



PJM Interconnection, L.L.C.  
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July 6, 2018

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 No. ER18-1905-001*  
*Amendment to Pending Filing –*  
*Governing Document Standard Naming Convention and Formatting Revisions*

Dear Secretary Bose:

On June 29, 2018, PJM Interconnection, L.L.C. (“PJM”) filed with the Federal Energy Regulatory Commission (“Commission”) in the above docket numerous non-substantive, clerical and ministerial revisions to correct, clarify and/or make consistent certain provisions contained within, *inter alia*, the PJM Open Access Transmission Tariff (“Tariff”).<sup>1</sup> The June 29 Filing is currently pending before the Commission.

PJM submits this amendment to the June 29 Filing to replace the following tariff sheets with the currently-accepted tariff sheets that were inadvertently included in the June 29 Filing: Tariff, Part I, sections 9.1, 9.2, 9.3, 9.4 and Schedule 12-Appendix B.<sup>2</sup>

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<sup>1</sup> *PJM Interconnection, L.L.C., Governing Document Standard Naming Convention and Formatting Revisions*, Docket No. ER18-1905-000 (June 29, 2018) (“June 29 Filing”).

<sup>2</sup> Tariff, Part I, sections 9.1 and 9.3 were accepted in Docket No. ER11-4576-000 (Oct. 31, 2011); Tariff, Part I, sections 9.2 and 9.4 were accepted in Docket No. ER10-2710-000 (Dec. 20, 2010); and Schedule 12- Appendix B was accepted in Docket No. ER13-90-002 (Jan. 22, 2015). A clean version of these currently-accepted and effective sections are enclosed with this transmittal letter as Attachment A.

## **I. DESCRIPTION OF FILING**

In the June 29 Filing, PJM inadvertently included revisions to Tariff, Part I, sections 9.1, 9.2, 9.3, 9.4<sup>3</sup> and Schedule 12-Appendix B<sup>4</sup> as:

- Revisions to Tariff, sections 9.1 through 9.4 require written amendment by PJM and the PJM Transmission Owners with the Transmission Owners acting by vote in accordance with the Consolidated Transmission Owners Agreement, section 8.5.1; and
- Revisions to Tariff, Schedule 12-Appendix B are within the Transmission Owners' exclusive and unilateral Federal Power Act, section 205 filing rights pursuant to the Consolidated Transmission Owners Agreement, section 7.3.4.

Accordingly, PJM is submitting this amendment to the June 29 Filing to replace Tariff, Part I, sections 9.1, 9.2, 9.3, 9.4 and Schedule 12-Appendix B with the currently-accepted tariff sheets pending further review and approval by the PJM Transmission Owners.

## **II. WAIVER AND EFFECTIVE DATE**

PJM requests that the Commission grant an effective date of November 19, 2011 for Tariff, Part I, sections 9.1 and 9.3, September 17, 2010 for Tariff, Part I, sections 9.2 and 9.4, and February 1, 2013 for Schedule 12 – Appendix B, which is consistent with the effective date of the currently-accepted tariff sheets. PJM requests that the Commission grant any and all waivers of the Commission's rules and regulations necessary for acceptance of this filing and the requested effective date.

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<sup>3</sup> Tariff, sections 9.1, 9.2, 9.3 and 9.4 are governed by the terms of the Settlement Agreement accepted by Commission order dated December 18, 2003. *See Pennsylvania-New Jersey-Maryland Interconnection*, 105 FERC ¶ 61,294 (Dec. 18, 2003).

<sup>4</sup> Acting through the Consolidated Transmission Owners Agreement, Schedule 12-Appendix B was filed by the PJM Transmission Owners in compliance with the Commission's March 22, 2013 Order to address the consequences for other transmission planning regions of a transmission facility selected in the PJM regional transmission plan for purposes of cost allocation. *See Consolidated Transmission Owners Agreement*, section 7.3.4.


### III. SERVICE

PJM has served a copy of this filing on all PJM Members on all state utility regulatory commissions in the PJM Region by posting this filing electronically. In accordance with the Commission's regulations,<sup>5</sup> 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 e-mail on the same date as this filing to all PJM Members and all state utility regulatory commissions in the PJM Region<sup>6</sup> 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 FERC's eLibrary website located at the following link: <http://www.ferc.gov/docs-filing/elibrary.asp> in accordance with the Commission's regulations and Order No. 714.

Respectfully submitted,

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<sup>5</sup> See 18C.F.R §§ 35.2(e) and 385.2010(f)(3) (2018).

<sup>6</sup> PJM already maintains, updates and regularly uses e-mail lists for all PJM Members and affected state commissions.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document on those parties on the official Service List compiled by the Secretary in these proceedings.

