locations other than the liquid hubs;

(5) Shape the forward monthly day-ahead on-peak and off-peak prices to (a) forward hourly day-ahead LMPs using historic hourly day-ahead LMP shapes for the Zone and (b) forward hourly real-time LMPs using historic hourly real-time LMP shapes for the Zone. The historic hourly shapes are based on the ratio of the historic day-ahead or real-time LMP for the Zone for each given hour in a monthly on-peak or off-peak period to the average of the historic day-ahead or real-time LMP for the Zone for all hours in such monthly on-peak or off-peak period. The historical prices used in this step shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction;

(6) For unit-specific energy and ancillary service offset calculations, determine and apply basis differentials from the Zone to the generation bus to the forward day-ahead and real-time hourly LMPs for the Zone. The differential for each hour of the year is developed using the difference between the historical DA or RT LMP for the generation bus and the historical DA or RT LMP for the Zone in which the generation bus is located for that same hour; and

(7) Develop the Forward Hourly LMPs for the PJM Region pricing point. Calculate the load-weighted average of the monthly on-peak and off-peak Zonal LMPs developed in step (4) above, using the historical average load within each monthly on-peak or off-peak period. The load-weighted average monthly on-peak or off-peak Zonal LMPs are then shaped to forward hourly day-ahead and real-time LMPs using the same procedure as defined in step (5) above, except using historical LMPs for the PJM Region pricing point.

D) Forward Hourly Ancillary Services Prices shall include prices for Synchronized Reserve, Non-Synchronized Reserve, Secondary Reserve and Regulation and shall be determined as follows. The historical prices used herein shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction:

(1) For Synchronized Reserve, the forward day-ahead and real-time market clearing prices for the Reserve Zone for each hour of the Delivery Year shall be equal to the historical real-time Synchronized Reserve Market Clearing Price for the Reserve Zone for the corresponding hour of the year.

(2) For Non-Synchronized Reserve, the forward day-ahead and real-time market clearing prices for the Reserve Zone for each hour of the Delivery Year shall be equal to the historical real-time Non-Synchronized Reserve Market Clearing Price for the Reserve Zone for the corresponding hour of the year.

(3) For Secondary Reserve, the forward day-ahead and real-time Secondary Reserve market clearing price shall be $0.00/MWh for all hours.

(4) For Regulation, the forward real-time Regulation market clearing price shall be calculated by multiplying the historical real-time hourly Regulation market clearing price for each hour of the Delivery Year by the ratio of the real-time Forward Hourly LMP at an appropriate pricing point, as defined in the PJM manuals, to the historic hourly real-time LMP at such pricing point for the corresponding hour of the year; and

E) Forward Daily Natural Gas Prices shall be determined as follows:

(1) Map each Zone to the appropriate natural gas hub in the PJM Region, as listed in the PJM Manuals;

(2) Map each natural gas hub lacking sufficient liquidity to the liquid hub to which it has the highest historic price correlation;

(3) For each sufficiently liquid natural gas hub, calculate the simple average natural gas monthly settlement prices over the most recent thirty trading days as of 180 days prior to the Base Residual Auction;

(4) Calculate the forward monthly prices for each illiquid hub by scaling the forward monthly price of the mapped liquid hub by the average ratio of historical monthly prices at the insufficiently liquid hub to the historical monthly prices at

the sufficiently liquid over the most recent three calendar years preceding the time of determination for the RPM Auction;

(5) Shape the forward monthly prices for each hub to Forward Daily Natural Gas Prices using historic daily natural gas price shapes for the hub. The historic daily shapes are based on the ratio of the historic price for the hub for each given day in a month to the average of the historic prices for the hub for all days in such month. The daily prices are then assigned to each hour starting 10am Eastern Prevailing Time each day. The historical prices used in this step shall be taken from one of each of the most recent three calendar years preceding the time of the determination for the RPM Auction.

vi) Process for Establishing Parameters of Variable Resource Requirement Curve

A) The parameters of the Variable Resource Requirement Curve will be established prior to the conduct of the Base Residual Auction for a Delivery Year and will be used for such Base Residual Auction.

B) The Office of the Interconnection shall determine the PJM Region Reliability Requirement and the Locational Deliverability Area Reliability Requirement for each Locational Deliverability Area for which a Variable Resource Requirement Curve has been established for such Base Residual Auction on or before February 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values will be applied, in accordance with the Reliability Assurance Agreement.

C) Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the calculation of the Cost of New Entry for each CONE Area.

1) If the Office of the Interconnection determines that the Cost of New Entry values should be modified, the Staff of the Office of the Interconnection shall propose new Cost of New Entry values on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

2) The PJM Members shall review the proposed values.

3) The PJM Members shall either vote to (i) endorse the proposed values, (ii) propose alternate values or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

4) The PJM Board of Managers shall consider Cost of New Entry values, and the Office of the Interconnection shall file any approved modified Cost of New Entry values with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

D) Beginning with the Delivery Year that commences June 1, 2018, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the methodology set forth in this Attachment for determining the Net Energy and Ancillary Services Revenue Offset for the PJM Region and for each Zone.

1) If the Office of the Interconnection determines that the Net Energy and Ancillary Services Revenue Offset methodology should be modified, Staff of the Office of the Interconnection shall propose a new Net Energy and Ancillary Services Revenue Offset methodology on or before May 15, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new methodology would be applied.

2) The PJM Members shall review the proposed methodology.

3) The PJM Members shall either vote to (i) endorse the proposed methodology, (ii) propose an alternate methodology or (iii) recommend no modification, by August 31, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new methodology would be applied.

4) The PJM Board of Managers shall consider the Net Revenue Offset methodology, and the Office of the Interconnection shall file any approved modified Net Energy and Ancillary Services Revenue Offset values with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

b) Locational Requirements

The Office of Interconnection shall establish locational requirements prior to the Base Residual Auction to quantify the amount of Unforced Capacity that must be committed in each Locational Deliverability Area, in accordance with the PJM Reliability Assurance Agreement.

c) Resource Requirements and Constraints

Prior to the Base Residual Auction and each Incremental Auction for the Delivery Years starting on June 1, 2014 and ending May 31, 2017, the Office of the Interconnection shall establish the Minimum Annual Resource Requirement and the Minimum Extended Summer Resource Requirement for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year. Prior to the Base Residual Auction and Incremental Auctions for the 2017/2018 Delivery Year, the Office of the Interconnection shall establish the Limited Resource Constraints and the Sub-Annual Resource Constraints for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year. Prior to the Base Residual Auction and Incremental Auctions for 2018/2019 and 2019/2020 Delivery Years, the Office of the Interconnection shall establish the Base Capacity Demand Resource Constraints and the Base Capacity Resource Constraints for the PJM Region and for each Locational Deliverability Area for which the Office of the Interconnection is required under section 5.10(a) of this Attachment DD to establish a separate VRR Curve for such Delivery Year.

d) Preliminary PJM Region Peak Load Forecast for the Delivery Year

The Office of the Interconnection shall establish the Preliminary PJM Region Load Forecast for the Delivery Year in accordance with the PJM Manuals by February 1, prior to the conduct of the Base Residual Auction for such Delivery Year.

e) Updated PJM Region Peak Load Forecasts for Incremental Auctions

The Office of the Interconnection shall establish the updated PJM Region Peak Load Forecast for a Delivery Year in accordance with the PJM Manuals by February 1, prior to the conduct of the First, Second, and Third Incremental Auction for such Delivery Year.

5.14 Clearing Prices and Charges

a) Capacity Resource Clearing Prices

For each Base Residual Auction and Incremental Auction, the Office of the Interconnection shall calculate a clearing price to be paid for each megawatt-day of Unforced Capacity that clears in such auction. The Capacity Resource Clearing Price for each LDA will be the marginal value of system capacity for the PJM Region, without considering locational constraints, adjusted as necessary by any applicable Locational Price Adders, Annual Resource Price Adders, Extended Summer Resource Price Adders, Limited Resource Price Decrements, Sub-Annual Resource Price Decrements, Base Capacity Demand Resource Price Decrements, and Base Capacity Resource Price Decrements, all as determined by the Office of the Interconnection based on the optimization algorithm. If a Capacity Resource is located in more than one Locational Deliverability Area, it shall be paid the highest Locational Price Adder in any applicable LDA in which the Sell Offer for such Capacity Resource cleared. The Annual Resource Price Adder is applicable for Annual Resources only. The Extended Summer Resource Price Adder is applicable for Annual Resources and Extended Summer Demand Resources.

The Locational Price Adder applicable to each cleared Seasonal Capacity Performance Resource is determined during the post-processing of the RPM Auction results consistent with the manner in which the auction clearing algorithm recognizes the contribution of Seasonal Capacity Performance Resource Sell Offers in satisfying an LDA's reliability requirement. For each LDA with a positive Locational Price Adder with respect to the immediate higher level LDA, starting with the lowest level constrained LDAs and moving up, PJM determines the quantity of equally matched Summer-Period Capacity Performance Resources and Winter-Period Capacity Performance Resources located and cleared within that LDA. Up to this quantity, the cleared Summer-Period Capacity Performance Resources and Winter-Period Capacity Performance Resources with the lowest Sell Offer prices will be compensated using the highest Locational Price Adder applicable to such LDA; and any remaining Seasonal Capacity Performance Resources cleared within the LDA are effectively moved to the next higher level constrained LDA, where they are considered in a similar manner for compensation.

b) Resource Make-Whole Payments

If a Sell Offer specifies a minimum block, and only a portion of such block is needed to clear the market in a Base Residual or Incremental Auction, the MW portion of such Sell Offer needed to clear the market shall clear, and such Sell Offer shall set the marginal value of system capacity. In addition, the Capacity Market Seller shall receive a Resource Make-Whole Payment equal to the Capacity Resource Clearing Price in such auction times the difference between the Sell Offer's minimum block MW quantity and the Sell Offer's cleared MW quantity. If the Sell Offer price of a cleared Seasonal Capacity Performance Resource exceeds the applicable Capacity Resource Clearing Price, the Capacity Market Seller shall receive a Resource Make-Whole Payment equal to the difference between the Sell Offer price and Capacity Resource Clearing Price in such RPM Auction. The cost for any such Resource Make-Whole Payments required in a Base Residual Auction or Incremental Auction for adjustment of prior capacity commitments shall be collected pro rata from all LSEs in the LDA in which such payments were made, based on their Daily Unforced Capacity Obligations. The cost for any such Resource Make-Whole

Payments required in an Incremental Auction for capacity replacement shall be collected from all Capacity Market Buyers in the LDA in which such payments were made, on a pro-rata basis based on the MWs purchased in such auction.

c) New Entry Price Adjustment

A Capacity Market Seller that submits a Sell Offer based on a Planned Generation Capacity Resource that clears in the BRA for a Delivery Year may, at its election, submit Sell Offers with a New Entry Price Adjustment in the BRAs for the two immediately succeeding Delivery Years if:

1. Such Capacity Market Seller provides notice of such election at the time it submits its Sell Offer for such resource in the BRA for the first Delivery Year for which such resource is eligible to be considered a Planned Generation Capacity Resource. When the Capacity Market Seller provides notice of such election, it must specify whether its Sell Offer is contingent upon qualifying for the New Entry Price Adjustment. The Office of the Interconnection shall not clear such contingent Sell Offer if it does not qualify for the New Entry Price Adjustment.

2. All or any part of a Sell Offer from the Planned Generation Capacity Resource submitted in accordance with section 5.14(c)(1) is the marginal Sell Offer that sets the Capacity Resource Clearing Price for the LDA.

3. Acceptance of all or any part of a Sell Offer that meets the conditions in section 5.14(c)(1)-(2) in the BRA increases the total Unforced Capacity committed in the BRA (including any minimum block quantity) for the LDA in which such Resource will be located from a megawatt quantity below the LDA Reliability Requirement, minus the Short Term Resource Procurement Target, to a megawatt quantity at or above a megawatt quantity at the price-quantity point on the VRR Curve at which the price is 0.40 times the applicable Net CONE divided by (one minus the pool-wide average EFORd).

4. Such Capacity Market Seller submits Sell Offers in the BRA for the two immediately succeeding Delivery Years for the entire Unforced Capacity of such Generation Capacity Resource committed in the first BRA under section 5.14(c)(1)-(2) equal to the lesser of: A) the price in such seller's Sell Offer for the BRA in which such resource qualified as a Planned Generation Capacity Resource that satisfies the conditions in section 5.14(c)(1)-(3); or B) 0.90 times the Net CONE applicable in the first BRA in which such Planned Generation Capacity Resource meeting the conditions in section 5.14(c)(1)-(3) cleared, on an Unforced Capacity basis, for such LDA.

5. If the Sell Offer is submitted consistent with section 5.14(c)(1)-(4) the foregoing conditions, then:

(i) in the first Delivery Year, the Resource sets the Capacity Resource Clearing Price for the LDA and all cleared resources in the LDA receive the Capacity Resource Clearing Price set by the Sell Offer as the marginal offer, in accordance with sections 5.12(a) and 5.14(a).

(ii) in either of the subsequent two BRAs, if any part of the Sell Offer from the Resource clears, it shall receive the Capacity Resource Clearing Price for such LDA for its cleared capacity and for any additional minimum block quantity pursuant to section 5.14(b); or

(iii) if the Resource does not clear, it shall be deemed resubmitted at the highest price per MW-day at which the megawatt quantity of Unforced Capacity of such Resource that cleared the first-year BRA will clear the subsequent-year BRA pursuant to the optimization algorithm described in section 5.12(a) of this Attachment, and

(iv) the resource with its Sell Offer submitted shall clear and shall be committed to the PJM Region in the amount cleared, plus any additional minimum-block quantity from its Sell Offer for such Delivery Year, but such additional amount shall be no greater than the portion of a minimum-block quantity, if any, from its first-year Sell Offer satisfying section 5.14(c)(1)-(3) that is entitled to compensation pursuant to section 5.14(b) of this Attachment; and

(v) the Capacity Resource Clearing Price, and the resources cleared, shall be re-determined to reflect the resubmitted Sell Offer. In such case, the Resource for which the Sell Offer is submitted pursuant to section 5.14(c)(1)-(4) shall be paid for the entire committed quantity at the Sell Offer price that it initially submitted in such subsequent BRA. The difference between such Sell Offer price and the Capacity Resource Clearing Price (as well as any difference between the cleared quantity and the committed quantity), will be treated as a Resource Make-Whole Payment in accordance with Section 5.14(b). Other capacity resources that clear the BRA in such LDA receive the Capacity Resource Clearing Price as determined in Section 5.14(a).

6. The failure to submit a Sell Offer consistent with Section 5.14(c)(i)-(iii) in the BRA for Delivery Year 3 shall not retroactively revoke the New Entry Price Adjustment for Delivery Year 2. However, the failure to submit a Sell Offer consistent with section 5.14(c)(4) in the BRA for Delivery Year 2 shall make the resource ineligible for the New Entry Pricing Adjustment for Delivery Years 2 and 3.

7. For each Delivery Year that the foregoing conditions are satisfied, the Office of the Interconnection shall maintain and employ in the auction clearing for such LDA a separate VRR Curve, notwithstanding the outcome of the test referenced in Section 5.10(a)(ii) of this Attachment.

8. On or before August 1, 2012, PJM shall file with FERC under FPA section 205, as determined necessary by PJM following a stakeholder process, tariff changes to establish a long-term auction process as a not unduly discriminatory means to provide adequate

long-term revenue assurances to support new entry, as a supplement to or replacement of this New Entry Price Adjustment.

d) Qualifying Transmission Upgrade Payments

A Capacity Market Seller that submitted a Sell Offer based on a Qualifying Transmission Upgrade that clears in the Base Residual Auction shall receive a payment equal to the Capacity Resource Clearing Price, including any Locational Price Adder, of the LDA into which the Qualifying Transmission Upgrade is to increase Capacity Emergency Transfer Limit, less the Capacity Resource Clearing Price, including any Locational Price Adder, of the LDA from which the upgrade was to provide such increased CETL, multiplied by the megawatt quantity of increased CETL cleared from such Sell Offer. Such payments shall be reflected in the Locational Price Adder determined as part of the Final Zonal Capacity Price for the Zone associated with such LDAs, and shall be funded through a reduction in the Capacity Transfer Rights allocated to Load-Serving Entities under section 5.15, as set forth in that section. PJMSettlement shall be the Counterparty to any cleared capacity transaction resulting from a Sell Offer based on a Qualifying Transmission Upgrade.

e) Locational Reliability Charge

In accordance with the Reliability Assurance Agreement, each LSE shall incur a Locational Reliability Charge (subject to certain offsets and other adjustments as described in sections 5.14B, 5.14C, 5.14D, 5.14E and 5.15) equal to such LSE's Daily Unforced Capacity Obligation in a Zone during such Delivery Year multiplied by the applicable Final Zonal Capacity Price in such Zone. PJMSettlement shall be the Counterparty to the LSEs' obligations to pay, and payments of, Locational Reliability Charges.

f) The Office of the Interconnection shall determine Zonal Capacity Prices in accordance with the following, based on the optimization algorithm:

i) The Office of the Interconnection shall calculate and post the Preliminary Zonal Capacity Prices for each Delivery Year following the Base Residual Auction for such Delivery Year. The Preliminary Zonal Capacity Price for each Zone shall be the sum of: 1) the marginal value of system capacity for the PJM Region, without considering locational constraints; 2) the Locational Price Adder, if any, for the LDA in which such Zone is located; provided however, that if the Zone contains multiple LDAs with different Capacity Resource Clearing Prices, the Zonal Capacity Price shall be a weighted average of the Capacity Resource Clearing Prices for such LDAs, weighted by the Unforced Capacity of Capacity Resources cleared in each such LDA; 3) an adjustment, if required, to account for adders paid to Annual Resources and Extended Summer Demand Resources in the LDA for which the zone is located; 4) an adjustment, if required, to account for Resource Make-Whole Payments; and (5) an adjustment, if required to provide sufficient revenue for payment of any PRD Credits, all as determined in accordance with the optimization algorithm.

ii) The Office of the Interconnection shall calculate and post the Adjusted Zonal Capacity Price following each Incremental Auction. The Adjusted Zonal Capacity Price for each Zone shall equal the sum of: (1) the average marginal value of system capacity weighted by the Unforced Capacity cleared in all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (2) the average Locational Price Adder weighted by the Unforced Capacity cleared in all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (3) an adjustment, if required, to account for adders paid to Annual Resources and Extended Summer Demand Resources for all auctions previously conducted for such Delivery Year (excluding any Unforced Capacity cleared as replacement capacity); (4) an adjustment, if required, to account for Resource Make-Whole Payments for all actions previously conducted (excluding any Resource Make-Whole Payments to be charged to the buyers of replacement capacity); and (5) an adjustment, if required to provide sufficient revenue for payment of any PRD Credits. The Adjusted Zonal Capacity Price may decrease if Unforced Capacity is decommitted or the Resource Clearing Price decreases in an Incremental Auction.

iii) The Office of the Interconnection shall calculate and post the Final Zonal Capacity Price for each Delivery Year after the final auction is held for such Delivery Year, as set forth above. The Final Zonal Capacity Price for each Zone shall equal the Adjusted Zonal Capacity Price, as further adjusted to reflect any decreases in the Nominated Demand Resource Value of any existing Demand Resource cleared in the Base Residual Auction and Second Incremental Auction.

g) Resource Substitution Charge

Each Capacity Market Buyer in an Incremental Auction securing replacement capacity shall pay a Resource Substitution Charge equal to the Capacity Resource Clearing Price resulting from such auction multiplied by the megawatt quantity of Unforced Capacity purchased by such Market Buyer in such auction.

h) Minimum Offer Price Rule for Certain *New* Generation Capacity Resources *that are not Capacity Resources with State Subsidy*

(1) For purposes of this section, the Net Asset Class Costs of New Entry shall be asset-class estimates of competitive, cost-based nominal levelized Cost of New Entry, net of energy and ancillary service revenues. Determination of the gross Cost of New Entry component of the Net Asset Class Cost of New Entry shall be consistent with the methodology used to determine the Cost of New Entry set forth in Section 5.10(a)(iv)(A) of this Attachment. *This section only applies to new Generation Capacity Resources that do not receive or are not entitled to receive a State Subsidy, meaning that such resources are not Capacity Resources with State Subsidy. To the extent a new Generation Capacity Resource is a Capacity Resource with State Subsidy, then the provisions in Tariff, Attachment DD, section 5.14(h-1) apply.*

The gross Cost of New Entry component of Net Asset Class Cost of New Entry shall be, for purposes of the *2022/2023* Delivery Year and subsequent Delivery Years, the values indicated in the table below for each CONE Area for a combustion turbine generator (“CT”), and a combined cycle generator (“CC”) respectively, and shall be adjusted for subsequent Delivery Years in accordance with subsection (h)(2) below. For purposes of Incremental Auctions for the *2021/2022* Delivery Year, the MOPR Floor Offer Price shall be the same as that used in the Base Residual Auction for such Delivery Year. The estimated energy and ancillary service revenues for each type of plant shall be determined as described in subsection (h)(3) below. Notwithstanding the foregoing, the Net Asset Class Cost of New Entry shall be zero for: (i) Sell Offers based on nuclear, coal or Integrated Gasification Combined Cycle facilities; or (ii) Sell Offers based on hydroelectric, wind, or solar facilities.

	CONE Area 1	CONE Area 2	CONE Area 3	CONE Area 4
CT $/MW-yr	*108,000*	*109,700*	*105,500*	*105,500*
CC $/MW-yr	*118,400*	*122,000*	*111,900*	*114,200*

(2) Beginning with the Delivery Year that begins on June 1, 2019, the gross Cost of New Entry component of the Net Asset Class Cost of New Entry shall be adjusted to reflect changes in generating plant construction costs in the same manner as set forth for the cost of new entry in section 5.10(a)(iv)(B), provided, however, that the Applicable BLS Composite Index used for CC plants shall be calculated from the three indices referenced in that section but weighted *20*% for the wages index, *55*% for the construction materials index, and *25*% for the turbines index, and provided further that nothing herein shall preclude the Office of the Interconnection from filing to change the Net Asset Class Cost of New Entry for any Delivery Year pursuant to appropriate filings with FERC under the Federal Power Act.

(3) For the 2021/2022 Delivery Year, for purposes of this provision, the net energy and ancillary services revenue estimate for a combustion turbine generator shall be that determined by section 5.10(a)(v)(A) of this Attachment DD, provided that the energy revenue estimate for each CONE Area shall be based on the Zone within such CONE Area that has the highest energy revenue estimate calculated under the methodology in that subsection. The net energy and ancillary services revenue estimate for a combined cycle generator shall be determined in the same manner as that prescribed for a combustion turbine generator in the previous sentence, except that the heat rate assumed for the combined cycle resource shall be *6.553* MMbtu/Mwh, the variable operations and maintenance expenses for such resource shall be $*2.11* per MWh, the Peak-Hour Dispatch scenario for both the Day-Ahead and Real-Time Energy Markets shall be modified to dispatch the CC resource continuously during the full peak-hour period, as described in *Peak-Hour Dispatch,* for each such period that the resource is economic (using the test set forth in such *definition*), rather than only during the four-hour blocks within such period that such resource is economic, and the ancillary service revenues shall be $*3350* per MW-year.

For the 2022/2023 Delivery Year and subsequent Delivery Years, for purposes of this provision, the net energy and ancillary services revenue estimate for a combustion turbine generator shall be that determined by Tariff, Attachment DD, section 5.10(a)(v-1)(A), provided that the energy and ancillary services revenue estimate for each CONE Area shall be based on the Zone within such CONE Area that has the highest energy revenue estimate calculated under the methodology in that subsection. The net energy and ancillary services revenue estimate for a combined cycle generator shall be determined in the same manner as that prescribed for a combustion turbine generator in the previous sentence, except that the heat rate assumed for the combined cycle resource shall be 6.501 MMbtu/MWh, the variable operations and maintenance expenses for such resource shall be $2.11 per MWh, a 10% adder will not be included in the energy offer, and the reactive service revenues shall be $3,350 per MW-year.

(4) Any Sell Offer that is based on *either (i) or (ii), and (iii)*:

i) a Generation Capacity Resource located in the PJM Region that is submitted in an RPM Auction for a Delivery Year unless a Sell Offer based on that resource has cleared an RPM Auction for that or any prior Delivery Year, or until a Sell Offer based on that resource clears an RPM auction for that or any subsequent Delivery Year; or

ii) a Generation Capacity Resource located outside the PJM Region (where such Sell Offer is based solely on such resource) that requires sufficient transmission investment for delivery to the PJM Region to indicate a long-term commitment to providing capacity to the PJM Region, unless a Sell Offer based on that resource has cleared an RPM Auction for that or any prior Delivery Year, or until a Sell offer based on that resource clears an RPM Auction for that or any subsequent Delivery Year*;*

iii) in any LDA for which a separate VRR Curve is established for use in the Base Residual Auction for the Delivery Year relevant to the RPM Auction in which such offer is submitted, and that is less than 90 percent of the applicable Net Asset Class Cost of New Entry or, if there is no applicable Net Asset Class Cost of New Entry, less than 70 percent of the Net Asset Class Cost of New Entry for a combustion turbine generator as provided in subsection (h)(1) above shall be set to equal 90 percent of the applicable Net Asset Class Cost of New Entry (or set equal to 70 percent of such cost for a combustion turbine, where there is no otherwise applicable net asset class figure), unless the Capacity Market Seller obtains the prior determination from the Office of the Interconnection described in subsection (5) hereof. This provision applies to Sell Offers submitted in Incremental Auctions conducted after December 19, 2011, provided that the Net Asset Class Cost of New Entry values for any such Incremental Auctions for the 2012-13 or 2013-14 Delivery Years shall be the Net Asset Class Cost of New Entry values posted by the Office of the Interconnection for the Base Residual Auction for the 2014-15 Delivery Year.

(5) Unit-Specific Exception. A Sell Offer meeting the criteria in subsection (4) shall be permitted and shall not be re-set to the price level specified in that subsection if the Capacity Market Seller obtains a determination from the Office of the Interconnection or the Commission, prior to the RPM Auction in which it seeks to submit the Sell Offer, that such Sell Offer is permissible because it is consistent with the competitive, cost-based, fixed, net cost of new entry were the resource to rely solely on revenues from PJM-administered markets. The following process and requirements shall apply to requests for such determinations:

i) The Capacity Market Seller may request such a determination by no later than one hundred twenty (120) days prior to the commencement of the offer period for the RPM Auction in which it seeks to submit its Sell Offer, by submitting simultaneously to the Office of the Interconnection and the Market Monitoring Unit a written request with all of the required documentation as described below and in the PJM Manuals. For such purpose, the Office of the Interconnection shall post, by no later than one hundred fifty (150) days prior to the commencement of the offer period for the relevant RPM Auction, a preliminary estimate for the relevant Delivery Year of the minimum offer level expected to be established under subsection

(4). If the minimum offer level subsequently established for the relevant Delivery Year is less than the Sell Offer, the Sell Offer shall be permitted and no exception shall be required.

ii) As more fully set forth in the PJM Manuals, the Capacity Market Seller must include in its request for an exception under this subsection documentation to support the fixed development, construction, operation, and maintenance costs of the planned generation resource, as well as estimates of offsetting net revenues, or, sufficient data for the Office of the Interconnection and the Market Monitoring Unit to produce such an estimate. Estimates of costs or revenues shall be supported at a level of detail comparable to the cost and revenue estimates used to support the Net Asset Class Cost of New Entry established under this section 5.14(h). As more fully set forth in the PJM Manuals, supporting documentation for project costs may include, as applicable and available, a complete project description; environmental permits; vendor quotes for plant or equipment; evidence of actual costs of recent comparable projects; bases for electric and gas interconnection costs and any cost contingencies; bases and support for property taxes, insurance, operations and maintenance ("O&M") contractor costs, and other fixed O&M and administrative or general costs; financing documents for construction–period and permanent financing or evidence of recent debt costs of the seller for comparable investments; and the bases and support for the claimed capitalization ratio, rate of return, cost-recovery period, inflation rate, or other parameters used in financial modeling. Such documentation also shall identify and support any sunk costs that the Capacity Market Seller has reflected as a reduction to its Sell Offer. The request shall include a certification, signed by an officer of the Capacity Market Seller, that the claimed costs accurately reflect, in all material respects, the seller's reasonably expected costs of new entry and that the request satisfies all standards for an exception hereunder.

The request also shall identify all revenue sources relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above.

For the 2021/2022 Delivery Year, in making such demonstration, the Capacity Market Seller may rely upon forecasts of competitive electricity prices in the PJM Region based on well defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, energy demand, emissions allowance prices, and expected environmental or energy policies that affect the seller's forecast of electricity prices in such region, employing input data from sources readily available to the public. Documentation for net revenues also may include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, and ancillary service capabilities. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

For the 2022/2023 Delivery Year and subsequent Delivery Years, in making such demonstration, the Capacity Market Seller may rely upon revenues projected by well defined, forward-looking dispatch models, designed to generally follow the rules and processes of PJM's energy and ancillary services markets. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price.Where forward fuel markets are not available, publicly available estimates of future fuel prices may be used. The model shall also contain estimates of variable operation and maintenance costs, which may include Maintenance Adders, and emissions allowance prices. Documentation for net revenues also must include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, capacity factors and ancillary service capabilities.

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices, and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, and plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

iii) A Sell Offer evaluated hereunder shall be permitted if the information provided reasonably demonstrates that the Sell Offer's competitive, cost-based, fixed, net cost of new entry is below the minimum offer level prescribed by subsection (4), based on competitive cost advantages relative to the costs estimated for subsection (4), including, without limitation, competitive cost advantages resulting from the Capacity Market Seller's business model, financial condition, tax status, access to capital or other similar conditions affecting the applicant's costs, or based on net revenues that are reasonably demonstrated hereunder to be higher than estimated for subsection (4). Capacity Market Sellers shall be asked to demonstrate that claimed cost advantages or sources of net revenue that are irregular or anomalous, that do not reflect arm's-length transactions, or that are not in the ordinary course of the Capacity Market Seller's business are consistent with the standards of this subsection. Failure to adequately support such costs or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in denial of an exception hereunder by the Office of the Interconnection.

iv) The Market Monitoring Unit shall review the information and documentation in support of the request and shall provide its findings whether the proposed Sell Offer is acceptable, in accordance with the standards and criteria hereunder, in writing, to the Capacity Market Seller and the Office of the Interconnection by no later than ninety (90) days prior to the commencement of the offer period for such auction. The Office of the Interconnection shall also review all exception requests and documentation and shall provide in writing to the Capacity Market Seller, and the Market Monitoring Unit, its determination whether the requested Sell Offer is acceptable and if not it shall calculate and provide to such Capacity Market Seller, a minimum Sell Offer based on the data and documentation received, by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. If the Office of the Interconnection determines that the requested Sell Offer is acceptable, the Capacity Market Seller Shall notify the Market Monitoring Unit and the Office of the Interconnection, in writing, of the minimum level of Sell Offer to which it agrees to commit by no later than sixty (60) days prior to the commencement of the offer period for the relevant RPM Auction.

h-1) Minimum Offer Price Rule for Capacity Resources with State Subsidy

*(1) **General Rule.** Any Sell Offer based on either a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with a State Subsidy submitted in any RPM Auction shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the Capacity Market Seller qualifies for an exemption with respect to such Capacity Resource with a State Subsidy prior to the submission of such offer.*

(A) Effect of Exemption. To the extent a Sell Offer in any RPM Auction is based on a Capacity Resource with State Subsidy that qualifies for any of the exemptions defined in Tariff, Attachment DD, sections 5.14(h-1)(4)-(8), the Sell Offer for such resource shall not be limited by the MOPR Floor Offer Price, unless otherwise specified.

(B) Effect of Exception. To the extent a Sell Offer in any RPM Auction for any Delivery Year is based on a Capacity Resource with State Subsidy for which the Capacity Market Seller obtains, prior to the submission of such offer, a resource-specific exception, such offer may include an offer price below the default MOPR Floor Offer Price applicable to such resource type, but no lower than the resource-specific MOPR Floor Offer Price determined in such exception process.

(C) Process for Establishing a Capacity Resource with a State Subsidy.

(i) By no later than one hundred and twenty (120) days prior to the commencement of the offer period of any RPM Auction conducted for the 2022/2023 Delivery Year and all subsequent Delivery Years, each Capacity Market Seller must certify to the Office of Interconnection, in accordance with the PJM Manuals, whether or not each Capacity Resource (other than Demand Resource and Energy Efficiency Resource) that the Capacity Market Seller intends to offer into the RPM Auction qualifies as a Capacity Resource with a State Subsidy (including by way of Jointly Owned Cross-Subsidized Capacity Resource) and identify (with specificity) any State Subsidy. Capacity Market Sellers that intend to offer a Demand Resource or an Energy Efficiency Resource into the RPM Auction shall certify to the Office of Interconnection, in accordance with the PJM Manuals, whether or not such Demand Resource or Energy Efficiency Resource qualifies as a Capacity Resource with a State Subsidy no later than thirty (30) days prior to the commencement of the offer period of any RPM Auction conducted for the 2022/2023 Delivery Year and all subsequent Delivery Years. All Capacity

Market Sellers shall be responsible for each certification irrespective of any guidance developed by the Office of the Interconnection and the Market Monitoring Unit. A Capacity Resource shall be deemed a Capacity Resource with State Subsidy if the Capacity Market Seller fails to timely certify whether or not a Capacity Resource is entitled to a State Subsidy, unless the Capacity Market Seller receives a waiver from the Commission or the Capacity Resource previously received a resource-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-1)(3).

(ii) The requirements in subsection (i) above do not apply to Capacity Resources for which the Market Seller designated whether or not it is subject to a State Subsidy and the associated subsidies to which the Capacity Resource is entitled in a prior Delivery Year, unless there has been a change in the set of those State Subsidy(ies), or for those which are eligible for the Demand Resource or Energy Efficiency exemption, Capacity Storage Resource exemption, Self-Supply Entity exemption, or the Renewable Portfolio Standard exemption.

(iii) Once a Capacity Market Seller has certified a Capacity Resource as a Capacity Resource with a State Subsidy, the status of such Capacity Resource will remain unchanged unless and until the Capacity Market Seller (or a subsequent Capacity Market Seller) that owns or controls such Capacity Resource provides a certification of a change in such status, the Office of the Interconnection removes such status, or by FERC order. All Capacity Market Sellers shall have an ongoing obligation to certify to the Office of Interconnection and the Market Monitoring Unit a Capacity Resource's change in status as a Capacity Resource with State Subsidy within 5 days of such change.

(2) ***Minimum Offer Price Rule.*** *Any Sell Offer for a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with State Subsidy that does not qualify for any of the exemptions, as defined in Tariff, Attachment DD, sections 5.14(h-1)(4)-(8), shall have an offer price no lower than the applicable MOPR Floor Offer Price.*

(A) New Entry MOPR Floor Offer Price. For a New Entry Capacity Resource with State Subsidy the applicable MOPR Floor Offer Price, based on the net cost of new entry for each resource type, shall be, at the election of the Capacity Market Seller, (i) the resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-1)(3) below or (ii) if applicable, the default New Entry MOPR Floor Offer Price for the applicable resource based on the gross cost of new entry values shown in the table below, as adjusted for Delivery Years subsequent to the 2022/2023 Delivery Year, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

Resource Type	***Gross Cost of New Entry (2022/2023 $/ MW-day) (Nameplate)***
Nuclear	*$2,000*
Coal	*$1,068*
Combined Cycle	*$320*
Combustion Turbine	*$294*

Fixed Solar PV	*$271*
Tracking Solar PV	*$290*
Onshore Wind	*$420*
Offshore Wind	*$1,155*
Battery Energy Storage	*$532*
Generation Backed Demand Resource	*$254*

The gross cost of new entry values in the table above are expressed in dollars per MW-day in terms of nameplate megawatts. For purposes of submitting a Sell Offer, the gross cost of new entry values must be converted to a net cost of new entry by subtracting the estimated net energy and ancillary service revenues, as determined below, from the gross cost of new entry. However, the resultant net cost of new entry of the battery energy storage resource type in the table above must be multiplied by 2.5. The net cost of new entry based on nameplate capacity is then converted to Unforced Capacity ("UCAP") MW-day. To determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for thermal generation resource types and battery energy storage resource types, the applicable class average EFORd; for wind and solar generation resource types, the applicable class average capacity value factor; or for Demand Resources and Energy Efficiency Resources, the Forecast Pool Requirement, as applicable to the relevant RPM Auction. The resulting default New Entry MOPR Floor Offer price in UCAP/MW-day terms shall be applied to each MW offered for the Capacity Resource regardless of the actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource.

The default New Entry MOPR Floor Offer Price for load-backed Demand Resources (i.e., the MW portion of Demand Resources that is not supported by generation) shall be separately determined for each Locational Deliverability Area as the MW-weighted average offer price of load-backed Demand Resources from the most recent three Base Residual Auctions, where the MW weighting shall be determined based on the portion of each Sell Offer for a load-backed portion of the Demand Resource that is supported by end-use customer locations on the registrations used in the pre-registration process for such Base Residual Auctions, as described in the PJM Manuals.

The default gross cost of new entry *for Energy Efficiency Resources shall be $*644/ICAP MW-Day, which shall be offset by projected wholesale energy savings, as well as transmission and distribution savings of $95/ICAP MW-Day, to determine the default New Entry MOPR Floor Offer Price (Net Cost of New Entry), where the projected wholesale energy savings are determined utilizing the cost and performance data of relevant programs offered by representative energy efficiency programs with sufficiently detailed publicly available data. The wholesale energy savings, in $/ICAP MW-day, shall be calculated prior to each RPM Auction and be equal to the average annual energy savings of 6,221 MWh/ICAP MW times the weighted average of the annual real-time Forward Hourly LMPs of the Zones of the representative energy efficiency programs, where the weighting is developed from the annual energy savings in the relevant Zones, divided by 365.

Commencing with the Base Residual Auction for the 2023/2024 Delivery Year, the Office of the Interconnection shall adjust the default gross costs of new entry in the table above and for load-backed Demand Resources, and post the preliminary estimates of the adjusted applicable default New Entry MOPR Floor Offer Prices on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the adjusted applicable default New Entry MOPR Floor Offer Prices for all resource types except for load-backed Demand Resources and Energy Efficiency Resources, the Office of the Interconnection shall adjust the gross costs of new entry utilizing, for combustion turbine and combined cycle resource types, the same Applicable BLS Composite Index applied for such Delivery Year to adjust the CONE value used to determine the Variable Resource Requirement Curve, in accordance with Tariff, Attachment DD, section 5.10(a)(iv), and for all other resource types, the "BLS Producer Price Index Turbines and Turbine Generator Sets" component of the Applicable BLS Composite Index used to determine the Variable Resource Requirement Curve shall be replaced with the "BLS Producer Price Index Final Demand, Goods Less Food & Energy, Private Capital Equipment" when adjusting the gross costs of new entry. The resultant value shall then be then adjusted further by a factor of 1.022 for nuclear, coal, combustion turbine, combine cycle, and generation-backed Demand Resource types or 1.01 for solar, wind, and storage resource types to reflect the annual decline in bonus depreciation scheduled under federal corporate tax law. Updated estimates of the net energy and ancillary service revenues for each default resource type and applicable Zone, which shall include, but are not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2 shall then be subtracted from the adjusted gross costs of new entry to determine the adjusted New Entry MOPR Floor Offer Price. The net energy and ancillary services revenue shall be the the average of the net energy and ancillary services revenues that the resource is projected to receive from the PJM energy and ancillary service markets for the applicable Delivery Year from three separate simulations, with each such simulation using forward prices shaped using historical data from one of each of the three consecutive calendar years preceding the time of the determination for the RPM Auction to take account of year-to-year variability in such hourly shapes. Each net energy and ancillary services revenue simulation shall be conducted *in accordance with the following and the PJM Manuals:*

(i) for nuclear resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined by the gross energy market revenue determined by the product of [average annual day-ahead* Forward Hourly *LMP*s for such Zone, *times 8,760 hours times the annual average equivalent availability factor of all PJM nuclear resources] minus the total annual cost to produce energy determined by the product of [8,760 hours times the annual average equivalent availability factor of all PJM nuclear resources times $9.02/MWh for a single unit plant or $7.66/MWh for a multi-unit plant] where these hourly cost rates include fuel costs and variable operation and maintenance expenses, inclusive of Maintenance Adder costs, plus* reactive *services revenue of $3,350/MW-year;*

(ii) for coal resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined by* the Projected EAS *Dispatch of a 650 MW coal unit (with heat rate of 8,638 BTU/kWh and variable operations and maintenance variable operation and maintenance expenses, inclusive of Maintenance Adder costs, of $9.50/MWh) using* day-ahead and real-time Forward Hourly LMPs for such Zone and Forward Hourly Ancillary Service Prices, and daily forecasted *coal prices, as set forth in the PJM Manuals,* plus reactive *services revenue of $3,350/MW-year;*

(iii) for combustion turbine resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v-1)(B) for the Reference Resource combustion turbine.*

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined in the same manner as that prescribed for a combustion turbine resource type, except that the heat rate assumed for the combined cycle resource shall be* 6,501 *BTU/kwh, the variable operations and maintenance expenses for such resource, inclusive of Maintenance Adder costs, shall be $2.11/MWh,* plus reactive services revenue of *$3,350/MW-year.*

(v) for solar PV resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined using a solar resource model that provides the average MW output level, expressed as a percentage of nameplate rating, by hour of day (for each of the 24-hours of a day) and by calendar month (for each of the twelve months of a year). The annual net energy market revenues are determined by multiplying the solar output level of each hour by the real-time* Forward Hourly *LMP* for such Zone and *applicable to such hour with this product summed across all of the hours of an annual period, plus* reactive *services revenue of $3,350/MW-year. Two separate solar resource models are used, one model for a fixed panel resource and a second model for a tracking panel resource;*

(vi) for onshore wind resource type, the net energy and ancillary services revenue estimate for each Zone *shall be determined using a wind resource model that provides the average MW output level, expressed as a percentage of nameplate rating, by hour of day (for each of the 24-hours of a day) and by calendar month (for each of the twelve months of a year). The annual energy market revenues are determined by multiplying the wind output level of each hour by the real-time* Forward Hourly *LMP* for such Zone *applicable to such hour with this product summed across all of the hours of an annual period, plus* reactive *services revenue of $3,350/MW-year;*

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate for each Zone *shall be* determined by the gross energy market revenue equal to *the product of [the average annual real-time* Forward Hourly *LMP* for such Zone *times 8,760 hours times an assumed annual capacity factor of 45%], plus* reactive *services revenue of $3,350/MW-year;*

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by the Projected EAS Dispatch of a 1 MW, 4MWh resource, with an 85% roundtrip efficiency, and assumed to be dispatched between 95% and 5% state of charge against day-ahead and real-time Forward Hourly LMPs for such Zone and Forward Hourly Ancillary Service Prices*, plus* reactive *services revenue of $3,350/MW-year; and*

(ix) for generation-backed Demand Resource, the net energy and ancillary services revenue estimate shall be zero dollars.

