



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

Daniel Vinnik
Counsel
T: (267)-858-9451
Daniel.Vinnik@pjm.com

July 21, 2023

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426-0001

*Re: PJM Interconnection, L.L.C., Docket No. ER23-2465-000
Ministerial Cleanup Filing for Tariff, Attachment DD, section 5.14*

Dear Secretary Bose:

Pursuant to Section 205 of the Federal Power Act, 16 U.S.C. § 824d (2000), and the Federal Energy Regulatory Commission's ("Commission") Regulations,¹ PJM Interconnection, L.L.C. ("PJM") hereby submits this ministerial cleanup filing to ensure that the PJM Open Access Transmission Tariff ("Tariff"), Attachment DD, section 5.14 correctly reflects the Commission's previously accepted language. As further explained below, the proposed revisions in this filing serve to correct clerical omissions made in Docket No. ER23-1700-000 where PJM filed updates to the default values in Tariff, Attachment DD, section 5.14 and inadvertently excluded all of the other subsections therein.² This filing simply seeks to reinstate those other subsection that were inadvertently omitted.³

¹ 18 C.F.R. Part 35 (2011).

² *PJM Interconnection, L.L.C.*, Proposed Updates to the Default Gross Cost of New Entry and Default Gross Avoidable Cost Rate for the Minimum Offer Price Rule, Docket No ER23-1700-000 (April 24, 2023).

³ For the purpose of this filing, capitalized terms not defined herein shall have the meaning as contained in the PJM Open Access Transmission Tariff, Amended and Restated Operating Agreement of PJM Interconnection, L.L.C., or the Reliability Assurance Agreement Among Load Serving Entities in the PJM Region.

PJM requests that the Commission issue its order accepting the enclosed revisions by no later than September 19, 2023, sixty (60) days from the date of this filing, with an effective date of September 20, 2023, for the proposed revisions.

I. BACKGROUND

On April 24, 2023, PJM filed revisions to the Tariff to update default values in Docket No. ER23-1700-000 in accordance with a Tariff requirement for PJM to review every default Cost of New Entry (“CONE”) and default Avoidable Cost Rate (“ACR”) values every fourth Delivery Year beginning with the 2022/2023 Delivery Year.⁴ When that filing was made, PJM inadvertently excluded all of the other subsections in the marked and clean Tariff attachments for Tariff, Attachment DD, section 5.14, thereby causing the deletion of those previously Commission accepted subsections.

II. PJM PROPOSES TO CORRECT CLERICAL ERRORS RESULTING FROM ITS FILING IN DOCKET NO. ER23-1700-000 BY REINSERTING MISSING SUBSECTIONS IN ATTACHMENT DD, SECTION 5.14 OF THE TARIFF

PJM’s filing in Docket No. ER23-1700-000 inadvertently caused the removal of all subsections except for 5.14(h-2)(3) from Tariff, Attachment DD, section 5.14 (eTariff Version No. 36.0.0). PJM now proposes to correct this clerical error by reinserting those missing subsections into the Tariff, reverting those sections to their last approved state as found in Docket No. ER23-1265-000 (eTariff Version No. 35.0.0).⁵

⁴ *PJM Interconnection, L.L.C.*, Proposed Updates to the Default Gross Cost of New Entry and Default Gross Avoidable Cost Rate for the Minimum Offer Price Rule, Docket No ER23-1700-000 (Apr. 24, 2023); *see* Tariff, Attachment DD, section 5.14(h-2)(3).

⁵ *PJM Interconnection, L.L.C.*, Revisions to the OATT, OA and RAA re: GDECS Phase, Docket No ER23-1265-000 (March 8, 2023).

III. DESCRIPTION OF SUBMITTAL

This filing consists of the following:

1. This transmittal letter;
2. Attachment A – Revisions to the Tariff in redline format;
3. Attachment B – Revisions to the Tariff in clean format;
4. Attachment C – Previously accepted revisions to the Tariff from Docket No. ER23-1700-000; and
5. Attachment D – Previously accepted revisions to the Tariff from Docket No. ER23-1265-000.