Dated at Audubon, Pennsylvania this 6<sup>th</sup> day of July, 2018.

A handwritten signature in black ink, appearing to read 'Pauline Foley', is written over a horizontal line.

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# Attachment A

Revisions to the  
PJM Tariff

(Clean Format)

## **9.1 Rights of the Transmission Owners:**

(a) The Transmission Owners shall have the exclusive and unilateral rights to file pursuant to Section 205 of the Federal Power Act and the FERC's rules and regulations thereunder for any changes in or relating to the establishment and recovery of the Transmission Owners' transmission revenue requirements or the transmission rate design under the PJM Tariff, and such filing rights shall also encompass any provisions of the PJM Tariff governing the recovery of transmission-related costs incurred by the Transmission Owners. Nothing herein is intended to limit or change the right of individual Transmission Owners under Section 2.2.1 of the PJM Tariff to make their own Section 205 filings to change the transmission revenue requirement within their own zones, including the right of individual Transmission Owners to file for zonal transmission revenue requirements based on incentive or performance factors. The Transmission Owners may only file under Section 205 to change the transmission rate design for the PJM Region pursuant to a filing approved in accordance with Section 8.5.1 of the Consolidated Transmission Owners Agreement.

(b) If the Transmission Owners agree upon a change in accordance with Section 9.1(a), the Transmission Owners shall make such filing jointly pursuant to Section 205 of the Federal Power Act. For purposes of administrative convenience, at the request of the Transmission Owners, the Office of Interconnection may, but shall not be required to, make the Section 205 filing with the FERC on behalf of the Transmission Owners; provided that any such filing by the Office of Interconnection shall be deemed for all purposes under the Federal Power Act to be a filing of the Transmission Owners. The Transmission Owners shall consult with PJM and the PJM Members Committee beginning no less than thirty (30) days prior to any Section 205 filing hereunder, but neither PJM (except as provided for in Section 9.3) nor the PJM Members Committee shall have any rights to veto or delay the Transmission Owners' Section 205 filing hereunder; provided that the Transmission Owners may file with less than a full 30 day advance consultation in circumstances where imminent harm to system reliability or imminent severe economic harm to electric consumers requires a prompt Section 205 filing; provided further that the Transmission Owners shall provide as much advance notice and consultation with PJM and the PJM Members Committee as is practicable in such circumstances and no such filing shall be made with less than 24 hours' advance notice.

(c) Nothing herein is intended to limit the rights of the Transmission Owners, PJM or any other person to oppose such a Section 205 filing pursuant to Section 206 or any other applicable provision of the Federal Power Act.

(d) In accordance with Section 9.1(a), the following provisions of the PJM Tariff and any successors thereto shall be within the Transmission Owners' exclusive and unilateral rights to make Section 205 filings: Section 34; Schedule 1A; Schedule 7 (except as to transmission congestion charges under Attachment K to the PJM Tariff or any successor thereto); Schedule 8 (except as to transmission congestion charges under Attachment K to the PJM Tariff or any successor thereto); Schedule 11; Schedule 12; Attachment H-A; Attachment J; and Attachment R, provided, however, that if a filing pursuant to Section 205 is required to effect a change in any of the foregoing provisions of the PJM Tariff solely by reason of a filing by an individual Transmission Owner pursuant to Section 9.1(e), PJM may make such filing if, (i) five business

days prior to making such filing, PJM provides the Transmission Owners with each proposed change including an explanation thereof and (ii) no Transmission Owner notifies PJM that it objects to PJM making such filing.

(e) In accordance with Section 9.1(a), the following provisions of the PJM Tariff and any successors thereto shall be within the exclusive and unilateral rights to make Section 205 filings of the individual Transmission Owner to which the provisions apply: (i) Attachment H (other than Attachment H-A) (except as to transmission congestion charges under Attachment K to the PJM Tariff or any successor thereto); (ii) Attachment M-1 (First Energy); (iii) Attachment M-2 (First Energy); (iv) Procedures for Load Determination (PSE&G); (v) Procedures for Determination of Peak Load Contributions and Hourly Load Obligations for Retail Customers (Atlantic City); and (vi) Procedures for Determination of Peak Load Contributions and Hourly Load Obligations for Retail Customers (Delmarva).

(f) The listing of provisions in Sections (d) and (e) above is not exclusive, and the failure to specify a provision of the PJM Tariff in Section 9.1(d) or (e) shall not be deemed to be an admission or agreement by the Transmission Owners that such provision or any change thereto does not relate to the establishment and recovery of the Transmission Owners' transmission revenue requirements or the transmission rate design under the PJM Tariff, or encompass any provisions of the PJM Tariff governing the recovery of transmission-related costs incurred by the Transmission Owners. The Transmission Owners reserve their rights to assert that other provisions of the PJM OATT should be included within their Section 205 rights, and PJM reserves its rights to contest such assertions.