Beginning with the Delivery Year that commences June 1, 2022, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the default gross cost of new entry values. Such review may include, without limitation, analyses of the fixed development, construction, operation, and maintenance costs for such resource types. Based on the results of such review, PJM shall propose either to modify or retain the default gross cost of new entry values stated in the table above and the default gross cost of new entry value *for Energy Efficiency Resources. The Office of the Interconnection shall post publicly and* *solicit stakeholder comment regarding the proposal. If, as a result of this process, changes to the default gross cost of new entry values are proposed, the Office of the Interconnection shall file such proposed modifications with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.*

New Entry Capacity Resource with State Subsidy for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a resource-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource for the relevant RPM Auction.

(B) Cleared MOPR Floor Offer Prices.

(i) *For a Cleared Capacity Resource with State Subsidy, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (*a*) based on the resource-specific MOPR Floor Offer Price , as determined in accordance with Tariff, Attachment DD, section 5.14(h-1)(3) below, or (*b*) if available, the default Avoidable Cost Rate for the applicable resource type shown in the table below, as adjusted for Delivery Years subsequent for the 2022/2023 Delivery Year to reflect changes in avoidable costs, net of projected PJM market revenues equal to the resource's net energy and ancillary service* revenues for the resource type, as determined in accordance with subsection (ii) below.

Existing Resource Type	***Default Gross ACR (2022/2023 ($/MW-day) (Nameplate)***
Nuclear - single	*$697*
Nuclear - dual	*$445*
Coal	*$80*
Combined Cycle	*$56*
Combustion Turbine	*$50*
Solar PV (fixed and tracking)	*$40*
Wind Onshore	*$83*
Generation-backed Demand Response	*$3*
Load-backed Demand Response	*$0*
Energy Efficiency	*$0*

The default gross Avoidable Cost Rate values in the table above are expressed in dollars per MW-day in terms of nameplate megawatts. For purposes of submitting a Sell Offer, the default Avoidable Cost Rate values must be net of estimated net energy and ancillary service revenues, and then the difference is ultimately converted to Unforced Capacity ("UCAP") MW-day, where the UCAP MW-day value will be determined based on the resource-specific EFORd for thermal *generation resource types and battery energy storage resource types, resource-specific capacity value factor for solar and wind generation resource types (based on the ratio of Capacity Interconnection Rights to nameplate capacity, appropriately time-weighted for any winter Capacity Interconnection Rights), or the Forecast Pool Requirement for Demand Resources and Energy Efficiency Resources, as applicable to the relevant RPM Auction. The resulting default Cleared MOPR Floor Offer price in UCAP/MW-day terms shall be applied to each MW offered for the Capacity Resource regardless of actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource.*

Commencing with the Base Residual Auction for the 2023/2024 Delivery Year, the Office of the Interconnection shall adjust the default Avoidable Cost Rates in the table above, and post the adjusted values on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the adjusted Avoidable Cost Rates, the Office of the Interconnection shall utilize the 10-year average Handy-Whitman Index in order to adjust the Gross ACR values to account for expected inflation. Updated estimates of the net energy and ancillary service revenues shall be determined on a resource-specific basis in accordance with Tariff, Attachment DD, section 6.8(d) and the PJM Manuals.

Beginning with the Delivery Year that commences June 1, 2022, and continuing no later than for every fourth Delivery Year thereafter, the Office of the Interconnection shall review the default Avoidable Cost Rates for Capacity Resources with State Subsidies that have cleared in an RPM Auction for any prior Delivery Year. Such review may include, without limitation, analyses of the avoidable costs of such resource types. Based on the results of such review, PJM shall propose either to modify or retain the default Avoidable Cost Rate values stated in the table above. The Office of the Interconnection shall post publicly and solicit stakeholder comment regarding the proposal. If, as a result of this process, changes to the default Avoidable Cost Rate values are proposed, the Office of the Interconnection shall file such proposed modifications with the FERC by October 1, prior to the conduct of the Base Residual Auction for the first Delivery Year in which the new values would be applied.

Cleared Capacity Resources with State Subsidy for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a resource-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

(ii) The net energy and ancillary services revenue is equal to forecasted net revenues which shall be determined in accordance with the applicable resource type net energy and ancillary services revenue determination methodology set forth in Tariff, Attachment DD, section 5.14(h-1)(2)(A)(i) through (ix) and using the subject resource's operating parameters as determined in accordance with the PJM Manuals based on (a) offers submitted in the Day-ahead Energy Market and Real-time Energy Market over the calendar year preceding the time of the determination for the RPM Auction; (b) the resource-specific operating parameters approved, as applicable, in accordance with Operating Agreement, Schedule 1, section 6.6(b) and Operating Agreement, Schedule 2 (including any Fuel Costs, emissions costs, Maintenance Adders, and

Operating Costs); (c) the resource's EFORd; (d) Forward Hourly LMPs at the generation bus as determined in accordance with Tariff, Attachment DD, section 5.10(a)(v-1)(C)(6); and (e) the resource's stated annual revenue requirement for reactive services; plus any unit-specific bilateral contract. In addition, the following resource type-specific parameters shall be considered; (f) for combustion turbine, combined cycle, and coal resource types: the installed capacity rating, ramp rate (which shall be equal to the maximum ramp rate included in the resource's energy offers over the most recent previous calendar year preceding the determination for the RPM Auction), and the heat rate as determined as the resource's average heat rate at full load as submitted to the Market Monitoring Unit and the Office of the Interconnection, where for combined cycle resources heat rates will be determined at base load and at peak load (e.g., without duct burners and with duct burners), as applicable; (g) for nuclear resource type: anticipated refueling schedule; (h) for solar and wind resource types: the resource's output profiles for the most recent three calendar years, as available; and (i) for battery storage resource type: the nameplate capacity rating (on a MW / MWh basis).

To the extent the resource has not achieved commercial operation, the operating parameters used in the simulation of the net energy and ancillary service revenues will be based on the manufacturer's specifications and/or from parameters used for other existing, comparable resources, as developed by the Market Monitoring Unit and the Capacity Market Seller, and accepted by the Office of the Interconnection.

A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Cleared Capacity Resource with State Subsidy based on a net energy and ancillary services revenue determination that does not use the foregoing methodology or parameter inputs stated for that resource type shall, at its election, submit a request for a resource-specific MOPR Floor Offer Price for such Capacity Resource pursuant to Tariff, Attachment DD, section 5.14(h-1)(3) below.

(3) Resource-Specific Exception. A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a New Entry Capacity Resource with State Subsidy or a Cleared Capacity Resource with State Subsidy below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a resource-specific exception for such Capacity Resource. A Sell Offer below the default MOPR Floor Offer Price, but no lower than the resource-specific MOPR Floor Offer Price, shall be permitted if the Capacity Market Seller obtains approval from the Office of the Interconnection or the Commission, prior to the RPM Auction in which it seeks to submit the Sell Offer. The resource-specific MOPR Floor Offer Price determined under this provision shall be based on the resource-specific EFORd for thermal generation resource types and battery energy storage resource types, resource-specific capacity value factor for solar and wind generation resource types (based on the ratio of Capacity Interconnection Rights to nameplate capacity, appropriately time-weighted for any winter Capacity Interconnection Rights), or the Forecast Pool Requirement for Demand Resources and Energy Efficiency Resources, as applicable to the relevant RPM Auction and shall be applied to each MW offered by the resource regardless of actual Sell Offer quantity and regardless of whether the Sell Offer is for a Seasonal Capacity Performance Resource. Such Sell Offer is permissible because it is consistent with the competitive, cost-based, fixed, net cost were the resource to rely solely on revenues exclusive of any State Subsidy. All supporting data must be provided for all requests. The following requirements shall apply to requests for such determinations:

(A) The Capacity Market Seller shall submit a written request with all of the required documentation as described below and in the PJM Manuals. For such purpose, the Capacity Market Seller shall submit the resource-specific exception request to the Office of the Interconnection and the Market Monitoring Unit no later than one hundred twenty (120) days prior to the commencement of the offer period for the RPM Auction in which it seeks to submit its Sell Offer. For such purpose, the Office of the Interconnection shall post, by no later than one hundred fifty (150) days prior to the commencement of the offer period for the relevant RPM Auction, a preliminary estimate for the relevant Delivery Year of the default Minimum Floor Offer Prices, determined pursuant to Tariff, Attachment DD, sections 5.14(h-1)(2)(A) and (B). If the final applicable default Minimum Floor Offer Price subsequently established for the relevant Delivery Year is less than the Sell Offer, the Sell Offer shall be permitted and no exception shall be required.

(B) For a resource-specific exception for a New Entry Capacity Resource with State Subsidy, the Capacity Market Seller must include in its request for an exception under this subsection documentation to support the fixed development, construction, operation, and maintenance costs of the Capacity Resource, as well as estimates of offsetting net revenues.

The financial modeling assumptions for calculating Cost of New Entry for Generation Capacity Resources and generation-backed Demand Resources shall be: (i) nominal levelization of gross costs, (ii) asset life of twenty years, (iii) no residual value, (iv) all project costs included with no sunk costs excluded, (v) use first year revenues (which may include revenues from the sale of renewable energy credits for purposes other than state-mandated or state-sponsored programs), and (vi) weighted average cost of capital based on the actual cost of capital for the entity proposing to build the Capacity Resource. Notwithstanding the foregoing, a Capacity Market Seller that seeks to utilize an asset life other than twenty years (but no greater than 35 years) shall provide evidence to support the use of a different asset life, including but not limited to, the asset life term for such resource as utilized in the Capacity Market Seller's financial accounting (e.g., independently audited financial statements), or project financing documents for the resource or evidence of actual costs or financing assumptions of recent comparable projects to the extent the seller has not executed project financing for the resource (e.g., independent project engineer opinion or manufacturer's performance guarantee), or opinions of third-party experts regarding the reasonableness of the financing assumptions used for the project itself or in comparable projects. Capacity Market Sellers may also rely on evidence presented in federal filings, such as its FERC Form No. 1 or an SEC Form 10-K, to demonstrate an asset life other than 20 years of similar asset projects.

Supporting documentation for project costs may include, as applicable and available, a complete project description; environmental permits; vendor quotes for plant or equipment; evidence of actual costs of recent comparable projects; bases for electric and gas interconnection costs and any cost contingencies; bases and support for property taxes, insurance, operations and maintenance ("O&M") contractor costs, and other fixed O&M and administrative or general costs; financing documents for construction-period and permanent financing or evidence of recent debt costs of the seller for comparable investments; and the bases and support for the claimed capitalization ratio, rate of return, cost-recovery period, inflation rate, or other *parameters used in financial modeling. In addition to the certification, signed by an officer of the Capacity Market Seller, the request must include a certification that the claimed costs accurately reflect, in all material respects, the seller's reasonably expected costs of new entry and that the request satisfies all standards for a resource-specific exception hereunder. The request also shall identify all revenue sources (exclusive of any State Subsidies) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above. In making such demonstration, the Capacity Market Seller may rely upon* revenues projected by *well-defined,* forward-looking dispatch *models* designed to generally follow the rules and processes of PJM's energy and ancillary services market. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price. Where forward fuel markets are not available, publicly available *estimates of future fuel* prices may be used. The model shall also contain estimates of *variable operation and maintenance expenses,* which may include Maintenance Adders, and *emissions allowance prices. Documentation for net revenues also* must *include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses,* capacity factors, *and ancillary service capabilities. Any evaluation of net revenues should be consistent with Operating Agreement, Schedule 2, including, but not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable.*

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, plus plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

The default assumptions for calculating resource-specific Cost of New Entry for Energy Efficiency Resources shall be based on, as supported by documentation provided by the Capacity Market Seller: the nominal-levelized annual cost to implement the Energy Efficiency program or to install the Energy Efficiency measure reflective of the useful life of the implemented Energy Efficiency equipment, and the offsetting savings associated with avoided wholesale energy costs and other claimed savings provided by implementing the Energy Efficiency program or installing the Energy Efficiency measure.

The default assumptions for calculating resource-specific Cost of New Entry for load-backed Demand Resources shall be based on, as supported by documentation provided by the Capacity Market Seller, program costs required for the resource to meet the capacity obligations of a Demand Resource, including all fixed operating and maintenance cost and weighted average cost of capital based on the actual cost of capital for the entity proposing to develop the Demand Resource.

For generation-backed Demand Resources, the determination of a resource-specific MOPR Floor Offer Price shall only consider the resource's costs related to participation in the Reliability Pricing Model and meeting a capacity commitment. The Capacity Market Seller must provide supporting documentation (at the end-use customer level) of the cost associated with participation as a Demand Resource and an attestation from the Demand Resource that all other costs are not related to participation as a Demand Resource, such as the costs associated with installation and operation of the generation unit, and will be accrued and paid regardless of participation in the Reliability Pricing Model. To the extent the Capacity Market Seller includes all costs associated with the generation unit supporting the Demand Resource then demand charge management benefits at the retail level (as supported by documentation at the end-use customer level) may also be considered as an additional offset to such costs. Supporting documentation (at the end-use customer level) may include, but is not limited to, historic end-use customer bills and associated analysis that identifies the annual retail avoided cost from the operation of such generation unit or the business case to support installation of the generator or regulatory requirements where the generator would be required absent participation in the Reliability Pricing Model.

(C) For a Resource-Specific Exception for a Cleared Capacity Resource with State Subsidy that is a generation resource, the Capacity Market Seller shall submit a Sell Offer consistent with the unit-specific Market Seller Offer Cap process pursuant to Tariff, Attachment DD, section 6.8; except that the 10% uncertainty adder may not be included in the "Adjustment Factor." In addition and notwithstanding the requirements of Tariff, Attachment DD, section 6.8, the Capacity Market Seller shall*, at its election, include in its request for an exception under this subsection documentation to support projected energy and ancillary services markets revenues. Such a request shall identify all revenue sources (exclusive of any State Subsidies) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standard prescribed above. In making such demonstration, the Capacity Market Seller may rely upon* revenues projected by *well-defined*, forward-looking dispatch *models* designed to generally follow the rules and processes of PJM's energy and ancillary services market. Such models must utilize publicly available forward prices for electricity and fuel in the PJM Region. Any modifications made to the forward electricity and fuel prices must similarly use publicly available data. Alternative forward prices for fuel may be used if accompanied by contractual evidence showing the applicability of the alternative fuel price. Where forward fuel markets are not avaliable, publicly avaliable estimates of future fuel sources may be used. The model shall also contain estimates of *variable operation and maintenance expenses,* which may include Maintenance Adders, and *emissions allowance prices. Documentation for net revenues also* must *include, as available and applicable, plant performance and capability information,*

including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, capacity factors, *and ancillary service capabilities. Any evaluation of revenues should include, but would not be not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2.*

In the alternative, the Capacity Market Seller may request that the Market Monitoring Unit, subject to acceptance by the Office of Interconnection, produce a resource-specific Energy & Ancillary Services Offset value for such resource using the Forward Hourly LMPs, Forward Hourly Ancillary Service Prices and either Forward Daily Natural Gas Prices for combustion turbines and combined cycle resources, or forecasted fuel prices for other resource types, plus plant parameters and capability information specific to the dispatch of the resource, as outlined above. In addition to the documentation identified herein and in the PJM Manuals, the Capacity Market Seller shall provide any additional supporting information reasonably requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate the Sell Offer. Requests for additional documentation will not extend the deadline by which the Office of the Interconnection or the Market Monitoring Unit must provide their determinations of the Minimum Offer Price Rule exception request.

The resource-specific MOPR Floor Offer Price for a Cleared Capacity Resource with State Subsidy that is a generation-backed Demand Resource will be determined based on only costs associated with the resource participating in the Reliability Pricing Model and satisfying a capacity commitment or, to the extent the Capacity Market Seller includes all costs associated with the generation unit supporting the Demand Resource, then demand charge management benefits at the retail level (as supported by documentation at the end-use customer level) may also be considered as an additional offset to such costs. Supporting documentation (at the end-use customer level) may include but is not limited to, historic end-use customer bills and associated analysis that identifies the annual retail avoided cost from the operation of such generation unit or the business case to support installation of the generator or regulatory requirements where the generator would be required absent participation in the Reliability Pricing Model.

(D) A Sell Offer evaluated at the resource-specific exception shall be permitted if the information provided reasonably demonstrates that the Sell Offer's competitive, cost-based, fixed, net cost of new entry is below the default MOPR Floor Offer Price, based on competitive cost advantages relative to the costs estimated by the default MOPR Floor Offer Price, including, without limitation, competitive cost advantages resulting from the Capacity Market Seller's business model, financial condition, tax status, access to capital or other similar conditions affecting the applicant's costs, or based on net revenues that are reasonably demonstrated hereunder to be higher than those estimated by the default MOPR Floor Offer Price. Capacity Market Sellers shall demonstrate that claimed cost advantages or sources of net revenue that are irregular or anomalous, that do not reflect arm's-length transactions, or that are not in the ordinary course of the Capacity Market Seller's business are consistent with the standards of this subsection. Failure to adequately support such costs or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in denial of a resource-specific exception by the Office of the Interconnection.

(E) The Capacity Market Seller must submit a sworn, notarized certification of a duly authorized officer, certifying that the officer has personal knowledge of the resource-specific exception request and that to the best of his/her knowledge and belief: (1) the information supplied to the Market Monitoring Unit and the Office of Interconnection to support its request for an exception is true and correct; (2) the Capacity Market Seller has disclosed all material facts relevant to the request for the exception; and (3) the request satisfies the criteria for the exception.

(F) The Market Monitoring Unit shall review, in an open and transparent manner with the Capacity Market Seller and the Office of the Interconnection, the information and documentation in support of the request and shall provide its findings whether the proposed Sell Offer is acceptable, in accordance with the standards and criteria hereunder, in writing, to the Capacity Market Seller and the Office of the Interconnection by no later than ninety (90) days prior to the commencement of the offer period for such auction. The Office of the Interconnection shall also review, in an open and transparent manner, all exception requests and documentation and shall provide in writing to the Capacity Market Seller, and the Market Monitoring Unit, its determination whether the requested Sell Offer is acceptable and if not it shall calculate and provide to such Capacity Market Seller, a minimum Sell Offer based on the data and documentation received, by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. After the Office of the Interconnection determines with the advice and input of Market Monitor, the acceptable minimum Sell Offer, the Capacity Market Seller shall notify the Market Monitoring Unit and the Office of the Interconnection, in writing, of the minimum level of Sell Offer to which it agrees to commit by no later than sixty (60) days prior to the commencement of the offer period for the relevant RPM Auction, and in making such determination, the Capacity Market Seller may consider the applicable default MOPR Floor Offer Price and may select such default value if it is lower than the resource-specific determination. A Capacity Market Seller that is dissatisfied with any determination hereunder may seek any remedies available to it from FERC; provided, however, that the Office of the Interconnection will proceed with administration of the Tariff and market rules based on the lower of the applicable default MOPR Floor Offer Price and the resource-specific determination unless and until ordered to do otherwise by FERC.

(4) Competitive Exemption.

(A) A Capacity Resource with State Subsidy may be exempt from the Minimum Offer Price Rule under this subsection 5.14(h-1) in any RPM Auction if the Capacity Market Seller certifies to the Office of Interconnection, in accordance with the PJM Manuals, that the Capacity Market Seller of such Capacity Resource elects to forego receiving any State Subsidy for the applicable Delivery Year no later than thirty (30) days prior to the commencement of the offer period for the relevant RPM Auction. Notwithstanding the foregoing, the competitive exemption is not available to Capacity Resources with State Subsidy that (A) are owned or offered by Self-Supply Entities, (B) are no longer entitled to receive a State Subsidy but are still considered a Capacity Resource with State Subsidy solely because they have not cleared an RPM Auction since last receiving a State Subsidy, or (C) are Jointly Owned Cross-Subsidized Capacity Resources or is the subject of a bilateral transaction (including but not limited to those reported pursuant to Tariff, Attachment DD, section 4.6) and not all Capacity Market Sellers of the supporting facility unanimously elect the competitive exemption and certify that no State

Subsidy will be received associated with supporting the resource. A new Generation Capacity Resource that is a Capacity Resource with State Subsidy may elect the competitive exemption; however, in such instance, the applicable MOPR Floor Offer Price will be determined in accordance with the minimum offer price rules for certain new Generation Capacity Resources as provided in Tariff, Attachment DD, section 5.14(h), which apply the minimum offer price rule to the new Generation Capacity Resources located in an LDA where a separate VRR Curve is established as provided in Tariff, Attachment DD, section 5.14(h)(4).

(B) (i) The Capacity Market Seller shall not receive a State Subsidy for any part of the relevant Delivery Year in which it elects a competitive exemption or certifies that it is not a Capacity Resource with State Subsidy. In furtherance of this prohibition, if a Capacity Resource that (1) is a New Entry Capacity Resource with State Subsidy that elects the competitive exemption in subsection (4)(A) above and clears an RPM Auction for a given Delivery Year, but prior to the end of that Delivery Year elects to accept a State Subsidy for the associated Delivery Year or an earlier Delivery Year or (2) is not a Capacity Resource with State Subsidy at the time of the RPM Auction for the Delivery Year for which it first cleared an RPM Auction but prior to the end of that Delivery Year receives a State Subsidy for the associated Delivery Year or an earlier Delivery Year, or (3) in the case of Demand Resource, is an end-use customer location MW that receives a State Subsidy and is included in a Demand Resource Registration pursuant to RAA, Schedule 6 to satisfy a Demand Resource commitment that was not designated as a Capacity Resource with State Subsidy at the time it cleared the relevant RPM Auction, then the Capacity Market Seller of that Capacity Resource or end-use customer location MW shall not receive RPM revenues for such resource or end-use customer location MW for any part of that Delivery Year and may not participate in any RPM Auction with such resource or end-use customer location MW, or be eligible to use such resource or end-use customer location MW as replacement capacity starting June 1 of the Delivery Year after the Capacity Market Seller or end-use customer location MW first receives the State Subsidy and continuing for a period of 20 years, except for battery energy storage, for which such participation restriction shall apply for a period of 15 years. A Jointly Owned Cross-Subsidized Capacity Resource that meets the requirements of either of the two preceding subsections (B)(i)(1) or (2), shall not receive RPM revenues for any part of that Delivery Year and may not participate in any RPM Auction or be eligible to be used as replacement capacity starting June 1 of the Delivery Year and continuing for the number of years specified above, after any joint Capacity Market Seller of the underlying facility first receives the State Subsidy. A Capacity Resource with State Subsidy that is the subject of a bilateral transaction that meets the requirements of either of the two preceding subsections (B)(i)(1) or (2) shall not receive RPM revenues for any part of that Delivery Year and may not participate in any RPM Auction or be eligible to be used as replacement capacity starting June 1 of the Delivery Year and continuing for the number of years specified above if any owner or Capacity Market Seller of the facility receives a State Subsidy. The Capacity Market Seller(s) of any such Capacity Resource or Jointly Owned Cross-Subsidized Capacity Resource shall also return to the Office of the Interconnection any revenues paid to such Capacity Resource associated with their capacity commitment for such Delivery Year and shall retain their RPM commitment and associated obligations for such Delivery Year and for any future Delivery Years in which the resource has already secured a capacity commitment, including any Non-Performance Charges relating to the capacity and remain eligible to collect Performance Payments under this Tariff, Attachment DD, section 10A for the relevant Delivery Year and any subsequent Delivery Years for which it

already received an RPM commitment. Notwithstanding the foregoing, Capacity Resources that lose their eligibility to participate in RPM pursuant to this section remain eligible for commitment in an FRR Capacity Plan.

(ii) If any Capacity Resource that has previously cleared an RPM Auction (1) is a Cleared Capacity Resource with State Subsidy that claims the competitive exemption pursuant to subsection (4)(A) above in an RPM Auction and clears such RPM Auction or (2) was not a Capacity Resource with State Subsidy at the time it cleared an RPM Auction for a given Delivery Year but later becomes entitled to receive a State Subsidy for that Delivery Year, and the Capacity Market Seller subsequently elects to accept a State Subsidy for any part of that Delivery Year, or (3) in the case of Demand Resource, is an end-use customer location that receives a State Subsidy and is included in a Demand Resource Registration pursuant to RAA, Schedule 6 to satisfy a Demand Resource commitment that was not designated as a Capacity Resource with State Subsidy at the time it cleared the relevant RPM Auction, then the Capacity Market Seller of that Capacity Resource or end-use customer location may not receive RPM revenues for such resource or end-use customer location for any part of that Delivery Year, unless it can demonstrate that it would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3). All Capacity Market Sellers of a Jointly Owned Cross-Subsidized Capacity Resource that meets the requirements of either of the two preceding subsections (B)(ii)(1) or (2) may not receive RPM revenues for any part of that Delivery Year if any joint Capacity Market Seller of the underlying facility accepts a subsidy for that Delivery Year, unless the Capacity Market Seller can demonstrate that the facility would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3). A Capacity Resource with State Subsidy that is the subject of a bilateral transaction may not receive RPM revenues for any part of that Delivery Year if any owner or Capacity Market Seller of the underlying facility receives a State Subsidy for that Delivery Year, unless the Capacity Market Seller can demonstrate that the facility would have cleared in the relevant RPM Auction under an offer consistent with the resource-specific exception process outlined above in subsection 5.14(h-1)(3), if any owner or Capacity Market Seller of the facility receives a State Subsidy. The Capacity Market Seller(s) of any such Capacity Resources or Jointly Owned Cross-Subsidized Capacity Resource shall return to the Office of the Interconnection any revenues paid to such Capacity Resource associated with their capacity commitment for such Delivery Year and shall retain their RPM commitment and associated obligations for the relevant Delivery Year and remain eligible to collect Performance Payments or to pay Non-Performance Charges, as applicable, pursuant to Tariff, Attachment DD, section 10A.

(iii) Any revenues returned to the Office of the Interconnection pursuant to the preceding subsections (i) and (ii) shall be allocated to the relevant load that paid for the State Subsidy (to the extent possible). If the Office of Interconnection cannot identify the relevant load responsible for the State Subsidy, then the returned revenues would be allocated across all load in the RTO that has not selected the FRR Alternative. Such revenues shall be distributed on a pro-rata basis to such LSEs that were charged a Locational Reliability Charge based on their Daily Unforced Capacity Obligations.

(5) Self-Supply Entity exemption. A Capacity Resource that was owned, or bilaterally contracted, by a Self-Supply Entity on December 19, 2019, shall be exempt from the Minimum Offer Price Rule if such Capacity Resource remains owned or bilaterally contracted by such Self-Supply Entity and satisfies at least one of the criteria specified below:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(6) Renewable Portfolio Standard Exemption. A Capacity Resource with State Subsidy shall be exempt from the Minimum Offer Price Rule if such Capacity Resource (1) receives or is entitled to receive State Subsidies through renewable energy credits or equivalent credits associated with a state-mandated or state-sponsored renewable portfolio standard ("RPS") program or equivalent program as of December 19, 2019 and (2) satisfies at least one of the following criteria:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(7) Demand Resource and Energy Efficiency Resource Exemption.

(A) A Capacity Resource with State Subsidy that is Demand Resource or an Energy Efficiency Resource shall be exempt from the Minimum Offer Price Rule if such Capacity Resource satisfies at least one of the following criteria:

(i) has successfully cleared an RPM Auction prior to December 19, 2019. For purposes of this subsection (a), individual customer location registrations (or for utility-based residential load curtailment program, based on the total number of participating customers) that participated as Demand Resource and cleared in an RPM Auction prior to December 19, 2019, and were submitted to PJM no later than 45 days

prior to the BRA for the 2022/2023 Delivery Year shall be deemed eligible for the Demand Resource and Energy Efficiency Resource Exemption; or

(ii) has completed registration on or before December 19, 2019; or

(iii) is supported by a post-installation measurement and verification report for Energy Efficiency Resources approved by PJM on or before December 19, 2019 (calculated for each installation period, Zone and Sub-Zone by using the greater of the latest approved post-installation measurement and verification report prior to December 19, 2019 or the maximum MW cleared for a Delivery Year across all auctions conducted prior to December 19, 2019).

(B) All registered locations that qualify for the Demand Resource and Energy Efficiency Resource exemption shall continue to remain exempt even if the MW of nominated capacity increases between RPM Auctions unless any MW increase in the nominated capacity is due to an investment made for the sole purpose of increasing the curtailment capability of the location in the capacity market. In such case, the MW of increased capability will not be qualified for the Demand Resource and Energy Efficiency Resource exemption.

(8) Capacity Storage Resource Exemption. A Capacity Resource with State Subsidy that is a Capacity Storage Resource shall be exempt from the Minimum Offer Price Rule if such Capacity Storage Resource satisfies at least one of the following criteria:

(A) has successfully cleared an RPM Auction prior to December 19, 2019;

(B) is the subject of an interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement executed on or before December 19, 2019; or

(C) is the subject of an unexecuted interconnection construction service agreement, interim interconnection service agreement, interconnection service agreement or wholesale market participation agreement filed by PJM with the Commission on or before December 19, 2019.

(9) Procedures and Remedies in Cases of Suspected Fraud or Material Misrepresentation or Omissions in Connection with a Capacity Resource with State Subsidy. In the event the Office of the Interconnection, with advice and input from the Market Monitoring Unit, reasonably believes that a certification of a Capacity Resource's status contains fraudulent or material misrepresentations or omissions such that the Capacity Market Seller's Capacity Resource is a Capacity Resource with a State Subsidy (including whether the Capacity Resource is a Jointly Owned Cross-Subsidized Capacity Resource) or does not qualify for a competitive exemption or contains information that is inconsistent with the resource-specific exception, then:

(A) A Capacity Market Seller shall, within five (5) business days upon receipt of the request for additional information, provide any supporting information reasonably

requested by the Office of the Interconnection or the Market Monitoring Unit to evaluate whether such Capacity Resource is a Capacity Resource with State Subsidy or whether the Capacity Market Seller is eligible for the competitive exemption. If the Office of the Interconnection determines that the Capacity Resource's status as a Capacity Resource with State Subsidy is different from that specified by the Capacity Market Seller or is not eligible for a competitive exemption pursuant to subsection (4) above, the Office of the Interconnection shall notify, in writing, the Capacity Market Seller of such determination by no later than sixty-five (65) days prior to the commencement of the offer period for the relevant RPM Auction. A Capacity Market Seller that is dissatisfied with any determination hereunder may seek any remedies available to it from FERC; provided, however, if the Office of Interconnection determines that the subject resource is a Capacity Resource with State Subsidy or is not eligible for a competitive exemption pursuant to subsection (4) above, such Capacity Resource shall be subject to the Minimum Offer Price Rule, unless and until ordered to do otherwise by FERC.

(B) if the Office of the Interconnection does not provide written notice of suspected fraudulent or material misrepresentation or omission at least sixty-five (65) days before the start of the relevant RPM Auction, then the Office of the Interconnection may file the certification that contains any alleged fraudulent or material misrepresentation or omission with FERC. In such event, if the Office of Interconnection determines that a resource is a Capacity Resource with State Subsidy that is subject to the Minimum Offer Price Rule, the Office of the Interconnection will proceed with administration of the Tariff and market rules on that basis unless and until ordered to do otherwise by FERC. The Office of the Interconnection shall implement any remedies ordered by FERC; and

(C) prior to applying the Minimum Offer Price Rule, the Office of the Interconnection, with advice and input of the Market Monitoring Unit, shall notify the affected Capacity Market Seller and, to the extent practicable, provide the Capacity Market Seller an opportunity to explain the alleged fraudulent or material misrepresentation or omission. Any filing to FERC under this provision shall seek fast track treatment and neither the name nor any identifying characteristics of the Capacity Market Seller or the resource shall be publicly revealed, but otherwise the filing shall be public. The Capacity Market Seller may submit a revised certification for that Capacity Resource for subsequent RPM Auctions, including RPM Auctions held during the pendency of the FERC proceeding. In the event that the Capacity Market Seller is cleared by FERC from such allegations of fraudulent or material misrepresentations or omissions then the certification shall be restored to the extent and in the manner permitted by FERC. The remedies required by this subsection to be requested in any filing to FERC shall not be exclusive of any other remedies or penalties that may be pursued against the Capacity Market Seller.

i) Capacity Export Charges and Credits

(1) Charge

Each Capacity Export Transmission Customer shall incur for each day of each Delivery Year a Capacity Export Charge equal to the Reserved Capacity of Long-Term Firm Transmission Service used for such export ("Export Reserved Capacity") multiplied by (the Final Zonal Capacity Price for such Delivery Year for the Zone encompassing the interface with the Control

Area to which such capacity is exported minus the Final Zonal Capacity Price for such Delivery Year for the Zone in which the resources designated for export are located, but not less than zero). If more than one Zone forms the interface with such Control Area, then the amount of Reserved Capacity described above shall be apportioned among such Zones for purposes of the above calculation in proportion to the flows from such resource through each such Zone directly to such interface under CETO/CETL analysis conditions, as determined by the Office of the Interconnection using procedures set forth in the PJM Manuals. The amount of the Reserved Capacity that is associated with a fully controllable facility that crosses such interface shall be completely apportioned to the Zone within which such facility terminates.

(2) Credit

To recognize the value of firm Transmission Service held by any such Capacity Export Transmission Customer, such customer assessed a charge under section 5.14(i)(1) also shall receive a credit, comparable to the Capacity Transfer Rights provided to Load-Serving Entities under section 5.15. Such credit shall be equal to the locational capacity price difference specified in section 5.14(i)(1) times the Export Customer's Allocated Share determined as follows:

Export Customer’s Allocated Share equals

(Export Path Import * Export Reserved Capacity) /

(Export Reserved Capacity + Daily Unforced Capacity Obligations of all LSEs in such Zone).

Where:

“Export Path Import” means the megawatts of Unforced Capacity imported into the export interface Zone from the Zone in which the resource designated for export is located.

If more than one Zone forms the interface with such Control Area, then the amount of Export Reserved Capacity shall be apportioned among such Zones for purposes of the above calculation in the same manner as set forth in subsection (i)(1) above.

(3) Distribution of Revenues

Any revenues collected from the Capacity Export Charge with respect to any capacity export for a Delivery Year, less the credit provided in subsection (i)(2) for such Delivery Year, shall be distributed to the Load Serving Entities in the export-interface Zone that were assessed a

Locational Reliability Charge for such Delivery Year, pro rata based on the Daily Unforced Capacity Obligations of such Load-serving Entities in such Zone during such Delivery Year. If more than one Zone forms the interface with such Control Area, then the revenues shall be apportioned among such Zones for purposes of the above calculation in the same manner as set forth in subsection (i)(1) above.

5.14A [Reserved.]

5.14B Generating Unit Capability Verification Test Requirements Transition Provision for RPM Delivery Years 2014/2015, 2015/2016, and 2016/2017

A. This transition provision applies only with respect to Generation Capacity Resources with existing capacity commitments for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years that experience reductions in verified installed capacity available for sale as a direct result of revised generating unit capability verification test procedures effective with the summer 2014 capability tests, as set forth in the PJM Manuals. A Generation Capacity Resource meeting the description of the preceding sentence, and the Capacity Market Seller of such a resource, are hereafter in this section 5.14B referred to as an "Affected Resource" and an "Affected Resource Owner," respectively.

B. For each of its Affected Resources, an Affected Resource Owner is required to provide documentation to the Office of the Interconnection sufficient to show a reduction in installed capacity value as a direct result of the revised capability test procedures. Upon acceptance by the Office of the Interconnection, the Affected Resource's installed capacity value will be updated in the eRPM system to reflect the reduction, and the Affected Resource's Capacity Interconnection Rights value will be updated to reflect the reduction, effective June 1, 2014. The reduction's impact on the Affected Resource's existing capacity commitments for the 2014/2015 Delivery Year will be determined in Unforced Capacity terms, using the final EFORd value established by the Office of the Interconnection for the 2014/2015 Delivery Year as applied to the Third Incremental Auction for the 2014/2015 Delivery Year, to convert installed capacity to Unforced Capacity. The reduction's impact on the Affected Resource's existing capacity commitments for each of the 2015/2016 and 2016/2017 Delivery Years will be determined in Unforced Capacity terms, using the EFORd value from each Sell Offer in each applicable RPM Auction, applied on a pro-rata basis, to convert installed capacity to Unforced Capacity. The Unforced Capacity impact for each Delivery Year represents the Affected Resource's capacity commitment shortfall, resulting wholly and directly from the revised capability test procedures, for which the Affected Resource Owner is subject to a Capacity Resource Deficiency Charge for the Delivery Year, as described in section 8 of this Attachment DD, unless the Affected Resource Owner (i) provides replacement Unforced Capacity, as described in section 8.1 of this Attachment DD, prior to the start of the Delivery Year to resolve the Affected Resource's total capacity commitment shortfall; or (ii) requests relief from Capacity Resource Deficiency Charges that result wholly and directly from the revised capability test procedures by electing the transition mechanism described in this section 5.14B ("Transition Mechanism").

C. Under the Transition Mechanism, an Affected Resource Owner may elect to have the Unforced Capacity commitments for all of its Affected Resources reduced for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years to eliminate the capacity commitment shortfalls, across all of its Affected Resources, that result wholly and directly from the revised capability test procedures, and for which the Affected Resource Owner otherwise would be subject to Capacity Resource Deficiency Charges for the Delivery Year. In electing this option, the Affected Resource Owner relinquishes RPM Auction Credits associated with the reductions in Unforced Capacity commitments for all of its Affected Resources for the Delivery Year, and Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are adjusted accordingly. Affected Resource Owners wishing to elect the Transition Mechanism for the

2015/2016 Delivery Year must notify the Office of the Interconnection by May 30, 2014. Affected Resource Owners wishing to elect the Transition Mechanism for the 2016/2017 Delivery Year must notify the Office of the Interconnection by July 25, 2014.

D. The Office of the Interconnection will offset the total reduction (across all Affected Resources and Affected Resource Owners) in Unforced Capacity commitments associated with the Transition Mechanism for the 2015/2016 and 2016/2017 Delivery Years by applying corresponding adjustments to the quantity of Buy Bid or Sell Offer activity in the upcoming Incremental Auctions for each of those Delivery Years, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD.

E. By electing the Transition Mechanism, an Affected Resource Owner may receive relief from applicable Capacity Resource Deficiency Charges for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years, and a Locational UCAP Seller that sells Locational UCAP based on an Affected Resource owned by the Affected Resource Owner may receive relief from applicable Capacity Resource Deficiency Charges for the 2014/2015 Delivery Year, to the extent that the Affected Resource Owner demonstrates, to the satisfaction of the Office of the Interconnection, that an inability to deliver the amount of Unforced Capacity previously committed for the 2014/2015, 2015/2016, or 2016/2017 Delivery Years is due to a reduction in verified installed capacity available for sale as a direct result of revised generating unit capability verification test procedures effective with the summer 2014 capability tests, as set forth in the PJM Manuals; provided, however, that the Affected Resource Owner must provide the Office of the Interconnection with all information deemed necessary by the Office of the Interconnection to assess the merits of the request for relief.

5.14C Demand Response Operational Resource Flexibility Transition Provision for RPM Delivery Years 2015/2016 and 2016/2017

A. This transition provision applies only to Demand Resources for which a Curtailment Service Provider has existing RPM commitments for the 2015/2016 or 2016/2017 Delivery Years (alternatively referred to in this section 5.14C as “Applicable Delivery Years” and each an “Applicable Delivery Year”) that (i) cannot satisfy the 30-minute notification requirement as described in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; (ii) are not excepted from the 30-minute notification requirement as described in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; and (iii) cleared in the Base Residual Auction or First Incremental Auction for the 2015/2016 Delivery Year, or cleared in the Base Residual Auction for the 2016/2017 Delivery Year. A Demand Resource meeting these criteria and the Curtailment Service Provider of such a resource are hereafter in this section 5.14C referred to as an “Affected Demand Resource” and an “Affected Curtailment Service Provider,” respectively.