IV. COMMUNICATIONS

The following individuals are designated for inclusion on the official service list in this proceeding and for receipt of any communications regarding this filing:

Daniel Vinnik
Counsel
PJM Interconnection, L.L.C.
2750 Monroe Boulevard
Audubon, Pennsylvania 19403
(267) 858-9451
daniel.vinnik@pjm.com

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

V. 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,⁶ PJM will post a copy of this filing to the FERC filings section of its internet site, located at the following link: <https://www.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

⁶ See 18 C.F.R §§ 35.2(e) and 385.2010(f)(3).

to all PJM Members and all state utility regulatory commissions in the PJM Region⁷ 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.

VI. CONCLUSION

PJM respectfully requests that the Commission accept this ministerial clean-up filing with an effective date of September 20, 2023, for the proposed revisions.

Respectfully submitted,

/s/ Daniel Vinnik

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

Daniel Vinnik
Counsel
PJM Interconnection, L.L.C.
2750 Monroe Boulevard
Audubon, PA 19403
(267) 858-9451
Daniel.Vinnik@pjm.com

Chenchao Lu
Associate General Counsel
PJM Interconnection, L.L.C.
2750 Monroe Boulevard
Audubon, PA 19403
(610) 666-2255
Chenchao.Lu@pjm.com

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

⁷ PJM already maintains, updates and regularly uses e-mail lists for all PJM Members and affected state commissions.

Attachment A

Revisions to the PJM Open Access Transmission Tariff

(Marked/Redline Format)

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 Tariff, Attachment DD, section 5.12(a) and section 5.14(a) above.

- (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) above; 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 Tariff, Attachment DD, section 5.12(a), 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) above that is entitled to compensation pursuant to section 5.14(b) above; 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) above 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) above. Other capacity resources that clear the BRA in such LDA receive the Capacity Resource Clearing Price as determined in section 5.14(a) above.

6. The failure to submit a Sell Offer consistent with section 5.14(c)(i)-(iii) above 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) above 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 Tariff, Attachment DD, section 5.10(a)(ii).

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 Tariff, Attachment DD, 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 Tariff, Attachment DD, section 5.14B, Tariff, Attachment DD, section 5.14C, Tariff, Attachment DD, section 5.14D, Tariff, Attachment DD, section 5.14E and Tariff, Attachment DD, section 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 for up to the 2022/2023 Delivery Year.

(1) The provisions of this section 5.14(h) shall not be effective after the 2022/2023 Delivery Year. 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 Tariff, Attachment DD, 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 2018/2019 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 2015/2016, 2016/2017 and 2017/2018 Delivery Years, 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	132,200	130,300	128,990	130,300
CC \$/MW-yr	185,700	176,000	172,600	179,400

(2) 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 Tariff, Attachment DD, 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 25% for the wages index, 60% for the construction materials index, and 15% 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 2022/2023 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 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 2022/2023 Delivery Year, 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 for the 2022/2023 Delivery Year.

(1) **General Rule.** The provisions of this section 5.14(h-1) shall not be effective after the 2022/2023 Delivery Year. For the 2022/2023 Delivery Year, 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, 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. 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. Notwithstanding, if a Capacity Market Seller submits a timely resource-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-1)(3) for the relevant Delivery Year, and PJM approves the resource-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely certified whether or not the resource is a Capacity Resource with State Subsidy.

(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 material change in status as a Capacity Resource with State Subsidy within 30 days of such material change, unless such material change occurs within 30 days of the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year, in which case the Market Seller must notify PJM no later than 5 days prior to the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the

Office of Interconnection whether its resource meets the criteria of a Capacity Resource with State Subsidy pursuant to Tariff, Attachment DD, section 5.14(h-1)(1)(C)(i).

(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, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Resource with State Subsidy must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process to participate in an RPM Auction.