(g) The Transmission Owners' Section 205 rights shall include the unilateral right to file for incentive and performance based rates that affect or relate to the establishment or recovery of transmission revenue requirements, transmission rate design, or any performance or incentive based rates in which the incentives to the Transmission Owners may be measured by savings or efficiencies in the power or ancillary services markets resulting from the construction, operation or maintenance of transmission facilities. Nothing in this Tariff is intended to limit PJM's right to make Section 205 filings to establish incentive or performance based rates applicable to market participants, provided that PJM must obtain the prior approval of the Transmission Owners (pursuant to Section 8.5.1 of the Consolidated Transmission Owners Agreement) for any portion of such a filing that reasonably could be expected to affect the establishment and recovery of the Transmission Owners' transmission revenue requirements, transmission rate design or recovery of transmission-related costs by the Transmission Owners.

(h) Nothing contained in the Tariff, any Service Agreement or any Network Operating Agreement shall be construed as affecting in any way the exclusive and unilateral right of the Transmission Owners to make application to the Federal Energy Regulatory Commission for any change in accordance with this Section 9.1 under Section 205 of the Federal Power Act and pursuant to the Commission's Rules and Regulations promulgated thereunder.

## **9.2 Rights of the Transmission Provider:**

(a) PJM shall have the exclusive and unilateral right to file pursuant to Section 205 of the Federal Power Act and the FERC's rules and regulations thereunder to make changes in or relating to the terms and conditions of the PJM Tariff (including but not limited to provisions relating to creditworthiness, billing, and defaults) as well as all charges for recovery of PJM costs. PJM shall not have any Section 205 filing rights with respect to the subject matters described in the first sentence of Section 9.1(a) of this Tariff. PJM shall not have any Section 205 filing rights with respect to the provisions of the PJM Tariff listed in Section 9.1(d) and (e). Notwithstanding the foregoing, PJM shall have Section 205 filing rights to make changes in the PJM Tariff in order to address the Behind The Meter Generation netting rules in accordance with the settlement in FERC Docket No EL05-127-000 approved by the FERC on December 16, 2005, 113 FERC ¶ 61,279.

(b) PJM shall consult with the Transmission Owners and the PJM Members Committee beginning no less than seven (7) days in advance of any Section 205 filing under Section 9.2(a), but neither the Transmission Owners, except as provided for in Section 9.3, nor the PJM Members Committee shall have any right to veto or delay any such Section 205 filing. PJM may file with less than a full 7 day advance consultation in circumstances where imminent harm to system reliability or imminent severe economic harm to electric consumers requires a prompt Section 205 filing; provided that PJM shall provide as much advance notice and consultation with the Transmission Owners and the PJM Members Committee as is practicable in such circumstances, and no such emergency filing shall be made with less than 24 hours advance notice.

(c) Nothing herein is intended to limit the rights of any Party or other person to oppose such a Section 205 filing pursuant to Section 206 or any other applicable provision of the Federal Power Act or to limit the right of any Party or other person to make filings under Section 206 of the Federal Power Act.

(d) To the extent that PJM desires to add a provision to this Tariff, or to change an existing provision hereof, in accordance with its rights under Section 9.2(a), the Transmission Owners shall have unilateral and exclusive rights to make Section 205 filings with respect to any matters covered by such new or changed provisions relating to the establishment and recovery of the Transmission Owners' transmission revenue requirements, transmission rate design under the PJM Tariff, or any provisions governing the recovery of transmission-related costs incurred by the Transmission Owners. Prior to making any Section 205 filing covered by Section 9.2(a) that also relates to or affects the establishment and recovery of the Transmission Owners' transmission revenue requirements, the transmission rate design under the PJM Tariff, or any provisions governing the recovery of transmission-related costs incurred by the Transmission Owners, PJM shall provide no less than 45 days notice to the Transmission Owners of the intended filing in sufficient detail to provide them a reasonable opportunity to include appropriate provisions in the PJM Tariff governing these subjects, either through a Section 205 filing by the Transmission Owners pursuant to Section 9.1(a) or approval by the Transmission Owners of the PJM proposal pursuant to Section 8.5.1 of the Consolidated Transmission Owners Agreement.