B. For this section 5.14C to apply to an Affected Demand Resource, the Affected Curtailment Service Provider must notify the Office of the Interconnection in writing, with regard to the following information by the applicable deadline:

i) For each applicable Affected Demand Resource: the number of cleared megawatts of Unforced Capacity for the Applicable Delivery Year by end-use customer site that the Affected Curtailment Service Provider cannot deliver, calculated based on the most current information available to the Affected Curtailment Service Provider; the end-use customer name; electric distribution company's account number for the end-use customer; address of end-use customer; type of Demand Resource (i.e., Limited DR, Annual DR, Extended Summer DR); the Zone or sub-Zone in which the end-use customer is located; and, a detailed description of why the end-use customer cannot comply with the 30-minute notification requirement or qualify for one of the exceptions to the 30-minute notification requirement provided in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA.

ii) If applicable, a detailed analysis that quantifies the amount of cleared megawatts of Unforced Capacity for the Applicable Delivery Year for prospective customer sales that could not be contracted by the Affected Curtailment Service Provider because of the 30-minute notification requirement provided in Section A.2 of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA that the Affected Curtailment Service Provider cannot deliver, by type of Demand Resource (i.e. Limited DR, Annual DR, Extended Summer DR) and by Zone and sub-Zone, as applicable. The analysis should include the amount of Unforced Capacity expected from prospective customer sales for each Applicable Delivery Year and must include supporting detail to substantiate the difference in reduced sales expectations. The Affected Curtailment Service Provider should maintain records to support its analysis.

1. For the 2015/2016 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Third Incremental Auction for the 2015/2016 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Third Incremental Auction for the 2015/2016 Delivery Year.

2. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Second Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Second or Third Incremental Auctions for the 2016/2017 Delivery Year.

3. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Third Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision must not have sold or offered to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Second Incremental Auction for the 2016/2017 Delivery Year, and may not sell or offer to sell megawatts in the modeled LDA or sub-LDA where an Affected Demand Resource is located in the Third Incremental Auction for the 2016/2017 Delivery Year.

C. For the Third Incremental Auction for the 2015/2016 Delivery Year and the First, Second, and Third Incremental Auctions for the 2016/2017 Delivery Year, the Office of the Interconnection shall publish aggregate information on the undeliverable megawatts declared under this transition provision (hereafter, "non-viable megawatts"), by type of Demand Resource and by Zone or sub-Zone, concurrently with its posting of planning parameters for the applicable Scheduled Incremental Auction. Non-viable megawatts for a Scheduled Incremental Auction for an Applicable Delivery Year represent those megawatts meeting the criteria of subsection A above and declared in accordance with subsection B above. Prior to each Third Incremental Auction for an Applicable Delivery Year, the Office of the Interconnection shall apply adjustments equal to the declared non-viable megawatt quantity to the quantity of Buy Bid or Sell Offer activity in the upcoming Scheduled Incremental Auctions for the Applicable Delivery Year, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD. Prior to the Second Incremental Auction for the 2016/2017 Delivery Year, the Office of the Interconnection shall adjust the recalculated PJM Region Reliability Requirement and recalculated LDA Reliability Requirements, as described in section 5.4(c) of this Attachment DD, by the applicable quantity of declared non-viable megawatts, and shall update the PJM Region Reliability Requirement and each LDA Reliability Requirement for such Second Incremental Auction only if the combined change of the applicable adjustment and applicable recalculation is greater than or equal to the lessor of (i) 500 megawatts or (ii) one percent of the prior PJM Region Reliability Requirement or one percent of the prior LDA Reliability Requirement, as applicable.

D. Prior to the start of each Applicable Delivery Year, the Office of the Interconnection shall reduce, by type of Demand Resource and by Zone or sub-Zone, the capacity commitment of each Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year based on the non-viable megawatts declared by the Affected Curtailment Service Provider under this transition provision. If the Affected Curtailment Service Provider cleared megawatts from multiple Affected Demand Resources of the same type and Zone or sub-Zone, or cleared megawatts in multiple RPM Auctions for the Applicable Delivery Year, the Office of the Interconnection shall allocate the reduction in capacity commitment by type of Demand Resource and by Zone or sub-Zone across the applicable Affected Demand Resources and relevant RPM Auctions. Such allocation shall be performed on a pro-rata basis, based on megawatts cleared by the Affected Demand Resources in the relevant RPM Auctions.

E. For each Applicable Delivery Year, an Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year relinquishes an Affected Demand Resource's RPM Auction Credits for the amount of capacity commitment reduction as determined under subsection D above. Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are also adjusted accordingly.

5.14D Capacity Performance and Base Capacity Transition Provision for RPM Delivery Years 2016/2017 and 2017/2018

A. This transition provision applies only for procuring Capacity Performance Resources for the 2016/2017 and 2017/2018 Delivery Years.

B. For both the 2016/2017 and 2017/2018 Delivery Years, PJM will hold a Capacity Performance Transition Incremental Auction to procure Capacity Performance Resources.

1. For each Capacity Performance Transition Incremental Auction, the optimization algorithm shall consider:

- the target quantities of Capacity Performance Resources specified below;

- the Sell Offers submitted in such auction.

The Office of the Interconnection shall submit a Buy Bid based on the quantity of Capacity Performance Resources specified for that Delivery Year. For the 2016/2017 Delivery Year, the Office of the Interconnection shall submit a Buy Bid, at a price no higher than 0.5 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year, for a quantity of Capacity Performance Resources equal to 60 percent of the updated Reliability Requirement for the PJM Region. For the 2017/2018 Delivery Year, the Office of the Interconnection shall submit a Buy Bid, at a price no higher than 0.6 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year, for a quantity of Capacity Performance Resources equal to 70 percent of the updated Reliability Requirement for the PJM Region.

2. For each Capacity Performance Transition Incremental Auction, the Office of the Interconnection shall calculate a clearing price to be paid for each megawatt-day of Unforced Capacity that clears in such auction. For the 2016/2017 Delivery Year, the Capacity Resource Clearing Price for any Capacity Performance Transition Incremental Auction shall not exceed 0.5 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year. For the 2017/2018 Delivery Year, the Capacity Resource Clearing Price for any Capacity Performance Transition Incremental Auction shall not exceed 0.6 times the Net CONE value for the PJM Region determined for the Base Residual Auction for that Delivery Year.

3. A Capacity Market Seller may offer any Capacity Resource that has not been committed in an FRR Capacity Plan, that qualifies as a Capacity Performance Resource under section 5.5A(a) and that (i) has not cleared an RPM Auction for that Delivery Year; or (ii) has cleared in an RPM Auction for that Delivery Year. A Capacity Market Seller may offer an external Generation Capacity Resource to the extent that such resource: (i) is reasonably expected, by the relevant Delivery Year, to meet all applicable requirements to be treated as equivalent to PJM Region internal generation that is not subject to NERC tagging as an interchange transaction; (ii) has long-term firm transmission service confirmed on the complete transmission path from such resource into PJM; and (iii) is, by written commitment of the Capacity Market Seller, subject to the same obligations imposed on Generation Capacity Resources located in the PJM Region by section 6.6 of Attachment DD of the PJM Tariff to offer their capacity into RPM Auctions.

4. Capacity Resources that already cleared an RPM Auction for a Delivery Year, retain the capacity obligations for that Delivery Year, and clear in a Capacity Performance Transition Incremental Auction for the same Delivery Year shall: (i) receive a payment equal to the Capacity Resource Clearing Price as established in that Capacity Performance Transition Incremental Auction; and (ii) not be eligible to receive a payment for clearing in any prior RPM Auction for that Delivery Year.

D. All Capacity Performance Resources that clear in a Capacity Performance Transition Incremental Auction will be subject to the Non-Performance Charge set forth in section 10A.

5.14E Demand Response Legacy Direct Load Control Transition Provision for RPM Delivery Years 2016/2017, 2017/2018, and 2018/2019

A. This transition provision applies only to Demand Resources for which a Curtailment Service Provider has existing RPM commitments for the 2016/2017, 2017/2018, or 2018/2019 Delivery Years (alternatively referred to in this section 5.14E as "Applicable Delivery Years" and each an "Applicable Delivery Year") that (i) qualified as Legacy Direct Load Control before June 1, 2016 as described in Section G of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; (ii) cannot meet the requirements for using statistical sampling for residential non-interval metered customers as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA; and (iii) cleared in the Base Residual Auction or First Incremental Auction for the 2016/2017 Delivery Year, cleared in the Base Residual Auction for the 2017/2018 Delivery Year, or cleared in the Base Residual Auction for the 2018/2019 Delivery Year. A Demand Resource meeting these criteria and the Curtailment Service Provider of such a resource are hereafter in this section 5.14E referred to as an "Affected Demand Resource" and an "Affected Curtailment Service Provider," respectively.

B. For this section 5.14E to apply to an Affected Demand Resource, the Affected Curtailment Service Provider must notify the Office of the Interconnection in writing, with regard to the following information, by the applicable deadline:

i) For each applicable Affected Demand Resource: the number of cleared megawatts of Unforced Capacity for the Applicable Delivery Year by end-use customer site that the Affected Curtailment Service Provider cannot deliver, calculated based on the most current information available to the Affected Curtailment Service Provider; electric distribution company's account number for the end-use customer; address of end-use customer; type of Demand Resource (i.e., Limited DR, Annual DR, Extended Summer DR); the Zone or sub-Zone in which the end-use customer is located; and, a detailed description of why the endues customer cannot comply with statistical sampling for residential non-interval metered customers requirement as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA.

ii) If applicable, a detailed analysis that quantifies the amount of cleared megawatts of Unforced Capacity for the Applicable Delivery Year for prospective customer sales that could not be contracted by the Affected Curtailment Service Provider because of the statistical sampling for residential non-interval metered customers requirement as described in Section K of Attachment DD-1 of the Tariff and the parallel provision of Schedule 6 of the RAA that the Affected Curtailment Service Provider cannot deliver, by type of Demand Resource (i.e. Limited DR, Annual DR, Extended Summer DR) and by Zone and sub-Zone, as applicable. The analysis should include the amount of Unforced Capacity expected from prospective customer sales for each Applicable Delivery Year and must include supporting detail to substantiate the difference in reduced sales expectations. The Affected Curtailment Service Provider should maintain records to support its analysis.

1. For the 2016/2017 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the Second and/or Third Incremental Auction for the 2016/2017 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the Second or Third Incremental Auction for the 2016/2017 Delivery Year.

2. For the 2017/2018 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the First, Second and/or Third Incremental Auction for the 2017/2018 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the First, Second or Third Incremental Auctions for the 2017/2018 Delivery Year.

3. For the 2018/2019 Delivery Year, the notice shall be provided by no later than seven (7) days prior to the posting by the Office of the Interconnection of planning parameters for the First, Second and/or Third Incremental Auction for the 2018/2019 Delivery Year. Such Affected Curtailment Service Provider that utilizes this transition provision may not sell or offer to sell megawatts in the matching LDA or sub-LDA where an Affected Demand Resource is located in the First, Second or Third Incremental Auctions for the 2018/2019 Delivery Year.

C. For the Second and Third Incremental Auction for the 2016/2017 Delivery Year, the First, Second, and Third Incremental Auctions for the 2017/2018 Delivery Year, and the First, Second, and Third Incremental Auctions for the 2018/2019 Delivery Year, the Office of the Interconnection shall publish aggregate information on the undeliverable megawatts declared under this transition provision (hereafter, “non-viable megawatts”), by type of Demand Resource and by Zone or sub-Zone, concurrently with its posting of planning parameters for the applicable Scheduled Incremental Auction. Non-viable megawatts for a Scheduled Incremental Auction for an Applicable Delivery Year represent those megawatts meeting the criteria of subsection A above and declared in accordance with subsection B above. Prior to each Scheduled Incremental Auction for an Applicable Delivery Year, the Office of the Interconnection shall apply adjustments equal to the declared non-viable megawatt quantity to the quantity of Buy Bid or Sell Offer activity in the upcoming Scheduled Incremental Auctions for the Applicable Delivery Year, as described in sections 5.12(b)(ii) and 5.12(b)(iii) of this Attachment DD. Prior to the Second Incremental Auction for the 2016/2017 Delivery Year, the First and Second Incremental Auction for the 2017/2018 Delivery Year, and the First and Second Incremental Auction for the 2018/2019 Delivery Year, the Office of the Interconnection shall adjust the recalculated PJM Region Reliability Requirement and recalculated LDA Reliability Requirements, as described in section 5.4(c) of this Attachment DD, by the applicable quantity of declared non-viable megawatts, and shall update the PJM Region Reliability Requirement and each LDA Reliability Requirement for such Incremental Auction only if the combined change of the applicable adjustment and applicable recalculation is greater than or equal to the lessor of (i) 500 megawatts or (ii) one percent of the prior PJM Region Reliability Requirement or one percent of the prior LDA Reliability Requirement, as applicable.

D. Prior to the start of each Applicable Delivery Year, the Office of the Interconnection shall reduce, by type of Demand Resource and by Zone or sub-Zone, the capacity commitment of each Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year based on the non-viable megawatts declared by the Affected Curtailment Service Provider under this transition provision. If the Affected Curtailment Service Provider cleared megawatts from multiple Affected Demand Resources of the same type and Zone or sub-Zone, or cleared MWs in multiple RPM Auctions for the Applicable Delivery Year, the Office of the Interconnection shall allocate the reduction in capacity commitment by type of Demand Resource and by Zone or sub-Zone across the applicable Affected Demand Resources and relevant RPM Auctions. Such allocation shall be performed on a pro-rata basis, based on megawatts cleared by the Affected Demand Resources in the relevant RPM Auctions.

E. For each Applicable Delivery Year, an Affected Curtailment Service Provider that utilizes this transition provision for the Applicable Delivery Year relinquishes an Affected Demand Resource's RPM Auction credits for the amount of capacity commitment reduction as determined under subsection D above. Locational Reliability Charges as described in section 5.14(e) of this Attachment DD are also adjusted accordingly.

6. MARKET POWER MITIGATION

6.1 Applicability

The provisions of the Market Monitoring Plan (in Tariff, Attachment M and Attachment - M Appendix and this section 6) shall apply to the Reliability Pricing Model Auctions.

6.2 Process

(a) [Reserved for Future Use]

(b) In accordance with the schedule specified in the PJM Manuals, following PJM's conduct of a Base Residual Auction or Incremental Auction pursuant to Tariff, Attachment DD, section 5.12, but prior to the Office of the Interconnection's final determination of clearing prices and charges pursuant to Tariff, Attachment DD, section 5.14, the Office of the Interconnection shall: (i) apply the Market Structure Test to any LDA having a Locational Price Adder greater than zero and to the entire PJM region; (ii) apply Market Seller Offer Caps, if required under this section 6; and (iii) recompute the optimization algorithm to clear the auction with the Market Seller Offer Caps in place.

(c) Within seven days after the deadline for submission of Sell Offers in a Base Residual Auction or Incremental Auction, the Office of the Interconnection shall file with FERC a report of any determination made pursuant to Tariff, Attachment DD, section 5.14(h), Tariff, Attachment DD, section 6.5(a)(ii), or Tariff, Attachment DD, section 6.7(c) identified in such sections as subject to the procedures of this section. Such report shall list each such determination, the information considered in making each such determination, and an explanation of each such determination. Any entity that objects to any such determination may file a written objection with FERC no later than seven days after the filing of the report. Any such objection must not merely allege that the determination was in error, and must provide support for the objection, demonstrating that the determination overlooked or failed to consider relevant evidence. In the event that no objection is filed, the determination shall be final. In the event that an objection is filed, FERC shall issue any decision modifying the determination no later than 60 days after the filing of such report; otherwise, the determination shall be final. Final auction results shall reflect any decision made by FERC regarding the report.

6.3 Market Structure Test

(a) [Reserved for Future Use]

(b) Market Structure Test.

A constrained LDA or the PJM Region shall fail the Market Structure Test, and mitigation shall be applied to all jointly pivotal suppliers (including all Affiliates of such suppliers, and all third-party supply in the relevant LDA controlled by such suppliers by contract), if, as to the Sell Offers that comprise the incremental supply determined pursuant to section 6.3(c) below that are based on Generation Capacity Resources, there are not more than three jointly pivotal suppliers. The Office of the Interconnection shall apply the Market Structure Test. The Office of the Interconnection shall confirm the results of the Market Structure Test with the Market Monitoring Unit.

(c) Determination of Incremental Supply

In applying the Market Structure Test, the Office of the Interconnection shall consider all (i) incremental supply (provided, however, that the Office of the Interconnection shall consider only such supply available from Generation Capacity Resources) available to solve the constraint applicable to a constrained LDA offered at less than or equal to 150% of the cost-based clearing price; or (ii) supply for the PJM Region, offered at less than or equal to 150% of the cost-based clearing price, provided that supply in this section includes only the lower of cost-based or market-based offers from Generation Capacity Resources. Cost-based clearing prices are the prices resulting from the RPM auction algorithm using the lower of cost-based or price-based offers for all Capacity Resources.

6.4 Market Seller Offer Caps

(a) The Market Seller Offer Cap, stated in dollars per MW/day of unforced capacity, applicable to price-quantity offers within the Base Offer Segment for an Existing Generation Capacity Resource shall be the Avoidable Cost Rate for such resource, less the Projected PJM Market Revenues for such resource, stated in dollars per MW/day of unforced capacity, provided, however, that the default Market Seller Offer Cap for any Capacity Performance Resource shall be the product of (the Net Cost of New Entry applicable for the Delivery Year and Locational Deliverability Area for which such Capacity Performance Resource is offered times the average of the Balancing Ratios in the three consecutive calendar years (during the Performance Assessment Intervals in such calendar years) that precede the Base Residual Auction for such Delivery Year), however, for the Base Residual Auction for the 2021/2022 Delivery Year, the Balancing Ratio used in the determination of the default Market Seller Offer Cap shall be 78.5 percent, and provided further that the submission of a Sell Offer with an Offer Price at or below the revised Market Seller Offer Cap permitted under this proviso shall not, in and of itself, be deemed an exercise of market power in the RPM market*; nor shall a Sell Offer with an Offer Price equal to the applicable MOPR Floor Offer Price, in and of itself, be deemed an exercise of market power in the RPM market*. Notwithstanding the previous sentence, a Capacity Market Seller may seek and obtain a Market Seller Offer Cap for a Capacity Performance Resource that exceeds the revised Market Seller Offer Cap permitted under the prior sentence, if it supports and obtains approval of such alternative offer cap pursuant to the procedures and standards of subsection (b) of this section 6.4. A Capacity Market Seller may not use the Capacity Performance default Market Seller Offer Cap, and also seek to include any one or more categories of the Avoidable Cost Rate defined in Tariff, Attachment DD, section 6.8 below. The Market Seller Offer Cap for an Existing Generation Capacity Resource shall be the Opportunity Cost for such resource, if applicable, as determined in accordance with Tariff, Attachment DD, section 6.7. Nothing herein shall preclude any Capacity Market Seller and the Market Monitoring Unit from agreeing to, nor require either such entity to agree to, an alternative market seller offer cap determined on a mutually agreeable basis. Any such alternative offer cap shall be filed with the Commission for its approval. This provision is duplicated in Tariff, Attachment M-Appendix, section II.E.3.

(b) For each Existing Generation Capacity Resource, a potential Capacity Market Seller must provide to the Market Monitoring Unit and the Office of the Interconnection data and documentation required under section 6.7 below to establish the level of the Market Seller Offer Cap applicable to each resource by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction. The Capacity Market Seller must promptly address any concerns identified by the Market Monitoring Unit regarding the data and documentation provided, review the Market Seller Offer Cap proposed by the Market Monitoring Unit, and attempt to reach agreement with the Market Monitoring Unit on the level of the Market Seller Offer Cap by no later than ninety (90) days prior to the commencement of the offer period for the applicable RPM Auction. The Capacity Market Seller shall notify the Market Monitoring Unit in writing, with a copy to the Office of the Interconnection, whether an agreement with the Market Monitoring Unit has been reached or, if no agreement has been reached, specifying the level of Market Seller Offer Cap to which it commits by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction. The Office of the Interconnection shall review the data submitted by the Capacity Market Seller, make a determination whether to accept or reject the requested unit-specific Market Seller Offer Cap, and notify the Capacity Market Seller and the Market Monitoring Unit of its determination in writing, by no later than sixty-five (65) days prior to the commencement of the offer period for the applicable RPM Auction. If the Market Monitoring Unit does not provide its determination to the Capacity Market Seller and the Office of the Interconnection by the specified deadline, by no later than sixty-five (65) days prior to the commencement of the offer period for the applicable RPM Auction the Office of the Interconnection will make the determination of the level of the Market Seller Offer Cap, which shall be deemed to be final. If the Capacity Market Seller does not notify the Market Monitoring Unit and the Office of the Interconnection of the Market Seller Offer Cap it desires to utilize by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction, it shall be required to utilize a Market Seller Offer Cap determined using the applicable default Avoidable Cost Rate specified in section 6.7(c) below.

(c) Nothing in this section precludes the Capacity Market Seller from filing a petition with FERC seeking a determination of whether the Sell Offer complies with the requirements of the Tariff.

(d) For any Third Incremental Auction for Delivery Years through the 2017/2018 Delivery Year, the Market Seller Offer Cap for an Existing Generation Capacity Resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to 1.1 times the Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year. For any Third Incremental Auction for the 2018/2019 or 2019/2020 Delivery Years, the Market Seller Offer Cap for an Existing Generation Capacity Resource offering as a Base Capacity resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to 1.1 times the Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year. For any Third Incremental Auction for the 2018/2019 Delivery Year or any subsequent Delivery Year, the Market Seller Offer Cap for an Existing Generation Capacity Resource offering as a Capacity Performance Resource shall be determined pursuant to subsection (a) of this Section 6.4, or if elected by the Capacity Market Seller, shall be equal to the greater of the Net Cost of New Entry times the Balancing Ratio for the relevant LDA and Delivery Year or 1.1 times the

Capacity Resource Clearing Price in the Base Residual Auction for the relevant LDA and Delivery Year.

6.5 Mitigation

The Office of the Interconnection shall apply market power mitigation measures in any Base Residual Auction or Incremental Auction for any LDA, Unconstrained LDA Group, or the PJM Region that fails the Market Structure Test.

(a) Mitigation for Generation Capacity Resources.

i) Existing Generation Capacity Resource

Mitigation will be applied on a unit-specific basis and only if the Sell Offer of Unforced Capacity from an Existing Generation Capacity Resource: (1) is greater than the Market Seller Offer Cap applicable to such resource; and (2) would, absent mitigation, increase the Capacity Resource Clearing Price in the relevant auction. If such conditions are met, such Sell Offer shall be set equal to the *higher of the applicable* Market Seller Offer Cap *or the applicable MOPR Floor Offer Price*.

ii) Planned Generation Capacity Resources

(A) Sell Offers based on Planned Generation Capacity Resources (including External Planned Generation Capacity Resources) shall be presumed to be competitive and shall not be subject to market power mitigation in any Base Residual Auction or Incremental Auction for which such resource qualifies as a Planned Generation Capacity Resource, but any such Sell Offer shall be rejected if it meets the criteria set forth in subsection (C) below, unless the Capacity Market Seller obtains approval from FERC for use of such offer prior to the close of the offer period for the applicable RPM Auction.

(B) Sell Offers based on Planned Generation Capacity Resources (including Planned External Generation Capacity Resources) shall be deemed competitive and not be subject to mitigation if: (1) collectively all such Sell Offers provide Unforced Capacity in an amount equal to or greater than two times the incremental quantity of new entry required to meet the LDA Reliability Requirement; and (2) at least two unaffiliated suppliers have submitted Sell Offers for Planned Generation Capacity Resources in such LDA. Notwithstanding the foregoing, any Capacity Market Seller, together with Affiliates, whose Sell Offers based on Planned Generation Capacity Resources in that modeled LDA are pivotal, shall be subject to mitigation.

(C) Where the two conditions stated in subsection (B) above are not met, or the Sell Offer is pivotal, the Sell Offer shall be rejected if it exceeds *the higher of the applicable MOPR Floor Offer Price, if applicable, or* 140 percent of: 1) the average of location-adjusted Sell Offers for Planned

Generation Capacity Resources from the same asset class as such Sell Offer, submitted (and not rejected) (Asset-Class New Plant Offers) for such Delivery Year; or 2) if there are no Asset-Class New Plant Offers for such Delivery Year, the average of Asset-Class New Plant Offers for all prior Delivery Years; or 3) if there are no Asset-Class New Plant Offers for any prior Delivery Year, the Net CONE applicable for such Delivery Year in the LDA for which such Sell Offer was submitted. For purposes of this section, asset classes shall be as stated in section 6.7(c) below as effective for such Delivery Year, and Asset-Class New Plant Offers shall be location-adjusted by the ratio between the Net CONE effective for such Delivery Year for the LDA in which the Sell Offer subject to this section was submitted and the average, weighted by installed capacity, of the Net CONEs for all LDAs in which the units underlying such Asset Class New Plant Offers are located. Following the conduct of the applicable auction and before the final determination of clearing prices, in accordance with Section 6.2(b) above, each Capacity Market Seller whose Sell Offer is so rejected shall be notified in writing by the Office of the Interconnection by no later than one (1) Business Day after the close of the offer period for the applicable RPM Auction and allowed an opportunity to submit a revised Sell Offer that does not exceed such threshold within one (1) Business Day of the Office of the Interconnection's rejection of such Sell Offer. If such revised Sell Offer is accepted by the Office of the Interconnection, the Office of the Interconnection then shall clear the auction with such revised Sell Offer in place. Pursuant to Tariff, Attachment M-Appendix, Section II.F, the Market Monitoring Unit shall notify in writing each Capacity Market Seller whose Sell Offer has been determined to be non-competitive and subject to mitigation, with a copy to the Office of the Interconnection, by no later than one (1) Business Day after the close of the offer period for the applicable RPM Auction.

(b) Mitigation for Demand Resources

The Market Seller Offer Cap shall not be applied to Sell Offers of Demand Resources or Energy Efficiency Resources.

6.6 Offer Requirement for Capacity Resources

(a) To avoid application of subsection (h) below, all of the installed capacity of all Existing Generation Capacity Resources located in the PJM Region shall be offered by the Capacity Market Seller that owns or controls all or part of such resource (which may include submission as Self-Supply) in all RPM Auctions for each Delivery Year, less any amount determined by the Office of the Interconnection to be eligible for an exception to this RPM must-offer requirement, where installed capacity is determined as of the date on which bidding commences for each RPM Auction pursuant to Tariff, Attachment DD, section 5.6.6. The Unforced Capacity of such resources is determined using the EFORd value that is submitted by the Capacity Market Seller in its Sell Offer, which shall not exceed the maximum EFORd for that resource as defined in section 6.6(b). If a resource should be included on the list of Existing

Generation Capacity Resources subject to the RPM must-offer requirement that is maintained by the Market Monitoring Unit pursuant to Tariff, Attachment M-Appendix, section II.C.1, but is omitted therefrom whether by mistake of the Market Monitoring Unit or failure of the Capacity Market Seller that owns or controls all or part of such resource to provide information about the resource to the Market Monitoring Unit, this shall not excuse such resource from the RPM must-offer requirement.

(b) For each Existing Generation Capacity Resource, a potential Capacity Market Seller must timely provide to the Market Monitoring Unit and the Office of the Interconnection all data and documentation required under this section 6.6 to establish the maximum EFORd applicable to each resource in accordance with standards and procedures specified in the PJM Manuals. The maximum EFORd that may be used in a Sell Offer for RPM Auctions held prior to the date on which the final EFORds used for a Delivery Year are posted, is the greater of (i) the average EFORd for the five consecutive years ending on the September 30 that last precedes the Base Residual Auction, or (ii) the EFORd for the 12 months ending on the September 30 that last precedes the Base Residual Auction.

Notwithstanding the foregoing, a Capacity Market Seller may request an alternate maximum EFORd for Sell Offers submitted in such auctions if it has a documented, known reason that would result in an increase in its EFORd, by submitting a written request to the Market Monitoring Unit and Office of the Interconnection, along with data and documentation required to support the request for an alternate maximum EFORd, by no later one hundred twenty (120) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. The Capacity Market Seller must address any concerns identified by the Market Monitoring Unit and/or the Office of the Interconnection regarding the data and documentation provided and attempt to reach agreement with the Market Monitoring Unit on the level of the alternate maximum EFORd by no later than ninety (90) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. As further described in Tariff, Attachment M-Appendix, section II.C, the Market Monitoring Unit shall notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination of the requested alternate maximum EFORd by no later than ninety (90) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year. By no later than eighty (80) days prior to the commencement of the offer period for the Base Residual Auction for the applicable Delivery Year, the Capacity Market Seller shall notify the Office of the Interconnection and the Market Monitoring Unit in writing whether it agrees with the Market Monitoring Unit on the alternate maximum EFORd or, if no agreement has been reached, specifying the level of alternate maximum EFORd to which it commits. If a Capacity Market Seller fails to request an alternate maximum EFORd prior to the specified deadlines, the maximum EFORd for the applicable RPM Auction shall be deemed to be the default EFORd calculated pursuant to this section.

The maximum EFORd that may be used in a Sell Offer for Third Incremental Auction, and for Conditional Incremental Auctions held after the date on which the final EFORd used for a Delivery Year is posted, is the EFORd for the 12 months ending on the September 30 that last precedes the submission of such offers.

(c) [Reserved for Future Use]

(d) In the event that a Capacity Market Seller and the Market Monitoring Unit cannot agree on the maximum level of the alternate EFORd that may be used in a Sell Offer for RPM Auctions held prior to the date on which the final EFORds used for a Delivery Year are posted, the Office of the Interconnection shall make its own determination of the maximum level of the alternate EFORd based on the requirements of the Tariff and the PJM Manuals, per Tariff, Attachment DD, section 5.8, by no later than sixty-five (65) days prior to the commencement of the offer period for the Base Residual for the applicable Delivery Year, and shall notify the Capacity Market Seller and the Market Monitoring Unit in writing of such determination.

(e) Nothing in this section precludes the Capacity Market Seller from filing a petition with FERC seeking a determination of whether the EFORd complies with the requirements of the Tariff.

(f) Notwithstanding the foregoing, a Capacity Market Seller may submit an EFORd that it chooses for an RPM Auction held prior to the date on which the final EFORd used for a Delivery Year is posted, provided that (i) it has participated in good faith with the process described in this section 6.6 and in Tariff, Attachment M-Appendix, section II.C, (ii) the offer is no higher than the level defined in any agreement reached by the Capacity Market Seller and the Market Monitoring Unit that resulted from the foregoing process, and (iii) the offer is accepted by the Office of the Interconnection subject to the criteria set forth in the Tariff and the PJM Manuals.

(g) A Capacity Market Seller that owns or controls an existing generation resource in the PJM Region that is capable of qualifying as an Existing Generation Capacity Resource as of the date on which bidding commences for an RPM Auction may not avoid the rule in subsection (a) or be removed from Capacity Resource status by failing to qualify as a Generation Capacity Resource, or by attempting to remove a unit previously qualified as a Generation Capacity Resource from classification as a Capacity Resource for that RPM Auction. However, generation resource may qualify for an exception to the RPM must-offer requirement, as shown by appropriate documentation, if the Capacity Market Seller that owns or controls such resource demonstrates that it: (i) is reasonably expected to be physically unable to participate in the relevant Delivery Year; (ii) has a financially and physically firm commitment to an external sale of its capacity, or (iii) was interconnected to the Transmission System as an Energy Resource and not subsequently converted to a Capacity Resource.

In order to establish that a resource is reasonably expected to be physically unable to participate in the relevant auction as set forth in (i) above, the Capacity Market Seller must demonstrate that:

A. It has a documented plan in place to retire the resource prior to or during the Delivery Year, and has submitted a notice of Deactivation to the Office of the Interconnection consistent with Tariff, Part V, section 113.1, without regard to whether the Office of the Interconnection has requested the Capacity Market Seller to continue to operate the resource beyond its desired deactivation date in accordance with Tariff, Part V, section 113.2 for the purpose of maintaining the reliability of the PJM Transmission System and the Capacity Market Seller has agreed to do so;

B. Significant physical operational restrictions cause long term or permanent changes to the installed capacity value of the resource, or the resource is under major repair that will extend into the applicable Delivery Year, that will result in the imposition of RPM performance penalties pursuant to Tariff, Attachment DD;

C. The Capacity Market Seller is involved in an ongoing regulatory proceeding (e.g. – regarding potential environmental restrictions) specific to the resource and has received an order, decision, final rule, opinion or other final directive from the regulatory authority that will result in the retirement of the resource; or

D. A resource considered an Existing Generating Capacity Resource because it cleared an RPM Auction for a Delivery Year prior to the Delivery Year of the relevant auction, but which is not yet in service, is unable to achieve full commercial operation prior to the Delivery Year of the relevant auction. The Capacity Market Seller must submit to the Office of the Interconnection and the Market Monitoring Unit a written sworn, notarized statement of a corporate officer certifying that the resource will not be in full commercial operation prior to the referenced Delivery Year.

In order to establish that a resource has a financially and physically firm commitment to an external sale of its capacity as set forth in (ii) above, the Capacity Market Seller must demonstrate that it has entered into a unit-specific bilateral transaction for service to load located outside the PJM Region, by a demonstration that such resource is identified on a unit-specific basis as a network resource under the transmission tariff for the control area applicable to such external load, or by an equivalent demonstration of a financially and physically firm commitment to an external sale. The Capacity Market Seller additionally shall identify the megawatt amount, export zone, and time period (in days) of the export.

A Capacity Market Seller that seeks approval for an exception to the RPM must-offer requirement, for any reason other than the reason specified in Paragraph A above, shall first submit such request in writing, along with all supporting data and documentation, to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction.

In order to obtain an exception to the RPM must-offer requirement for the reason specified in Paragraph A above, a Capacity Market Seller shall first submit a preliminary exception request in writing, along with supporting data and documentation indicating the reasons and conditions upon which the Capacity Market Seller is relying in its analysis of whether to retire such resource, to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than (a) November 1, 2013 for the Base Residual Auction for the 2017/2018 Delivery Year, (b) the September 1 that last precedes the Base Residual Auction for the 2018/2019 and subsequent Delivery Years, and (c) two hundred forty (240) days prior to the commencement of the offer period for the applicable Incremental Auction. By no later than five (5) Business Days after receipt of any such preliminary exception requests, the Office of the Interconnection will post on its website a summary of the number of megawatts of Generation Capacity Resources for which it has received notification of preliminary exception requests, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

Thereafter, as applicable, such Capacity Market Seller shall by no later than (a) the December 1 that last precedes the Base Residual Auction for the applicable Delivery Year, or (b) one hundred twenty (120) days prior to the commencement of the offer period for the applicable Incremental Auction, either (a) notify the Office of the Interconnection and the Market Monitoring Unit in writing that it is withdrawing its preliminary exception request and explaining the changes to its analysis of whether to retire such resource that support its decision to withdraw, or (b) demonstrate that it has met the requirements specified under Paragraph A above. By no later than five (5) Business Days after receipt of such notification, the Office of the Interconnection will post on its website a revised summary of the number of megawatts of Generation Capacity Resources for which it has received requests for exceptions to the RPM must-offer requirement for the reason specified in Paragraph A above, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

A Capacity Market Seller that seeks to remove a Generation Capacity Resource from Capacity Resource status shall first submit a preliminary request in writing, along with supporting data and documentation indicating the reasons and conditions upon which the Capacity Market Seller is relying in its analysis of whether to remove the Capacity Resource status of such resource to the Market Monitoring Unit for evaluation, notifying the Office of the Interconnection by copy of the same, by no later than (a) the September 1 that last precedes the Base Residual Auction, and (b) two hundred forty (240) days prior to the commencement of the offer period for the applicable Incremental Auction. For the Base Residual Auction for the 2023/2024 Delivery Year, a Capacity Market Seller that seeks to remove a Generation Capacity Resource from Capacity Resource status shall first submit such preliminary request by no later than November 1, 2019. By no later than five (5) Business Days after receipt of any such preliminary requests, the Office of the Interconnection will post on its website a summary of the number of megawatts of Generation Capacity Resources for which it has received notification of preliminary requests, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

Thereafter, as applicable, such Capacity Market Seller shall, by no later than (a) the December 1 that last precedes the Base Residual Auction for the applicable Delivery Year, or (b) one hundred twenty (120) days prior to the commencement of the offer period for the applicable Incremental Auction, notify the Office of the Interconnection and the Market Monitoring Unit in writing that it is either (a) withdrawing its preliminary request and explaining the changes to its analysis that support its decision to withdraw, or (b) confirming its preliminary decision to remove the Generation Capacity Resource from Capacity Resource status. By no later than five (5) Business Days after receipt of such notification, the Office of the Interconnection will post on its website a revised summary of the number of megawatts of Generation Capacity Resources for which it has received requests to remove its Capacity Resource status, on an aggregate basis by Zone and Locational Deliverability Area that comprises a subset of a Zone, as specified in the PJM Manuals.

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 and shall notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination of the request to remove the Generation Capacity Resource from Capacity Resource status, and whether a market power issue has been identified, by no later than ninety (90) days prior to the commencement of the offer period for the applicable RPM Auction. Such notice shall include the specific market power impact resulting from the proposed removal of the Generation Capacity Resource from Capacity Resource status, as well as an initial assessment of any steps that could be taken to mitigate the market power impact.

A Capacity Market Seller may only remove the Generation Capacity Resource from Capacity Resource status if (i) the Market Monitoring Unit has determined that the Generation Capacity Resource meets the applicable criteria set forth in Tariff, Attachment DD, sections 5.6.6 and this section 6.6 and the Office of the Interconnection agrees with this determination, or (ii) the Commission has issued an order terminating the Capacity Resource status of the resource, or (iii) it is required as set forth in Tariff, Attachment DD, section 6.6A(c). Nothing herein shall require a Market Seller to offer its resource into an RPM Auction prior to seeking to remove a resource from Capacity Resource status, subject to satisfaction of this section 6.6. A Generation Capacity Resource that is removed from Capacity Resource status shall no longer qualify as an Existing Generation Capacity Resource, and the Capacity Interconnection Rights associated with such facility shall be subject to termination in accordance with the rules described in Tariff, Part VI, section 230.3.3. The Office of the Interconnection shall amend the applicable Interconnection Service Agreement or wholesale market participation agreement to reflect any such removal of the Capacity Interconnection Rights, and shall report the amended agreement to the Commission in the same manner as the original (e.g., FERC filing or Electronic Quarterly Reports). The Office of the Interconnection shall file the amended agreement unexecuted if the Interconnection Customer or wholesale market participant does not sign the amended Interconnection Service Agreement or wholesale market participation agreement.

If the Capacity Market Seller disagrees with the Market Monitoring Unit's determination of its request to remove a resource from Capacity Resource status or its request for an exception to the RPM must-offer requirement, it must notify the Market Monitoring Unit in writing, with a copy to the Office of the Interconnection, of the same by no later than eighty (80) days prior to the commencement of the offer period for the applicable RPM Auction. After the Market Monitoring Unit has made its determination of whether a resource may be removed from Capacity Resource status, or whether the resource meets one of the exceptions thereto, and has notified the Capacity Market Seller and the Office of the Interconnection of the same pursuant to Tariff, Attachment M-Appendix, section II.C.4, the Office of the Interconnection shall approve or deny the request. The request shall be deemed to be approved by the Office of the Interconnection, consistent with the determination of the Market Monitoring Unit, unless the Office of the Interconnection notifies the Capacity Market Seller and Market Monitoring Unit, by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences, that the request is denied.

If the Market Monitoring Unit does not timely notify the Capacity Market Seller and the Office of the Interconnection of its determination of the request to remove a Generation Capacity Resource from Capacity Resource status or for an exception to the RPM must-offer requirement, the Office of the Interconnection shall make the determination whether the request shall be approved or denied, and will notify the Capacity Market Seller of its determination in writing, with a copy to the Market Monitoring Unit, by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences.

After the Market Monitoring Unit and the Office of the Interconnection have made their determinations of whether a resource meets the criteria to qualify for an exception to the RPM must-offer requirement, the Capacity Market Seller must notify the Market Monitoring Unit and the Office of the Interconnection whether it intends to exclude from its Sell Offer some or all of the subject capacity on the basis of an identified exception by no later than sixty-five (65) days prior to the date on which the offer period for the applicable RPM Auction commences. PJM does not make determinations of whether withholding of capacity constitutes market power. A Generation Capacity Resource that does not qualify for submission into an RPM Auction because it is not owned or controlled by the Capacity Market Seller for a full Delivery Year is not subject to the offer requirement hereunder; provided, however, that a Capacity Market Seller planning to transfer ownership or control of a Generation Capacity Resource during a Delivery Year pursuant to a sale or transfer agreement entered into after March 26, 2009 shall be required to satisfy the offer requirement hereunder for the entirety of such Delivery Year and may satisfy such requirement by providing for the assumption of this requirement by the transferee of ownership or control under such agreement.

If a Capacity Market Seller doesn't timely seek to remove a Generation Capacity Resource from Capacity Resource status or timely submit a request for an exception to the RPM must-offer requirement, the Generation Capacity Resource shall only be removed from Capacity Resource status, and may only be approved for an exception to the RPM must-offer requirement, upon the Capacity Market Seller requesting and receiving an order from FERC, prior to the close of the offer period for the applicable RPM Auction, directing the Office of the Interconnection to remove the resource from Capacity Resource status and/or granting an exception to the RPM must-offer requirement or a waiver of the RPM must-offer requirement as to such resource.