(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, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

<u>Resource Type</u>	<u>Gross Cost of New Entry (2022/2023 \$/ MW-day) (Nameplate)</u>
<u>Nuclear</u>	<u>\$2,000</u>
<u>Coal</u>	<u>\$1,068</u>
<u>Combined Cycle</u>	<u>\$320</u>
<u>Combustion Turbine</u>	<u>\$294</u>
<u>Fixed Solar PV</u>	<u>\$271</u>
<u>Tracking Solar PV</u>	<u>\$290</u>
<u>Onshore Wind</u>	<u>\$420</u>
<u>Offshore Wind</u>	<u>\$1,155</u>
<u>Battery Energy Storage</u>	<u>\$532</u>
<u>Diesel Backed Demand Resource</u>	<u>\$254</u>

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. For Delivery Years through the 2022/2023 Delivery Year, 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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for thermal generation resource types, the applicable class average EFORD; for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; 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.

For generation-backed Demand Resources that are not powered by diesel generators, the default New Entry MOPR Floor Offer Price shall be the default New Entry MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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.

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 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 LMPs 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.

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, 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.

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

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: for Delivery Years through the 2022/2023 Delivery Year, the resource-specific EFORD for thermal generation 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 for the 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific EFORD for thermal generation resource types and on the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting 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.

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.

For generation-backed Demand Resources that are not powered by diesel generators, the default Cleared MOPR Floor Offer Price shall be the default Cleared MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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: an average equivalent availability factor of all PJM nuclear resources to account for refueling outages; (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, on the resource-specific Accredited UCAP value for ELCC Resources (where for solar and wind generation resource types the Accredited UCAP shall be 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 consider all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 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.

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 all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 unless the Self-Supply Entity certifies, subject to PJM and Market Monitor review, that the Capacity Resource will not accept a State Subsidy, including any financial benefit that is the result of being owned by a regulated utility, such that retail ratepayers are held harmless, (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 (unless the underlying Capacity Resource that is the subject of a bilateral transaction has not received, is not receiving, and is not entitled to receive any State Subsidy except those that are assigned (i.e., renewable energy credits) to the off-takers of a bilateral transaction and the Capacity Market Seller of such Capacity Resource can demonstrate and certify that the Capacity Market Seller's rights and obligations of its share of the capacity, energy, and assignable State Subsidy associated with the underlying Capacity Resource are in pro rata shares). 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) 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.

(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 by the interconnection customer 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 by the interconnection customer 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 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 by the interconnection customer 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.

h-2) Minimum Offer Price Rule Effective with the 2023/2024 Delivery Year

(1) Certification Requirement.

(A) By no later than one hundred and fifty (150) days prior to the commencement of the offer period of any RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year, each Capacity Market Seller must certify to the Office of Interconnection for each Generation Capacity Resource the Capacity Market Seller intends to offer into the RPM Auction, in accordance with the PJM Manuals:

(i) whether or not the Generation Capacity Resource is receiving or expected to receive Conditioned State Support under any legislative or other governmental policy or program that has been enacted or effective at the time of the certification; and

(ii) whether or not the Capacity Market Seller acknowledges and understands that the Exercise of Buyer-Side Market Power is not permitted in RPM Auctions, and does not intend to submit a Sell Offer for their Generation Capacity Resource as an Exercise of Buyer-Side Market Power.

(B) All Capacity Market Sellers shall be responsible for the accuracy of each certification and its conformance with the Tariff irrespective of any guidance developed by the Office of the Interconnection and the Market Monitoring Unit.

(C) Once a Capacity Market Seller has certified whether or not a Generation Capacity Resource is receiving or expected to receive Conditioned State Support, the certification requirements in subsection (A)(i) above do not apply and the status of such Generation Capacity Resource will remain unchanged unless and until the Capacity Market Seller (or a subsequent Capacity Market Seller of the underlying resource) that owns or controls such Generation 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 Generation Capacity Resource's material change in status regarding whether such resource is receiving or expected to receive Conditioned State Support within 30 days of such material change. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the Office of Interconnection pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii).

(2) Determining Generation Capacity Resources Subject to the Minimum Offer Price Rule.

(A) Conditioned State Support.