(e) PJM shall be required to maintain in effect at all times provisions relating to the creditworthiness of all customers under this Tariff that are designed to provide reasonable assurances to the Transmission Owners, consistent with FERC orders and policies applicable to open access transmission services, that such customers will be able to pay for transmission services purchased hereunder. If at any time PJM intends to make a Section 205 filing to change the creditworthiness provisions of this Tariff, it shall provide no less than 30 days advance notice to, and consult with, the Transmission Owners and the PJM Members Committee. In the case of an emergency requiring immediate action, PJM shall not be required to provide 30 days advance notice but shall provide as much advance notice as is practicable in the circumstances, and in no circumstances may PJM make an emergency Section 205 filing without providing at least 24 hours advance notice to the Transmission Owners. PJM shall further maintain at all times in the tariffs under which it recovers its costs comparable provisions, if any, for sharing among PJM members and/or transmission customers any shortfalls in the recovery of its own and the Transmission Owners' costs due to defaults.

### **9.3 Disputes Regarding Filing Rights:**

If at the time that a proposal to change or amend any part of the PJM Tariff, or to add any new provision, is submitted to PJM or the Transmission Owners for consultation pursuant to Section 9.1(b) or 9.2(b), a dispute arises as to which Party has Section 205 rights to make such filing, the following procedures shall apply:

- (i) The Consolidated Transmission Owners Agreement Administrative Committee and PJM shall meet promptly prior to the filing in order to resolve the dispute. Such resolution may include a joint Section 205 filing by the Transmission Owners and PJM.
- (ii) If the Transmission Owners propose to make the Section 205 filing, they shall defer such filing beyond the thirty (30) day notice and consultation period provided for in Section 9.1(b) for up to ten (10) additional days at the request of PJM to allow the dispute to be resolved.
- (iii) If PJM proposes to make the Section 205 filing it shall defer any filing beyond the seven (7) day notice and consultation period provided for in Section 9.2(b) for up to ten (10) additional days to allow the dispute to be resolved;
- (iv) In order to resolve a dispute, the agreement of the Transmission Owners must be obtained by vote in accordance with Section 8.5.1 of the Consolidated Transmission Owners Agreement;
- (v) If the Parties are unable to reach agreement among themselves, the matter shall be presented to and resolved by a Neutral Party chosen as follows and, except as provided in this Section 9.3(v), such resolution shall be binding on the Parties: The Chairman of the Consolidated Transmission Owners Agreement Administrative Committee (or his/her designee) and an executive of PJM chosen by the President shall choose the Neutral Party and shall have authority to enter into an agreement that will make the Neutral Party available on a prompt basis to resolve disputes hereunder, and any costs associated with the Neutral Party shall be shared equally between the Transmission Owners and PJM. The Chairman of the Consolidated Transmission Owners Agreement Administrative Committee (or his/her designee) and an executive of PJM chosen by the President may replace the Neutral Party at any time they mutually deem such action to be appropriate or necessary. The decision of the Neutral Party as to which Parties have Section 205 rights hereunder shall be made within the period provided for consultation between the Transmission Owners and PJM as set forth in Sections 9.3(ii) or 9.2(iii), as applicable. Interested parties (including the Parties) may file a complaint seeking review by the FERC of the Neutral Party's decision, and the FERC's authority to interpret which Parties have Section 205 rights shall not be limited by the Neutral Party's decision as it relates to these disputes.
- (vi) Nothing in this Section 9.3 is intended to limit the Parties' rights to make filings pursuant to Section 206 of the Federal Power Act prior to resolution of such dispute.

#### **9.4 Mobile Sierra:**

Sections 9.1 through 9.4 of this Tariff shall be subject to change solely by written amendment executed by PJM and the Transmission Owners, with the Transmission Owners acting by vote in accordance with Section 8.5.1 of the Consolidated Transmission Owners Agreement. It is the intent of this Section 9.4 that the FERC's right to change Sections 9.1 through 9.4 shall be limited to the maximum extent permissible by law and that any such change shall be in accordance with the Mobile-Sierra public interest standard applicable to fixed rate agreements.

## **SCHEDULE 12 – APPENDIX B**

### **Joint Planning Or Coordination Agreements Between PJM And Other Regions Or Transmission Planning Authorities**

1. Coordinated System Plan periodically developed pursuant to the Joint Operating Agreement Between the Midwest Independent Transmission System Operator, Inc. and PJM Interconnection, L.L.C.
2. Joint Operating Agreement Among and Between New York Independent System Operator Inc. and PJM Interconnection, L.L.C. and The Amended and Restated Northeastern ISO/RTO Planning Coordination Protocol.
3. Interregional transmission coordination between Southeastern Regional Transmission Planning region participants and PJM pursuant to Schedule 6-A of the Operating Agreement and Schedule 12-B of the Tariff and the corresponding provisions of the tariffs of the jurisdictional Southeastern Regional Transmission Planning region participants.