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September 29, 2023

Via eTariff Filing

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Effective Date of PJM Transmission Owners' Tariff Revisions to Conform to
Effective Date of PJM's Interconnection Queue Tariff Reforms
Docket No. ER22-2114-001

Dear Secretary Bose:

Pursuant to Part 35 of the Federal Energy Regulatory Commission's ("Commission") regulations¹ and Section 9.1(a) of the PJM Interconnection, L.L.C. ("PJM") Open Access Transmission Tariff ("PJM Tariff"), the PJM Transmission Owners,² acting through the PJM Consolidated Transmission Owners Agreement ("CTOA"), notify the Commission that Part VIII, Subpart 1, section 436 of the PJM Tariff will become effective on October 5, 2023.³

I. BACKGROUND

In 2021, in Docket No. ER21-2282, the PJM Transmission Owners submitted proposed revisions to the PJM Tariff to provide them with the ability to elect to fund Network Upgrades associated with the interconnection of new generation resources and to earn a return of and a return on the costs of those upgrades. The Commission accepted and suspended the filing

¹ 18 C.F.R. Part 35.

² Capitalized terms used herein, that are not otherwise defined herein, shall have the meaning provided in the PJM Tariff, CTOA, or Amended and Restated Operating Agreement of PJM Interconnection, L.L.C.

³ Pursuant to Order No. 714, this filing is submitted by PJM on behalf of the PJM Transmission Owners as part of an XML filing package that conforms with the Commission's regulations. PJM has agreed to make all filings on behalf of the PJM Transmission Owners in order to retain administrative control over the PJM Tariff. Thus, the PJM Transmission Owners have requested PJM submit this Filing in the eTariff system as part of PJM's electronic Intra PJM Tariff.

effective February 1, 2022 subject to the outcome of a paper hearing process.⁴ On June 14, 2022, PJM proposed a comprehensive package of reforms to the PJM interconnection process contained in the PJM Tariff, including new Parts VII, VIII (covering New Rules), and IX.⁵ The proposed changes necessitated conforming changes to the tariff provisions governing the PJM Transmission Owners' ability to elect to fund Network Upgrades. The PJM Transmission Owners proposed those conforming changes through a filing in this docket on June 14, 2022.⁶

In conformance with the effective dates PJM requested, the PJM Transmission Owners requested an effective date of January 3, 2023 for the proposed revisions to Parts VII and IX and 12/31/9998 as to Part VIII. The Commission later accepted PJM's revisions subject to condition.⁷ The Commission also accepted and suspended the PJM Transmission Owners' conforming revisions, with the Part VIII revisions to be effective 12/31/9998 as requested, subject to refund and the outcome of the Docket No. ER21-2282 proceeding.⁸

On September 5, 2023, PJM notified the Commission that Part VIII will become effective as of October 5, 2023.⁹

II. THIS FILING

To conform to PJM's effective date—and as anticipated by the PJM Transmission Owners' June 2022 Filing and recognized in the December 2022 Order—the PJM Transmission Owners request to change the requested effective date for the proposed Tariff revisions to Part VIII from “12/31/9998” to October 5, 2023.

Pursuant to 18 C.F.R. § 35.17(d), there is good cause for the Commission to accept this effective date in conformance with PJM's effective date.¹⁰ The PJM Transmission Owners notified parties in their original filing that they intended their conforming revisions to Part VIII to have the same effective date of the changes proposed by PJM.¹¹ Allowing these revisions to have the same effective date as PJM's effective date will allow the PJM Transmission Owners'

⁴ *PPL Electric Utilities Corp.*, 177 FERC ¶ 61,123 (2021).

⁵ *PJM Interconnection, L.L.C.*, Tariff Revisions for Interconnection Process Reform, Request for Commission Action by October 3, 2022, and Request for 30-Day Comment Period, Docket No. ER22-2110-000 (June 14, 2022).

⁶ *PPL Electric Utilities*, PJM Transmission Owners' Tariff Revisions to Conform to PJM's Proposed Interconnection Queue Tariff Reforms, Docket No. ER22-2114-000 (June 14, 2022) (“June 2022 Filing”).

⁷ *PJM Interconnection, L.L.C.*, 181 FERC ¶ 61,162 (2022), *order on reh'g*, 184 FERC ¶ 61,006 (2023).

⁸ *PPL Electric Utilities*, 181 FERC ¶ 61,245 (2022) (“December 2022 Order”).

⁹ *PJM Interconnection, L.L.C.*, Compliance Filing Notifying Commission of Tariff Part VIII Effective Date, Docket No. ER22-2110-004 (September 5, 2023).

¹⁰ 18 C.F.R. § 35.17(d).

¹¹ *PPL Electric Utilities*, PJM Transmission Owners' Tariff Revisions to Conform to PJM's Proposed Interconnection Queue Tariff Reforms, Docket No. ER22-2114-000 (June 14, 2022).

revisions to conform to the corresponding revisions of PJM to its interconnection process. Aligning the effective date of the PJM revisions and the PJM Transmission Owners' proposed revisions is the most reasonable and efficient manner of incorporating both sets of changes. Misaligned dates could jeopardize the objectives of both sets of revisions. The Commission has previously found good cause to allow revisions to suspended tariffs under § 35.17(d) where it found separate tariff revisions "should have the same effective date" in order "to avoid inconsistencies between" the tariffs.¹² Because the PJM Transmission Owners have given clear notice of their intent to align those dates, no party will be prejudiced by the requested effective date and there is good cause to grant the request.¹³ The PJM Transmission Owners also do not propose to change rates, terms or conditions of service under the previously accepted provision of the PJM Tariff that are affected by this filing.¹⁴

The PJM Transmission Owners request the Commission grant any and all waivers of its rules and regulations as necessary for the Commission to accept the effective date proposed by the PJM Transmission Owners for revisions to the PJM Tariff, specifically including but not limited to 18 C.F.R. § 35.3(a)(1).¹⁵

III. SERVICE

PJM has served a copy of this filing on all PJM Members and on all state utility regulatory commissions in the PJM Region by posting this filing electronically. In accordance with the Commission's regulations,¹⁶ PJM will post a copy of this filing to the FERC filings section of its internet site, located at the following link: <https://pjm.com/library/filing-order.aspx> with a specific link to the newly-filed document, and will send an e-mail on the same date as this filing to all PJM Members and all state utility regulatory commissions in the PJM Region alerting them 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 24 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.asp> in accordance with the Commission's regulations

¹² *Cal. Indep. Sys. Operator Corp.*, 114 FERC ¶ 61,199, at P 18 (2006).

¹³ *See Pac. Gas & Elec. Co.*, 49 FERC ¶ 61,115, at p. 61,491 (1989) (addressing now § 35.17(d) but what was then subsection (b)).

¹⁴ To implement this filing, the PJM Transmission Owners are revising the metadata for Tariff, Part VIII, section 436 to change the effective date from December 31, 9998 to October 5, 2023. The PJM Transmission Owners are not submitting clean or marked versions of the Tariff because the relevant Tariff provisions have not been changed since they were accepted by the Commission by the December 2022 Order.

¹⁵ The PJM Transmission Owners request a waiver of any applicable requirement of Part 35 for which a waiver is not specifically requested, if necessary, in order to permit this filing to become effective as proposed.

¹⁶ 18 C.F.R. §§ 35.2(e), 385.2010(f)(3).

and Order No. 714.

IV. CONCLUSION

For the reasons set forth above, the PJM Transmission Owners request that the Commission accept the proposed effective date.

Respectfully submitted,
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists compiled by the Secretary in this proceeding and in ER21-2282.

Dated: September 29, 2023

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