(i) If the Office of the Interconnection reasonably believes a government policy or program would provide Conditioned State Support or a Capacity Market Seller certifies that it is receiving or is expected to receive Conditioned State Support associated with a given Generation Capacity Resource, the Office of Interconnection shall submit, pursuant to section 205 of the Federal Power Act, 16 U.S.C. § 824d, a filing at FERC indicating the Office of the Interconnection's intent to classify the government policy or program from which that support is derived as Conditioned State Support (and adding such policy or program to the list in Tariff, Attachment DD-3) and apply the Minimum Offer Price Rule to each Generation Capacity Resource reasonably expected to receive such Conditioned State Support. If FERC has already ruled on whether a specific government program or policy constitutes Conditioned State Support and such policy or program is listed in Tariff, Attachment DD-3, the Office of the Interconnection shall not be required to submit the filing described in the preceding sentence.

(ii) Government policies or programs that do not provide payments or other financial benefit outside of PJM markets and do not provide payment or other financial benefit in exchange for the sale of a FERC-jurisdictional product conditioned on clearing in any RPM Auction do not constitute Conditioned State Support. Examples of such government policies that do not constitute Conditioned State Support may include, but are not limited to: policies designed to procure, incent, or require environmental attributes, whether bundled or unbundled (e.g., Renewable Energy Credits, Zero Emission Credits; Regional Greenhouse Gas Initiative); economic development programs and policies; tax incentives; state retail default service auctions; policies or programs that provide incentives related to fuel supplies; any contract, legally enforceable obligation, or rate pursuant to the Public Utility Regulatory Policies Act or any other state-administered federal regulatory program (e.g., Cross-State Air Pollution Rule). In addition, Conditioned State Support shall not be determined solely based on the business model of the Capacity Market Seller, such that the fact that a Self-Supply Entity is the Capacity Market Seller, for example, is not a basis for determining Conditioned State Support.

(iii) Upon FERC acceptance (whether by order or operation of law) that a government policy or program or contract with a state entity constitutes Conditioned State Support, a Generation Capacity Resource for which a Capacity Market Seller certifies pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i) that it is receiving Conditioned State Support or is reasonably expected to receive such Conditioned State Support, as identified by the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, will be subject to the provisions of the Minimum Offer Price Rule.

(B) Exercise of Buyer-Side Market Power

(i) If a Capacity Market Seller does not certify that it acknowledges the prohibition of the Exercise of Buyer Side Market Power and the Capacity Market Seller intends to exercise Buyer-Side Market Power for this Generation Capacity Resource, then the underlying Capacity Resource shall be subject to the MOPR pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i). If the Office of the Interconnection and/or the Market Monitoring Unit reasonably suspects that a certification submitted under Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii) contains fraudulent or material misrepresentations such that the Capacity Market Seller's Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or otherwise reasonably suspects that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall initiate a fact-specific review into the facts and circumstances regarding the Generation Capacity Resource and whether the Capacity Market Seller has the ability and incentive to exercise Buyer-Side Market Power with respect to such Generation Capacity Resource. During such fact-specific review, the Capacity Market Seller will have the opportunity to explain and justify why a Sell Offer for the Generation Capacity Resource would not be an Exercise of Buyer-Side Market Power. The Office of the Interconnection and/or the Market Monitoring Unit shall notify the Capacity Market Seller of the bases for inquiry and initiation of review at least 135 days in advance of the RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year.

In initiating a review, the Office of the Interconnection and/or the Market Monitoring Unit shall provide the affected Capacity Market Seller, in writing, the basis for its inquiry, including, but not limited to, the Generation Capacity Resource(s), and the purported beneficiary of any price suppression. The Office of the Interconnection and/or the Market Monitoring Unit may request from the Capacity Market Seller additional information and documentation that is reasonably related to the basis for its inquiry, provided that, the Office of the Interconnection and the Market Monitoring Unit shall confer with the Capacity Market Seller in advance of any such requests. The Capacity Market Seller shall provide any additional supporting information and documentation requested by the Office of the Interconnection and/or the Market Monitoring Unit, and any other information and documentation the Capacity Market Seller believes may justify the conduct or action in question as not representing an Exercise of Buyer-Side Market Power, within 15 days or other such timeline as agreed to in writing by the Office of the Interconnection, Market Monitoring Unit and Capacity Market Seller.