(h) Any existing generation resource located in the PJM Region that satisfies the criteria in the definition of Existing Generation Capacity Resource as of the date on which bidding commences for the Base Residual Auction for a Delivery Year, that is not offered into such Base Residual Auction, and that does not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any subsequent Incremental Auctions conducted for such Delivery Year; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE's Unforced Capacity Obligation, or any entity's obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

All generation resources located in the PJM Region that satisfy the criteria in the definition of Existing Generation Capacity Resource as of the date on which bidding commences for an Incremental Auction for a particular Delivery Year, but that did not satisfy such criteria as of the date that on which bidding commenced in the Base Residual Auction for that Delivery Year, that is not offered into that Incremental Auction, and that does not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any subsequent Incremental Auctions conducted for such Delivery Year; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE's Unforced Capacity Obligation, or any entity's obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

All Existing Generation Capacity Resources that are offered into a Base Residual Auction or Incremental Auction for a particular Delivery Year but do not clear in such auction, that are not offered into each subsequent Incremental Auction, and that do not meet any of the exceptions stated in the prior subsection (g): (i) may not participate in any Incremental Auctions conducted for such Delivery Year subsequent to such failure to offer; (ii) shall not receive any payments under Tariff, Attachment DD, section 5.14 for such Delivery Year for the capacity of such Generation Capacity Resources; and (iii) shall not be permitted to satisfy any LSE's Unforced Capacity Obligation, or any entity's obligation to obtain the commitment of Capacity Resources, for such Delivery Year.

Any such Existing Generation Capacity Resources may also be subject to further action by the Market Monitoring Unit under the terms of Tariff, Attachment M and Tariff, Attachment M – Appendix.

(i) In addition to the remedies set forth in subsections (g) and (h) above, if the Market Monitoring Unit determines that one or more Capacity Market Sellers' failure to offer part or all of one or more existing generation resources, for which the Office of the Interconnection has not approved an exception to the RPM must-offer requirement, into an RPM Auction as required by this Section 6.6 would result in an increase of greater than five percent in any Zonal Capacity Price determined through such auction, and the Office of the Interconnection agrees with that determination, the Office of the Interconnection shall apply to FERC for an order, on an expedited basis, directing such Capacity Market Seller to participate in the relevant RPM Auction, or for other appropriate relief, and PJM will postpone clearing the auction pending FERC's decision on the matter. If the Office of the Interconnection disagrees with the Market Monitoring Unit's determination and does not apply to FERC for an order directing the Capacity Market Seller to participate in the auction or for other appropriate relief, the Market Monitoring Unit may exercise its powers to inform Commission staff of its concerns and to seek appropriate relief.

6.6A Offer Requirement for Capacity Performance Resources

(a) For the 2018/2019 Delivery Year and subsequent Delivery Years, the installed capacity of every Generation Capacity Resource located in the PJM Region that is capable (or that reasonably can become capable) of qualifying as a Capacity Performance Resource shall be offered as a Capacity Performance Resource by the Capacity Market Seller that owns or controls all or part of such resource (which may include submission as Self-Supply) in all RPM Auctions for each such Delivery Year, less any amount determined by the Office of the Interconnection to be eligible for an exception to the Capacity Performance Resource must-offer requirement, where installed capacity is determined as of the date on which bidding commences for each RPM Auction pursuant to Tariff, Attachment DD, section 5.6.6.

(b) Determinations of EFORd and Unforced Capacity made under this section 6.6 as to a Generation Capacity Resource shall govern the offers required under this section as to the same Generation Capacity Resource.

(c) Exceptions to the requirement in subsection (a) shall be permitted only for a resource which the Capacity Market Seller demonstrates is reasonably expected to be physically incapable of satisfying the requirements of a Capacity Performance Resource. Intermittent Resources, Capacity Storage Resources, Demand Resources, and Energy Efficiency Resources shall not be required to offer as a Capacity Performance Resource, but shall not be precluded from being offered as a Capacity Performance Resource at a level that demonstrably satisfies such requirements. Exceptions shall be determined using the same timeline and procedures as specified in section 6.6.

Effective with the 2023/2024 Delivery Year, Capacity Market Sellers seeking an exception for a Base Residual Auction on the basis that a resource is incapable of meeting the Capacity Performance Resource requirement shall include a documented plan with the submission of their request showing the steps the Capacity Market Seller intends to pursue for the resource to become physically capable of satisfying the requirements of a Capacity Performance Resource. Such plan shall include (i) a timeline for design, permitting, procurement, and construction milestones, as applicable, where such timeline shall not exceed one Base Residual Auction exception, and (ii) evidence of corporate commitment (e.g., an SEC filing, a press release, or a letter from a duly authorized corporate officer indicating intent to make such investment). Periodic updates on the progress, shall be provided by the Capacity Market Seller to the Office of the Interconnection and the Market Monitoring Unit for their review by no later than (i) one hundred twenty (120) days prior to the commencement of the offer period for subsequent Incremental Auctions for the applicable Delivery Years, and (ii) the December 1 that last precedes subsequent Base Residual Auctions. The Capacity Market Seller shall also immediately notify the Office of the Interconnection and the Market Monitoring Unit of any material changes to the plan that may occur. Upon request by a Capacity Market Seller, a one year extension to the plan timeline shall be permissible only for delays not caused by the Capacity Market Seller, and that could not have been remedied through the exercise of due diligence by the Capacity Market Seller. In no event may an exception be requested by the Capacity Market Seller for more than two Base Residual Auctions.

Failure to submit a documented plan, or lack of good faith effort by a Capacity Market Seller to make an Existing Generation Capacity Resource physically capable of meeting the requirements of a Capacity Performance Resource in accordance with a documented plan, shall result in the removal of the resource’s Capacity Resource status effective with the first future Delivery Year for which the resource was granted an exception, no earlier than the 2023/2024 Delivery Year. The Office of the Interconnection shall amend the applicable Interconnection Service Agreement or wholesale market participation agreement to reflect any such removal of the Capacity Interconnection Rights, and shall report the amended agreement to the Commission in the same manner as the original (e.g. FERC Filing or Electronic Quarterly Reports). The Office of the Interconnection shall file the amended agreement unexecuted if the Interconnection Customer or wholesale market participant does not sign the amended Interconnection Service Agreement or wholesale market participation agreement. The required change in Capacity Resource status shall only apply to those Generation Capacity Resources that are shown to be physically incapable of satisfying the requirements of a Capacity Performance Resource.

(d) A resource not exempted or excepted under subsection (c) hereof that is capable of qualifying as a Capacity Performance Resource and does not offer into an RPM Auction as a

Capacity Performance Resource shall be subject to the same restrictions on subsequent offers, and other possible remedies, as specified in section 6.6.

6.7 Data Submission

(a) Potential participants in any PJM Reliability Pricing Model Auction shall submit, together with supporting documentation for each item, to the Market Monitoring Unit and the Office of the Interconnection no later than one hundred twenty (120) days prior to the posted date for the conduct of such auction, a list of owned or controlled generation resources by PJM transmission zone for the specified Delivery Year, including the amount of gross capacity, the EFORd and the net (unforced) capacity. A potential participant intending to offer any Capacity Performance Resource at or below the default Market Seller Offer Cap described in Tariff, Attachment DD, section 6.4(a) must provide the associated offer cap and the MW to which the offer cap applies.

(b) Except as provided in subsection (c) below, potential participants in any PJM Reliability Pricing Model Auction in any LDA or Unconstrained LDA Group that request a unit specific Avoidable Cost Rate shall, in addition, submit the following data, together with supporting documentation for each item, to the Market Monitoring Unit no later than one hundred twenty (120) days prior to the commencement of the offer period for such auction:

i. If the Capacity Market Seller intends to submit a non-zero price in its Sell Offer in any such auction, the Capacity Market Seller shall submit a calculation of the Avoidable Cost Rate and Projected PJM Market Revenues, as defined in subsection (d) below, together with detailed supporting documentation.

ii. If the Capacity Market Seller intends to submit a Sell Offer based on opportunity cost, the Capacity Market Seller shall also submit a calculation of Opportunity Cost, as defined in subsection (d), with detailed supporting documentation.

(c) Potential auction participants identified in subsection (b) above need not submit the data specified in that subsection for any Generation Capacity Resource:

i. that is in an Unconstrained LDA Group or, if this is the relevant market, the entire PJM Region, and is in a resource class identified in the table below as not likely to include the marginal price-setting resources in such auction; or

ii. for which the potential participant commits that any Sell Offer it submits as to such resource shall not include any price above: (1) the applicable default level identified below for the relevant resource class, less (2) the Projected PJM Market Revenues for such resource, as determined in accordance with this Tariff.

Nothing herein precludes the Market Monitoring Unit from requesting additional information from any potential auction participant as deemed necessary by the Market Monitoring Unit, including, without limitation, additional cost data on resources in a class that is not otherwise expected to include the marginal price setting resource as outlined in Tariff, Attachment M-Appendix, section II.G. Any Sell Offer submitted in any auction that is inconsistent with any agreement or commitment made pursuant to this subsection shall be rejected, and the Capacity Market Seller shall be required to resubmit a Sell Offer that complies with such agreement or commitment within one (1) Business Day of the Office of the Interconnection's rejection of such Sell Offer. If the Capacity Market Seller does not timely resubmit its Sell Offer, fails to request a unit-specific Avoidable Cost Rate by the specified deadline, or if the Office of the Interconnection determines that the information provided by the Capacity Market Seller in support of the requested unit-specific Avoidable Cost Rate or Sell Offer is incomplete, the Capacity Market Seller shall be deemed to have submitted a Sell Offer that complies with the commitments made under this subsection, with a default offer for the applicable class of resource or nearest comparable class of resource determined under this subsection (c)(ii). The obligation imposed under section 6.6(a) above shall not be satisfied unless and until the Capacity Market Seller submits (or is deemed to have submitted) a Sell Offer that conforms to its commitments made pursuant to this subsection or subject to the procedures set forth in section 6.4 above and Tariff, Attachment M-Appendix, section II.H.

The default retirement and mothball Avoidable Cost Rates ("ACR") referenced in this subsection (c)(ii) are as set forth in the tables below for the 2013/2014 Delivery Year through the 2016/2017 Delivery Year. Capacity Market Sellers shall use the one-year mothball Avoidable Cost Rate shown below, unless such Capacity Market Seller satisfies the criteria set forth in section 6.7(e) below, in which case the Capacity Market Seller may use the retirement Avoidable Cost Rate. PJM shall also publish on its Web site the number of Generation Capacity Resources and megawatts per LDA that use the retirement Avoidable Cost Rates. A Capacity Market Seller may not use the default Market Seller Offer Cap contained in the ACR tables in this subsection, and also seek to include any one or more categories of the Avoidable Cost Rate defined section 6.8 below.

Maximum Avoidable Cost Rates by Technology Class								
Technology	**2013/14 Mothball ACR ($/MW-Day)**	**2013/14 Retirement ACR ($/MW-Day)**	**2014/15 Mothball ACR ($/MW-Day)**	**2014/15 Retirement ACR ($/MW-Day)**	**2015/16 Mothball ACR ($/MW-Day)**	**2015/16 Retirement ACR ($/MW-Day)**	**2016/2017 Mothball ACR ($/MW-Day)**	**2016/2017 Retirement ACR ($/MW-Day)**
Nuclear	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pumped Storage	$23.64	$33.19	$24.56	$34.48	$25.56	$35.89	$24.05	$33.78
Hydro	$80.80	$105.67	$83.93	$109.76	$87.35	$114.24	$82.23	$107.55
Sub-Critical Coal	$193.98	$215.02	$201.49	$223.35	$209.71	$232.46	$197.43	$218.84
Super Critical Coal	$200.41	$219.21	$208.17	$227.70	$216.66	$236.99	$203.96	$223.10
Waste Coal - Small	$255.81	$309.83	$265.72	$321.83	$276.56	$334.96	$260.35	$315.34
Waste Coal – Large	$94.61	$114.29	$98.27	$118.72	$102.28	$123.56	$96.29	$116.32
Wind	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
CC-2 on 1 Frame F	$35.18	$49.90	$36.54	$51.83	$38.03	$53.94	$35.81	$50.79
CC-3 on 1 Frame	$39.06	$52.89	$40.57	$54.94	$42.23	$57.18	$39.75	$53.83

E/Siemens								
CC–3 or More on 1 or More Frame F	$30.46	$42.28	$31.64	$43.92	$32.93	$45.71	$30.99	$43.03
CC-NUG Cogen. Frame B or E Technology	$130.76	$175.71	$135.82	$182.52	$141.36	$189.97	$133.09	$178.83
CT - 1st & 2nd Gen. Aero (P&W FT 4)	$27.96	$37.19	$29.04	$38.63	$30.22	$40.21	$28.45	$37.85
CT - 1st & Gen. Frame B	$27.63	$36.87	$28.70	$38.30	$29.87	$39.86	$28.11	$37.52
CT - 2nd Gen. Frame E	$26.26	$35.14	$27.28	$36.50	$28.39	$37.99	$26.73	$35.77
CT - 3rd Gen. Aero (GE LM 6000)	$63.57	$93.70	$66.03	$97.33	$68.72	$101.30	$64.70	$95.37
CT - 3rd Gen. Aero (P&W FT - 8 TwinPak)	$33.34	$49.16	$34.63	$51.06	$36.04	$53.14	$33.93	$50.03
CT - 3rd Gen. Frame F	$26.96	$38.83	$28.00	$40.33	$29.14	$41.98	$27.43	$39.52
Diesel	$29.92	$37.98	$31.08	$39.45	$32.35	$41.06	$30.44	$38.66
Oil and Gas Steam	$74.20	$90.33	$77.07	$93.83	$80.21	$97.66	$75.51	$91.94

Commencing with the Base Residual Auction for the 2017/2018 Delivery Year, the Office of the Interconnection shall determine the default retirement and mothball Avoidable Cost Rates referenced in section (c)(ii) above, and post them on its website, by no later than one hundred fifty (150) days prior to the commencement of the offer period for each Base Residual Auction. To determine the applicable ACR rates, the Office of the Interconnection shall use the actual rate of change in the historical values from the Handy-Whitman Index of Public Utility Construction Costs or a comparable index approved by the Commission ("Handy-Whitman Index") to the extent they are available to update the base values for the Delivery Year, and for future Delivery Years for which the updated Handy-Whitman Index values are not yet available the Office of the Interconnection shall update the base values for the Delivery Year using the most recent ten-calendar-year annual average rate of change. The ACR rates shall be expressed in dollar values for the applicable Delivery Year.

Maximum Avoidable Cost Rates by Technology Class **(Expressed in 2011 Dollars for the 2011/2012 Delivery Year)**		
Technology	**Mothball ACR ($/MW-Day)**	**Retirement ACR ($/MW-Day)**
Combustion Turbine - Industrial Frame	$24.13	$33.04
Coal Fired	$136.91	$157.83
Combined Cycle	$29.58	$40.69
Combustion Turbine - Aero Derivative	$26.13	$37.18
Diesel	$25.46	$32.33
Hydro	$68.78	$89.96
Oil and Gas Steam	$63.16	$76.90
Pumped Storage	$20.12	$28.26

To determine the default retirement and mothball ACR values for the 2017/2018 Delivery Year, the Office of the Interconnection shall multiply the base default retirement and mothball ACR values in the table above by a factor equal to one plus the most recent annual average rate of change in the July Handy-Whitman Indices for the 2011 to 2013 calendar years to determine updated base default retirement and mothball ACR values. The updated base default retirement and mothball ACR values shall then be multiplied by a factor equal to one plus the most recent ten-calendar-year annual average rate of change in the applicable Handy-Whitman Index, taken to the fourth power, as calculated by the Office of the Interconnection and posted to its website.

To determine the default retirement and mothball ACR values for the 2018/2019 and 2019/2020 Delivery Years for Base Capacity Resources, the Office of the Interconnection shall multiply the updated base default retirement and mothball ACR values from the immediately preceding Delivery Year by a factor equal to one plus the most recent annual average rate of change in the July Handy-Whitman Index. These values become the new adjusted base default retirement and mothball ACR values, as calculated by the Office of the Interconnection and posted to its website. These resulting adjusted base values for the Delivery Year shall be multiplied by a factor equal to one plus the most recent ten-calendar-year annual average rate of change in the applicable Handy-Whitman Index, taken to the fourth power, as calculated by the Office of the Interconnection and posted to its website.

PJM shall also publish on its website the number of Generation Capacity Resources and megawatts per LDA that use the retirement Avoidable Cost Rates.

After the Market Monitoring Unit conducts its annual review of the table of default Avoidable Cost Rates included in section 6.7(c) above in accordance with the procedure specified in Tariff, Attachment M-Appendix, section II.H, it will provide updated values or notice of its determination that updated values are not needed to Office of the Interconnection. In the event that the Office of the Interconnection determines that the values should be updated, the Office of the Interconnection shall file its proposed values with the Commission by no later than October 30th prior to the commencement of the offer period for the first RPM Auction for which it proposes to apply the updated values.

(d) In order for costs to qualify for inclusion in the Market Seller Offer Cap, the Capacity Market Seller must provide to the Market Monitoring Unit and the Office of the Interconnection relevant unit-specific cost data concerning each data item specified as set forth in section 6 by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction. If cost data is not available at the time of submission for the time periods specified in section 6.8 below, costs may be estimated for such period based on the most recent data available, with an explanation of and basis for the estimate used, as may be further specified in the PJM Manuals. Based on the data and calculations submitted by the Capacity Market Sellers for each existing generation resource and the formulas specified below, the Market Monitoring Unit shall calculate the Market Seller Offer Cap for each such resource, and notify the Capacity Market Seller and the Office of the Interconnection in writing of its determination pursuant to Tariff, Attachment M-Appendix, section II.E.

i. Avoidable Cost Rate: The Avoidable Cost Rate for an existing generation resource shall be determined using the formula below and applied to the unit's Base Offer Segment.

ii. Opportunity Cost: Opportunity Cost shall be the documented price available to an existing generation resource in a market external to PJM. In the event that the total MW of existing generation resources submitting opportunity cost offers in any auction for a Delivery Year exceeds the firm export capability of the PJM system for such Delivery Year, or the capability of external markets to import capacity in such year, the Office of the Interconnection will accept such offers on a competitive basis. PJM will construct a supply curve of opportunity cost offers, ordered by opportunity cost, and accept such offers to export starting with the highest opportunity cost, until the maximum level of such exports is reached. The maximum level of such exports is the lesser of the Office of the Interconnection's ability to permit firm exports or the ability of the importing area(s) to accept firm imports or imports of capacity, taking account of relevant export limitations by location. If, as a result, an opportunity cost offer is not accepted from an existing generation resource, the Market Seller Offer Cap applicable to Sell Offers relying on such generation resource shall be the Avoidable Cost Rate less the Projected Market Revenues for such resource (as defined in section 6.4 above). The default Avoidable Cost Rate shall be the one year mothball Avoidable Cost Rate set forth in the tables in section 6.7(c) above unless Capacity Market Seller satisfies the criteria delineated in section 6.7(e) below.

iii. Projected PJM Market Revenues: Projected PJM Market Revenues are defined by section 6.8(d) below, for any Generation Capacity Resource to which the Avoidable Cost Rate is applied.

(e) In order for the retirement Avoidable Cost Rate set forth in the table in section 6.7(c) to apply, by no later than one hundred twenty (120) days prior to the commencement of the offer period for the applicable RPM Auction, a Capacity Market Seller must submit to the Office of the Interconnection and the Market Monitoring Unit a written sworn, notarized statement of a corporate officer representing that the Capacity Market Seller will retire the Generation Capacity Resource if it does not receive during the relevant Delivery Year at least the applicable retirement Avoidable Cost Rate because it would be uneconomic to continue to operate the Generation Capacity Resource in the Delivery Year without the retirement Avoidable Cost Rate, and specifying the date the Generation Capacity Resource would otherwise be retired.

6.8 Avoidable Cost Definition

(a) **Avoidable Cost Rate**:

The Avoidable Cost Rate for a Generation Capacity Resource that is the subject of a Sell Offer shall be determined using the following formula, expressed in dollars per MW-year:

Avoidable Cost Rate = [Adjustment Factor * (AOML + AAE + AFAE + AME + AVE + ATFI + ACC + ACLE) + ARPIR + APIR + CPQR]

Where:

- **Adjustment Factor** equals 1.10 (to provide a margin of error for understatement of costs) plus an additional adjustment referencing the 10-year average Handy-Whitman Index in order to account for expected inflation from the time interval between the submission of the Sell Offer and the commencement of the Delivery Year.

- **AOML (Avoidable Operations and Maintenance Labor)** consists of the avoidable labor expenses related directly to operations and maintenance of the generating unit for the twelve months preceding the month in which the data must be provided. The categories of expenses included in AOML are those incurred for: (a) on-site based labor engaged in operations and maintenance activities; (b) off-site based labor engaged in on-site operations and maintenance activities directly related to the generating unit; and (c) off-site based labor engaged in off-site operations and maintenance activities directly related to generating unit equipment removed from the generating unit site.

    - **AAE (Avoidable Administrative Expenses)** consists of the avoidable administrative expenses related directly to employees at the generating unit for twelve months preceding the month in which the data must be provided. The categories of expenses included in AAE are those incurred for: (a) employee expenses (except employee expenses included in AOML); (b) environmental fees; (c) safety and operator training; (d) office supplies; (e) communications; and (f) annual plant test, inspection and analysis.

- **AFAE (Avoidable Fuel Availability Expenses) c**onsists of avoidable operating expenses related directly to fuel availability and delivery for the generating unit that can be demonstrated by the Capacity Market Seller based on data for the twelve months preceding the month in which the data must be provided , or on reasonable projections for the Delivery Year supported by executed contracts, published tariffs, or other data sufficient to demonstrate with reasonable certainty the level of costs that have been or shall be incurred for such purpose. The categories of expenses included in AFAE are those incurred for: (a) firm gas pipeline transportation; (b) natural gas storage costs; (c) costs of gas balancing agreements; and (d) costs of gas park and loan services. AFAE expenses are for firm fuel supply and apply solely for offers for a Capacity Performance Resource

- **AME (Avoidable Maintenance Expenses)** consists of avoidable maintenance expenses (other than expenses included in AOML) related directly to the generating unit for the twelve months preceding the month in which the data must be provided. The categories of expenses included in AME are those incurred for: (a) chemical and materials consumed during maintenance of the generating unit; and (b) rented maintenance equipment used to maintain the generating unit.

- **AVE (Avoidable Variable Expenses)** consists of avoidable variable expenses related directly to the generating unit incurred in the twelve months preceding the month in which the data must be provided. The categories of expenses included in AVE are those incurred for: (a) water treatment chemicals and lubricants; (b) water, gas, and electric service (not for power generation); and (c) waste water treatment.

- **ATFI (Avoidable Taxes, Fees and Insurance)** consists of avoidable expenses related directly to the generating unit incurred in the twelve months preceding the month in which the data must be provided. The categories of expenses included in AFTI are those incurred for: (a) insurance, (b) permits and licensing fees, (c) site security and utilities for maintaining security at the site; and (d) property taxes.

- **ACC (Avoidable Carrying Charges)** consists of avoidable short-term carrying charges related directly to the generating unit in the twelve months preceding the month in which the data must be provided. Avoidable short-term carrying charges shall include short term carrying charges for maintaining reasonable levels of inventories of fuel and spare parts that result from short-term operational unit decisions as measured by industry best practice standards. For the purpose of determining ACC, short term is the time period in which a reasonable replacement of inventory for normal, expected operations can occur.

- **ACLE (Avoidable Corporate Level Expenses)** consists of avoidable corporate level expenses directly related to the generating unit incurred in the twelve months preceding the month in which the data must be provided. Avoidable corporate level expenses shall include only such expenses that are directly linked to providing tangible services required for the operation of the generating unit proposed for Deactivation. The categories of avoidable expenses included in ACLE are those incurred for: (a) legal services, (b) environmental reporting; and (c) procurement expenses.

- **CPQR (Capacity Performance Quantifiable Risk)** consists of the quantifiable and reasonably-supported costs of mitigating the risks of non-performance associated with submission of a Capacity Performance Resource offer (or of a Base Capacity Resource offer for the 2018/19 or 2019/20 Delivery Years), such as insurance expenses associated with resource non-performance risks. CPQR shall be considered reasonably supported if it is based on actuarial practices generally used by the industry to model or value risk and if it is based on actuarial practices used by the Capacity Market Seller to model or value risk in other aspects of the Capacity Market Seller's business. Such reasonable support shall also include an officer certification that the modeling and valuation of the CPQR was developed in accord with such practices. Provision of such reasonable support shall be sufficient to establish the CPQR. A Capacity Market Seller may use other methods or forms of support for its proposed CPQR that shows the CPQR is limited to risks the seller faces from committing a Capacity Resource hereunder, that quantifies the costs of mitigating such risks, and that includes supporting documentation (which may include an officer certification) for the identification of such risks and quantification of such costs. Such showing shall establish the proposed CPQR upon acceptance by the Office of the Interconnection.

- **APIR (Avoidable Project Investment Recovery Rate) = PI * CRF**

Where:

  - **PI** is the amount of project investment completed prior to June 1 of the Delivery Year, except for Mandatory Capital Expenditures ("CapEx") for which the project investment must be completed during the Delivery Year, that is reasonably required to enable a Generation Capacity Resource that is the subject of a Sell Offer to continue operating or improve availability during Peak-Hour Periods during the Delivery Year.

- **CRF** is the annual capital recovery factor from the following table, applied in accordance with the terms specified below.

Age of Existing Units (Years)	Remaining Life of Plant (Years)	Levelized CRF
1 to 5	30	0.107
6 to 10	25	0.114
11 to 15	20	0.125
16 to 20	15	0.146
21 to 25	10	0.198
25 Plus	5	0.363
Mandatory CapEx	4	0.450
40 Plus Alternative	1	1.100

Unless otherwise stated, Age of Existing Unit shall be equal to the number of years since the Unit commenced commercial operation, up to and through the relevant Delivery Year.

Remaining Life of Plant defines the amortization schedule (i.e., the maximum number of years over which the Project Investment may be included in the Avoidable Cost Rate.)

Capital Expenditures and Project Investment

For any given Project Investment, a Capacity Market Seller may make a one-time election to recover such investment using: (i) the highest CRF and associated recovery schedule to which it is entitled; or (ii) the next highest CRF and associated recovery schedule. For these purposes, the CRF and recovery schedule for the 25 Plus category is the next highest CRF and recovery schedule for both the Mandatory CapEx and the 40 Plus Alternative categories. The Capacity Market Seller using the above table must provide the Market Monitoring Unit with information, identifying and supporting such election, including but not limited to the age of the unit, the amount of the Project Investment, the purpose of the investment, evidence of corporate commitment (e.g., an SEC filing, a press release, or a letter from a duly authorized corporate officer indicating intent to make such investment), and detailed information concerning the governmental requirement (if applicable). Absent other written notification, such election shall be deemed based on the CRF such Seller employs for the first Sell Offer reflecting recovery of any portion of such Project Investment.

For any resource using the CRF and associated recovery schedule from the CRF table that set the Capacity Resource Clearing Price in any Delivery Year, such Capacity Market Seller must also provide to the Market Monitoring Unit, for informational purposes only, evidence of the actual expenditure of the Project Investment, when such information becomes available.

If the project associated with a Project Investment that was included in a Sell Offer using a CRF and associated recovery schedule from the above table has not entered into commercial operation prior to the end of the relevant Delivery Year, and the resource's Sell Offer sets the clearing price for the relevant LDA, the Capacity Market Seller shall be required to elect to either (i) pay a charge that is equal to the difference between the Capacity Resource Clearing Price for such LDA for the relevant Delivery Year and what the clearing price would have been absent the

APIR component of the Avoidable Cost Rate, this difference to be multiplied by the cleared MW volume from such Resource ("rebate payment"); (ii) hold such rebate payment in escrow, to be released to the Capacity Market Seller in the event that the project enters into commercial operation during the subsequent Delivery Year or rebated to LSEs in the relevant LDA if the project has not entered into commercial operation during the subsequent Delivery Year; or (iii) make a reasonable investment in the amount of the PI in other Existing Generation Capacity Resources owned or controlled by the Capacity Market Seller or its Affiliates in the relevant LDA. The revenue from such rebate payments shall be allocated pro rata to LSEs in the relevant LDA(s) that were charged a Locational Reliability Charge for such Delivery Year, based on their Daily Unforced Capacity Obligation in the relevant LDA(s). If the Sell Offer from the Generation Capacity Resource did not set the Capacity Resource Clearing Price in the relevant LDA, no alternative investment or rebate payment is required. If the difference between the Capacity Resource Clearing Price for such LDA for the relevant Delivery Year and what the clearing price would have been absent the APIR amount does not exceed the greater of $10 per MW-day or a 10% increase in the clearing price, no alternative investment or rebate payment is required.

Mandatory CapEx Option

The Mandatory CapEx CRF and recovery schedule is an option available, beginning in the third BRA (Delivery Year 2009-10), to a resource that must make a Project Investment to comply with a governmental requirement that would otherwise materially impact operating levels during the Delivery Year, where: (i) such resource is a coal, oil or gas-fired resource that began commercial operation no fewer than fifteen years prior to the start of the first Delivery Year for which such recovery is sought, and such Project Investment is equal to or exceeds $200/kW of capitalized project cost; or (ii) such resource is a coal-fired resource located in an LDA for which a separate VRR Curve has been established for the relevant Delivery Years, and began commercial operation at least 50 years prior to the conduct of the relevant BRA.

A Capacity Market Seller that wishes to elect the Mandatory CapEx option for a Project Investment must do so beginning with the Base Residual Auction for the Delivery Year in which such project is expected to enter commercial operation. A Sell Offer submitted in any Base Residual Auction for which the Mandatory CapEx option is selected may not exceed an offer price equivalent to 0.90 times the then-current Net CONE (on an unforced-equivalent basis).

40 Plus Alternative Option

The 40 Plus Alternative CRF and recovery schedule is an option available, beginning in the third BRA (Delivery Year 2009-10), for a resource that is a gas- or oil-fired resource that began commercial operation no less than 40 years prior to the conduct of the relevant BRA (excluding, however, any resource in any Delivery Year for which the resource is receiving a payment under Tariff, Part V. Generation Capacity Resources electing this 40 Plus Alternative CRF shall be treated as At Risk Generation for purposes of the sensitivity runs in the RTEP process). Resources electing the 40 Plus Alternative option will be modeled in the RTEP process as "at-risk" at the end of the one-year amortization period.

A Capacity Market Seller that wishes to elect the 40 Plus Alternative option for a Project Investment must provide written notice of such election to the Office of the Interconnection no later than six months prior to the Base Residual Auction for which such election is sought; provided however that shorter notice may be provided if unforeseen circumstances give rise to the need to make such election and such seller gives notice as soon as practicable.

The Office of the Interconnection shall give market participants reasonable notice of such election, subject to satisfaction of requirements under the PJM Operating Agreement for protection of confidential and commercially sensitive information. A Sell Offer submitted in any Base Residual Auction for which the 40 Plus Alternative option is selected may not exceed an offer price equivalent to the then-current Net CONE (on an unforced-equivalent basis).

Multi-Year Pricing Option

A Seller submitting a Sell Offer with an APIR component that is based on a Project Investment of at least $450/kW may elect this Multi-Year Pricing Option by providing written notice to such effect the first time it submits a Sell Offer that includes an APIR component for such Project Investment. Such option shall be available on the same terms, and under the same conditions, as are available to Planned Generation Capacity Resources under Tariff, Attachment DD, section 5.14(c).

- **ARPIR (Avoidable Refunds of Project Investment Reimbursements)** consists of avoidable refund amounts of Project Investment Reimbursements payable by a Generation Owner to PJM under Tariff, Part V, section 118 or avoidable refund amounts of project investment reimbursements payable by a Generation Owner to PJM under a Cost of Service Recovery Rate filed under Tariff, Part V, section 119 and approved by the Commission.

(b) For the purpose of determining an Avoidable Cost Rate, avoidable expenses are incremental expenses directly required to operate a Generation Capacity Resource that a Generation Owner would not incur if such generating unit did not operate in the Delivery Year or meet Availability criteria during Peak-Hour Periods during the Delivery Year.

(c) Variable costs that are directly attributable to the production of energy shall be excluded from a Market Seller's generation resource Avoidable Cost Rate. Notwithstanding the foregoing, a Market Seller that included variable costs attributable to the production of energy in a generation resource's Avoidable Cost Rate prior to April 15, 2019 shall not include such costs in such generation resource's Maintenance Adders or Operating Costs for any Delivery Year for which it has already included such costs in the generation resource's Avoidable Cost Rate. A Market Seller implicated by this paragraph may continue including such variable costs attributable to the production of energy in its Avoidable Cost Rate for each generation resource for any Delivery Year for which it already did so prior to April 15, 2019.

(d) For Delivery Years up to and including the 2021/2022 Delivery Year, projected PJM Market Revenues for any Generation Capacity Resource to which the Avoidable Cost Rate is applied shall include all actual unit-specific revenues from PJM energy markets, ancillary services, and unit-specific bilateral contracts from such Generation Capacity Resource, net of energy and ancillary services market offers for such resource. Net energy market revenues shall be based on the non-zero market-based offers of the Capacity Market Seller of such Generation

Capacity Resource unless one of the following conditions is met, in which case the cost-based offer shall be used: (x) the market-based offer for the resource is zero, (y) the market-based offer for the resource is higher than its cost-based offer and such offer has been mitigated, or (z) the market-based offer for the resource is less than such Capacity Market Seller's fuel and environmental costs for the resource which shall be determined either by directly summing the fuel and environmental costs if they are available, or by subtracting from the cost-based offer for the resource all costs developed pursuant to the Operating Agrement and PJM Manuals that are not fuel or environmental costs.

The calculation of Projected PJM Market Revenues shall be equal to the rolling simple average of such net revenues as described above from the three most recent whole calendar years prior to the year in which the BRA is conducted.

If a Generation Capacity Resource did not receive PJM market revenues during the entire relevant time period because the Generation Capacity Resource was not integrated into PJM during the full period, then the Projected PJM Market Revenues shall be calculated using only those whole calendar years within the full period in which such Resource received PJM market revenues.

If a Generation Capacity Resource did not receive PJM market revenues during the entire relevant time period because it was not in commercial operation during the entire period, or if data is not available to the Capacity Market Seller for the entire period, despite the good faith efforts of such seller to obtain such data, then the Projected PJM Market Revenues shall be calculated based upon net revenues received over the entire period by comparable units, to be developed by the MMU and the Capacity Market Seller.

(d-1) For the 2022/2023 Delivery and subsequent Delivery Years, Pprojected PJM Market Revenues for any Generation Capacity Resource to which the Avoidable Cost Rate is applied shall be equal to forecasted net revenues, which shall be determined in accordance with Tariff, Attachment DD, section 5.14(h-1)(2)(B)(ii), or for resource types not specified in such section, in a manner consistent with the methodologies described in such section, that utilizes Forward Hourly LMPs and Forward Hourly Ancillary Service Prices for such resource, forecasted fuel prices as applicable, as well as resource-specific operating parameters and capability information specific to the simulated dispatch of such resource, where such dispatch shall either consider the hourly output profiles for Intermittent Resources in a manner consistent with solar and onshore wind methodologies, or utilize the Projected EAS Dispatch. To the extent the resource has achieved commercial operation, the dispatch shall utilize the resource-specific operating parameters as determined in accordance with the PJM Manuals based on offers submitted in the Day-ahead Energy Market and Real-time Energy Market, as well as the operating parameters approved, as applicable, in accordance with Operating Agreement, Schedule 1, section 6.6(b) and Operating Agreement, Schedule 2 (including any Fuel Costs, emissions costs, Maintenance Adders, and Operating Costs). Adjustments to resource-specific operating parameters may be submitted to the Market Monitoring Unit and the Office of the Interconnection for review and consideration in the simulated dispatch with supporting documentation. For resources that have not yet achieved commercial operation, the operating parameters used in the simulation of the net energy and ancillary service revenues will be based on the manufacturer's specifications and/or from parameters used for other existing, comparable resources, as developed by the Market Monitoring Unit and the Capacity Market Seller, and accepted by the Office of the Interconnection.

In the alternative, the Capacity Market Seller may provide their own estimate of Projected PJM Market Revenues to the Market Monitoring Unit and the Office of the Interconnection for review and approval. Such a request shall identify all revenue sources (exclusive of any State Subsidies), including, without limitation, long-term power supply contracts, tolling agreements, or tariffs on file with state regulatory agencies, and shall demonstrate that such offsetting revenues are consistent, over a reasonable time period identified by the Capacity Market Seller, with the standards prescribed above. In making such demonstration, the Capacity Market Seller may rely upon revenues projected by well-defined, forward-looking dispatch models designed to generally follow the rules and processes of PJM's energy and ancillary services markets. Such models must utilize forward prices for energy, ancillary service and fuel in the PJM Region based on contractual evidence of an alternative fuel price or sourced from liquid forward markets (where available), and other publicly available data to develop the forward prices used in the estimate. Where forward fuel markets are not available, publicly available estimates of future fuel sources may be used. The model shall also contain estimates of variable operation and maintenance expenses, which may include Maintenance Adders, and emissions allowance prices. Documentation for net revenues also must include, as available and applicable, plant performance and capability information, including heat rate, start-up times and costs, forced outage rates, planned outage schedules, maintenance cycle, fuel costs and other variable operations and maintenance expenses, capacity factors, and ancillary service capabilities. Any evaluation of revenues should include, but would not be not limited to, consideration of Fuel Costs, Maintenance Adders and Operating Costs, as applicable, pursuant to Operating Agreement, Schedule 2.

Attachment C

Affidavit of
Samuel A. Newell, James A. Read Jr.,
and Sang H. Gang
on behalf of
PJM Interconnection, L.L.C.

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PJM Interconnection, L.L.C.	)))	**Docket Nos. EL19-58** **ER19-1486**

AFFIDAVIT OF
SAMUEL A. NEWELL, JAMES A. READ JR., AND SANG H. GANG
ON BEHALF OF PJM INTERCONNECTION, L.L.C.

I. INTRODUCTION

Qualifications

1. Our names are Samuel A. Newell, James A. Read Jr., and Sang H. Gang. Dr. Newell and Mr. Read are employed by The Brattle Group ("Brattle") as Principals. Mr. Gang is employed by Sargent & Lundy ("S&L") as a Principal Consultant. We are submitting this affidavit in support of PJM Interconnection, L.L.C.'s ("PJM") filing in compliance with the May 21, 2020 order ("May 21 Order")[1] by the Federal Energy Regulatory Commission ("FERC") implementing Reserve Pricing Reforms related to an approach to estimate forward-looking energy and ancillary service ("E&AS") net revenues for determining default net cost of new entry ("Net CONE") and net avoidable cost rates ("Net ACR") parameters in the PJM Base Residual Auctions.

2. Dr. Newell is an economist and engineer with 22 years of experience consulting in wholesale electricity market design, wholesale market analysis, generation asset valuation, integrated resource planning, and transmission cost-benefit analysis. He has led studies on the net cost of capacity for past PJM Quadrennial/Triennial reviews of the Net CONE and for ISO New England on the same and for Offer Review Trigger Prices. He has frequently used forward markets as part of asset valuation assignments to support investment decisions by market participants. Prior to joining The Brattle Group in 2004, he was the Director of the Transmission Service at Cambridge Energy Research Associates and previously a Manager in the Utilities Practice at A.T.Kearney. He earned a Ph.D. in Technology Management and Policy from the Massachusetts Institute of Technology, an M.S. in Materials

[1] *PJM Interconnection, L.L.C.*, 171 FERC ¶ 61,153 (2020).

Science and Engineering from Stanford University, and a B.A. in Chemistry and Physics from Harvard College.

3. Mr. Read is a financial and energy economist with more than 35 years of experience in valuation, risk management, and capital budgeting. Much of that experience has been in the energy industry, especially electric power and natural gas. He has worked with many companies on valuation and risk management assignments, including the development of forward price curves and the modeling and estimation of price volatility. He has also been a consulting expert in several high-profile litigation matters involving alleged manipulation of electricity and natural gas markets. Mr. Read was the principal investigator on a series of studies for the Electric Power Research Institute to develop tools and methods for valuation and risk management, including development of the *Energy Book System* software. He is the author or coauthor of numerous publications on these and related topics. He earned an M.S. in Finance from the Massachusetts Institute of Technology and a B.A. in Economics from Princeton University.

4. Mr. Gang is an engineer with 12 years of experience in engineering design and consulting on a wide range of electric power projects including nuclear, gas, coal, biomass, wind, solar PV, and battery energy storage technologies. He has extensive experience assessing power plant technologies and estimating plant capital costs, operation and maintenance ("O&M") costs, and performance characteristics. Within the last two years, Mr. Gang has been leading S&L's electric power resource planning projects, including evaluation of various generation and interconnection options. Mr. Gang also led the S&L team in working with Brattle to estimate the CONE for new merchant generation resources for PJM in its past Quadrennial Review and for the Alberta Electric System Operator in its development of a centralized capacity market in Alberta, Canada. Mr. Gang is a licensed Professional Engineer in the state of Illinois and earned a B.S. in Electrical Engineering from the University of Illinois at Urbana-Champaign.