The fact-specific review will determine, as necessary, whether a Capacity Market Seller has the ability and incentive to submit a Sell Offer for the Generation Capacity Resource that could be an Exercise of Buyer-Side Market Power, as follows:

(a) To determine whether a Capacity Market Seller may have Buyer Side Market Power associated with the Generation Capacity Resource for the applicable RPM Auction, the Office of the Interconnection and/or the Market Monitoring Unit will perform ex-ante testing to determine the extent to which a shift in the supply curve by a number of megawatts equal to the size of the Generation Capacity Resource would affect RPM Auction clearing prices, where such analysis would reflect expected supply and demand conditions in the region of the market clearing prices and quantities in recent RPM Auctions, would reflect whether the relevant LDAs have been constrained in recent RPM Auctions, and would reflect reasonably expected material changes in an LDA including the modeling of the LDA and expected changes in supply and demand for the applicable Delivery Year. To the extent the foregoing analyses show that the Generation Capacity Resource would have a material effect on RPM Auction clearing prices, the Capacity Market Seller shall be deemed to have the ability to exercise Buyer Side Market Power.

(b) To determine whether the Capacity Market Seller's submission of a Sell Offer at any given price level for such Generation Capacity Resource may constitute an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall perform ex-ante testing to determine whether, given the ability to suppress prices identified in the relevant LDAs and the PJM Region, such price suppression would be economically beneficial to the Capacity Market Seller by comparing its expected cost with its economic benefit, and where the expected cost shall reflect the excess economic costs of the resource above expected market revenues, and the expected benefit shall reflect the expected cost savings to the expected net short position (based on estimated capacity obligations and owned and contracted capacity measured on a three-year average basis for the three years starting with the first day of the Delivery Year associated with the RPM Auction in which the Generation Capacity Resource is being offered) in the relevant LDAs and RTO multiplied by the price change resulting from offering the resource uneconomically. In this analysis, the Office of Interconnection and/or the Market Monitoring Unit shall consider whether any capacity obligations in which the capacity costs based on RPM Auction clearing prices are directly passed through to load and consider whether the price of any contracted capacity passes through RPM Auction clearing prices. If the expected benefit outweighs the expected cost, the Capacity Market Seller shall be deemed to have the incentive to exercise Buyer Side Market Power. If a resource offer can be justified, economically or otherwise, without consideration of the benefit to the Capacity Market Seller of the suppressed prices, the Capacity Market Seller shall be deemed not to have the incentive to exercise Buyer Side Market Power with respect to that resource. Out-of-market compensation (such as from renewable energy credits and zero emission credits) that are not tied to either Conditioned State Support or a bilateral contract that directs the submission of an offer to lower market clearing prices may be used to support the economics of the resource under review.

(ii) The following nonexhaustive list of circumstances would preclude an inquiry into or determination regarding an Exercise of Buyer-Side Market Power in the course of a review initiated pursuant to subsection (i) above: (a) the Generation Capacity Resource is a merchant generation supply resources that is not contracted to an entity with a Load

Interest; (b) the Generation Capacity Resource is acquired by or under the contractual control of the Capacity Market Seller through a competitive and non-discriminatory procurement process open to new and existing resources; or (c) the Generation Capacity Resource is owned by or bilaterally contracted to a Self-Supply Seller and such resource is demonstrated as consistent with or included in the Self-Supply Seller's long-range resource plan (e.g., a long-range hedging plan) that is approved or otherwise reviewed and accepted by the RERRA, provided that any such plan approval or contracts do not direct the submission of an uneconomic offer to deliberately lower market clearing prices or for the Capacity Market Seller to otherwise perform an Exercise of Buyer-Side Market Power. In addition, to the extent a Generation Capacity Resource may receive compensation in support of characteristics aligned with well-demonstrated customer preferences, such compensation shall not, in and of itself, be a basis for the determination of Buyer-Side Market Power.