5. Complete details of our qualifications, publications, reports, and prior experiences are set forth in our resumes included as Exhibit No. 1 to our affidavit.

Scope of This Testimony

6. PJM retained Brattle and S&L to provide support in developing a method for estimating forward-looking net E&AS revenues for several resources, including combustion turbine ("CT") plants, combined-cycle ("CC") plants, coal-fired plants, nuclear, battery storage, and energy efficiency ("EE") in each of PJM's zones. The approach must be consistent with the May 21 Order to "allow changes to energy and ancillary services revenues stemming from energy market design modifications to be more readily incorporated into capacity market parameters and prices."[2] The approach must be a complete and coherent design that is just and reasonable, and it

[2] May 21 Order at P 320.

should provide a foundation for future refinements as PJM, market participants, and other stakeholders gain experience with forward-looking net E&AS revenues.

7. More specifically, PJM requested our support in providing (1) a method for estimating future market prices for electricity and fuel; (2) assumptions on certain operating parameters for default new entrants; (3) a method for using a virtual dispatch model to estimate the net E&AS revenues, given electricity and fuel prices and resource characteristics; and (4) guidelines for acceptable ranges of assumptions and approaches for use in unit-specific Minimum Offer Price Rule ("MOPR") reviews. In addition, PJM requested that we update the EE Net CONE values we filed in our March 18, 2020 affidavit based on forward-looking energy prices.[3]

8. The relevant timeframe for estimating net E&AS revenues is 3.5 to 4.5 years ahead, corresponding to the timing of the delivery year in relation to the schedule for setting auction parameters in PJM's three-year forward Base Residual Auctions. We are aware that the timeframe will be shorter in the near-term since the next auction, for the 2022/23 Delivery Year, will be held less than two years before that delivery year, and the next four auctions will be phased in before returning to the standard schedule. The proposed methodology is equally reasonable for the shorter forward period in the near-term auctions.

9. PJM provided some guidelines, which we agree are reasonable: the primary objective is to develop an approach that accurately estimates net E&AS revenues consistent with commercial practices. Secondary objectives are transparency, reproducibility, and ease of administration.

10. In this affidavit, we summarize our recommendations in Section II and provide the basis for our recommendations and additional details in Section III. Most of the text addresses the development of default E&AS values for each technology, followed by a short discussion of unit-specific reviews.

II. SUMMARY OF RECOMMENDATIONS

Overview

11. To estimate expected net E&AS revenues in the delivery year, we recommend that PJM adopt the principles and methods we would use when supporting a client in an investment or contract decision for a similar timeframe. One of those principles is to rely on market prices to the extent they are observable. In this case, we recommend using forward prices for electric energy and natural gas applicable to PJM market participants. Forward prices reflect expectations of market conditions

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[3] Compliance Filing Concerning the Minimum Offer Price Rule of PJM Interconnection, L.L.C., Docket No. ER18-1314-003, Attachment D, March 18, 2020.

at corresponding delivery dates and thus should incorporate assessments of the many factors that determine prices at delivery, including such factors as market design changes and additions and retirements of generation and transmission capacity.

12. We apply forward price data where available to estimate resources' future net revenues in each zone, in three steps.

    a. We use available forward market data to derive a single monthly average future price in each zone for each commodity (i.e., peak and off-peak energy, and natural gas). Where reliable forward market data are unavailable, such as for energy losses differentials or monthly congestion price patterns between hubs and zones, we rely on historical observations averaged over three years.

    b. We then shape the monthly prices into hourly (or daily) prices based on historical price patterns over three different historical years. The three "shape-years" are kept separate from each other to preserve representative volatility, rather than smoothing it out.

    c. Finally, PJM uses these zonal hourly forward prices in its virtual dispatch model (which is referred to below as the "Projected EAS Dispatch" model) to simulate how each resource would be dispatched and settled in each shape-year, given its contemporaneous fuel costs and other operating characteristics. The resulting net E&AS revenues from each shape-year are averaged together to produce a single forward-looking value.

Development of Energy Prices

13. To best reflect market information, we recommend relying on electricity futures settlement prices from all PJM hubs with sufficient liquidity. In evaluating liquidity, we consider related products together with their product family (day-ahead peak, day-ahead off-peak, real-time peak, and real-time off-peak for a given location). Further, we use the open interest in these contracts as our indicator of "liquidity." Open interest refers to the number of contracts that are "open" (that is, remain outstanding) at the end of the trading day.

14. Based on our analysis of futures traded at PJM hubs, we recommend that PJM rely on electricity futures settlement prices at PJM Western Hub, AEP-Dayton Hub, and Northern Illinois Hub ("NI Hub"). We do not recommend using zonal forwards at this time because they are not actively traded in the delivery year.

15. Each PJM zone is mapped to the hub with highest price correlations in recent history (2017-2019):

    a. NI Hub for COMED;

    b. AEP-Dayton Hub for AEP, ATSI, DAY, DEOK, DUQ, and EKPC; and

    c. Western Hub for all other zones.

16. We recommend using day-ahead ("DA") futures settlement prices reported by Intercontinental Exchange ("ICE") at these trading hubs from the most recent 30 trading days.[4] Day-ahead futures prices and real-time ("RT") futures prices are nearly equivalent, such that relying on either will have little to no impact on the estimated E&AS net revenues. Using day-ahead prices aligns with our approach to first develop monthly and hourly day-ahead prices consistent with the futures, and then apply historical hourly patterns of day-ahead and real-time prices to develop real-time prices. The use of a 30-day average of prices balances the benefit of the most recent market information with potential vulnerability to market manipulation from indexing to a single day. The prices from those 30 days can be averaged to yield the forward prices used for each hub, month, and on/off peak-period in the delivery year.

17. To calculate forward-looking *zone-specific* monthly peak and off-peak prices, PJM should apply available market information to account for future basis differentials between zones and their corresponding trading hubs. Future basis differentials can be informed by separately considering congestion and energy losses between the trading hub and each zone. To project congestion differentials a few years into the future, our standard practice is to use differences in congestion prices between each zone and the hub, from the latest long-term Financial Transmission Rights ("FTR") auction. The longest term FTRs trade three years forward, about a year before the delivery period for the Base Residual Auction under the standard schedule. The long-term FTRs are a reasonable indicator of the market's view of future congestion applicable in the delivery year and will reflect shifting patterns much more quickly than, for example, relying on historical congestion differentials from four to six years before the delivery year. Long-term FTR prices are, however, only annual (on-peak and off-peak) prices, not monthly. It is reasonable to shape these annual prices by month using the congestion component of monthly average day-ahead price differentials between the zone and relevant hub from the past three years.

18. For energy losses, we rely on historical losses at each zone scaled to futures prices. Historical losses in this case are sufficient because losses tend to be relatively small and more stable over time, and there is no forward-looking, market-based source for directly estimating future losses.

19. The final step is to develop hourly day-ahead and real-time energy prices in each zone. To do so, we apply historical hourly patterns of zonal prices observed over the most recent three years to the observed forward prices of monthly peak and off-peak energy blocks. Historical price patterns provide the best information for the

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[4] Specifically, we recommend using the following futures products: for PJM Western Hub, PJM Western Hub Day-Ahead Peak Fixed Price Future and PJM Western Hub Day-Ahead Off-Peak Fixed Price Future; for AEP-Dayton Hub, PJM AEP Dayton Hub Day-Ahead Peak Fixed Price Future and PJM AEP Dayton Hub Day-Ahead Off-Peak Fixed Price Future; for Northern Illinois Hub, PJM NI Hub Day-Ahead Peak Fixed Price Future and PJM NI Hub Day-Ahead Off-Peak Fixed Price Future.

hourly shapes of day-ahead and real-time prices. We recommend using the price patterns from each of the three most recent years to capture random variation in price shapes from year to year. This approach will create three years of hourly prices that can be used separately to dispatch the resources.

20. Table 1 below shows the projected 2022/23 zonal all-hour day-ahead and real-time prices based on our recommended method, compared to historical average prices from 2017 to 2019. The projected prices are slightly lower than recent historical prices, reflecting declining energy and natural gas prices in the forward market.

Table 1: Comparison of Historical and Forecasted All-Hour Zonal Energy Prices (nominal $/MWh)

		Day-Ahead		Real-Time	
Hub	Zone	2017-19 Average	2022/23 Forecasted	2017-19 Average	2022/23 Forecasted
N. Illinois	COMED	$26.39	$22.74	$26.31	$22.70
AEP-Dayton	AEP	$30.55	$26.42	$30.50	$26.31
	ATSI	$31.41	$27.21	$31.54	$27.20
	DAY	$31.55	$27.29	$31.40	$27.10
	DEOK	$31.37	$26.95	$30.85	$26.48
	DUQ	$31.04	$27.03	$31.08	$26.95
	EKPC	$29.44	$25.53	$29.22	$25.31
Western Hub	APS	$31.14	$27.01	$31.10	$26.88
	DOM	$32.97	$28.83	$32.70	$28.50
	PEPCO	$33.27	$29.25	$32.96	$28.86
	BGE	$34.12	$30.10	$33.90	$29.80
	DPL	$31.06	$27.85	$31.58	$28.18
	PENELEC	$29.95	$26.00	$30.06	$25.98
	PPL	$28.11	$24.58	$28.17	$24.60
	METED	$29.27	$26.05	$29.36	$26.05
	PECO	$28.21	$24.57	$28.33	$24.61
	AECO	$28.67	$24.90	$28.78	$24.92
	PSEG	$29.26	$25.43	$29.22	$25.35
	JCPL	$28.78	$24.94	$28.87	$24.97
	RECO	$29.57	$25.60	$29.51	$25.48

Sources and Notes: Historical 2017-2019 prices provided by PJM; forecasted 2022/23 prices based on approach recommended above. Averages reported are unweighted across all hours.

Development of Ancillary Services Prices

21. PJM's ancillary services markets have historically been only about 5% as large as energy markets in terms of annual revenues,[5] and they have not provided a major source of additional revenues for most CCs and for CTs similar to the reference

5 In 2019, the total revenues was $1,097 million for ancillary service products and $21,088 million for energy. Monitoring Analytics, 2019 State of the Market Report for PJM, Volume 2: Detailed Analysis, Section 1, March 12, 2020, p. 17.

resource without synchronous condensing capability. However, AS revenues have been significant for some resources and are likely to become moreso after PJM's Reserve Pricing Reforms take effect. Ancillary services prices should therefore be included in PJM's analysis of resources' net revenues.

22. There are no observable forward markets for ancillary services. Lacking forward market prices, we have often projected AS prices by exploiting the fact that AS prices have historically been highly correlated with energy prices. The correlation occurs because the primary cost of providing AS is the opportunity cost of forgone energy sales, as recognized in PJM's co-optimized energy-AS markets. The relationship appears to have been roughly linear, approximately passing through the origin. If the historical relationship can be expected to continue, one can project future AS prices by scaling historical hourly AS prices to the percent change in future hourly energy prices relative to the historical energy prices for the same hour. This might be a good assumption for the Regulation (A) product.

23. However, PJM's planned Reserve Pricing Reforms will change the relationship between energy and the prices of synchronized and non-synchronized reserves. PJM's simulation analysis accompanying its Reserve Pricing Reform filing suggested a three-folding (more than 200% increase) in annual average prices for synchronized reserves and non-synchronized reserves under 2018 market conditions. Simulated energy prices increased much less, both in percentage terms and absolute terms.[6] This suggests that once the Reserve Pricing Reforms are implemented in 2022, our usual method of projecting future prices scaling future reserve prices with changes in energy prices would understate prices for those reserves. Moreover, with forward energy prices lower than historic prices, under our usual method the scaled reserve prices would be lower than historical prices, instead of higher as intended by the Reserve Pricing Reforms.

24. If we were constructing a revenue forecast for a commercial client, we might exercise our subjective judgment and leverage PJM's analysis, replacing historical 2018 prices with the higher simulated hourly prices before scaling to future changes in energy prices (which would still be appropriate given that reserve supply costs will continue to reflect energy opportunity costs). However, the present context is different. We understand that PJM stressed that its simulation analysis was not a "forecast" to rely on, but rather an indicative analysis under a given set of

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6 *See* Compliance Filing Concerning the Minimum Offer Price Rule of PJM Interconnection, L.L.C., Docket No. ER18-1314-003, Attachment E (Keech Affidavit), at Table 5, March 18, 2020. We understand that these price increases primarily reflect the lower part of the Operating Reserve Demand Curve ("ORDC") preventing prices from plummeting when reserve supplies slightly exceed a (currently) fixed demand; little of the increase was from the upper part of the ORDC being higher than the current reserve constraint penalty factors during scarcity conditions.

assumptions.[7] Moreover, many stakeholders expressed concern previously with using PJM's simulations for adjusting the default E&AS offset.[8]

25. Given that PJM is not proposing to use its simulations explicitly in the process to determine the E&AS revenues, we still think they should be allowed for unit-specific exception requests. For the default values, we prefer simply using historical hourly reserve prices over scaling the prices downward with forward energy prices (but still scaling historical regulation prices by changes in energy prices as the planned reserve pricing reforms do not directly impact regulation pricing). This is reasonable at this time because we lack forward-looking reserve prices and AS revenues account for a small portion of most resources' total net revenues, including the CT used to set the demand curve.

26. PJM could later transition to scaling historical prices to forward energy prices, *after* the Reserve Pricing Reforms have been implemented and have manifested themselves in then-historical prices.

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7 PJM, PJM FERC Filing Simulation Summary, https://www.pjm.com/-/media/committees-groups/task-forces/epfstf/postings/pjm-ferc-filing-simulation-summary.ashx?la=en, March 28, 2019.

8 PJM's proposal to use its simulations to scale revenues normally used to determine the E&AS offset was rejected by stakeholders during the January 24, 2019 Markets and Reliability Committee meeting: "The first alternation motion (PJM proposal) failed in a sector-weighted vote with 1.57 in favor." PJM Markets and Reliability Committee, Minutes for January 24, 2019 Meeting, https://pjm.com/-/media/committees-groups/committees/mrc/20190221/20190221-consent-agenda-draft-minutes-mrc-20190124.ashx.

Table 2: Comparison of Historical and Projected All-Hour Ancillary Service Prices (nominal $/MWh)

	DA Sync	RT Sync	DA Non-Sync	RT Non-Sync	RT RTO Regulation
Historical AS Prices					
2017	-	$1.83	-	$0.15	$16.10
2018	-	$3.28	-	$0.21	$24.22
2019	-	$1.42	-	$0.20	$15.54
Historical AS Prices Scaled with Forward Energy Prices in 2022/23 *(for Each Base Historical Year)*					
2017	$1.34	$1.61	$0.06	$0.13	$14.23
2018	$1.85	$2.35	$0.10	$0.13	$17.00
2019	$0.99	$1.39	$0.11	$0.19	$15.46
Recommended (Indicative) Prices for 2022/23, Scaling Only Regulation					
2017	$1.83	$1.83	$0.15	$0.15	$14.23
2018	$3.28	$3.28	$0.21	$0.21	$17.00
2019	$1.42	$1.42	$0.20	$0.20	$15.46

Sources and Notes: Historical AS data provided by PJM; averages reported are unweighted across all hours. Future year shows three different base years because future E&AS revenues are simulated three times (then averaged), once for each base year.

27. For Regulation (D), which has been the main source of revenue for battery storage resources in PJM, we understand that the unmet demand is extremely limited and so do not include Regulation (D) in the forward-looking analysis of E&AS revenues.

28. Reactive reserves are cost-of-service based, not market price based, but provide a small amount of additional revenue to all generators. We see no reason to change PJM's treatment in past determinations of Net CONE and MOPR offer floors.

Development of Natural Gas Prices

29. We recommend developing forward-looking prices for natural gas in a manner analogous to our recommendations for electric energy. We start with the gas hubs that PJM assumes in its historical analysis of E&AS revenues and use the open interest in these contracts as our indicator of liquidity. We determined that the gas hubs with sufficient liquidity include Chicago, Transco Zone 6 (non-NY), Dominion South, Michcon, TETCO M3, and Columbia-Appalachia TCO.

30. For zones with a pricing hub without sufficiently liquid forward products, we identify one of the six hubs with sufficient liquidity based on analysis of historical correlations:

    a. Transco Zone 5 maps to Transco Zone 6 (non-NY);

    b. Transco Zone 6 (NY) maps to Transco Zone 6 (non-NY); and

    c. Tennessee 500L maps to Columbia-Appalachia TCO.

We then develop the monthly forward prices for these three hubs by scaling the forward price of the mapped hub by the average ratio of monthly prices at the illiquid hub and the mapped hub over the most recent three years.

31. Similar to the implementation steps for electricity futures, we recommend using a simple average of natural gas settlement prices for the most recent 30 trading days reported by ICE to balance the benefit of the most recent market information with potential vulnerability to market manipulation from indexing to a single day.

32. Monthly forward prices for natural gas can be shaped into daily prices by applying historical daily patterns of prices observed over each of the most recent three years, similar to the method for shaping electricity prices. Daily gas prices are then assigned to each hour starting 10 am each day, corresponding to the gas trading day.

Table 3: Comparison of Historical and Projected Daily Gas Spot Prices

Gas Hub	Zone	2017-19 Average	2022/23 Forecasted
Dominion South	APS, PENELEC	$2.29	$1.99
Chicago	COMED	$2.78	$2.35
Michcon	DAY, DEOK, ATSI	$2.76	$2.28
Transco Zone 6 (non NY)	AECO, BGE, DPL, JCPL	$3.17	$2.53
TETCO M3	DUQ, METED, PECO, PPL	$2.87	$2.56
TCO Basis	AEP	$2.64	$2.08
Transco Zone 5	DOM, PEPCO	$3.44	$2.74
Tennessee 500L	EKPC	$2.81	$2.23
Transco Z6 (NY)	PSEG, RECO	$3.39	$2.68

Sources and Notes: Historical 2017-2019 Average based on historical daily spot price data downloaded from ABB Velocity Suite originally sourced from Enerfax; forecasted 2022/23 prices based on approach recommended above.

Resource Cost and Operating Parameters

33. PJM has asked us for support on several resource parameters that it could not derive directly from the Quadrennial Review or its own data. Table 4 below summarizes our recommendations for the operating parameters.

Table 4: Recommended Values for CT and CC Operating Parameters

Parameter	CT Value	CC Value
Start Time *(minutes)*	21	135
Ramp Rates *(MW/min)*	50	50
Startup Costs *(2022 $/start)*	$11,732 major maintenance + fuel	fuel only
Variable O&M Costs *(2022 $/MWh)*	$0.85 major maintenance + $1.10 consumables	$1.44 major maintenance + $0.67 consumables
10% Adder	Yes	No
Full-Load Average Heat Rate *(MMBtu/MWh)*	9.134	6.501 including duct-firing

34. The CT start-up and VOM costs account for major maintenance costs, which would accrue based on both starts and run-hours given the duty cycles observed in PJM's dispatch simulations. (The CC startup and VOM costs are unchanged from the Quadrennial Review but shown here for completeness.)

35. The 10% adder remains appropriate for the CT to account for increased net costs of matching gas supplies with flexible day-of changes in operations, as discussed in our Quadrennial Review report.[9] That argument does not apply for the CC because it operates as a baseload plant without substantially changing its operations for the real-time market; applying an adder in this context would underestimate E&AS revenues and result in over-mitigation, with too high an offer floor. The adder similarly should not apply to coal and nuclear plants that do not buy natural gas and are not flexible, nor to other resources that do not use natural gas.

36. Ambient conditions affect capacities and heat rates somewhat. However, since PJM's simulation model does not consider time-varying ambient conditions, it is reasonable to assume average conditions when estimating annual net E&AS revenues. PJM reasonably assumes ISO conditions (i.e., 59°, 60% relative humidity, and 14.7 psi at sea level). This reduces the CC's full-load average heat rate from 6.532 MMBtu/MWh to 6.501 MMBtu/MWh including duct-firing and the CT's full-load average heat rate from 9.221 MMBtu/MWh to 9.134 MMBtu/MWh.

[9] Newell et al., *Fourth Review of PJM's Variable Resource Requirement Curve*, prepared for PJM, April 19, 2018, p. 23.

Simulation of Net Revenues

37. We recommend the same approach we often use in commercial applications when estimating market revenues consistent with forward prices: simulate the generation and settlement of resources against shaped, forward-looking day-ahead and real-time energy and AS prices. For dispatchable resources, this is best done with an optimization model that, like PJM's actual market, puts each resource to its highest value use, recognizing each resource's capabilities, costs, and operating constraints. Unlike PJM's actual market, where prices are endogenous, this exercise takes future price forecasts as given and treats each generator as a price-taker. PJM is using an industry-standard simulation model called PLEXOS in its Projected EAS Dispatch. For nuclear, solar and wind resources, a fixed generation profile can be used with day-ahead prices to estimate net E&AS revenues.

Unit-Specific Reviews

38. To conduct unit-specific exception requests, PJM must be able to accommodate differences in specific resources' characteristics, such as heat rates and operating constraints. Existing resources would have to demonstrate their characteristics in actual commercial operations. Units not yet in commercial operation would provide specifications from manufacturers and compatible environmental permitting. For wind and solar resources, unit specifications could include different output profiles from PJM's default assumptions, if demonstrated to be more accurate for the particular resource's location and technical characteristics. Output profiles should ideally correspond to the same weather years as the energy pricing data used to shape future prices into hourly profiles.

39. Regarding market prices, applicants should be expected to use energy and natural gas prices grounded in forward markets to reflect the market's view of prices rather than a private forecast whose differences from forward markets may be difficult to validate. They could construct forward prices using the same methodology we recommend, but other constructions might be reasonable too. In addition, their natural gas supplies might tie to a different hub than PJM assumes. Their energy prices might include a basis differential from their zone to their node.

40. Unit-specific exceptions could also admit reasonably different ancillary services prices. Resources deriving a substantial portion of their revenues from ancillary services should be allowed to account for likely increases in reserve prices due to PJM's planned implementation of Reserve Pricing Reforms that are not captured in the default treatment. For example, they could reasonably leverage the results of PJM's simulation analysis included in its Reserve Pricing Reform filing, as discussed above.

41. We anticipate that all or nearly all battery storage resources subject to the MOPR will apply for unit-specific offer floors, for three reasons: (1) the default Net CONE is higher than likely clearing prices; (2) ancillary services and more granular five-minute real-time dispatch can provide major sources of revenue for battery storage;

and (3) there is no "standardized" storage resource, and storage resources generally have unique configurations. Reviews should reflect their specific configurations (including hybrids) and allow some latitude of approaches by market participants for operating and optimizing such varied, flexible, and novel resources.

III. BASIS FOR RECOMMENDATIONS, AND ADDITIONAL DETAILS

The Use of Forward Market Prices

42. To estimate a resource's net E&AS revenues during a future year, it is important to use forward-looking market prices of electricity and natural gas to account for evolving determinants of prices, such as changes in supply and demand as well as market design. Forward market prices are inherently forward looking. They anticipate market conditions at forward contract delivery dates. To understand why this is true, consider the terms of a "plain-vanilla" forward contract.

43. A plain-vanilla forward contract is an agreement to exchange a fixed quantity of a commodity for a fixed price on a specified future date. The contract terms, including the price, quantity, delivery date, and delivery place, are set in advance of delivery, at the time the contract is executed. If at the delivery date the value of the commodity is greater than the forward contract price, then the buyer will gain by receiving a commodity that is worth more than the price paid, and the seller will lose by delivering a commodity that is worth more than the price received. On the other hand, if the value of the commodity is less than the forward contract price at delivery, then the buyer will lose and the seller will gain. Buyer and seller are on opposite sides of the contract, so what one gains the other loses, and vice versa.

44. When viewed in isolation, a forward contract is like a bet on the future value of the underlying commodity. If "bets" placed by entering into forward contracts reliably yielded profits, then trading would soon dry up, since the other side of those bets would reliably realize losses. The incentives on both sides of the forward market to bet correctly—that is, for speculative trades, whether long or short, to be based on all relevant and available information—are clear. This implies that forward market prices will anticipate market prices at contract delivery dates, including all of the factors that could influence future, uncertain supply and demand.

45. Note that some forward contracts specify financial settlement against a specified price index or other reference price rather than exchange of cash for the physical commodity itself. This does not change the essential informational properties of the forward contract prices.

46. Futures contracts are a particular type of forward contract. The feature of futures contracts that distinguishes them from plain-vanilla forwards is that futures are marked to market and resettled on a daily basis, so that market participants realize contract gains and losses along the way rather than all at once on the contract delivery date. To enable daily resettlement, exchanges that list futures contracts must determine a settlement price for each contract on each business day. One of

the byproducts of this futures market design is that the sponsoring exchange makes its futures settlement prices public. In contrast, prices determined in over-the-counter trading of energy contracts are generally not publicly available.

47. Futures exchanges also report on a daily basis the open interest for each contract they list. Open interest refers to the number of contracts that are "open" (that is, remain outstanding) at the end of the trading day. This reflects the cumulative number of contracts that have been opened but not yet closed out or offset. Margin requirements for futures market participants are regularly adjusted to reflect the mark-to-market gains and losses that are calculated based on exchange settlement prices. Thus, even if no new trades take place on a given day, money is changing hands to rebalance margin accounts in light of changes in futures settlement prices.

48. We use open interest as an indicator of market liquidity for two reasons. First, the greater the open interest, the greater the amount of trading in the contract and thus the better the information revelation of market prices, other things being equal. Second, greater open interest and contract trade volumes reduce the chances that market prices can be manipulated successfully.

49. In recommending the use of forward energy prices to forecast net E&AS revenues, we urge PJM to be sensitive to the alignment of forward price observation dates and forward contract delivery dates for power, natural gas, and other fuel commodities. The price of natural gas in particular is one of the principal drivers of electric energy prices. Therefore, forward electricity prices on any given date will reflect forward natural gas prices on that same date, not forward gas prices set well before or after that date. Alignment of price observations will be essential to avoid systematic errors in forecasts of E&AS margins. Consistency across commodities is similarly important when shaping future prices into hourly and daily patterns.

Development of Forward Energy Prices

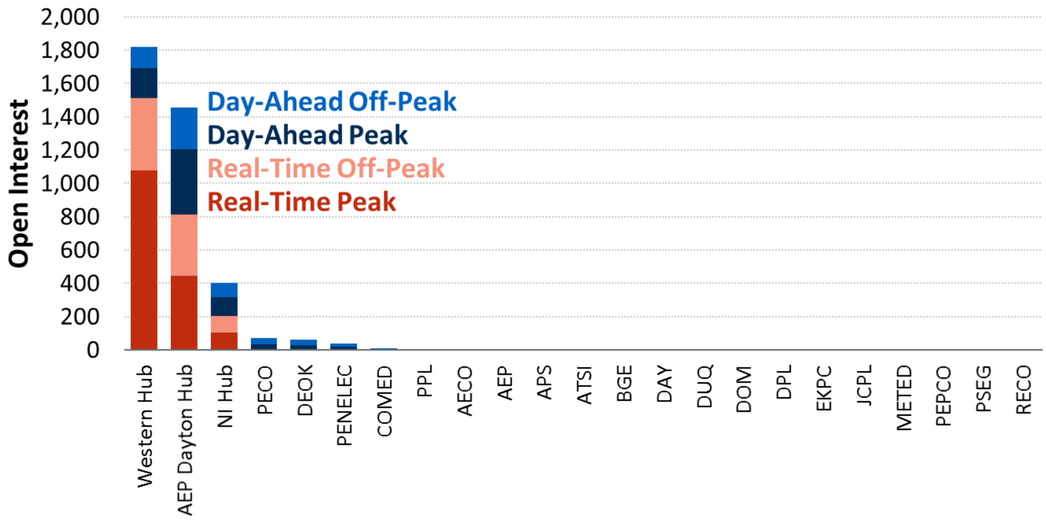
Hub Prices

50. We reviewed open interest for the electricity futures at each of the trading hubs and transmission zones in PJM that are reported by ICE. We also checked open interest on electricity contracts traded on NYMEX platforms but found it was more limited than open interest on the ICE. However, settlement prices are closely aligned across platforms. Finally, we reviewed the settlement prices for day-ahead and real-time contracts for long-term futures and found that the prices are nearly identical. For that reason, we considered the aggregate level of activity to inform the level of liquidity.

51. Based on the open interest on closely related futures products at each of the trading hubs and zones shown in Figure 1, we conclude that only the Western Hub, AEP Dayton Hub, and NI Hub futures are currently sufficiently liquid 3.5 to 4.5 years forward for PJM to rely on in its forward-looking E&AS analysis. At other trading hubs corresponding to PJM's zones, open interest is much more limited and

inconsistent from year to year. The limited liquidity of zonal futures makes them more vulnerable to manipulation, which could cause large distortions in the capacity market parameters and outcomes.

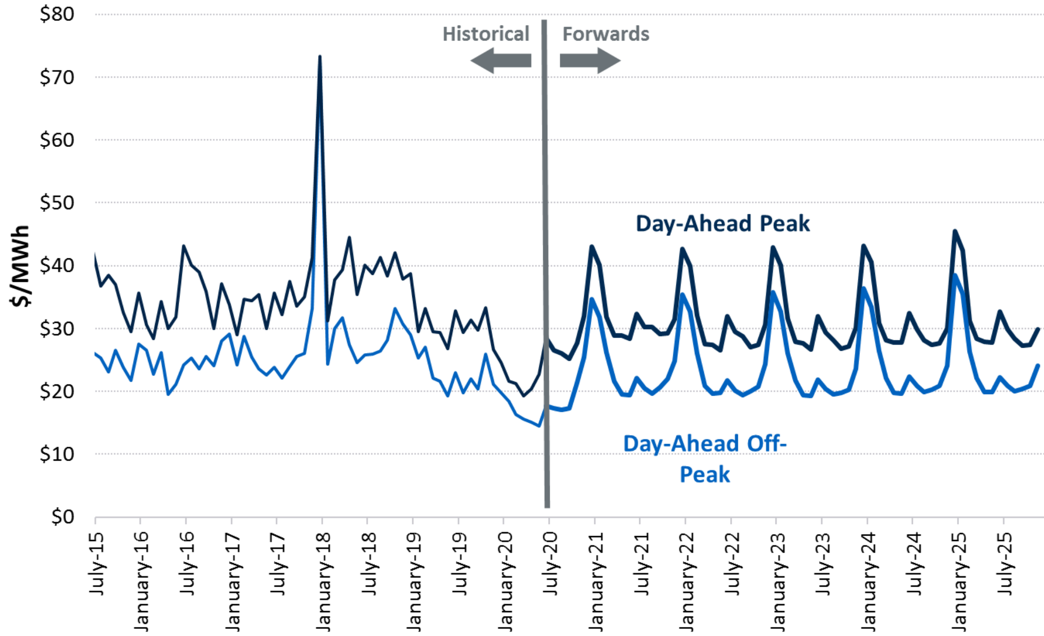
Figure 1: Monthly Average Open Interest for PJM Futures Products at Trading Hubs and Zones for Calendar Year 2024



Source: Open interest reported by ICE for 7/16/2020. Data provided by Bloomberg.

52. Figure 2 below shows the Western Hub historical and futures prices for day-ahead peak and off-peak energy from 2015 to 2025. Notably, the futures prices show no discernable change in prices in 2022 corresponding to PJM's implementation of Reserve Pricing Reforms. One possible explanation is that the market anticipates PJM's high planning reserve margins to continue through 2022, which would prevent the ORDC from substantially increasing energy prices very often. (We observed a similar outcome in the Electric Reliability Council of Texas wholesale market, where a similar ORDC adds little to prices during periods of plentiful supply.) A clear advantage of relying on futures prices is that they incorporate market participants' views of such factors. By using futures prices, PJM should not have to substitute its own view of what market participants are thinking.

Figure 2: Average Western Hub Futures Settlement Prices over 30 Trade Dates Ending July 13, 2020



Sources and Notes: 30-trade-day average of settlement prices reported by ICE. Data provided by Bloomberg. Monthly average historical energy prices from ABB Velocity Suite for 2015 – 2020.

53. To map each PJM zone to one of these three hubs, we analyzed the correlation of historical prices between the three electricity hubs and the 20 PJM zones, using monthly average peak and off-peak data for 2015-2019. Table 5 below shows that the results of our analysis align with intuition: for each zone, the hub with highest price correlation is that which is geographically closest. We tested the correlations for both peak and off-peak prices and found that the correlations are unchanged.

Table 5: Hub-to-Zone LMP Correlation Analysis

Mapped Hub	Zone	Correlation	Mapped Hub	Zone	Correlation
N. Illinois	COMED	1.00	Western Hub	APS	1.00
				DOM	0.98
				PEPCO	0.99
AEP-Dayton	AEP	0.99		BGE	0.98
	ATSI	0.99		DPL	0.92
	DAY	0.99		PENELEC	0.98
	DEOK	0.96		PPL	0.94
	DUQ	0.99		METED	0.93
	EKPC	0.99		PECO	0.93
				AECO	0.93
				PSEG	0.93
				JCPL	0.93
				RECO	0.94

Source: Analysis of monthly average historical energy prices from ABB Velocity Suite for 2017 – 2019.

Basis Differential

54. To develop a zone-specific forward price for each month, it is necessary to apply a basis adjustment to the corresponding hub price, reflecting expected congestion and losses between the zone and the hub. We evaluated whether to rely on historical congestion data or the congestion implied by long-term FTR prices between each zone and its trading hub.[10] Long-term FTRs provide forward-looking, market-based information on the expected level of congestion between each zone and its relevant trading hub for the next three years. The long-term FTR auctions are centralized, multilateral, and locational-based markets, producing nodal clearing prices. Similar to PJM's nodal energy market, every price is determined by bids from many market participants for source-sink pairs across the PJM system (rather than isolated markets for each source-sink pair) combined with transmission constraints. The Independent Market Monitor found the FTR market to be competitive in its 2019 State of the Market Report and determined that the ownership of FTR obligations is "unconcentrated for the individual years of the [20]19/22 Long-Term FTR Auction."[11]

10 We also considered the use of zone-specific futures but dismissed that approach due to limited liquidity for those products, as shown in Figure 1.

11 Monitoring Analytics, 2019 State of the Market Report for PJM, Volume 2: Detailed Analysis, Section 13, March 12, 2020, p. 613.

55. We analyzed how well historical long-term FTR prices align with realized congestion in the day-ahead market between the trading hubs and zones during the same delivery years for 2011/12 to 2019/20. Long-term FTRs of course do not accurately predict the realized congestion in the delivery year due to the uncertainty of the market conditions they serve to hedge. However, FTR prices do incorporate trends, such as the reverse in congestion from the historical west-to-east direction when Marcellus shale gas production endowed the eastern zones with the lowest-cost gas. Using FTR prices to forecast basis differentials incorporates such shifts sooner than using trailing historical prices to forecast.

56. Energy losses must also be added to the congestion implied by FTRs to yield the total basis differential between the hub and each zone. We recommend using the historical monthly average differential of the losses component of LMPs between the hub and zone and scaling that value by the ratio of future to historical hub prices. This approach is reasonable because losses tend to be relatively stable over time, and there is no forward-looking source.

57. To develop hourly day-ahead prices, we scaled the historical hourly day-ahead prices for 2017 to 2019 by the ratio of the monthly day-ahead peak/off-peak futures prices to the historical monthly average day-ahead peak or off-peak prices relevant for each hour.

58. To develop hourly real-time prices, we scaled historical hourly real-time prices for 2017 to 2019 by the same ratio as for developing hourly day-ahead prices (i.e., monthly day-ahead peak/off-peak futures divided by the historical monthly average day-ahead peak or off-peak prices relevant for each hour). Using day-ahead prices to scale historical real-time prices will allow average monthly real-time prices to be higher or lower than average monthly day-ahead prices, reflecting the day-ahead and real-time price pattern in the energy market.

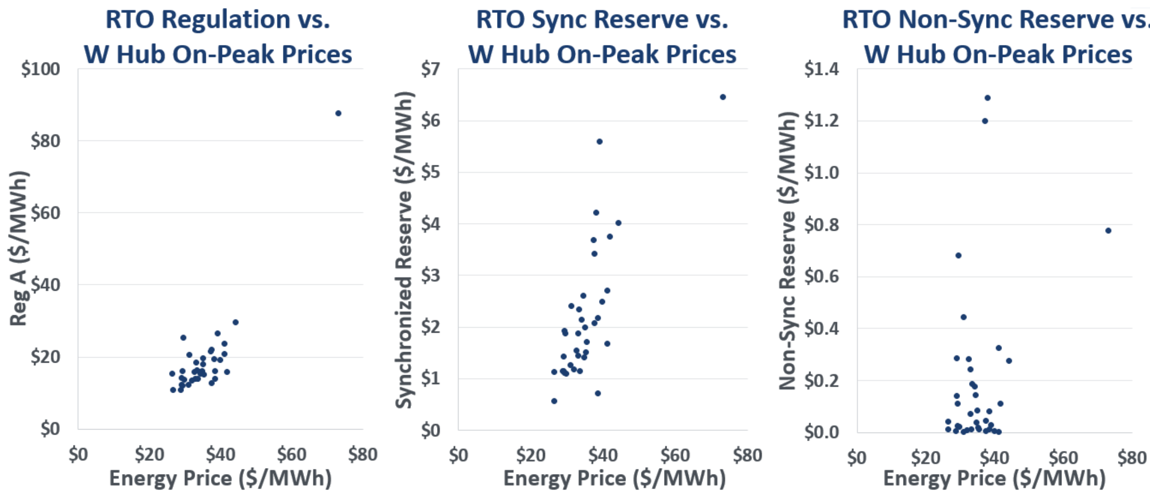
Development of Forward Ancillary Services Prices

59. As discussed above, there are no observable forward markets for ancillary services, and stakeholders opted not to use PJM's simulation analysis accompanying its Reserve Pricing Reform filing for adjusting reserve prices. We propose scaling historical AS prices to changes in energy prices, exploiting the linear relationship between them—but only for regulation initially, and for synchronized and non-synchronized reserves once the effects of PJM's Reserve Pricing Reforms are manifested in historical prices. Until then, it would be more reasonable to simply use historical reserve prices to avoid scaling reserve prices downward. Below, we provide the empirical basis for the linear relationship between energy and AS prices under a static AS pricing regime. We also provide additional details for projecting hourly real-time prices for regulation, and for reserves once it becomes appropriate to do so.

60. Figure 3 below shows the correlation between energy prices on the x-axis and three different AS products: regulation, synchronized ("Sync") reserves, and non-

synchronized ("Non-Sync") reserves.[12] For regulation and synchronized reserves, historical prices have correlated linearly with energy prices, nearly through the origin. This implies it is reasonable to forecast future hourly AS prices by multiplying historical AS prices by the ratio of future to historical energy prices, at least when operating within a given price formation regime, before or after the Reserve Pricing Reforms.

Figure 3: Correlation of Ancillary Service to Energy Prices, 2017-2019



Source: Historical ancillary services prices provided by PJM for 2017–2019; historical energy prices from ABB Velocity Suite for 2017–2019.

61. For non-synchronized reserves, the historical relationship with energy prices is neither strong nor particularly linear. However, scaling with energy will ensure consistency with other products and properly reflect the cascading relationship among product prices, where lower-value non-synchronized reserves are always priced at or below synchronized reserves. This assumption will not materially affect resources' net E&AS revenues since non-synchronized reserve prices should be low in any case.

62. For the new Secondary Reserves for resources that need 30 minutes to respond, we recommend ignoring this product because its cascaded prices must be lower than non-synchronized reserve prices, for which the average price in 2019 was just $0.20/MWh. PJM's simulations of the reserve price formation changes showed an average 30-minute reserve price of $0.00 per MWh.[13] Such a low-value product will not materially affect resources' net E&AS revenues.

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12 The Regulation market clearing price is the sum of Regulation Capability price and Regulation Performance price.

13 *See* Enhanced Price Formation in Reserve Markets of PJM Interconnection, L.L.C., Docket No. EL19-58-000, Attachment D, Keech Affidavit, at Table 5 (Mar. 29, 2019).

63. PJM's Reserve Pricing Reforms will incorporate synchronized and non-synchronized reserves into the day-ahead market (but regulation only in the real time market). Synchronized and non-synchronized reserves should be modeled in those timeframes accordingly. Historically those products existed only in real time. Historical real-time price data can be used to derive hourly shapes for both day-ahead and real-time AS prices, but it must be done consistently with contemporaneous energy market conditions and must preserve the cascading relationship among product prices.

64. Once it becomes appropriate to scale historical reserve prices to future energy prices, and for regulation now, the scaling can be done as follows: the future real-time AS price is given by the historical hourly real-time AS price (from each of the three trailing sample years, separately) scaled to the ratio of the future hourly real-time energy price to the historic hourly real-time energy price. The future day-ahead prices for synchronized reserves and non-synchronized reserves should be consistent with future day-ahead energy prices. This can be achieved by the scaling the historical hourly real-time AS price by the ratio of the future day-ahead energy price to the historic real-time energy price. Scaling the future hourly real-time AS price by the ratio of hourly future day-ahead energy prices to hourly future real-time energy prices would be equivalent. (But this scaling step is not necessary in the initial treatment of reserve prices, where historical real-time prices can be used directly for both real-time and day-ahead. Any potential inconsistency between day-ahead reserve prices and day-ahead energy prices would be resolved in the real-time re-dispatch and settlement.)

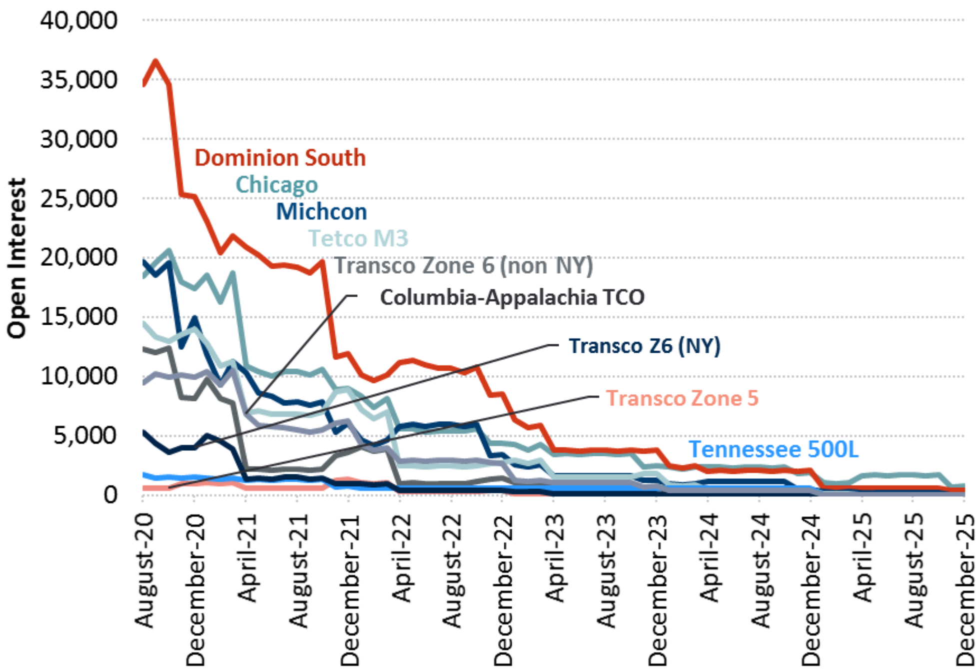
65. PJM has historically modeled two reserve pricing areas, MidAtlantic-Dominion ("MAD") and Rest-of-RTO, reflecting historical flow and constraint patterns, although we understand from PJM that there has been little price separation between the areas in recent years. For simplicity, and recognizing that PJM may dynamically redefine the reserve pricing areas under its Reserve Price Formation reforms, we recommend using a single RTO-wide price. It is reasonable to use historical Rest-of-RTO AS prices in all zones, and scale them to changes in energy prices at Western Hub.

Development of Forward Natural Gas Prices

66. For its prior historically based E&AS net revenues analyses, PJM mapped each zone to one of nine natural gas trading hubs. We examined the liquidity of gas futures at each of these hubs by reviewing open interest on the ICE. Based on this review, we identified six hubs with futures that are sufficiently liquid in the 3.5 to 4.5 year forward timeframe, as shown in Figure 4 below (and this pattern has been consistent over the past few trading years). These liquid hubs include Dominion South, Chicago, Michcon, Transco Zone 6 non-NY, Columbia-Appalachia TCO, and TETCO M3, which collectively span much of PJM's geographic footprint. The remaining three gas hubs (Transco Zone 5, Transco Zone 6 NY, and Tennessee 500L) had futures with limited open interest in the necessary forward timeframe, and open interest that has varied over the past several trading years (for a given

forward timeframe). The liquidity of these hubs could change over time with changes in market conditions, and PJM should evaluate the choices of hubs during the Quadrennial Review to continue to ensure that the most liquid hubs are used.

Figure 4: Open Interest at PJM Gas Hubs Through 2025



Source: Open interest reported by ICE for 7/15/2020. Data provided by Bloomberg.

67. Prices at the three less liquid hubs should not be used to derive RPM auction parameters because the limited liquidity makes the prices less reliable and more susceptible to manipulation if the prices were used to set RPM auction parameters. Prices there can instead be linked to the more liquid hubs nearby. To identify the most appropriate liquid hub for each illiquid hub, we analyzed hub-to-hub correlations in historical prices during 2017-2019. This analysis yielded the following mapping with price correlations above 97%.

Table 6: Mapping between Illiquid Gas Hubs and Liquid Gas Hubs

Gas Hub	Mapped Gas Hub	2017-2019 Correlation
Transco Zone 5	Transco Zone 6 (non NY)	0.996
Tennessee 500L	Columbia-Appalachia TCO	0.976
Transco Z6 (NY)	Transco Zone 6 (non NY)	0.995

Source: Historical 2017-2019 correlation based on historical monthly spot price data downloaded from ABB Velocity Suite originally sourced from Enerfax.

68. To further improve the price forecasts for the illiquid hubs, we recommend applying a small basis adjustment relative to the price at the liquid hub. However, there does not exist liquid market-based information about future expectations of the basis. Thus, we recommend applying a historical basis adjustment reflecting the 2017 – 2019 average in each month to yield the forecasted gas price. The adjustment is small since the liquid hubs themselves span most of PJM's footprint and provide good proxies for the less liquid hubs, as demonstrated by high historical price correlations.

Key Inputs on Unit Operating Parameters

69. Our basis for the CT's and CC's physical operating parameters are as follows:

    a. **CT Start Time.** The 21-minute start time is based on start-up curve information (proprietary) from GE for the 7HA.02 following a traditional CT start sequence on natural gas fuel. The start time is how long it takes from first turning the gear upon start-up until the CT reaches full speed, at full load. The start time identified assumes that the CT has achieved a purge credit upon shut-down.

    b. **CC Start Time.** The 135-minute start time is based on proprietary start-up curve information from GE and previous S&L experience with start-up of advanced class turbines. The start time identified is from first gas turbine roll-off to base load operation of the steam turbine generator with bypass valves fully closed.

    c. **CT and CC Ramp Rates.** The 50 MW/min ramp rate for the GE 7HA.02 was determined based on published information in the 2017 GE Gas Power Systems catalog. The ramp rate for the GE 7HA.02 provided for the CC is provided on a per-turbine basis (and most CCs are designed to start one turbine at a time). Recently, GE has increased the ramp rate of the 7HA.02 to 60 MW/min, supported by information on GE's website.[14]

70. Properly accounting for CT major maintenance costs is a more complicated economic matter. The assumed $11,732/start + $0.85/MWh is a refinement from the parameters in the Quadrennial Review, necessitated by the different dispatch patterns observed in PJM's new Projected EAS Dispatch simulation. The Quadrennial Review reported major maintenance costs of $23,464/start (in 2022 dollars). Due to the limited ability of the Peak Hour Dispatch to directly account for start costs, these costs were converted to $5.83/MWh by assuming an average capacity of 366 MW across CONE Areas and an average runtime of 11 hours per start. However, the new and more realistically flexible Projected EAS Dispatch showed very different dispatch patterns, with a range of duty-cycles averaging only half as many hours per start. The simulation was therefore under-counting major maintenance costs as specified in the Quadrennial Review; the per-MWh

14 *See Heavy-Duty Gas Turbine 7HA*, GE Power, https://www.ge.com/power/gas/gas-turbines/7ha.

representation of start cost also prevented the unit from profitably running longer without incurring additional startup costs.

71. By contrast, the new Projected EAS Dispatch can represent major maintenance costs as startup costs. Yet implementing major maintenance costs at $23,464/start (and not in VOM) resulted in the opposite problem; the unit ran far more total hours and far more hours-per-start because the per-MWh cost was lower, and the model often held the unit on overnight to avoid incurring startup costs. This was unrealistic because running for so many hours causes additional wear and tear and incurs major maintenance costs that were not being recognized.

72. Neither approach recognized that generation owners' long-term service agreements ("LTSAs") for major maintenance with original equipment manufacturers ("OEMs") may be charged based starts or hours or both, depending how the unit is operating. GE's specifications indicate that the HA.02 requires major maintenance (such as combustion and hot gas path inspections) at the earlier of 720 starts and 25,000 factored hours.[15] These two thresholds recognize that both starts and run-hours cause wear-and-tear that accelerates the need for major maintenance. The $23,464/start is based on a starts-based maintenance cycle suitable for a low number of hours per start. But if the unit runs for many hours per start, major maintenance would be triggered by run hours and thus incurred at approximately $1.70/MWh for a 367 MW unit, resulting in approximately the same total costs for major maintenance.

73. However, neither of these assumptions has been demonstrated to be consistent with the unit's operation in the Projected EAS Dispatch simulations. We understand that the cost structure between starts and hours is something generation owners have to balance when operating their units. Our analysis indicates that splitting the major maintenance costs 50/50 between starts and run hours is suitable for our purposes, with $11,732/start (half the $23,464/start) plus $0.85/MWh (half the $1.70/MWh), along with the usual $1.10/MWh for consumables, waste disposal, and other VOM. These assumptions produce more reasonable dispatch simulation results that fall between the CT running with excessive starts (under a pure hours-based approach) or excessive run hours (under a pure starts-based approach).

74. This concludes our affidavit.

15 *See* "Heavy-Duty Gas Turbine Operating and Maintenance Considerations," GE Power, October 2017, p. 31, https://www.ge.com/content/dam/gepower-pgdp/global/en_US/documents/technical/ger/ger-3620n-heavy-duty-gas-turbine-operationg-maintenance-considerations.pdf.

Exhibit No. 1

SAMUEL A. NEWELL

Principal

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Dr. Samuel Newell co-leads The Brattle Group's Electricity Practice. He has 22 years of experience supporting clients in wholesale market design, generation asset valuation, resource planning, and transmission planning. Much of his work addresses the industry's transition to clean energy. He frequently provides testimony and expert reports to Independent System Operators (ISOs), the Federal Energy Regulatory Commission (FERC), state regulatory commissions, and the American Arbitration Association.

Dr. Newell earned a Ph.D. in Technology Management & Policy from the Massachusetts Institute of Technology, an M.S. in Materials Science & Engineering from Stanford University, and a B.A. in Chemistry & Physics from Harvard College.

Prior to joining The Brattle Group in 2004, Dr. Newell was the Director of the Transmission Service at Cambridge Energy Research Associates. Before that, he was a Manager at A.T. Kearney.

AREAS OF EXPERTISE

- Electricity Market Design and Analysis
- Generation and Storage Asset Valuation, and Procurements
- Transmission Planning and Modeling
- Integrated Resource Planning
- Demand Response (DR) Resource Potential and Market Impact
- Gas-Electric Coordination
- RTO Participation and Configuration
- Energy Litigation
- Tariff and Rate Design
- Business Strategy

EXPERIENCE

Electricity Market Design and Analysis

- **Singapore Capacity Market Development**. For the Energy Market Authority in Singapore, currently developing a complete forward capacity market design.
- **Electricity Market Transformation Study**. For NYISO, led a team to conduct simulation analyses of how prices for energy, ancillary services, capacity, and RECs may have to evolve to support adequate generation/storage investment to maintain reliability and meet the state's mandates for 70% renewable electricity by 2030 and 100% carbon-free electricity by 2040. Used a proprietary optimization model, GridSIM, to model investment and chronological operation with large amounts of intermittent and storage resources, subject to reliability and environmental

constraints, under a range of assumptions regarding market design and carbon pricing. Results and insights inform NYISO's 2019 *Grid in Transition* whitepaper and new scenario analysis in 2020 is providing a foundation for examination of reliability and market design reforms.

- **New York State Resource Adequacy Constructs**. For NYSERDA, evaluating the customer cost impacts of several alternative constructs that differ in whether FERC or the state sets the rules and how the minimum offer price rule (MOPR) is implemented.
- **PJM's Capacity Market Reviews and Parameters**. For PJM, conducted all four official reviews of its Reliability Pricing Model (2008, 2011, 2014, and 2018). Analyzed capacity auctions and interviewed stakeholders. Evaluated the demand curve shape, the Cost of New Entry (CONE) parameter, and the methodology for estimating net energy and ancillary services revenues. Recommended improvements to support participation and competition, to avoid excessive price volatility, and to safeguard future reliability performance. In 2020, provided Avoidable Cost Rates for existing resources and Net CONE for new energy efficiency resources, for use in the Minimum Offer Price Rule. Submitted testimonies before FERC.
- **Seasonal Capacity in PJM.** On behalf of the Natural Resources Defense Council, analyzed the ability of PJM's capacity market to efficiently accommodate seasonal capacity resources and meet seasonal resource adequacy needs. Co-authored a whitepaper proposing a co-optimized two-season auction and estimating the efficiency benefits. Filed and presented report at FERC.
- **Energy Price Formation in PJM**. For NextEra Energy, analyzed PJM's integer relaxation proposal and evaluated implications for day-ahead and real-time market prices. Reviewed PJM's Fast-Start pricing proposal and authored report recommending improvements, which NextEra and other parties filed with FERC, and which FERC largely accepted and cited in its April 2019 Order.
- **Carbon Pricing to Harmonize NY's Wholesale Market and Environmental Goals**. Led a Brattle team to help NYISO: (1) develop and evaluate market design options, including mechanisms for charging emitters and allocating revenues to customers, border adjustments to prevent leakage, and interactions with other market design and policy elements; and (2) develop a model to evaluate how carbon pricing would affect market outcomes, emissions, system costs, and customer costs under a range of assumptions. Whitepaper initiated discussions with NY DPS and stakeholders. Supported NYISO in detailed market design and stakeholder engagement.
- **Market Design for Energy Security in ISO-NE**. For NextEra Energy, evaluated and developed proposals for meeting winter energy security needs in New England when pipeline gas becomes scarce. Evaluated ISO-NE's proposed multi-day energy market with new day-ahead operating reserves. Developed competing proposal for new operating reserves in both day-ahead and real-time to incent preparedness for

fuel shortages; also developed criteria and high-level approach for potentially incorporating energy security into the forward capacity market. Presented evaluations and proposals to the NEPOOL Markets Committee.

- **ERCOT's Proposed Future Ancillary Services Design**. For the Electric Reliability Council of Texas (ERCOT), evaluated the benefits of its proposal to unbundle ancillary services, enable broader participation by load resources and new technologies, and tune its procurement amounts to system conditions. Worked with ERCOT staff to assess each ancillary service and how generation, load resources, and new technologies could participate. Directed their simulation of the market using PLEXOS, and evaluated other benefits outside of the model.
- **Investment Incentives and Resource Adequacy in ERCOT**. For ERCOT, led a Brattle team to: (1) interview stakeholders and characterize the factors influencing generation investment decisions; (2) analyze the energy market's ability to support investment and resource adequacy at the target level; and (3) evaluate options to enhance long-term resource adequacy while maintaining market efficiency. Worked with ERCOT staff to understand the relevant aspects of their operations and market data. Performed probabilistic simulation analyses of prices, investment costs, and reliability. Conclusions informed a PUCT proceeding in which I filed comments and presented at several workshops.
- **Operating Reserve Demand Curve (ORDC) in ERCOT**. For ERCOT, evaluated several alternative ORDCs' effects on real-time price formation and investment incentives. Conducted backcast analyses using interval-level data provided by ERCOT and assuming generators rationally modify their commitment and dispatch in response to higher prices under the ORDC. Analysis was used by ERCOT and the PUCT to inform selection of final ORDC parameters.
- **Economically Optimal Reserve Margins in ERCOT**. For ERCOT, co-led studies (2014 and 2018) estimating the economically-optimal reserve margin, and the market equilibrium reserve margins in its energy-only market. Collaborated with ERCOT staff and Astrape Consulting to construct Monte Carlo economic and reliability simulations. Accounted for uncertainty and correlations in weather-driven load, renewable energy production, generator outages, and load forecasting errors. Incorporated intermittent wind and solar generation profiles, fossil generators' variable costs, operating reserve requirements, various types of demand response, emergency procedures, administrative shortage pricing under ERCOT's ORDC, and criteria for load-shedding. Reported economic and reliability metrics across a range of renewable penetration and other scenarios. Results informed the PUCT's adjustments to the ORDC to support desired reliability outcomes.
- **Australian Electricity Market Operator (AEMO) Redesign**. Advised AEMO on market design reforms for the National Electricity Market (NEM) to address concerns about operational reliability and resource adequacy as renewable

generation displaces traditional resources. Also provided a report on potential auctions to ensure sufficient capabilities in the near-term.

- **Response to DOE's "Grid Reliability and Resiliency Pricing" Proposal**. For a broad group of stakeholders opposing the rule in a filing before FERC, evaluated DOE's proposed rule: the need (or lack thereof) for bolstering reliability and resilience by supporting resources with a 90-day fuel supply; the likely cost of the rule; and the incompatibility of DOE's proposed solution with the principles and function of competitive wholesale electricity markets.

- **Energy Market Power Mitigation in Western Australia**. Led a Brattle team to help Western Australia's Public Utilities Office design market power mitigation measures for its newly reformed energy market. Established objectives; interviewed stakeholders; assessed local market characteristics affecting the design; synthesized lessons learned from the existing energy market and from several international markets. Recommended criteria, screens, and mitigation measures for day-ahead and real-time energy and ancillary services markets. The Public Utilities Office posted our whitepaper in support of its conclusions.

- **MISO Competitive Retail Choice Solution.** For MISO, evaluated design alternatives for accommodating the differing needs of states relying on competitive retail choice and integrated resource planning. Conducted probabilistic simulations of likely market results under alternative market designs and demand curves. Provided expert support in stakeholder forums and submitted expert testimony before FERC.

- **Buyer Market Power Mitigation**. On Behalf of the "Competitive Markets Coalition" group of generating companies, helped develop and evaluate proposals for improving PJM's Minimum Offer Price Rule so that it more effectively protects the capacity market from manipulation by buyers while reducing interference with non-manipulative activity. Participated in discussions with other stakeholders. Submitted testimony to FERC supporting tariff revisions that PJM filed.

- **Market Development Vision for MISO**. For the Midcontinent Independent System Operator (MISO), worked with MISO staff and stakeholders to codify a Market Vision as the basis for motivating and prioritizing market development initiatives over the next 2–5 years. Authored a foundational report for that Vision, including: describing the core services MISO must continue to provide to support a well-functioning market; establishing a set of principles for enhancing those services; identifying seven Focus Areas offering the greatest opportunities; and proposing criteria for prioritizing initiatives within and across Focus Areas.

- **ISO-NE Capacity Demand Curve Design.** For ISO New England (ISO-NE), developed a demand curve for its Forward Capacity Market. Solicited staff and stakeholder input, then established market design objectives. Provided a range of candidate curves and evaluated them against objectives, showing tradeoffs between reliability uncertainty and price volatility (using a probabilistic locational capacity market simulation model we developed). Worked with Sargent & Lundy to estimate the Net Cost of New Entry to which the demand curve prices are indexed. Submitted testimonies before FERC, which accepted the proposed curve.

- **Offer Review Trigger Prices in ISO-NE**. For the Internal Market Monitor in ISO-NE, developed benchmark prices for screening for uncompetitively low offers in the Forward Capacity Market. Worked with Sargent & Lundy to conduct bottom-up analyses of the costs of constructing and operating gas-fired generation technologies and onshore wind; also estimated the costs of energy efficiency and demand response. For each technology, estimated capacity payments needed to make the resource economically viable, given their costs and expected non-capacity revenues. Recommendations were filed with and accepted by the FERC.
- **Western Australia Capacity Market Design**. For the Public Utilities Office (PUO) of Western Australia, led a Brattle team to advise on the design and implementation of a new forward capacity market. Reviewed the high-level forward capacity market design proposed by the PUO; evaluated options for auction parameters such as the demand curve; recommended supplier-side and buyer-side market power mitigation measures; helped define administrative processes needed to conduct the auction and the governance of such processes.
- **Western Australia Reserve Capacity Mechanism**. For EnerNOC, evaluated Western Australia's administrative Reserve Capacity Mechanism in comparison with international capacity markets, and made recommendations for improvements to meet reliability objectives more cost effectively. Evaluated whether to develop an auction-based capacity market compared or an energy-only market design. Submitted report and presented recommendations to the Electricity Market Review Steering Committee and other senior government officials.
- **Evaluation of Moving to a Forward Capacity Market in NYISO.** For NYISO, conducted a benefit-cost analysis of replacing its prompt capacity market with a 4-year forward capacity market. Evaluated options based on stakeholder interviews and the experience of PJM and ISO-NE. Addressed risks to buyers and suppliers, market power mitigation, implementation costs, and long-run costs. Recommendations were used by NYISO and stakeholders to help decide whether to pursue a forward capacity market.
- **MISO's Resource Adequacy Construct and Market Design Elements.** For MISO, conducted the first major assessment of its resource adequacy construct. Identified several successes and recommended improvements in load forecasting, locational resource adequacy, and the determination of reliability targets. Incorporated extensive stakeholder input and review. Continued to consult with MISO in its work with the Supply Adequacy Working Group on design improvements, including market design elements for its annual locational capacity auctions.

- **Demand Response (DR) Integration in MISO**. Through a series of assignments, helped MISO incorporate DR into its energy market and resource adequacy construct, including: (1) conducted an independent assessment of MISO's progress in integrating DR into its resource adequacy, energy, and ancillary services markets. Analyzed market participation barriers; (2) wrote a whitepaper evaluating various approaches to incorporating economic DR in energy markets. Identified implementation barriers and recommended improvements to efficiently accommodate curtailment service providers; (3) helped modify MISO's tariff and business practices to accommodate DR in its resource adequacy construct by defining appropriate participation rules. Informed design by surveying the practices of other RTOs and by characterizing the DR resources within the MISO footprint.
- **Survey of Demand Response Provision of Energy, Ancillary Services, and Capacity.** For the Australian Energy Market Commission (AEMC), co-authored a report on market designs and participation patterns in several international markets. AEMC used the findings to inform its integration of DR into its National Energy Market.
- **Integration of DR into ISO-NE's Energy Markets.** For ISO-NE, provided analysis and assisted with a stakeholder process to develop economic DR programs to replace the ISO's initial economic DR programs when they expired.
- **Compensation Options for DR in ISO-NE's Energy Market**. For ISO-NE, analyzed the implications of various DR compensation options on consumption patterns, LMPs, capacity prices, consumer surplus, producer surplus, and economic efficiency. Presented findings in a whitepaper that ISO-NE submitted to FERC.
- **ISO-NE Forward Capacity Market (FCM) Performance.** With ISO-NE's internal market monitor, reviewed the performance of the first two forward auctions. Evaluated key design elements regarding demand response participation, capacity zone definition and price formation, an alternative pricing rule for mitigating the effects of buyer market power, the use of the Cost of New Entry in auction parameters, and whether to have an auction price ceiling and floor.
- **Evaluation of Tie-Benefits**. For ISO-NE, analyzed the implications of different levels of tie-benefits (i.e., assistance from neighbors, reducing installed capacity requirements) for capacity costs and prices, emergency procurement costs, and energy prices. Whitepaper submitted by ISO-NE to the FERC.
- **Evaluation of Major Initiatives**. With ISO-NE and its stakeholders, developed criteria for identifying "major" market and planning initiatives that trigger the need for the ISO to provide qualitative and quantitative information to help stakeholders evaluate the initiative, as required in ISO-NE's tariff. Developed guidelines on the kinds of information ISO-NE should provide for major initiatives.
- **Energy Market Monitoring & Market Power Mitigation**. For PJM, co-authored a whitepaper, "Review of PJM's Market Power Mitigation Practices in Comparison to Other Organized Electricity Markets."

- **Vertical Market Power**. Before the NYPSC, examined whether the merger between National Grid and KeySpan could create incentives to exercise vertical market power. Employed a simulation-based approach using the DAYZER model of the NYISO wholesale power market and examined whether outages of National Grid's transmission assets significantly affected KeySpan's generation profits.
- **LMP Impacts on Contracts**. For a West Coast client, reviewed the California ISO's proposed implementation of locational marginal pricing (LMP) in 2007 and analyzed implications for "seller's choice" supply contracts. Estimated congestion costs ratepayers would face if suppliers financially delivered power to the lowest priced nodes; estimated incremental contract costs using a third party's GE-MAPS market simulations (and helped to improve their model inputs to more accurately reflect the transmission system in California). Applied findings to support the ISO in design modifications of the California market under LMP.
- **RTO Accommodation of Retail Access**. For MISO, identified business practice improvements to facilitate retail access. Analyzed retail access programs in IL, MI, and OH. Studied retail accommodation practices in other RTOs, focusing on how they modified their procedures surrounding transmission access, qualification of capacity resources, capacity markets, FTR allocations, and settlement.

Generation and Storage Asset Valuation, and Procurements

- **Evaluation of Hydropower Procurement Options**. For a potential buyer of new transmission and hydropower from Quebec, evaluated the costs and emissions benefits under a range of contracting approaches. Accounted for the possibility of resource shuffling and backfill of emissions. Considered the value of storage services.
- **Valuation of a Gas-Fired Combined-Cycle Plant in New England**. For a party to litigation, submitted testimony on the fair market value of the plant. Simulated energy and capacity markets to forecast net revenues, and estimated exposure to capacity performance penalties. Compared the valuation to the transaction prices of similar plants and analyzed the differences. Collaborated with a co-testifying export on project finance to assess whether the estimated value would suffice to cover the plant's debt and certain other obligations.
- **Valuation of a Portfolio of Combined-Cycle Plants across the U.S.** For a debt holder in a portfolio of plants, estimated the fair market value of each plant in 2018 and the plausible range of values five years hence. Reviewed comparables. Analyzed electricity markets in New England, New York, Texas, Arizona, and California using our own models and reference points from futures markets and publicly available studies. Performed probability-weighted discounted cash flow valuation analyses across a range of scenarios. Provided insights into market and regulatory drivers and how they may evolve.

- **Wholesale Market Value of Storage in PJM**. For a potential investor in battery storage, estimated the energy, ancillary services, and capacity market revenues their technology could earn in PJM. Reviewed PJM's market participation rules for storage. Forecast capacity market revenues and the risk of performance penalties. Developed a real-time energy and ancillary service bidding algorithm that the asset owner could employ to nearly optimize its operations, given expected prices and operating constraints. Identified changes in real-time bid/offer rules that PJM could implement to improve the efficiency of market participation by storage resources.
- **Valuation of a Generation Portfolio in ERCOT**. For the owners of a portfolios of gas-fired assets (including a cogen plant), estimated the market value of their assets by modeling future cash flows from energy and ancillary services markets over a range of plausible scenarios. Analyzed the effects load growth, entry, retirements, environmental regulations, and gas prices could have on energy prices, including scarcity prices under ERCOT's Operating Reserve Demand Curve. Evaluated how future changes in these drivers could cause the value to shift over time.
- **Valuation Methodology for a Coal Plant Transaction in PJM**. For a part owner of a very large coal plant being transferred at an assessed value that was yet to be determined by a third party, wrote a manual describing how to conduct a market valuation of the plant. Addressed drivers of energy and capacity value; worked with an engineering subcontractor to describe how to determine the remaining life of the plant and CapEx needs going forward. Our manual was used to inform their pre-assessment negotiation strategy.
- **Valuation of a Coal Plant in PJM**. For the lender to a bidder on a coal plant being auctioned, estimated the market value of the plant. Valuation analysis focused especially on the effects of coal and gas prices on cash flows, and the ongoing fixed O&M costs and CapEx needs of the plant.
- **Valuation of a Coal Plant in New England**. For a utility, evaluated a coal plant's economic viability and market value. Projected market revenues, operating costs, and capital investments needed to comply with future environmental mandates.
- **Valuation of Generation Assets in New England**. To inform several potential buyers' valuations of various assets being sold in ISO-NE, provided energy and capacity price forecasts and cash flows under multiple scenarios. Explained the market rules and fundamentals to assess key risks to cash flows.
- **Valuation of Generation Asset Bundle in New England**. For the lender to the potential buyer of generation assets, provided long-term energy and capacity price forecasts, with multiple scenarios to test whether the plant could be worth less than the debt. Reviewed a broad scope of documents available in the "data room" to identify market, operational, and fuel supply risks.
- **Valuation of Generation Asset Bundle in PJM**. For a potential buyer, provided energy and capacity price forecasts and reviewed their valuation analysis. Analyzed

supply and demand fundamentals of the PJM capacity market. Performed locational market simulations using the DAYZER model to project nodal prices as market fundamentals evolve. Reviewed the client's spark spread options model.

- **Wind Power Development**. For a developer proposing to build a several hundred megawatt wind farm in Michigan, provided a revenue forecast for energy and capacity. Evaluated the implications of several scenarios around key uncertainties.
- **Wind Power Financial Modeling**. For an offshore wind developer proposing to build a 350 MW project in PJM off the coast of New Jersey, analyzed market prices for energy, renewable energy certificates, and capacity. Provided a detailed financial model of project funding and cash distributions to various types of investors (including production tax credit). Resulting financial statements were used in an application to the state of New Jersey for project grants.
- **Contract Review for Cogeneration Plant**. For the owner of a large cogen plant in PJM, analyzed revenues under the terms of a long-term PPA (in renegotiation) vs. potential merchant revenues. Accounted for multiple operating modes of the plant and its sales of energy, capacity, ancillary services, and steam over time.
- **Generation Strategy/Valuation**. For an independent power producer, acted for over two years as a key advisor on the implementation of the client's growth strategy. Led a large analytical team to assess the profitability of proposed new power plants and acquisitions of portfolios of plants throughout the U.S. Used the GE-MAPS market simulation model to forecast power prices, transmission congestion, generator dispatch, emissions costs, energy margins for candidate plants; used an ancillary model to forecast capacity value.
- **Generation Asset Valuation**. For multiple banks and energy companies, provided valuations of financially distressed generating assets. Used GE-MAPS to simulate net energy revenues; a capacity model to estimate capacity revenues; and a financial valuation model to value several natural gas, coal, and nuclear power plants across a range of scenarios. Identified key uncertainties and risks.

Transmission Planning and Modeling

- **Economic and Environmental Evaluation of New Transmission to Quebec**. For the New Hampshire Attorney General's Office in a proceeding before the state Site Evaluation Committee, co-sponsored testimony on the benefits of the proposed Northern Pass Transmission line. Responded to the applicant's analysis and developed our own, focusing on wholesale market participation, price impacts, and net emissions savings.
- **Benefit-Cost Analysis of New York AC Transmission Upgrades**. For the New York Department of Public Service (DPS) and NYISO, led a team to evaluate 21 alternative projects to increase transfer capability between Upstate and Southeast

NY. Quantified a broad scope of benefits: traditional production cost savings from reduced congestion, using GE-MAPS; additional production cost savings considering non-normal conditions; resource cost savings from being able to retire Downstate capacity, delay new entry, and shift the location of future entry Upstate; avoided costs from replacing aging transmission that would have to be refurbished soon; reduced costs of integrating renewable resources Upstate; and tax receipts. Identified projects with greatest and most robust net value. DPS used our analysis to inform its recommendation to the NY Public Service Commission to declare a "Public Policy Need" to build a project such as the best ones identified.

- **Evaluation of New York Transmission Projects**. For the New York Department of Public Service (DPS), provided a cost-benefit analysis for the "TOTS" transmission projects. Showed net production cost and capacity resource cost savings exceeding the project costs, and the lines were approved. The work involved running GE-MAPS and a capacity market model, and providing insights to DPS staff.
- **Benefits of New 765kV Transmission Line**. For a utility joint venture between AEP and ComEd, analyzed renewable integration and congestion relief benefits of their proposed $1.2 billion RITELine project in western PJM. Guided client staff to conduct simulations using PROMOD. Submitted testimony to FERC.
- **Benefit-Cost Analysis of a Transmission Project for Offshore Wind**. Submitted testimony on the economic benefits of the Atlantic Wind Connection Project, a proposed 2,000 MW DC offshore backbone from New Jersey to Virginia with 7 onshore landing points. Described and quantified the effects on congestion, capacity markets, CO_2 emissions, system reliability and operations, jobs and economic stimulus, and the installed cost of offshore wind generation. Directed Ventyx staff to simulate the energy market impacts using the PROMOD model.
- **Analysis of Transmission Congestion and Benefits**. Analyzed the impacts on transmission congestion, and customer benefits in California and Arizona of a proposed inter-state transmission line. Used the DAYZER model to simulate congestion and power market conditions in the Western Electricity Coordination Council region in 2013 and 2020 considering increased renewable generation requirements and likely changes to market fundamentals.
- **Benefit-Cost Analysis of New Transmission**. For a transmission developer's application before the California Public Utility Commission (CPUC) to build a new 500 kV line, analyzed the benefits to ratepayers. Analysis included benefits beyond those captured in a production cost model, including the benefits of integrating a pumped storage facility that would allow the system to accommodate a larger amount of intermittent renewable resources at a reduced cost.
- **Benefit-Cost Analysis of New Transmission in the Midwest**. For the American Transmission Company (ATC), supported Brattle witness evaluating the benefits of a proposed new 345 kV line (Paddock-Rockdale). Advised client on its use of

PROMOD IV simulations to quantify energy benefits, and developed metrics to properly account for the effects of changes in congestion, losses, FTR revenues, and LMPs on customer costs. Developed and applied new methodologies for analyzing benefits not quantified in PROMOD IV, including competitiveness, long-run resource cost advantages, reliability, and emissions. Testimony was submitted to the Public Service Commission of Wisconsin, which approved the line.

- **Transmission Investments and Congestion**. Worked with executives and board of an independent transmission company to develop a metric indicating congestion-related benefits provided by its transmission investments and operations.
- **Analysis of Transmission Constraints and Solutions**. For a large, geographically diverse group of clients, performed an in-depth study identifying the major transmission bottlenecks in the Western and Eastern Interconnections, and evaluating potential solutions to the bottlenecks. Worked with transmission engineers from multiple organizations to refine the data in a load flow model and a security-constrained, unit commitment and dispatch model for each interconnection. Ran 12-year, LMP-based market simulations using GE-MAPS across multiple scenarios and quantified congestion costs on major constraints. Collaborated with engineers to design potential transmission (and generation) solutions. Evaluated the benefits and costs of candidate solutions and identified several highly economic major transmission projects.
- **Merchant Transmission Impacts**. For a merchant transmission company, used GE-MAPS to analyze the effects of the Cross Sound Cable on energy prices in Connecticut and Long Island.
- **Security-Constrained Unit Commitment and Dispatch Model Calibration**. For a Midwestern utility, calibrated their PROMOD IV model, focusing on LMPs, unit commitment, flows, and transmission constraints. Helped client to understand their model's shortcomings and identify improvement opportunities. Also assisted with initial assessments of FTRs in preparation for its submission of nominations in MISO's first allocation of FTRs.
- **Model Evaluation**. Led an internal Brattle evaluation of commercially available transmission and market simulation models. Interviewed vendors and users of PROMOD IV, Gridview, DAYZER, and other models. Intensively tested each model. Evaluated accuracy of model algorithms (e.g., LMP, losses, unit commitment) and ability to calibrate models with backcasts using actual RTO data.

Integrated Resource Planning (IRP)

- **Resource Planning in Hawaii**. Assisted the Hawaiian Electric Companies in developing its Power Supply Improvement Plan, filed April 2016. Our work addressed how to maintain system security as renewable penetration increases toward 100% and displaces traditional synchronous generation. Solutions involved defining technology-neutral requirements that may be met by demand response, distributed resources, and new technologies as well as traditional resources.
- **IRP in Connecticut (for the 2008, 2009, 2010, 2012, and 2014 Plans)**. For the two major utilities in CT and the CT Dept. of Energy and Environmental Protection (DEEP), led the analysis for five successive integrated resource plans. Plans involved projecting 10-year Base Case outlooks for resource adequacy, customer costs, emissions, and RPS compliance; developing alternative market scenarios; and evaluating resource procurement strategies focused on energy efficiency, renewables, and traditional sources. Used an integrated modeling system that simulated the New England locational energy market (with the DAYZER model), the Forward Capacity Market, REC markets, and suppliers' likely investment/retirement decisions. Addressed electricity supply risks, natural gas supply into New England, RPS standards, environmental regulations, transmission planning, emerging technologies, and energy security. Solicited input from stakeholders. Provided oral testimony before the DEEP.
- **Contingency Plan for Indian Point Nuclear Retirement**. For the New York Department of Public Service (DPS), assisted in developing contingency plans for maintaining reliability if the Indian Point nuclear plant were to retire. Evaluated generation and transmission proposals along three dimensions: their reliability contribution, viability for completion by 2016, and the net present value of costs. The work involved partnering with engineering sub-contractors, running GE-MAPS and a capacity market model, and providing insights to DPS staff.
- **Analysis of Potential Retirements to Inform Transmission Planning**. For a large utility in Eastern PJM, analyzed the potential economic retirement of each coal unit in PJM under a range of scenarios regarding climate legislation, legislation requiring mercury controls, and various capacity price trajectories.
- **Resource Planning in Wisconsin**. For a utility considering constructing new capacity, demonstrated the need to consider locational marginal pricing, gas price uncertainty, and potential CO_2 liabilities. Guided client to look beyond building a large coal plant. Led them to mitigate exposures, preserve options, and achieve nearly the lowest expected cost by pursuing a series of smaller projects, including a promising cogeneration application at a location with persistently high LMPs. Conducted interviews and facilitated discussions with senior executives to help the client gain support internally and begin to prepare for regulatory communications.

Demand Response (DR) Resource Potential and Market Impact

- **ERCOT DR Potential Study**. For ERCOT, estimated the market size for DR by end-user segment based on interviews with curtailment service providers and utilities and informed by penetration levels achieved in other regions. Presented findings to the Public Utility Commission of Texas at a workshop on resource adequacy.
- **DR Potential Study**. For an Eastern ISO, analyzed the biggest, most cost-effective opportunities for DR and price responsive demand in the footprint, and what the ISO could do to facilitate them. For each segment of the market, identified the ISO and/or state and utility initiatives that would be needed to develop various levels of capacity and energy market response. Also estimated the potential and cost characteristics for each segment. Interviewed numerous curtailment service providers and ISO personnel.
- **Wholesale Market Impacts of Price-Responsive Demand (PRD)**. For NYISO, evaluated the potential effects of widespread implementation of dynamic retail rates. Utilized the PRISM model to estimate effects on consumption by customer class, applied empirically-based elasticities to hourly differences between flat retail rates and projected dynamic retail rates. Utilized the DAYZER model to estimate the effects of load changes on energy costs and prices.
- **Energy Market Impacts of DR**. For PJM and the Mid-Atlantic Distributed Resources Initiative (sponsored by five state commissions), quantified the market impacts and customer benefits of DR programs. Used a simulation-based approach to quantify the impact that a three percent reduction of peak loads during the top 20 five-hour blocks would have had in 2005 and under a variety of alternative market conditions. Utilized the DAYZER market simulation model, which we calibrated to represent the PJM market using data provided by PJM and public sources. Results were presented in multiple forums and cited widely, including by several utilities in their filings with state commissions regarding investment in advanced metering infrastructure and implementation of DR programs.
- **Value of DR Investments**. For Pepco Holdings, Inc., evaluated its proposed DR-enabling investments in advanced metering infrastructure and its efficiency programs. Estimated reductions in peak load that would be realized from dynamic pricing, direct load control, and efficiency. Built on the Brattle-PJM-MADRI study to estimate short-term energy market price impacts and addressed long-run equilibrium offsetting effects through supplier response scenarios. Estimated capacity price impacts and resource cost savings over time. Submitted a whitepaper to DE, NJ, MD, and DC commissions. Presented findings to DE Commission.

Gas-Electric Coordination

- **Gas Pipeline Investment for Electricity.** For the Maine Office of Public Advocate, co-sponsored testimony regarding the reliability and economic impacts if the Maine PUC signed long-term contracts for electricity customers to pay for new gas pipeline capacity into New England. Analyzed other experts' reports and provided a framework for evaluating whether such procurements would be in the public interest, considering their costs and benefits vs. alternatives.
- **Gas Pipeline Investment for Electricity.** For the Massachusetts Attorney General's office, provided input for their comments in the Massachusetts Department of Public Utilities' docket investigating whether and how new natural gas delivery capacity should be added to the New England market.
- **Fuel Adequacy and Other Winter Reliability Challenges**. For an ISO, co-authored a report assessing the risks of winter reliability events due to inadequate fuel, inadequate weatherization, and other factors affecting resource availability in the winter. Evaluated solutions being pursued by other ISOs. Proposed changes to resource adequacy requirements and energy market design to mitigate the risks.
- **Gas-Electric Reliability Challenges in the Midcontinent**. For MISO, provided a PowerPoint report assessing future gas-electric challenges as gas reliance increases. Characterized solutions from other ISOs. Provided inputs on the cost of firm pipeline gas vs. the cost and operational characteristics of dual-fuel capability.

RTO Participation and Configuration

- **Market Impacts of RTO Seams**. For a consortium of utilities, submitted written testimony to the FERC analyzing the financial and operational impact of the MISO-PJM seam on Michigan and Wisconsin. Evaluated economic hurdles across RTO seams and assessed the effectiveness of inter-RTO coordination efforts underway. Collaborated with MISO staff to leverage their PROMOD IV model to simulate electricity markets under alternative RTO configurations.
- **Analysis of RTO Seams**. For a Wisconsin utility in a proceeding before the FERC, assisted expert witness on (1) MISO and PJM's real-time inter-RTO coordination process, and (2) the economic benefit of implementing a full joint-and-common market. Analyzed lack of convergence between MISO's and PJM's energy prices and shadow prices on reciprocal coordinated flow gates.
- **RTO Participation**. For an integrated Midwest utility, advised client on alternative RTO choices. Used GE-MAPS to model the transmission system and wholesale markets under various scenarios. Presented findings to senior management. Subsequently, in support of testimonies submitted to two state commissions, quantified the benefits and costs of RTO membership on customers, considering energy costs, FTR revenues, and wheeling revenues.