(iii) Based on the foregoing tests and fact-specific review, including the facts and circumstances of the Generation Capacity Resource, the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, shall determine whether a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power. If the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, determines that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or the Capacity Market Seller certifies that it intends to exercise Buyer-Side Market Power, then such resource will be subject to the provisions of the Minimum Offer Price Rule. If the resource will be subject to the provisions of the Minimum Offer Price Rule, the Office of the Interconnection shall include in the notice a written explanation for such determination. A Capacity Market Seller that is dissatisfied with the Office of the Interconnection's determination of whether a given Generation Capacity Resource is subject to the Minimum Offer Price Rule 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 its determination hereunder unless FERC by order directs otherwise.

(C) Failure to timely submit a certification. Any Generation Capacity Resource for which a Capacity Market Seller has not timely submitted the certifications required under Tariff, Attachment DD, section 5.14(h-2)(1) shall be subject to the provisions of the Minimum Offer Price Rule. Notwithstanding the foregoing, if a Capacity Market Seller submits a timely unit-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-2)(4) for the relevant Delivery Year, and PJM approves the unit-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely submitted the foregoing certifications.

(3) Minimum Offer Price Rule. Any Sell Offer for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Market Seller, to participate in an RPM Auction, must request a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process, and the unit-specific MOPR Floor Offer Price shall establish the offer level for such resource.

(A) New Entry MOPR Floor Offer Price. For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource, or any uprate of such Generation Capacity Resource participating in the generation interconnection process under Tariff, Part IV, Subpart A, that has not cleared an RPM Auction for any Delivery Year, the applicable MOPR Floor Offer Price, based on the net cost of new entry for the resource type, shall be, at the election of the Capacity Market Seller, (i) the unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

Resource Type	Through the 2025/2026 Delivery Years: Gross Cost of New Entry (2022/2023 \$/ MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Gross Cost of New Entry (2026/2027 \$/ MW-day) (Nameplate)
Nuclear	\$2,000	\$2,568
Coal	\$1,068	\$1,480
Combined Cycle	\$320	\$540
Combustion Turbine	\$294	\$427
Fixed Solar PV	\$271	\$298
Tracking Solar PV	\$290	\$321
Onshore Wind	\$420	\$438
Offshore Wind	\$1,155	\$1,351
Battery Energy Storage	\$532	\$502

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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; or for all other generation resource types, the applicable class average EFORD. 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.

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 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, 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, and combine cycle 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 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 shall be determined by the gross energy market revenue determined by the product of [average annual zonal day-ahead LMP, 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 services revenue of \$3,350/MW-year;

(ii) for coal resource type, the net energy and ancillary services revenue estimate shall be determined by a simulated 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 applicable coal prices, as set forth in the PJM Manuals, plus reactive 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 shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v)(B) for the Reference Resource combustion turbine.

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate 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 6,553 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 \$3,350/MW-year.

(v) for solar PV resource type, the net energy and ancillary services revenue estimate 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary 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 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary services revenue of \$3,350/MW-year;

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate shall be the product of [the average annual zonal real-time LMP times 8,760 hours times an assumed annual capacity factor of 45%], plus an ancillary services revenue of \$3,350/MW-year; and

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by 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 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.

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. 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has not previously cleared an RPM Auction for that or any prior Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-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.

For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource has previously cleared an RPM Auction for any Delivery Year, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (a) based on the unit-specific MOPR Floor Offer Price, as determined in accordance with Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, to reflect changes in avoidable costs, net of projected PJM market revenues equal to the resource's historical net energy and ancillary service revenues consistent with Tariff, Attachment DD, section 6.8(d).