Energy Litigation

- **Demand Response Arbitration.** Provided expert testimony on behalf of a client that had acquired a demand response company and alleged that the company had overstated its demand response capacity and technical capabilities. Analyzed discovery materials including detailed demand response data to assess the magnitude of alleged overstatements. Calculated damages primarily based on a fair market valuation of the company with and without alleged overstatements. Provided deposition, expert report, and oral testimony before the American Arbitration Association (non-public).
- **Contract Damages.** For the California Department of Water Resources and the California Attorney General's office, supported expert providing testimony on damages resulting from an electricity supplier's alleged breaches of a power purchase agreement. Analyzed two years of hourly data on energy deliveries, market prices, ISO charges, and invoice charges to identify and evaluate performance violations and invoice overcharges. Assisted counsel in developing the theory of the case and provided general litigation support in preparation for and during arbitration. Resulted in successful award for client.
- **Contract Damages**. For the same client described above, supported expert providing testimony in arbitration regarding the supplier's alleged breaches in which its scheduled deliveries were not deliverable due to transmission congestion. Quantified damages and demonstrated the predictability of congestion, which the supplier was allegedly supposed to avoid in its choice of delivery points.
- **Contract Termination Payment**. For an independent power producer, supported expert testimony on damages from the termination of a long-term tolling contract for a gas-fired power plant in PJM, involving power market forecasting, financial valuation techniques, and a detailed assessment of the plant's costs and operating characteristics. Prepared witness for arbitration and assisted counsel in deposing and cross-examining opposing experts. Resulted in resounding victory for client.

Tariff and Rate Design

- **Wholesale Rates.** On behalf of a G&T co-op in the Western U.S., provided testimony regarding its wholesale rates, which are contested by member co-ops. Analyzed the G&T co-op's cost of service and its marginal cost of meeting customers' energy and peak demand requirements.
- **Transmission Tariffs**. For a merchant generating company participating in FERC hearings on developing a Long Term Transmission Pricing Structure, helped lead a coalition of stakeholders to develop a position on how to eliminate pancaked transmission rates while allowing transmission owners to continue to earn their

allowed rate of return. Analyzed and presented the implications of various transmission pricing proposals on system efficiency, incentives for new investment, and customer rates throughout the MISO-PJM footprint.

- **Retail Rate Riders**. For a traditionally regulated Midwest utility, helped general counsel to evaluate and support legislation, and propose commission rules addressing rate riders for fuel and purchased power and the costs of complying with environmental regulations. Performed research on rate riders in other states; drafted proposed rules and tariff riders for client.
- **Rate Filings**. For a traditionally regulated Midwest utility, assisted counsel in preparing for a rate case. Helped draft testimonies regarding off-system sales margins and the cost of fuel.

Business Strategy

- **Preparing a Gentailer for a Transformed Wholesale Market Design.** Supported a gentailer in Alberta to prepare its generation and retail businesses for the implementation of a capacity market.
- **Evaluation of Cogeneration Venture**. For an unregulated division of a utility, evaluated a venture to build and operate cogeneration facilities. Estimated the market size and potential pricing, and assessed the client's capabilities for delivering such services. Analyzed the target customer base in detail; performed technical cost analysis for building and operating cogeneration plants; analyzed retail/default rate structures against which new cogeneration would have to compete. Senior management followed our recommendations to shut down the venture.
- **Strategic Sourcing**. For a large, diversified manufacturer, coordinated a cross-business unit client team to reengineer processes for procuring electricity, natural gas, and demand-side management services. Worked with executives to establish goals. Gathered data on energy usage patterns, costs, and contracts across hundreds of facilities. Interviewed energy managers, plant managers, and executives. Analyzed potential suppliers. Helped draft RFPs and develop negotiating strategy. Designed internal organizational structure (incorporating outsourced service providers) for managing energy procurement on an ongoing basis.
- **M&A Advisory**. For a European utility aiming to enter the U.S. markets and enhance its trading capability, evaluated acquisition targets. Assessed potential targets' capabilities and their value versus stock price. Reviewed experiences of acquirers in other M&A transactions. Advised client against an acquisition, just when the market was peaking (just prior to collapse).
- **Marketing Strategy**. For a power equipment manufacturer, identified the most attractive target customers and joint-venture candidates for plant maintenance services. Evaluated the cost structure and equipment mix of candidates using FERC

data and proprietary data. Estimated the value client could bring to each customer. Worked with company president to translate findings into a marketing strategy.

- **Distributed Generation (DG) Market Assessment**. For the unregulated division of a major utility, performed a market assessment of DG technologies. Projected future market sizes by market segments in the U.S.
- **Fuel Cells**. For a European fuel cell component manufacturer, acted as a technology and electricity market advisor for a larger consulting team developing a market entry strategy in the U.S.

TESTIMONY and REGULATORY FILINGS

Before the Federal Energy Regulatory Commission, Docket Nos. EL16-49, ER18-1314-000, ER18-1314-001, EL18-178-000 (Consolidated), "Supplemental Affidavit of Samuel A. Newell, John M. Hagerty and Sang H. Gang on Behalf of PJM Interconnection, L.L.C.," regarding the expansion of the Minimum Offer Price Rule in its forward capacity market, March 23, 2020.

Before the Federal Energy Regulatory Commission, Docket Nos. EL16-49, ER18-1314-000, ER18-1314-001, EL18-178-000 (Consolidated), "Affidavit of Samuel A. Newell, John M. Hagerty and Sang H. Gang on Behalf of PJM Interconnection, L.L.C.," regarding the expansion of the Minimum Offer Price Rule in its forward capacity market, March 17, 2020.

Before the Indiana General Assembly 21st Century Energy Policy Development Task Force, "Electricity Transmission Basics," on behalf of the Indiana Energy Association, October 17, 2019.

Before the Federal Energy Regulatory Commission, Docket No. ER19-105-000, Periodic Review of Variable Resource Requirement Curve Shape and Key Parameters, "Affidavit of Samuel A. Newell, John M. Hagerty, and Sang H. Gang on Behalf of PJM Interconnection, L.L.C.," regarding the Cost of New Entry, accompanied by report, *PJM Cost of New Entry Combustion Turbines and Combined-Cycle Plants with June 1, 2022 Online Date*, October 12, 2018.

Before the Federal Energy Regulatory Commission, Docket No. ER19-105-000, Periodic Review of Variable Resource Requirement Curve Shape and Key Parameters, "Affidavit of Dr. Samuel A. Newell and David Luke Oates on behalf of PJM Interconnection, L.L.C," regarding the Variable Resource Requirement Curve Shape, accompanied by report, *Fourth Review of PJM's Variable Resource Requirement Curve*, October 12, 2018.

Before the Federal Energy Regulatory Commission, Docket Nos. EL16-49-000, ER18-1314-000, ER18-1314-001, EL18-178-000 (Consolidated), Affidavit of Kathleen Spees and Samuel A. Newell Regarding the Need for a Self-Supply Exemption from Minimum Offer Price and Other Policy Supported Resource Rules on behalf of Dominion Energy Services, Inc. and Virginia Electric and Power Company, October 2, 2018.

Before the Federal Energy Regulatory Commission, Docket Nos. EL17-32-000 and EL17-36-000, Prefiled Comments of Samuel A. Newell, Kathleen Spees, and Yingxia Yang on behalf on behalf of the Natural Resources Defense Council: "Opportunities to More Efficiently Meet Seasonal Capacity Needs in PJM," April 15, 2018; presented oral testimony on the Seasonality Panel at FERC's Seasonal Capacity Technical Conference on April 24, 2018.

Before the Federal Energy Regulatory Commission, Docket No. EL18-34-000, Samuel A. Newell, Pablo A. Ruiz, and Rebecca C. Carroll, "Evaluation of PJM's Fast-Start Pricing Proposal," report prepared for NextEra Energy Resources and attached to *Reply Brief of Joint Commenters*, March 14, 2018.

Before the New Hampshire Site Evaluation Committee, Docket No. 2015-06, oral testimony and cross examination on the electricity market impacts of the proposed Northern Pass Transmission Project, October 26-27, 2017.

Before the Federal Energy Regulatory Commission, Docket No. AD17-11-000, Prefiled Comments of Samuel A. Newell re "Reconciling Wholesale Competitive Markets with State Polices," April 25, 2017; and oral testimony on Industry Expert Panel at the Technical Conference on May 2, 2017.

Before the New Hampshire Site Evaluation Committee, Docket No. 2015-06, Prefiled Supplemental Testimony of Samuel Newell and Jurgen Weiss on behalf of the New Hampshire Counsel for the Public, with attached report, "Electricity Market Impacts of the Proposed Northern Pass Transmission Project--Supplemental Report," April 17, 2017.

Before the Federal Energy Regulatory Commission, Docket No. ER17-284-000, filed "Response of Dr. Samuel A. Newell, Dr. Kathleen Spees, and Dr. David Luke Oates on behalf of Midcontinent Independent System Operator Regarding the Competitive Retail Solution," January 13, 2017.

Before the New Hampshire Site Evaluation Committee, Docket No. 2015-06, Prefiled Direct Testimony of Samuel Newell and Jurgen Weiss on behalf of the New Hampshire Counsel for the Public, with attached report, "Electricity Market Impacts of the Proposed Northern Pass Transmission Project," December 30, 2016.

Before the Federal Energy Regulatory Commission, Docket No. ER17-284-000, filed "Testimony of Dr. Samuel A. Newell, Dr. Kathleen Spees, and Dr. David Luke Oates on behalf of Midcontinent Independent System Operator Regarding the Competitive Retail Solution," November 1, 2016.

"Benefit-Cost Analysis of Proposed New York AC Transmission Upgrades," Appendix 1 to Comparative Evaluation of Alternating Current Transmission Upgrade Alternatives, Trial Staff Final Report, *Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades*, New York State Department of Public Service, Matter No. 12-02457, Case No. 12-T-0502, September 22, 2015. Presented to NYISO and DPS Staff at the Technical Conference, Albany, NY, October 8, 2015.

Before the Maine Public Utilities Commission, Docket No. 2014-00071, filed "Testimony of Dr. Samuel A. Newell and Matthew P. O'Loughlin on Behalf of the Maine Office of the Public Advocate, Comments on LEI's June 2015 Report and Recommendations for a Regional Analysis," November 18, 2015.

Before the Federal Energy Regulatory Commission, Docket No. ER14-2940-000, filed "Response of Dr. Samuel A. Newell and Dr. Kathleen Spees on Behalf of PJM Interconnection, LLC Regarding Variable Resource Requirement Curve," for use in PJM's capacity market, November 5, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER15-68-000, filed "Affidavit of Dr. Samuel A. Newell on behalf of PJM Interconnection, LLC," regarding the Cost of New Entry for use in PJM's Minimum Offer Price Rule, October 9, 2014.

Before the Texas House of Representatives Environmental Regulation Committee, Hearing on the Environmental Protection Agency's Newly Proposed Clean Power Plan and Potential Impact on Texas, invited by Committee Chair to present, "EPA's Clean Power Plan: Basics of the Rule, and Implications for Texas," Austin, TX, September 29, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER14-2940-000, filed "Affidavit of Dr. Samuel A. Newell and Mr. Christopher D. Ungate on Behalf of PJM Interconnection, LLC," regarding the Cost of New Entry for use in PJM's capacity market, September 25, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER14-2940-000, filed "Affidavit of Dr. Samuel A. Newell and Dr. Kathleen Spees on Behalf of PJM Interconnection, LLC Regarding Periodic Review of Variable Resource Requirement Curve Shape and Key Parameters," September 25, 2014.

Before the Public Utilities Commission of the State of Colorado, Proceeding No. 13F-0145E, "Answer Testimony and Exhibits of Samuel A. Newell on Behalf of Tri-State Generation and Transmission Association, Inc.," regarding an analysis of complaining parties' responses to Tri-State Generation and Transmission Association, Inc.'s Third Set of Data Requests, Interrogatory, September 10, 2014.

Before the Maine Public Utilities Commission, Docket No. 2014-00071, "Testimony of Dr. Samuel A. Newell and Matthew P. O'Loughlin on Behalf of the Maine Office of the Public Advocate, Analysis of the Maine Energy Cost Reduction Act in New England Gas and Electricity Markets," July 11, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER14-1639-000, filed "Testimony of Dr. Samuel A. Newell and Dr. Kathleen Spees on behalf of ISO New England Inc. Regarding a Forward Capacity Market Demand Curve," April 1, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER14-1639-000, filed "Testimony of Dr. Samuel A. Newell and Mr. Christopher D. Ungate on Behalf of ISO New England Inc. Regarding the Net Cost of New Entry for The Forward Capacity Market Demand Curve," April 1, 2014.

Before the Federal Energy Regulatory Commission, Docket No. ER14-616-000, filed "Affidavit of Dr. Samuel A. Newell on Behalf of ISO New England Inc.," and accompanying "2013 Offer Review Trigger Prices Study," regarding the Minimum Offer Price Rule new capacity resources in capacity auctions, December 13, 2013.

Before the American Arbitration Association, provided expert testimony (deposition, written report, and oral testimony at hearing) in a dispute involving the acquisition of a demand response company, July-November, 2013. (Non-public).

Before the Public Utility Commission of Texas, at a workshop on Project No. 40000, presented "Report On ORDC B+ Economic Equilibrium Planning Reserve Margin Estimates Prepared By The Brattle Group," on behalf of The Electric Reliability Council of Texas (ERCOT), June 25, 2013. Subsequently filed additional comments, "Additional ORDC B+ Economic Equilibrium Planning Reserve Margin Estimates," July 29, 2013.

Before the Federal Energy Regulatory Commission, Docket No. ER13-535-000, filed "Affidavit of Dr. Samuel A. Newell on Behalf of the 'Competitive Markets Coalition' Group Of Generating Companies," supporting PJM's proposed tariff revisions to change certain terms regarding the Minimum Offer Price Rule in the Reliability Pricing Model, December 28, 2012.

Before the Federal Energy Regulatory Commission, Docket No. ER12-513-000, filed "Affidavit of Dr. Samuel A. Newell on Behalf of PJM Interconnection, LLC," in support of PJM's Settlement Agreement regarding the Cost of New Entry for use in PJM's capacity market, November 21, 2012.

Before the Texas House of Representatives State Affairs Committee, Hearing on the issue of resource adequacy in the Texas electricity market, presented "The Resource Adequacy Challenge in ERCOT," on behalf of The Electric Reliability Council of Texas, October 24, 2012.

Before The Public Utility Commission of Texas, at a workshop on Project No. 40480, presented "Resource Adequacy in ERCOT: 'Composite' Policy Options," and "Estimate of DR Potential in ERCOT" on behalf of The Electric Reliability Council of Texas (ERCOT), October 25, 2012.

Before The Public Utility Commission of Texas, at a workshop on Project No. 40480, presented "ERCOT Investment Incentives and Resource Adequacy," September 6, 2012.

Before The Public Utility Commission of Texas, at a workshop on Project No. 40480, presented "Summary of Brattle's Study on ERCOT Investment Incentives and Resource Adequacy," July 27, 2012.

Before the Federal Energy Regulatory Commission, Docket No. ER12-___-000, Affidavit of Dr. Samuel A. Newell on Behalf of SIG Energy, LLLP, March 29, 2012, Confidential Exhibit A in Complaint of Sig Energy, LLLP, SIG Energy, LLLP v. California Independent System Operator Corporation, Docket No. EL 12-___-000, filed April 4, 2012 (Public version, confidential information removed).

Before the Federal Energy Regulatory Commission, Docket No. ER12-13-000, filed "Response of Dr. Samuel A. Newell and Dr. Kathleen Spees on Behalf of PJM Interconnection, LLC," regarding the Cost of New Entry for use in PJM's capacity market, January 13, 2012.

Before the Federal Energy Regulatory Commission, Docket No. ER12-13-000, Affidavit of Dr. Samuel A. Newell on Behalf of PJM Interconnection, LLC, re: the Cost of New Entry Estimates for Delivery Year 2015/16 in PJM's Reliability Pricing Model, filed December 1, 2011.

Before the Federal Energy Regulatory Commission, Docket Nos. ER11-4069 and ER11-4070, Direct testimony of Johannes Pfeifenberger and Samuel Newell on behalf of the RITELine Companies, re: the public policy, congestion relief, and economic benefits of the RITELine Transmission Project, filed July 18, 2011.

Before the Federal Energy Regulatory Commission, Docket No. No. EL11-13-000, Direct testimony of Johannes Pfeifenberger and Samuel Newell on behalf of The AWC Companies re: the public policy, reliability, congestion relief, and economic benefits of the Atlantic Wind Connection Project, filed December 20, 2010.

"Economic Evaluation of Alternative Demand Response Compensation Options," whitepaper filed by ISO-NE in its comments on FERC's Supplemental Notice of Proposed Rulemaking in Docket No. RM10-17-000, October 13, 2010 (with K. Madjarov).

Before the Federal Energy Regulatory Commission, Docket No. RM10-17-000, Filed Comments re: Supplemental Notice of Proposed Rulemaking and September 13, 2010 Technical Conference, October 5, 2010 (with K. Spees and P. Hanser).

Before the Federal Energy Regulatory Commission, Docket No. RM10-17-000, Filed Comments re: Notice of Proposed Rulemaking regarding wholesale compensation of demand response, May 13, 2010 (with K. Spees and P. Hanser).

Before the Connecticut Department of Public Utility Control, provided oral testimony to support the 2010 "Integrated Resource Plan for Connecticut" (see below), June 2010.

2010 "Integrated Resource Plan for Connecticut," report co-submitted with The Connecticut Light & Power Company and The United Illuminating Company to the Connecticut Energy Advisory Board, January 4, 2010. Presented to the Connecticut Energy Advisory Board January 8, 2010.

"Dynamic Pricing: Potential Wholesale Market Benefits in New York State," lead authors: Samuel Newell and Ahmad Faruqui at The Brattle Group, with contributors Michael Swider, Christopher Brown, Donna Pratt, Arvind Jaggi and Randy Bowers at the New York Independent System Operator, submitted as "Supplemental Comments of the NYISO Inc. on the Proposed Framework for the Benefit-Cost Analysis of Advanced Metering Infrastructure," in State of New York Public Service Commission Case 09-M-0074, December 17, 2009.

Before the Connecticut Department of Public Utility Control, provided oral testimony to support the 2009 "Integrated Resource Plan for Connecticut" (see below), June 30, 2009.

2009 "Integrated Resource Plan for Connecticut," report co-submitted with The Connecticut Light & Power Company and The United Illuminating Company to the Connecticut Energy Advisory Board, January 1, 2009.

"Informational Filing of the Internal Market Monitoring Unit's Report Analyzing the Operations and Effectiveness of the Forward Capacity Market," prepared by Dave LaPlante and Hung-po Chao of ISO-NE with Sam Newell, Metin Celebi, and Attila Hajos of The Brattle Group, filed with FERC on June 5, 2009 under Docket No. ER09-1282-000.

Before the Connecticut Department of Public Utility Control, provided oral testimony to support the 2008 "Integrated Resource Plan for Connecticut" and "Supplemental Reports" (see below), September 22, 2008.

"Integrated Resource Plan for Connecticut," co-submitted with The Connecticut Light & Power Company and The United Illuminating Company to the Connecticut Energy Advisory Board; co-authored with M. Chupka, A. Faruqui, and D. Murphy, January 2, 2008. Supplemental Report co-submitted with The Connecticut Light & Power Company and The United Illuminating Company to the Connecticut Department of Utility Control; co-authored with M. Chupka, August 1, 2008.

"Quantifying Customer Benefits from Reductions in Critical Peak Loads from PHI's Proposed Demand-Side Management Programs," whitepaper by Samuel A. Newell and Ahmad Faruqui filed by Pepco Holdings, Inc. with the Public Utility Commissions of Delaware (Docket No. 07-28, 9/27/2007), Maryland (Case No. 9111, filed 12/21/07), New Jersey (BPU Docket No. EO07110881, filed 11/19/07), and Washington, DC (Formal Case No. 1056, filed 10/1/07). Presented orally to the Public Utility Commission of Delaware, September 5, 2007.

Before the Public Service Commission of Wisconsin, Docket 137-CE-149, "Planning Analysis of the Paddock-Rockdale Project," report by American Transmission Company re: transmission cost-benefit analysis, April 5, 2007 (with J.P. Pfeifenberger and others).

Prepared Supplemental Testimony on Behalf of the Michigan Utilities before the Federal Energy Regulatory Commission, Docket No. ER04-718-000 et al., re: Financial Impact of ComEd's and AEP's RTO Choices, December 21, 2004 (with J. P. Pfeifenberger).

Prepared Direct and Answering Testimony on Behalf of the Michigan-Wisconsin Utilities before the Federal Energy Regulatory Commission, Docket No. ER04-375-002 et al., re: Financial Impact of ComEd's and AEP's RTO Choices on Michigan and Wisconsin, September 15, 2004 (with J.P. Pfeifenberger).

Declaration on Behalf of the Michigan-Wisconsin Utilities before the Federal Energy Regulatory Commission, Docket No. ER04-375-002 et al., re: Financial Impact of ComEd's and AEP's RTO Choices on Michigan and Wisconsin, August 13, 2004 (with J.P. Pfeifenberger).

PUBLICATIONS

Offshore Transmission in New England: The Benefits of a Better-Planned Grid, report prepared for Anbaric, May 2020 (with J. Pfeifenberger and W. Graf).

Implementing Recommended Improvements to Market Power Mitigation in the WEM, report prepared for Energy Policy WA in Western Australia, April 2020 (with T. Brown).

"Forward Clean Energy Markets: A New Solution to State-RTO Conflicts," *Utility Dive*, January 27, 2020 (with K. Spees and J. Pfeifenberger.)

How States, Cities, and Customers Can Harness Competitive Markets to Meet Ambitious Carbon Goals: Through a Forward Market for Clean Energy Attributes: Expanded Report Including a Detailed Market Design Proposal, report prepared for NRG, September 2019 (with K. Spees, W. Graf, and E. Shorin).

International Review of Demand Response Mechanisms in Wholesale Markets, report for the Australian Energy Market Commission, June 2019 (with T. Brown, K. Spees, and C. Wang).

How States, Cities, and Customers Can Harness Competitive Markets to Meet Ambitious Carbon Goals: Through a Forward Market for Clean Energy Attributes, report prepared for NRG, April 2019 (with K. Spees, W. Graf, and E. Shorin).

Estimation of the Market Equilibrium and Economically Optimal Reserve Margins for the ERCOT Region, 2018 Update, Final Draft, prepared for the Electric Reliability Council of Texas, December 20, 2018 (with R. Carroll, A. Kaluzhny, K. Spees, K. Carden, N. Wintermantel, and A. Krasny).

Harmonizing Environmental Policies with Competitive Markets: Using Wholesale Power Markets to Meet State and Customer Demand for a Cleaner Electricity Grid More Cost Effectively, discussion paper, July 2018 (with K. Spees, J. Pfeifenberger, and J. Chang).

Fourth Review of PJM's Variable Resource Requirement Curve, report prepared for PJM Interconnection LLC for submission to FERC and PJM stakeholders, April 16, 2018 (with J. Pfeifenberger, K. Spees, and others).

PJM Cost of New Entry Combustion Turbines and Combined-Cycle Plants with June 1, 2022 Online Date, report prepared for PJM Interconnection LLC for submission to FERC and PJM stakeholders, April 19, 2018 (with J. Michael Hagerty, J. Pfeifenberger, S. Gang of Sargent & Lundy, and others).

Evaluation of the DOE's Proposed Grid Resiliency Pricing Rule, white paper prepared for NextEra Energy Resources, October 23, 2017 (with M. Celebi, J. Chang, M. Chupka, and I. Shavel), available at http://www.brattle.com/system/publications/pdfs/000/005/530/original/Evaluation_of_the_DOE's_Proposed_Grid_Resiliency_Pricing_Rule.pdf?1509064658.

Near Term Reliability Auctions in the NEM: Lessons from International Jurisdictions, report prepared for the Australian Energy Market Operator, August 23, 2017 (with K. Spees, D.L. Oates, T. Brown, N. Lessem, D. Jang, and J. Imon Pedtke).

Pricing Carbon into NYISO's Wholesale Energy Market to Support New York's Decarbonization Goals, whitepaper prepared for the New York Independent System Operator, August 11, 2017 (with R. Lueken, J. Weiss, K. Spees, P. Donohoo-Vallett, and T. Lee), available at http://www.nyiso.com/public/webdocs/markets_operations/documents/Studies_and_Reports/Studies/Market_Studies/Pricing_Carbon_into_NYISOs_Wholesale_Energy_Market.pdf.

"How wholesale power markets and state environmental Policies can work together," *Utility Dive*, July 10, 2017 (with J. Pfeifenberger, J. Chang, and K. Spees), available at http://www.utilitydive.com/news/how-wholesale-power-markets-and-state-environmental-policies-can-work-toget/446715/.

Market Power Mitigation Mechanisms for the Wholesale Electricity Market in Western Australia, whitepaper prepared for the Public Utilities Office in the Government of Western Australia's Department of Finance, September 1, 2016 (with T. Brown, W. Graf, J. Reitzes, H. Trewn, and K. Van Horn).

Western Australia's Transition to a Competitive Capacity Auction, report prepared for Enernoc, January 29, 2016 (with K. Spees and C. McIntyre).

Enhancing the Efficiency of Resource Adequacy Planning and Procurements in the Midcontinent ISO Footprint—Options for MISO, Utilities, and States, report prepared for NRG, November 9, 2015 (with K. Spees and R. Lueken).

International Review of Demand Response Mechanisms, report prepared for Australian Energy Market Commission, October 2015 (with T. Brown, K. Spees, and D.L. Oates).

Resource Adequacy in Western Australia — Alternatives to the Reserves Capacity Mechanism, report prepared for EnerNOC, Inc., August 2014 (with K. Spees).

Third Triennial Review of PJM's Variable Resource Requirement Curve, report prepared for PJM Interconnection, LLC, May 15, 2014 (with J. Pfeifenberger, K. Spees, A. Murray, and I. Karkatsouli).

Cost of New Entry Estimates for Combustion Turbine and Combined Cycle Plants in PJM, report prepared for PJM Interconnection, LLC, May 15, 2014 (with M. Hagerty, K. Spees, J. Pfeifenberger, Q. Liao, and with C. Ungate and J. Wroble at Sargent & Lundy).

Developing a Market Vision for MISO: Supporting a Reliable and Efficient Electricity System in the Midcontinent, foundational report prepared for Midcontinent Independent System Operator, Inc., January 27, 2014 (with K. Spees and N. Powers).

Estimating the Economically Optimal Reserve Margin in ERCOT, report prepared for the Public Utilities Commission of Texas, January 2014 (with J. Pfeifenberger, K. Spees, and I. Karkatsouli).

"Capacity Markets: Lessons Learned from the First Decade," *Economics of Energy & Environmental Policy*. Vol. 2, No. 2, Fall 2013 (with J. Pfeifenberger and K. Spees).

ERCOT Investment Incentives and Resource Adequacy, report prepared for the Electric Reliability Council of Texas, June 1, 2012 (with K. Spees, J. Pfeifenberger, R. Mudge, M. DeLucia, and R. Carlton).

"Trusting Capacity Markets: does the lack of long-term pricing undermine the financing of new power plants?" *Public Utilities Fortnightly*, December 2011 (with J. Pfeifenberger).

Second Performance Assessment of PJM's Reliability Pricing Model: Market Results 2007/08 through 2014/15, report prepared for PJM Interconnection LLC, August 26, 2011 (with J. Pfeifenberger, K. Spees, and others).

Cost of New Entry Estimates for Combustion-Turbine and Combined-Cycle Plants in PJM, report prepared for PJM Interconnection LLC, August 24, 2011 (with J. Pfeifenberger, K. Spees, and others).

"Fostering economic demand response in the Midwest ISO," *Energy* 35 (2010) 1544–1552 (with A. Faruqui, A. Hajos, and R.M. Hledik).

"DR Distortion: Are Subsidies the Best Way to Achieve Smart Grid Goals?" *Public Utilities Fortnightly*, November 2010.

Midwest ISO's Resource Adequacy Construct: An Evaluation of Market Design Elements, report prepared for MISO, January 2010 (with K. Spees and A. Hajos).

Demand Response in the Midwest ISO: An Evaluation of Wholesale Market Design, report prepared for MISO, January 2010 (with A. Hajos).

Cost-Benefit Analysis of Replacing the NYISO's Existing ICAP Market with a Forward Capacity Market, whitepaper written for the NYISO and submitted to stakeholders, June 15, 2009 (with A. Bhattacharyya and K. Madjarov).

Fostering Economic Demand Response in the Midwest ISO, whitepaper written for MISO, December 30, 2008 (with R. Earle and A. Faruqui).

Review of PJM's Reliability Pricing Model (RPM), report prepared for PJM Interconnection LLC for submission to FERC and PJM stakeholders, June 30, 2008 (with J. Pfeifenberger and others).

"Reviving Integrated Resource Planning for Electric Utilities: New Challenges and Innovative Approaches," *Energy*, Vol. 1, 2008, The Brattle Group (with M. Chupka and D. Murphy).

Enhancing Midwest ISO's Market Rules to Advance Demand Response, report written for MISO, March 12, 2008 (with R. Earle).

"The Power of Five Percent," *The Electricity Journal*, October 2007 (with A. Faruqui, R. Hledik, and J. Pfeifenberger).

Quantifying Customer Benefits from Reductions in Critical Peak Loads from PHI's Proposed Demand-Side Management Programs, whitepaper prepared for Pepco Holdings, Inc., September 21, 2007 (with A. Faruqui).

Review of PJM's Market Power Mitigation Practices in Comparison to Other Organized Electricity Markets, Report prepared for PJM Interconnection LLC, September 14, 2007 (with P. Fox-Penner, J. Pfeifenberger, J. Reitzes, and others).

"Valuing Demand-Response Benefits in Eastern PJM," *Public Utilities Fortnightly*, March 2007 (with J. Pfeifenberger and F. Felder).

Quantifying Demand Response Benefits in PJM, study report prepared for PJM Interconnection, LLC and the Mid-Atlantic Distributed Resources Initiative, January 29, 2007 (with F. Felder).

"Modeling Power Markets: Uses and Abuses of Locational Market Simulation Models," *Energy*, Vol. 2, 2006, The Brattle Group (with J. Pfeifenberger).

"Innovative Regulatory Models to Address Environmental Compliance Costs in the Utility Industry," October 2005 Newsletter, American Bar Association, Section on Environment, Energy, and Resources; Vol. 3 No. 1 (with J. Pfeifenberger).

PRESENTATIONS

Industry Changes in Resource Adequacy Requirements, presented to MISO Resource Adequacy Subcommittee, May 6, 2020 (with J. Pfeifenberger, M. Hagerty, and W. Graf).

NYISO Grid in Transition Study: Detailed Assumptions and Modeling Description, presented to NYISO ICAP/MIWG/PRLWG Stakeholders, March 30, 2020 (with R. Lueken, J. Weiss, J. Moraski, and S. Ross).

"Electricity Market Designs to Achieve and Accommodate Deep Decarbonization," presented to Advanced Energy Economy (AEE) video conference, "ISO-NE in 2050: Getting To An Advanced Energy Future In New England," March 18, 2020.

"Pollution Pricing in the Power Sector: Market-Friendly Tools for Incorporating Public Policy," presented to GCPA Spring Conference, Houston, TX, April 16, 2019.

"The Transformation of the Power Sector to Clean Energy: Economic and Reliability Challenges," keynote address to the Power Engineers 4th Annual Power Symposium, Weehawken, NJ, April 4, 2019.

"Market Design for Winter Energy Security in New England: Further Discussion of Options," presented to The New England Power Pool Markets Committee on behalf of NextEra Energy Resources, Westborough, MA, February 6, 2019 (with D.L. Oates and P. Ruiz).

"Market Design for Winter Energy Security in New England: Discussion of Options," presented to The New England Power Pool Markets Committee on behalf of NextEra Energy Resources, Westborough, MA, January 9, 2019 (with D.L. Oates).

"Market Equilibrium Reserve Margin in ERCOT," presented to Power Markets Today webinar, "A Post Summer Check-in of ERCOT's Market," October 31, 2018.

"Carbon Pricing in NYISO's Wholesale Energy Market, and Applicability to Multi-State RTO markets," presented to Raab Policy Roundtable, May 23, 2018; presented to the Energy Bar Association, 2018 EBA Energizer: Pricing Carbon in Energy Markets, June 5, 2018; presented to Bank of America Merrill Lynch, June 25, 2018.

"Reconciling Resilience Services with Current Market Design," presented to RFF/R-Street Conference on "Economic Approaches to Understanding and Addressing Resilience in the Bulk Power System," Washington, D.C., May 30, 2018.

"System Flexibility and Renewable Energy Integration: Overview of Market Design Approaches," presented to Texas-Germany Bilateral Dialogue on Challenges and Opportunities in the Electricity Market, Austin, TX, February 26, 2018.

"Natural Gas Reliability: Understanding Fact from Fiction," panelist at the NARUC Winter Policy Summit presented to The Committee on Gas, Washington, D.C., February 13, 2018 (with A. Thapa, M. Witkin, and R. Wong).

"Carbon Pricing in Wholesale Markets: Takeaways from NYISO Carbon Charge Study," presented to Harvard Electric Policy Group, October 12, 2017.

"Pricing Carbon into NYISO's Wholesale Energy Market: Study Overview and Summary of Findings," presented to NYISO Business Issues Committee, September 12, 2017.

"Carbon Adders in Wholesale Power Markets—Preventing Leakage," panelist at Resources for the Future's workshop on carbon pricing in wholesale markets, Washington, D.C., August 2, 2017.

"Market-Based Approaches to Support States' Decarbonization Objectives," panelist at Independent Power Producers of New York (IPPNY) 2017 Spring Conference, Albany, NY, May 10, 2017.

"ERCOT's Future: A Look at the Market Using Recent History as a Guide," panelist at the Gulf Coast Power Association's Fall Conference, Austin, TX, October 4, 2016.

"The Future of Wholesale Electricity Market Design," presented to Energy Bar Association 2016 Annual Meeting & Conference, Washington, DC, June 8, 2016.

"Performance Initiatives and Fuel Assurance—What Price Mitigation?" presented to Northeast Energy Summit 2015 Panel Discussion, Boston, MA, October 27, 2015.

"PJM Capacity Auction Results and Market Fundamentals," presented to Bloomberg Analyst Briefing Webinar, September 18, 2015 (with J. Pfeifenberger and D.L. Oates).

"Energy and Capacity Market Designs: Incentives to Invest and Perform," presented to EUCI Conference, Cambridge, MA, September 1, 2015.

"Electric Infrastructure Needs to Support Bulk Power Reliability," presented to GEMI Symposium: Reliability and Security across the Energy Value Chain, The University of Houston, Houston, TX, March 11, 2015.

Before the Arizona Corporation Commission, Commission Workshop on Integrated Resource Planning, Docket No. E-00000V-13-0070, presented "Perspectives on the IRP Process: How to get the most out of IRP through a collaborative process, broad consideration of resource strategies and uncertainties, and validation or improvement through market solicitations," Phoenix, AZ, February 26, 2015.

"Resource Adequacy in Western Australia—Alternatives to the Reserve Capacity Mechanism (RCM)," presented to The Australian Institute of Energy, Perth, WA, October 9, 2014.

"Customer Participation in the Market," panelist on demand response at Gulf Coast Power Association Fall Conference, Austin, TX, September 30, 2014.

"Market Changes to Promote Fuel Adequacy—Capacity Market to Promote Fuel Adequacy," presented to INFOCAST- Northeast Energy Summit 2014 Panel Discussion, Boston, MA, September 17, 2014.

"EPA's Clean Power Plan: Basics and Implications of the Proposed CO_2 Emissions Standard on Existing Fossil Units under CAA Section 111(d)," presented to Goldman Sachs Power, Utilities, MLP and Pipeline Conference, New York, NY, August 12, 2014.

"Capacity Markets: Lessons for New England from the First Decade," presented to Restructuring Roundtable Capacity (and Energy) Market Design in New England, Boston, MA, February 28, 2014.

"The State of Things: Resource Adequacy in ERCOT," presented to INFOCAST – ERCOT Market Summit 2014 Panel Discussion, Austin, TX, February 24-26, 2014.

"Resource Adequacy in ERCOT," presented to FERC/NARUC Collaborative Winter Meeting in Washington, D.C., February 9, 2014.

"Electricity Supply Risks and Opportunities by Region," presentation and panel discussion at Power-Gen International 2013 Conference, Orlando, FL, November 13, 2013.

"Get Ready for Much Spikier Energy Prices—The Under-Appreciated Market Impacts of Displacing Generation with Demand Response," presented to the Cadwalader Energy Investor Conference, New York, NY, February 7, 2013 (with K. Spees).

"The Resource Adequacy Challenge in ERCOT," presented to The Texas Public Policy Foundation's 11th Annual Policy Orientation for legislators, Austin, TX, January 11, 2013.

"Resource Adequacy in ERCOT: the Best Market Design Depends on Reliability Objectives," presented to the Harvard Electricity Policy Group conference, Washington, D.C., December 6, 2012.

"Resource Adequacy in ERCOT," presented to the Gulf Coast Power Association Fall Conference, Austin, TX, October 2, 2012.

"Texas Resource Adequacy," presented to Power Across Texas, Austin, TX, September 21, 2012.

"Resource Adequacy and Demand Response in ERCOT," presented to the Center for the Commercialization of Electric Technologies (CCET) Summer Board Meeting, Austin, TX, August 8, 2012.

"Summary of Brattle's Study on 'ERCOT Investment Incentives and Resource Adequacy'," presented to the Texas Industrial Energy Consumers annual meeting, Austin, TX, July 18, 2012.

"Market-Based Approaches to Achieving Resource Adequacy," presentation to Energy Bar Association Northeast Chapter Annual Meeting, Philadelphia, PA, June 6, 2012.

"Fundamentals of Western Markets: Panel Discussion," WSPP's Joint EC/OC Meeting, La Costa Resort, Carlsbad, CA, February 26, 2012 (with J. Weiss).

"Integrated Resource Planning in Restructured States," presentation at EUCI conference on "Supply and Demand-Side Resource Planning in ISO/RTO Market Regimes," White Plains, NY, October 17, 2011.

"Demand Response Gets Market Prices: Now What?" NRRI teleseminar panelist, June 9, 2011.

Before the PJM Board of Directors and senior level representatives at PJM's General Session, panel member serving as an expert in demand response on behalf of Pepco Holdings, Inc., December 22, 2007.

"Resource Adequacy in New England: Interactions with RPS and RGGI," Energy in the Northeast Law Seminars International Conference, Boston, MA, October 18, 2007.

"Corporate Responsibility to Stakeholders and Criteria for Assessing Resource Options in Light of Environmental Concerns," Bonbright Electric & Natural Gas 2007 Conference, Atlanta, GA, October 3, 2007.

"Evaluating the Economic Benefits of Transmission Investments," EUCI's Cost-Effective Transmission Technology Conference, Nashville, TN, May 3, 2007 (with J. Pfeifenberger, presenter).

"Quantifying Demand Response Benefits in PJM," PowerPoint presentation to the Mid-Atlantic Distributed Resources Initiative (MADRI) Executive Committee on January 13, 2007, to the MADRI Working Group on February 6, 2007, as Webinar to the U.S. Demand Response Coordinating Council, and to the Pennsylvania Public Utility Commission staff April 27, 2007.

"Who Will Pay for Transmission," CERA Expert Interview, Cambridge, MA, January 15, 2004.

"Reliability Lessons from the Blackout; Transmission Needs in the Southwest," presented at the Transmission Management, Reliability, and Siting Workshop sponsored by Salt River Project and the University of Arizona, Phoenix, AZ, December 4, 2003.

"Application of the 'Beneficiary Pays' Concept," presented at the CERA Executive Retreat, Montreal, Canada, September 17, 2003.

JAMES A. READ, JR.

Principal

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James Read is a financial and energy economist with particular expertise in valuation, risk management, and capital budgeting. Many of his engagements have been in or related to the electric power, natural gas, and petroleum industries.

Mr. Read has served as a consulting and testifying expert in litigation and regulatory matters involving valuation, cost of capital, capital structure, commercial damages, securities, taxes, and energy trading. His management consulting has involved valuation and optimization of production, storage, and transmission assets; pricing wholesale and retail energy contracts; analysis, modeling, and forecasting energy market prices and volatility; power and fuel procurement; and hedging retail electric and gas service obligations. In addition, he has developed analytical methods and software tools for valuation and risk management of energy contracts and portfolios. He has also developed and taught professional training courses on these topics.

Prior to joining The Brattle Group, Mr. Read was a Principal with Incentives Research Inc., and before that Director of Financial Consulting with Charles River Associates. He holds a B.A. in economics from Princeton University and an M.S. in finance from the Massachusetts Institute of Technology.

PRACTICE AREAS

- Oil, Gas & Commodities
- Electric Power
- Securities
- Tax & Restructuring
- Valuation

SELECTED EXPERIENCE

Management Consulting

- Mr. Read is working with a large municipal power company to evaluate alternatives for redeployment of a coal-fired power plant. Options under consideration include conversion to burn natural gas, mothballing, and retirement.
- Working with a wholesale generating company to optimize operation and bidding of its pumped storage hydro resources in ISO markets.

- Advising the owner of a natural gas-fired combined-cycle power plant whether to refurbish or retire the plant.
- Conducted independent reviews of risk management policies, procedures, and compliance for several electric power companies in the United States and Canada.
- Advised numerous companies regarding portfolio risk assessment and management, including forward curve building, volatility modeling and estimation, valuation of energy contracts and generation assets, calculation of risk exposures, and measurement of portfolio risk.
- Analyzed historical data on availability and outages of power generating units to develop a model for describing and forecasting generation fleet reliability.
- Worked with a major electric utility to develop custom analytics and software for measuring the risk of its power supply portfolio. This was used for regulatory reporting as well as internal management purposes.
- Advised several clients in the electric utility industry in connection with the design, pricing, and risk management of "provider of last resort" and similar retail transition services created as part of industry restructuring.
- Developed economic theory for allocating capital to lines of business in multiple-line insurance companies.
- Advised many clients in connection with the valuation of power generation assets for purchase or sale. Projects entailed development and use of options-based valuation tools as well as estimation of long-term forward price curves and volatility term structures.
- Developed a derivatives-based methodology for estimating the cost of capital for investments in merchant power generation.
- Designed methodology for pricing a new product in the gas pipeline industry that would allow shippers to purchase options on pipeline capacity expansion.
- Developed a valuation algorithm for a retail electric service that allows the supplier to buy back electric energy when wholesale market conditions are tight.
- Advised Tennessee Valley Authority and other companies in connection with their evaluations of bids received in response to power purchase option RFPs. Engagements involved development of models for evaluating option-type bids and development of forward price and volatility curves.
- In a study for the U.S. Department of Energy, estimated the cost of capital for investments in petroleum inventories. This was part of a research effort to determine the effectiveness of government policies aimed at stimulating private stockpile formation.

Studies for Electric Power Research Institute (EPRI)

- Directed development of the *Energy Book System* (EBS) software for valuation and management of energy resources. EBS includes tools for portfolio risk management, valuation and pricing of wholesale and retail energy contracts, and valuation and management of generation resources.
- Developed and taught professional training courses on the application of option pricing and related principles and methods for understanding the value and risk of commodity contracts and physical assets. Courses include *Value & Risk in Energy Markets*, *Applied Valuation & Risk Management*, and *Generation Asset Valuation*.
- Developed an options-based valuation and decision-making model of nuclear power plants. The model explicitly incorporates the option to retire prior to license expiration and the option to extend the operating license.
- Principal author of the *Utility Capital Budgeting Notebook*, which integrates previous EPRI studies in finance and project evaluation into a single text.
- Prepared an exposition of how the theory and methods of option pricing can be exploited to value real assets, investment projects, and nonfinancial contracts.
- Developed a methodology for selecting project-specific discount rates. The methodology is based on the idea that cash flows can be partitioned into risk classes, and hence that the value of an investment project can be found by adding up the values of the parts.
- Identified a conceptual problem that arises in applications of the revenue requirements method when utility capital recovery procedures are inflexible. The study pointed out that feedback between demand and utility rates may undermine the logic for cost-based project evaluation.
- Developed a rigorous procedure for calculating the cost of holding fuel and other commodity inventories. The procedure exploits information in commodity futures and money markets.
- Developed theoretical and empirical analyses of a bias that exists in conventional measures of market risk when applied to the shares of public utility companies. This study explained why a bias is likely to arise, provided empirical confirmation of the bias, and devised corrected measures of market risk.
- Prepared an exposition of the revenue requirements method. Among other findings, the report concluded that the appropriate risk-adjusted discount rates for calculating the present value of revenue requirements may differ from the discount rates used to calculate net present value. It also identified the conceptual errors involved in the use of "customer" discount rates.

Litigation and Regulatory Support

- Mr. Read prepared an expert report in a matter involving the breach of a long-term supply contract for material used in the development of oil and gas reserves by hydraulic fracturing.
- Advised counsel to the former owner of a metals mining business who was contesting an EPA finding as to another party's ability to pay for hazardous waste clean-up. This was in connection with Superfund sites for which the parties had joint and several liability.
- Mr. Read is advising legal counsel in connection with an internal investigation of the foreign exchange sales and trading practices of a major financial institution.
- Prepared an expert report on the cost of capital acquired through the merger of a public company with a special purpose acquisition company (SPAC). The merger involved a complex exchange of warrants and shares.
- In a federal tax matter, Mr. Read was an expert witness on the economic substance of foreign exchange transactions ostensibly facilitated by a credit agreement with a major financial institution.
- Advised legal counsel in several matters involving allegations of manipulation of natural gas and electricity markets in the United States.
- Served as a consulting expert in an international arbitration matter involving a joint venture (JV) to market beverages in Central America. The dispute centered on the terms and implementation of an option held by one of the JV parties to buy certain assets from the other.
- Consulting expert in an international arbitration concerning the valuation of large-scale undeveloped mineral reserves located in Central Asia.
- Served as a consulting expert in several tax disputes regarding tax shelters that utilized combinations of exotic options and other OTC derivatives.
- Consulting expert in an international arbitration matter involving the valuation of petroleum assets expropriated by Venezuela.
- Served as a consulting expert in a number of litigation matters that involved option backdating. This included assessing the odds that options were backdated as well as valuing executive and employee stock options.
- Advised counsel regarding energy trading and risk management practices in an arbitration between participants in a major energy marketing and trading joint venture.

- Provided legal counsel with economic analysis of a series of structured finance transactions in a litigation matter involving companies in the energy and insurance industries.
- Prepared an expert report on the determination of settlement prices for certain commodity futures contracts.
- Advised legal counsel in an arbitration that concerned the termination value of power supply contracts written under the WSPP master agreement.
- On behalf of an industry trade group, conducted a preliminary investigation of whether certain commodity futures prices had been manipulated.
- Analyzed gaming practices in the Western power markets during the energy crisis of 2000-2001. Prepared expert testimony for hearings before the Federal Energy Regulatory Commission.
- Assisted in the development of expert testimony in connection with regulatory hearings about the sale of a nuclear power station by a public utility to an unregulated energy company.
- Analyzed the impact of credit risk on the pricing of energy contracts. Analysis was performed in the context of a regulatory review of energy procurement decisions.
- Used option pricing methods to estimate the premium over cost required to compensate investors for the long-term nature of investments in railroad assets. Analysis was used in a revenue adequacy proceeding before the Surface Transportation Board.
- In a matter before the Iran-U.S. Claims Tribunal, worked with an academic expert in finance to develop testimony concerning the value of expropriated oil fields in the Persian Gulf.
- In MCI v. AT&T, worked with an academic expert in finance to critique and prepare rebuttal testimony regarding the damages model proffered by experts for the plaintiff.
- In U.S. v. IBM, critiqued testimony regarding the risk and profitability of IBM. The evidence submitted in this case included analyses of accounting and market data.
- In proceedings under the Regional Rail Reorganization Act, worked with academic experts in finance to prepare testimony concerning the value of the Penn Central Intercity Freight Lines.

Other Experience

- Financial Analyst, Corporate Financial Staff, General Motors Corporation. Mr. Read worked in forward product programs and corporate transfer pricing.
- Staff Economist, Mail Classification Research Division, United States Postal Service. Mr. Read's responsibilities included writing statements of work, technical evaluation of analytical study proposals, and directing contractors in the Long Range Classification Research Program.

- Staff Economist, Office of Rates, United States Postal Service. Mr. Read was engaged in the preparation of testimony filed with the Postal Rate Commission in support of requests for changes in rates. His responsibilities included cost analysis, revenue forecasting, econometric analysis of demand, and rate design.

PUBLICATIONS & WORKING PAPERS

"Real Options, Taxes and Financial Leverage" (with Stewart C. Myers), *Critical Finance Review*, forthcoming.

"Oil and Gas Termination Payments: Devil is In the Details" (with R. Goldberg), *Law360*, April 26, 2016.

"A Theory of Risk Capital" (with Stewart C. Myers and Isil Erel), *Journal of Financial Economics*, December 2015.

"Hedge Timing" (with R. Goldberg), *Public Utilities Fortnightly*, May 2012.

Advances in Volatility Modeling for Energy Markets (with R. Goldberg), EPRI, Palo Alto: December 2011. TR-1021812.

"Smart Power and Evolution of Risk Management" (with R. Goldberg and P. Fox-Penner), *Electric Light & Power*, December 2010.

"Just Lucky? A Statistical Test for Option Backdating" (with R. Goldberg), Social Science Research Network (SSRN), March 2007. Available at SSRN: http://ssrn.com/abstract=1411190.

Delta Hedging Energy Portfolios (with R. Goldberg), EPRI 1010686, Palo Alto: Electric Power Research Institute, 2005.

Resource Planning and Procurement in Evolving Electricity Markets (with F. Graves and J. Wharton), prepared for Edison Electric Institute, January 2004.

Retail Risk Management: A Primer (with R. Goldberg), EPRI 1002225, Palo Alto: Electric Power Research Institute, 2003.

Analytic Approximations for Generation Option Values (with R. Goldberg), EPRI 1002209, Palo Alto: Electric Power Research Institute, 2003.

Portfolio Optimization: Concepts and Challenges, EPRI 1001567, Palo Alto: Electric Power Research Institute, 2002.

"Capital Allocation for Insurance Companies" (with Stewart C. Myers), *Journal of Risk and Insurance*, December 2001. (Selected by Casualty Actuarial Society as most valuable paper published by American

Risk and Insurance Association in 2001. Winner of Robert C. Witt Research Award for outstanding feature article in the *Journal of Risk and Insurance* in 2001.)

Optimization and Valuation of Natural Gas Storage (with R. Goldberg), EPRI 1005947, Palo Alto: Electric Power Research Institute, 2001.

Describing Commodity Prices in the Energy Book System (with R. Goldberg), EPRI 1001170, Palo Alto: Electric Power Research Institute, 2000.

"Energy Derivatives and Price Risk Management" (with A. Altman and R. Goldberg), in *Pricing in Competitive Electricity Markets,* A. Faruqui and K. Eakin (eds.), Kluwer Academic Publishers, 2000.

Residual Obligations Following Electric Utility Restructuring (with F. Graves), Edison Electric Institute, May 2000.

"Dealing With a Price Spike World" (with R. Goldberg), *Energy & Power Risk*, May 2000.

Valuation and Management of Nuclear Assets, EPRI TR 107541, Palo Alto: Electric Power Research Institute, 1998.

"Capacity Prices in a Competitive Power Market" (with F. Graves), in *The Virtual Utility*, Kluwer Academic Publishers, 1997.

Option Pricing for Project Evaluation: An Introduction, EPRI TR-104755, Palo Alto: Electric Power Research Institute, 1995.

The Utility Capital Budgeting Notebook (with others), EPRI TR-104369, Palo Alto: Electric Power Research Institute, 1994.

"It's All Downstream From Here" (with S. Thomas), *Energy Risk*, June 1994.

"Analysis for Changing Minds" (with S. Thomas), *Energy Risk*, April 1994.

Project-Specific Discount Rates, report prepared for Electric Power Research Institute, 1992.

"Rates of Return that Include New Gas Industry Risks," *Natural Gas*, November 1989.

"Estimating the Cost of Switching Rights on Natural Gas Pipelines" (with F. Graves and P. Carpenter), *Energy Journal*, October 1989.

Holding Costs for Fuel Inventories, EPRI P-6184, Palo Alto: Electric Power Research Institute, 1989.

"Option Pricing: A New Approach to Mine Valuation" (with S. Palm and N. Pearson), in *Selected Readings in Mineral Economics,* Pergamon Press, 1987.

Capital Budgeting for Utilities: The Revenue Requirements Method, EPRI EA-4879, Palo Alto: Electric Power Research Institute, 1986.

"Determining the Cost of Capital for Utility Investments" (with A.L. Kolbe and R. Lincoln), in *Energy Markets in the Longer Term: Planning Under Uncertainty*, Ed. A.S. Kydes and D.M. Geraghty, Elsevier Science Publishers, 1985.

The Cost of Capital: Estimating the Rate of Return for Public Utilities (with A.L. Kolbe and G. Hall), Cambridge: MIT Press, 1984.

Rate Shock and Power Plant Phase-Ins (with A.L. Kolbe), Charles River Associates, Washington, DC: Edison Electric Institute, 1984.

Critique of Conventional Betas as Risk Indicators for Electric Utilities (with A.L. Kolbe), EPRI EA-3392, Palo Alto: Electric Power Research Institute, 1984.

PRESENTATIONS

"Natural Gas Price Forecasts", presented to EPRI Fuels, Power Markets and Resource Planning Conference, Washington, D.C., November 2-3, 2016.

"Valuation of Wind Power", presented to *Wind Power Development Tutorial*, Infocast, San Diego, July 9-10, 2009.

"Wind Power: Economic & Technology Risk", presented to *Renewable Energy M&A Summit*, Infocast, Washington, D.C., April 15, 2009.

"Techniques for Valuation of Wind Generation", presented to *Wind Power Development Tutorial*, Infocast, San Francisco, July 29-30, 2008.

"Using Volatility in Valuation & Risk Management", presented to *Gas Volatility*, Infocast, Houston, September 22-24, 2003.

"Fundamentals of Portfolio Risk Management" (with R. Goldberg), Tutorial presented to *Portfolio Optimization*, Infocast, Houston, November 14-16, 2001.

"Retail Transition Services in Electric Utility Restructuring," Presentation to Illinois Energy Leadership, Chicago, October 29-30, 2001.

"Provider of Last Resort: Retrospect & Prospect," Presentation to Staff Subcommittee on Accounting and Finance, National Association of Regulatory Utility Commissioners, Portland, Maine, October 1, 2001.

"Theory & Methods of Portfolio Risk Management" (with T. Parkinson), Tutorial presented to *Portfolio Risk Analysis & Management*, Infocast, Houston, February 16-18, 2000 and Chicago, October 2-4, 2000.

"Using Option Pricing Formulas," Presentation to *Pricing Wholesale Energy Products & Services*, Infocast, Houston, November 28-30, 2000.

"The Effect of Volatility Modeling on Management Decisions," Presentation to *Market Price Volatility*, Infocast, October 30 - November 1, 2000.

"Option Pricing in a Price Spike World," Presentation to *International Energy Pricing Conference*, EPRI, Washington, D.C., July 26-28, 2000.

"Applications of Portfolio Techniques to Fuel Decisions," Presentation to *Fuel & Power Supply Seminar*, EPRI, Cleveland, November 9-11, 1998.

"Managing Nuclear Generation Assets," Presentation to Generation Asset Management: Opportunities and *Challenges in the Electric Marketplace*, EPRI, Baltimore, July 13-15, 1998.

"Managing the Risks of Generation Assets," Presentation to *Integrating Risk Management for Fuel Supply & Power Sales,* Center for Business Intelligence, Houston, February 5-6, 1998

"Tactics for Matching Strategy & Market Opportunity through Hedging," Presentation to *Fuel Management: Innovative Fuel Strategies for a Price-Competitive Power Market*, Center for Business Intelligence, Colorado Springs, August 14-15, 1997.

"Implementing Risk Management in Electric Power," Presentation to *European Electricity Trading*, ICM Marketing Ltd., London, January 29-30, 1997.

"Integrating Fuel & Power Price Risk Management," Presentation to *Managing Fuel Risk*, Center for Business Intelligence, Dallas, December 12-13, 1996.

"Lessons From Deregulated Industries," Presentation to *Workshop on New Directions in Electricity Pricing*, EPRI, Palo Alto, May 7, 1996.

"Capacity Prices in a Competitive Power Market," Presentation to Symposium on *The Virtual Utility*, Saratoga Springs, March 31-April 2, 1996.

"Evaluating OPAs: The Art of Pricing Electricity Derivatives," Presentation to *Resource Acquisition in a Competitive Power Market*, International Business Communications, Chicago, October 30-31, 1995.

"Basis Risk in Energy Markets," Presentation to *Achieving Success in Evolving Electricity Markets*, EPRI, Atlanta, October 10-12, 1995.

"Risk and the Revolution in Finance: Implications for Planning," Presentation to *Strategic Resource Planning and Asset Management Forum*, EPRI, St. Petersburg, Florida, December 8-9, 1993.

"Why Small Firms Shun Discounted Cash Flow Analysis," Presentation to the Financial Management Association, Annual Meeting, San Francisco, October 22, 1992.

"Discount Rates in Utility Planning," Lecture to American Gas Association/Edison Electric Institute, Chicago, May 22, 1991.

"Weighted Average Cost of Capital: Before-Tax or After-Tax?" Presentation to the Budgeting and Financial Forecasting Committee, Edison Electric Institute/American Gas Association, Denver, September 10, 1990.

"Economic Evaluation of Utility Projects and Contracts," Seminar sponsored by the Electric Power Research Institute, San Diego, March 2-3, 1989.

"Planning for Utilities: The Value of Service," Paper presented to the Conference of Integrated Value-Based Planning, New Orleans, December 2, 1987.

"Capital Budgeting and the Cost of Capital," Lecture to the Marginal Cost Working Group, Boston, May 6, 1986.

"Capital Budgeting for Electric Utilities," Seminar sponsored by the Electric Power Research Institute, New Orleans, February 26-27, 1986.

"Risk and Capital Budgeting in the Electric Utility Industry," Paper presented to Rutgers University Advanced Workshop in Public Utility Economics and Regulation, New Paltz, New York, May 30, 1985.

"Critique of Rate of Return Methods in Public Utility Rate Cases," Lecture to Advanced Regulatory Studies Program, National Association of Regulatory Utility Commissioners, Williamsburg, Virginia, February 15, 1984.

"Utility Rate Shocks: The Problem and Possible Solutions," Paper presented to the Tenth Annual Rate Symposium, Institute for the Study of Regulation, Washington, DC, February 6, 1984.

TESTIMONY

Expert Report in Paul Morris v. Spectra Energy Partners (DE) GP LP, Spectra Energy Corp, and Spectra Energy Partners LP, in the Court of Chancery of the State of Delaware, C.A. No. 12110-VCG, June 2018.

Expert Rebuttal Report on behalf of CRS Proppants, LLC, in the Superior Court of the State of Delaware, C.A. No. N15C-08-111 MMJ, July 2016.

Testimony on behalf of East Kentucky Power Cooperative before the Kentucky Public Service Commission, Case No. 2016-00269, July 2016.

Testimony on behalf of East Kentucky Power Cooperative before the Kentucky Public Service Commission, Case No. 2015-00267, November 2015.

Testimony on behalf of East Kentucky Power Cooperative before the Kentucky Public Service Commission, Case No. 2013-00259, January 2014.

Expert Report in Pointe du Hoc Irrevocable Trust v. Commissioner of Internal Revenue, Docket No. 6041-05, October 2011.

Expert Report and Testimony in NPR Investments, LLC vs. United States of America, Case No. 5:05-CV-219-TJW. United States District Court for the Eastern District of Texas, Texarkana Division, November 2009 and March 2010.

Expert Report in John Campbell v. The Talbots, Inc. *et al.*, Court of Chancery of the State of Delaware, C.A. No. 5199-VCS, February 2010.

Testimony on behalf of the California Department of Water Resources, Sempra Energy Resources vs. California Department of Water Resources, No. GIC 789291, before the Superior Court in the State of California, November 2009.

Rebuttal Testimony on behalf of National Grid, plc and Keyspan Corporation, Case 06-G-1185, State of New York Public Service Commission, March 7, 2007.

Expert Report and Testimony in Klamath Strategic Investment Fund, LLC v. United States of America, Civil Action No. 5:04-cv-00278-TJW (lead case). United States District Court for the Eastern District of Texas, Texarkana Division, May 2006 and October 2006.

Expert Report and Declaration in re National Westminster Bank PLC v. The United States. United States Court of Federal Claims, No. 95-758 T, March 4, 2005 and July 12, 2005.

Expert Report in re Enron Corp., et al. v. Nevada Power Company and Sierra Pacific Power Company. United States Bankruptcy Court, Southern District of New York, February 23, 2005.

Expert Report in re New York Mercantile Exchange, Inc. v. IntercontinentalExchange, Inc. United States District Court, Southern District of New York, August 2004.

Prepared Direct Testimony in re Enron Power Marketing, Inc. and Enron Energy Services, Inc., Docket No. EL03-180-000 *et al.* Federal Energy Regulatory Commission, February 27, 2004 and January 31, 2005.

Expert Report in Idacorp Energy L.P. v. Overton Power District No. 5., The District Court of the Fourth Judicial District of The State of Idaho, In and For The County of Ada, CV OC 0107870D, February 28, 2003.

Prepared Direct Testimony on behalf of New York State Electric & Gas, Case 01-E-0359, State of New York Public Service Commission, August 2, 2001 and September 12, 2001.

Affidavit prepared on behalf of Tennessee Gas Pipeline Company, Docket No. RP80-97-058, Federal Energy Regulatory Commission, February 28, 1988.

SANG H. GANG

Senior Principal Consultant & Project Manager

Sargent & Lundy Consulting Group

Education

- Electrical Engineering Graduate Work—University of Illinois at Urbana-Champaign—IL, USA—2006
- BS Electrical Engineering—University of Illinois at Urbana-Champaign—IL, USA—2003

Registrations

Professional Engineer (Illinois)

Proficiencies

- Power Supply Planning and Power Procurement Support
- Electric System Master Planning
- Electric Transmission Planning
- Integrated Resource Plans (IRPs)
- Electricity Markets – Capacity, Energy, and Ancillary Services
- Capital, O&M Costs, and Performance Estimates
- Power Project Development Support & Owner's Engineering Services
- Power Project Due Diligence & Lender's Advisory Services
- Renewable and Energy Storage Technologies
- Power Project Grid Interconnection
- Electrical System Analysis and Design

Responsibilities

As a Senior Principal Consultant and a Project Manager within Sargent & Lundy's Consulting Group, Mr. Gang leads Sargent & Lundy's recent utility planning projects including long-term power supply and transmission planning. Mr. Gang is also responsible for planning and managing a wide range of projects in the electric power industry. He provides support for project development, owner's engineering, technical due diligence, independent engineering, construction monitoring, condition assessment, and technical advisory services for coal, gas, nuclear, and renewable, grid modernization, and transmission projects throughout the world. He has significant expertise in the evaluation of technology, plant engineering and design, key project contracts, project economics, and performance records.

Mr. Gang is one of the Sargent & Lundy's subject matter specialists in battery energy storage, grid modernization, smart grid, and solar PV power technology. He has extensive experience with domestic and international utility-scale PV projects and a wide variety of PV technologies. His solar project expertise includes conceptual design, solar resource evaluation, energy yield assessment, probabilistic analysis, electrical design, reliability, O&M, project development, contracting strategy, and financial evaluation.

Sargent & Lundy Experience

Utility Planning and Advisory

PJM Interconnection | 2020

Collaborated with The Brattle Group to analyze the gross avoidable costs rates (ACRs) for several types of existing generation including single-unit nuclear, multi-unit nuclear, coal, gas-fired combined-cycle, gas-fired combustion turbines, onshore wind, utility-scale solar PV, and behind-the-meter diesel generators. Our analysis helped PJM implement the December 2019 FERC order to expand the application of its Minimum Offer Price Review (MOPR) in its forward capacity market.

Los Alamos National Laboratory | 2020

Performed detailed power flow study to support long-term T&D upgrade planning for the anticipated electrical power capacity increase at the client’s electrical distribution system. The study entailed steady state N-0 and N-1 contingency load flow analysis and N-1-1 transient stability analysis to identify violating conditions and propose optimal mitigating solutions.

Dominion Energy | 2020

Collaborated with The Brattle Group to assess the technical and economic attractiveness of energy storage deployment options in preparation of the 3.1-GW energy storage target by 2035 in Virginia. S&L performed technical assessment of various energy storage technology options beyond lithium-ion, their technology maturity, performance characteristics, current costs, and a range of scenarios around potential future cost decline rates.

Indianapolis Power & Light Company | 2019-2020

Prepared, managed, and reviewed the results of an all-source RFP to obtain new supply-side electric capacity resources. The work included the complete preparation of the RFP package, analysis and review of the proposed power purchase contracts, interfacing with bidders through the process, development of both qualitative and quantitative bid evaluation methodologies, administration support for the RFP process, bid evaluation from technical and economic perspectives, and bid negotiation.

Northern Indiana Public Service Company | 2019-2020

Preparing a business case report for NIPSCO to support the utility's filing to the Indiana Utility Regulatory Commission to address the replacement of aging T&D infrastructure and grid modernization investments over a seven-year period. S&L is also preparing project scoping documents and cost estimates while maintaining a detailed database of the projects to facilitate planning and regulatory filings.

PSEG Long Island | 2020

Assisting PSEG Long Island in their 2020 Energy Storage RFI and RFP process. S&L's scope includes preparation of RFI/RFP document, managing the entire RFI/RFP process, qualitative and quantitative bid evaluations, and support during project selection and contract negotiations.

Dominion Energy | 2019-2020

Supported development of battery energy storage pilot projects. Scope included review of potential project candidates, preparation of EPC technical specification, and review of EPC bids.

Confidential Clients

- 2019 | Supported a utility in their transmission planning by evaluating alternative generation and transmission solutions to mitigate areal overload conditions. Worked involved in detailed modeling and analysis using ISO grid model.
- 2018 | Performed engineering and economic evaluation of the client's electric power system with respect to a potential shutdown of a major generation asset. The engineering evaluation included reviews of the capital expenditure plans, fixed and variable O&M numbers, and various performance metrics such as availability, forced outages, and heat rates, which were all used as inputs to the economic model. The economic evaluation calculated breakdowns of various energy production costs such as market purchases/sales, fuel costs, variable O&M costs, and other fixed costs.

Arizona Electric Power Cooperative, Inc. (AEPCO) | 2019

Provided detailed capital cost, O&M cost, and performance estimates for different candidate resource types including simple cycle frame-type gas turbine, aeroderivative gas turbine, reciprocal internal combustion engine, and combined cycle gas turbine projects. Our deliverables were provided as input to the client's long-term resource planning.

Alberta Energy System Operator (AESO) | 2019

Provided technical and legal support to AESO related to its filing to the Alberta Utilities Commission on the design of the Alberta capacity market.

Lansing Board of Water and Light (BWL) | 2019

Supported the BWL Transmission and Distribution Engineering Department in development and completion of seven Asset Life Cycle Plan documents, which contain information regarding the characteristics, performance, condition, maintenance, modeling, and the proposed management plan.

Alberta Energy System Operator (AESO) | 2018

Worked with the Brattle Group to perform cost of new entry (CONE) study in preparation of AESO's inauguration of capacity market.

PJM Interconnection | 2017-2018

Worked with the Brattle Group to perform cost of new entry (CONE) study for review of PJM's Variable Resource Requirement (VRR) curve, which is an administratively determined representation of a demand curve for capacity used in the PJM Reliability pricing Model auction.

Sikeston Board of Municipal Utilities | 2017

Performed an evaluation of the costs and benefits of the client's existing interconnection configuration and alternative interconnection options.

United States Realty | 2013

US Steel Keystone Industrial Port Complex (KIPC)

- Performed high-level condition assessment and valuation of the 30-MW KIPC electrical distribution system and developed cost optimization plan.

Renewable and Energy Storage

Lincoln Clean Energy | 2019

Provided owner's engineering services to support conceptual layout design optimization, tracker technology selection, and EPC bid solicitation for the 400-MW 2W Permian Solar Project in Texas. Also provided owner's engineering services to support EPC bid solicitation for the 40-MW/40-MWh battery energy storage systems to be co-located with the Permian Solar Project.

Confidential Clients

- 2020 | Evaluated compliance of an 800+ MW offshore wind project with the interconnecting utility's reactive power requirements.
- 2020 | Performed a technical due diligence review of a 50-MW/200-MWh battery energy storage system in support of potential asset acquisition.
- 2020 | Prepared MISO interconnection application and supplemental technical requirements for

400-MW solar PV + 200-MW/800-MWh battery energy storage project..

- 2019 | Evaluated the impact of interconnecting the client's offshore wind project to the NYISO grid by performing System Reliability Impact Study.
- 2018 | Worked with NERA Economic Consulting to support a major offshore wind developer by performing competitor bid analyses for offshore wind auctions in New York and New Jersey. Sargent & Lundy's scope included evaluation of potential interconnection points and estimates of capital costs, O&M cost, and annual generation levels.
- 2018 | Owner's engineer for a new 100-MW solar PV project in Mexico. Supported EPC and O&M contract negotiations and preliminary site and technology evaluations.
- 2018 | Prepared CAISO interconnection applications and supplemental technical requirements for 100+ MW solar PV + battery energy storage projects.
- 2018 | Prepared MISO interconnection application and supplemental technical requirements for 100+ MW solar PV project.
- 2018 | Performed GIS-based site identification study for multiple small utility-scale solar PV projects throughout the state of Michigan.
- 2017 | Performed technical due diligence review of two 60-MW biomass projects in Georgia for potential asset acquisition.
- 2016 | Developed conceptual layout, preliminary electrical design, equipment selection, energy production, detailed capital cost estimates, and LCOE calculation for a 20-MW solar PV project being developed in conjunction with reciprocal engine project in central U.S.
- 2016 | Developed conceptual layout, energy production, capital cost estimates and expenditure schedule for 20-MW solar PV project being developed adjacent to existing coal-fired power plant in central U.S.
- 2016 | Performed market study and financial evaluation of adding a battery energy storage system to an existing wind project in the PJM region by assessing the new PJM capacity performance market to evaluate the battery system economics.
- 2016 | Performed technical and financial feasibility study of adding a battery energy storage system to the existing metropolitan railway system in San Francisco.

Inter-American Development Bank | 2015

Performed technical due diligence of a 100-MW single-axis tracking solar PV project in northern Chile.

Electric Power Research Institute (EPRI)

- Developed utility-scale performance and financial models of various PV technologies to update the EPRI Report, “Solar Energy Technology Guide - 3002001638.” (2014 & 2015)
- Developed utility-scale performance models of various PV technologies to update the EPRI Report, “Engineering and Economic Evaluation of Central-Station Solar Photovoltaic Power Plant.” (2013)

TerraForm Power | 2015

Performed technical due diligence to support asset acquisition of two 10-MW solar PV projects in Ontario, Canada.

International Finance Corporation

San Carlos Solar PV Projects

- 2015 | Performed operations monitoring of the three projects
- 2014 | Performed independent solar resource and energy yield assessments and technical due-diligence reviews of three solar PV projects—22-MW, 18-MW, and 22-MW—in the Philippines.

Overseas Private Investment Corporation

- 2015 | Content Solar PV Project
    - Performed pre-construction technical due diligence of a 22-MW solar PV project in Jamaica.
- 2015 | Real El Salvador Solar PV Project
    - Performed independent energy yield assessments to support financing of a portfolio of eight solar PV projects in El Salvador.
- 2014 | Confidential Wind Project
    - Performed Independent Engineering review of wind resource and energy yield assessment for a 50-MW wind project in Pakistan.
- 2013 | Confidential Solar PV Project
    - Performed Independent Engineering reviews of the solar resource, project financial projections, contract reviews, PV technology, independent design reviews, market pricing review, and O&M approach of a 3-MW solar PV project in Tanzania.

Macquarie Capital | 2013

Simon Solar PV Project

- Performed lender’s technical due diligence review of a 30-MW solar PV project in Georgia.

Standard Bank of South Africa

- 2013 | Beaufort West PV Project
    - Performed Independent Engineering review of projected energy yield model of a 60-MW solar PV project in South Africa.

- 2013 | MetroWind Project
  - Performed Independent Engineering review of construction progress of a 27-MW wind project in South Africa.

NextEra Energy Resources, LLC

- 2015 | Javelina Wind Project
  - Performed Independent Engineering balance-of-plant reviews of a 250-MW wind project in Texas.
- 2013 | Red River Portfolio
  - Performed Independent Engineering balance-of-plant reviews and compliance review of interconnection requirements of two commercially operating wind farms in Texas (255 MW total) to support re-financing.
- 2013 | Steele Flats Wind Projects

Performed Independent Engineering balance-of-plant reviews of a 75-MW wind project in Nebraska.

Gas and Coal Power

Confidential Clients

- 2020 | Performed feasibility study to renovate and modernize an existing gas fired CHP boilers to increase the electricity output and continue supplying process steams to the customer.
- 2020 | Supported preparation of an IPP bid for a 2300 MW and 100 MIGD project to provide electricity and water to the national utility in Qatar.
- 2019 | Performed technical advisory services to support development of 800-MW combined cycle power plant and 345-kV transmission line project, including solicitation supports for onshore/offshore site investigations contractor, Power Island OEM, power plant EPC contractor, and substation & transmission EPC contractor.
- 2018 | Performed technical due diligence reviews of 2x300-MW coal plant in operation and 2x660-MW coal plant under construction, in support of potential asset acquisition.
- 2017 | Performed technical due diligence reviews of 16 coal and gas fired power plants in Canada, U.S., and Australia, in support of potential asset acquisition.
- 2017 | Performed technical due diligence reviews of Norte-III combined-cycle power project in Mexico, in support of potential asset acquisition.
- 2016 | Performed technical due-diligence review of four-unit, 2,400-MW coal-fired power plant in U.A.E. for potential lenders.
- 2015 | Provided Owner's Engineering support for Independent Power Project (IPP) developer's bid to the Comisión Federal de Electricidad (CFE) for Noreste, Topolobampo-II, and Topolobampo-III

combined cycle power projects in Mexico.

- 2013 | Performed technical due-diligence review of a two-unit, 834-MW combined cycle power project in Israel for a potential lender.

Venture Global LNG | 2019

Calcasieu Pass LNG Export Facility

- Supported Venture Global LNG in performing various power system modeling and studies of the off-grid electrical system for an LNG liquefaction facility in Louisiana.

Fadhili Plant Cogeneration Company | 2018

Fadhili Combined Heat and Power Project

- Performed off-line audit of the Plant Accounting Settlement System and Fuel Demand Model as required by the Power Purchase Agreement (PPA) with one offtaker and Steam and Water Purchase Agreement (SWPA) with the other offtaker.

Dynegy | 2016

Project Manager for Independent Engineering review of four gas-fired combined cycle projects in the U.S.

GNPower Mariveles Coal Plant, Ltd. Co.

Mariveles Coal Power Station

- 2016 | Project Manager for new relay setting development and existing relay setting reconstitution.
- 2016 | Project Manager for the LP turbine blade failure assessment.
- 2016 | Project Manager for technical feasibility evaluation of new Generator Circuit Breaker addition and associated modifications to the plant auxiliary electrical distribution system.

Sithe Global | 2015–2016

Mariveles Coal Power Station

- Reviewed major plant remediation program and performed independent engineering review of the two-unit, 300-MW coal-fired power plant in the Philippines for the major equity shareholder of the plant.

Shamal Az-Zour Al-Oula K.S.C. | 2016

Az-Zour North (AZN) Phase 1 Independent Water and Power Project

- Project Manager for on-line audit of the Plant Accounting Settlement System and Fuel Demand Model.

Mirfa International Power & Water Company | 2015–2016

Mirfa Independent Water and Power Project

- Project Manager for off-line audit of the Plant Accounting Settlement System, Fuel Demand Model, and Outage Mode Model.

Venture Global LNG | 2015–2016

Calcasieu Pass LNG Export Facility

- Supported Venture Global LNG as Owner's Engineer in technical feasibility studies such as the transient stability analysis of the off-grid electrical system for an LNG liquefaction facility in Louisiana.

Siddiqsons Energy | 2015

Performed feasibility study and prepared technical specifications for developing a 350 MW supercritical coal-fired power plant in Karachi, Pakistan.

SK Engineering & Construction (SK E&C) | 2014

Jangmoon Combined-Cycle Power Plant

- Provided technical advisory services to support SK E&C in the review of basic engineering of the two-unit, 2x2x1, 1,820-MW combined cycle power project in South Korea.

Korea Sothern Power Company (KOSPO) | 2014

Kelar Combined-Cycle Power Plant

- Supported KOSPO as Owner's Engineer in the engineering design review of the 2x2x1, 517-MW combined cycle power project in Chile.

Hyundai Heavy Industries (HHI) | 2013–2014

Jeddah South Thermal Power Plant Stage 1

- Provided technical advisory services to support HHI in the basic engineering, detailed engineering, and start-up and commissioning of the four-unit, 2,640-MW supercritical oil-fired thermal power project in Saudi Arabia.

Nuclear Power

Korea Hydro & Nuclear Power (KHNP) | 2016–2019

Project Manager for classroom training program consisting of 20 different technical subject courses in nuclear power plant design and analysis. Each course was offered over 4–8-week durations in the Sargent & Lundy's Chicago office.

KEPCO International Nuclear Graduate School | 2018

Project Manager for one-week long classroom training program about Root Cause Analysis (RCA) and Probabilistic Risk Analysis (PRA).

Dynegy | 2017

Performed due-diligence review of the Comanche Peak Nuclear Power Plant, focusing on identifying any material or major issues associated with the plant and operations that could have a significant cost impact.

Hyundai Engineering Co. (HEC) | 2016

Project Manager for technical advisory services and training program in nuclear power plant steam generator replacement.

Emirates Nuclear Energy Corporation | 2014

Barakah Nuclear Power Plant Units 1 & 2

- Performed electrical review of selected safety-related plant systems against licensing basis as part of the Independent Design Review of Barakah Nuclear Plant Units 1 & 2 engineering design.

Tennessee Valley Authority (TVA), Browns Ferry Nuclear Plant

- 2009–2013 | Emergency Diesel Generator Governor Upgrade
- 2012–2013 | NFPA-805: EECW System Circuit Modification
- 2012 | NFPA-805: Emergency Diesel Generator Protective Relay Circuit Modification
- 2012 | LPCI MG Set Abandonment
- 2010–2011 | Service Building Transformer Replacement
- 2010–2012 | Generator Voltage Regulator Replacement
- 2008–2012 | Low Voltage Circuit Breakers Replacement
- 2008–2012 Emergency Diesel Generator Turbocharger Lube Oil System Modification

Testimony and Regulatory Filings

- Before the Alberta Utilities Commission, Proceeding No. 23757, Alberta Electric System Operator (AESO) Application for Approval of the First Set of ISO Rules to Establish and Operate the Capacity Market, Participated in the hearing as a member of the AESO's witness panel on May 1-3, 2019.
- Before the Federal Energy Regulatory Commission, Docket No. ER19-105-000, Answering Affidavit of Samuel A. Newell, John M. Hagerty, and Sang H. Gang on behalf of PJM Interconnection, L.L.C, regarding Cost of New Entry Parameters, December 14, 2018, Attachment B to Answer of PJM Interconnection, L.L.C. to Protests and Comments, December 17, 2018.
- Before the Federal Energy Regulatory Commission, Docket No. ER19-105-000, Periodic Review of Variable Resource Requirement Curve Shape and Key Parameters, "Affidavit of Samuel A. Newell, John H. Hagerty, and Sang H. Gang on Behalf of PJM Interconnection, L.L.C." regarding the Cost of New Entry, accompanied by report, *PJM Cost of New Entry Combustion Turbines and Combined-Cycle Plants with June 1, 2022 Online Date*, October 12, 2018.

Languages

- Korean (Fluent)

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PJM Interconnection, L.L.C.	)))	**Docket Nos. EL19-58** **ER19-1486**

VERIFICATION

Samuel A. Newell, being first duly sworn, deposes and states that he is the Samuel A. Newell referred to in the foregoing document entitled "Affidavit of Samuel A. Newell, James A. Read, Jr., and Sang H. Gang on Behalf of PJM Interconnection, L.L.C." has read the same and is familiar with the contents thereof, and that the facts set forth therein are true and correct to the best of his knowledge, information, and belief.

Subscribed and sworn to before me, the undersigned notary public, on August 4, 2020.

VIRGINIA QUINN RUNDELL
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES 2/17/2023

Notary Public

My Commission expires: 2/17/2023

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PJM Interconnection, L.L.C.	)))	**Docket Nos. EL19-58** **ER19-1486**

VERIFICATION

James A. Read, Jr., being first duly sworn, deposes and states that he is the James A. Read, Jr. referred to in the foregoing document entitled "Affidavit of Samuel A. Newell, James A. Read, Jr., and Sang H. Gang on Behalf of PJM Interconnection, L.L.C." has read the same and is familiar with the contents thereof, and that the facts set forth therein are true and correct to the best of his knowledge, information, and belief.

Subscribed and sworn to before me, the undersigned notary public, on 8/5 2020.

Notary Public

My Commission expires: 1/31/2021

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

	)	
PJM Interconnection, L.L.C.	)	**Docket Nos. EL19-58**
	)	**ER19-1486**

VERIFICATION

Sang H. Gang, being first duly sworn, deposes and states that he is the Sang H. Gang referred to in the foregoing document entitled "Affidavit of Samuel A. Newell, James A. Read, Jr., and Sang H. Gang on Behalf of PJM Interconnection, L.L.C." has read the same and is familiar with the contents thereof, and that the facts set forth therein are true and correct to the best of his knowledge, information, and belief.

Subscribed and sworn to before me, the undersigned notary public, on Aug. 4 2020.

OFFICIAL SEAL
BRENDA CAMPBELL
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/27/23

Notary Public

My Commission expires: 08/27/23