Existing Resource Type	Through the 2025/2026 Delivery Years: Default Gross ACR (2022/2023) (\$/MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Default Gross ACR (2026/2027) (\$/ MW-day) Nameplate
Nuclear - single	\$697	\$591
Nuclear - dual	\$445	\$537
Coal	\$80	\$94
Combined Cycle	\$56	\$113
Combustion Turbine	\$50	\$52
Steam Oil & Gas	NA	\$64

Solar PV (fixed and tracking)	\$40	\$70
Wind Onshore	\$83	\$147

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 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting for any winter Capacity Interconnection Rights) or the resource-specific EFORD for all other generation resource types and on. 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 Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) that have cleared in an RPM Auction for any 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction for any Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

(4) **Unit-Specific Exception.** A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Capacity Resource. A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is under a fact-specific review for Buyer-Side Market Power pursuant to Tariff, Attachment DD, section 5.14(h-2)(2)(B)(ii), and where the offer is below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Generation Capacity Resource. A Sell Offer below the default MOPR Floor Offer Price, but no lower than the unit-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 unit-specific MOPR Floor Offer Price determined under this provision shall be based on the unit-specific Accredited UCAP value for battery energy storage resource types and for solar and wind generation resource types (appropriately time-weighted for any winter Capacity Interconnection Rights) or on the unit-specific EFORd for all other generation resource types, 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 of the resource. 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 unit-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-2)(3)(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 unit-specific exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has never cleared an RPM Auction, 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 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 or any other revenues outside of PJM markets that do not constitute Conditioned State Support), 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 unit-specific exception hereunder. The request also shall identify all revenue sources (exclusive of any Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside the PJM market not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, which may include Maintenance Adders, 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. 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.

(C) For a Unit-Specific Exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction, 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, 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 Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside of PJM markets not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, energy demand, which may include Maintenance Adders, and 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. 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.

(D) A Sell Offer evaluated at the unit-specific exception shall be permitted if the information provided reasonably demonstrates that the Sell Offer’s competitive, fixed, cost-based offer level 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, and that out-of-market compensation is not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices. Failure to adequately support such claimed cost advantages or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in the elimination of consideration of the unsupported element(s) of a unit-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 unit-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 unit-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 unit-specific determination unless and until ordered to do otherwise by FERC.

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) above also shall receive a credit, comparable to the Capacity Transfer Rights provided to Load-Serving Entities under Tariff, Attachment DD, section 5.15. Such credit shall be equal to the locational capacity price difference specified in section 5.14(i)(1) above 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.

Attachment B

Revisions to the PJM Open Access Transmission Tariff

(Clean Format)

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 Tariff, Attachment DD, section 5.12(a) and section 5.14(a) above.

- (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) above; 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 Tariff, Attachment DD, section 5.12(a), 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) above that is entitled to compensation pursuant to section 5.14(b) above; 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) above 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) above. Other capacity resources that clear the BRA in such LDA receive the Capacity Resource Clearing Price as determined in section 5.14(a) above.

6. The failure to submit a Sell Offer consistent with section 5.14(c)(i)-(iii) above 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) above 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 Tariff, Attachment DD, section 5.10(a)(ii).

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 Tariff, Attachment DD, 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 Tariff, Attachment DD, section 5.14B, Tariff, Attachment DD, section 5.14C, Tariff, Attachment DD, section 5.14D, Tariff, Attachment DD, section 5.14E and Tariff, Attachment DD, section 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 for up to the 2022/2023 Delivery Year.

(1) The provisions of this section 5.14(h) shall not be effective after the 2022/2023 Delivery Year. 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 Tariff, Attachment DD, 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 2018/2019 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 2015/2016, 2016/2017 and 2017/2018 Delivery Years, 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	132,200	130,300	128,990	130,300
CC \$/MW-yr	185,700	176,000	172,600	179,400

(2) 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 Tariff, Attachment DD, 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 25% for the wages index, 60% for the construction materials index, and 15% 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 2022/2023 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 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 2022/2023 Delivery Year, 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 for the 2022/2023 Delivery Year.

(1) **General Rule.** The provisions of this section 5.14(h-1) shall not be effective after the 2022/2023 Delivery Year. For the 2022/2023 Delivery Year, 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, 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. 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. Notwithstanding, if a Capacity Market Seller submits a timely resource-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-1)(3) for the relevant Delivery Year, and PJM approves the resource-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely certified whether or not the resource is a Capacity Resource with State Subsidy.

(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 material change in status as a Capacity Resource with State Subsidy within 30 days of such material change, unless such material change occurs within 30 days of the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year, in which case the Market Seller must notify PJM no later than 5 days prior to the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the

Office of Interconnection whether its resource meets the criteria of a Capacity Resource with State Subsidy pursuant to Tariff, Attachment DD, section 5.14(h-1)(1)(C)(i).

(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, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Resource with State Subsidy must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process to participate in an RPM Auction.

(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, 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
Diesel 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. For Delivery Years through the 2022/2023 Delivery Year, 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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for thermal generation resource types, the applicable class average EFORD; for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; 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.

For generation-backed Demand Resources that are not powered by diesel generators, the default New Entry MOPR Floor Offer Price shall be the default New Entry MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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.

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 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 LMPs 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.

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, 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
Diesel-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: for Delivery Years through the 2022/2023 Delivery Year, the resource-specific EFORD for thermal generation 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 for the 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific EFORD for thermal generation resource types and on the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting 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.

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.

For generation-backed Demand Resources that are not powered by diesel generators, the default Cleared MOPR Floor Offer Price shall be the default Cleared MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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: an average equivalent availability factor of all PJM nuclear resources to account for refueling outages; (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, on the resource-specific Accredited UCAP value for ELCC Resources (where for solar and wind generation resource types the Accredited UCAP shall be 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 consider all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 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.

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 all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 unless the Self-Supply Entity certifies, subject to PJM and Market Monitor review, that the Capacity Resource will not accept a State Subsidy, including any financial benefit that is the result of being owned by a regulated utility, such that retail ratepayers are held harmless, (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 (unless the underlying Capacity Resource that is the subject of a bilateral transaction has not received, is not receiving, and is not entitled to receive any State Subsidy except those that are assigned (i.e., renewable energy credits) to the off-takers of a bilateral transaction and the Capacity Market Seller of such Capacity Resource can demonstrate and certify that the Capacity Market Seller's rights and obligations of its share of the capacity, energy, and assignable State Subsidy associated with the underlying Capacity Resource are in pro rata shares). 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) 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.

(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 by the interconnection customer 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 by the interconnection customer 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 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 by the interconnection customer 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.

h-2) Minimum Offer Price Rule Effective with the 2023/2024 Delivery Year

(1) Certification Requirement.

(A) By no later than one hundred and fifty (150) days prior to the commencement of the offer period of any RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year, each Capacity Market Seller must certify to the Office of Interconnection for each Generation Capacity Resource the Capacity Market Seller intends to offer into the RPM Auction, in accordance with the PJM Manuals:

(i) whether or not the Generation Capacity Resource is receiving or expected to receive Conditioned State Support under any legislative or other governmental policy or program that has been enacted or effective at the time of the certification; and

(ii) whether or not the Capacity Market Seller acknowledges and understands that the Exercise of Buyer-Side Market Power is not permitted in RPM Auctions, and does not intend to submit a Sell Offer for their Generation Capacity Resource as an Exercise of Buyer-Side Market Power.

(B) All Capacity Market Sellers shall be responsible for the accuracy of each certification and its conformance with the Tariff irrespective of any guidance developed by the Office of the Interconnection and the Market Monitoring Unit.

(C) Once a Capacity Market Seller has certified whether or not a Generation Capacity Resource is receiving or expected to receive Conditioned State Support, the certification requirements in subsection (A)(i) above do not apply and the status of such Generation Capacity Resource will remain unchanged unless and until the Capacity Market Seller (or a subsequent Capacity Market Seller of the underlying resource) that owns or controls such Generation 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 Generation Capacity Resource's material change in status regarding whether such resource is receiving or expected to receive Conditioned State Support within 30 days of such material change. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the Office of Interconnection pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii).

(2) Determining Generation Capacity Resources Subject to the Minimum Offer Price Rule.

(A) Conditioned State Support.

(i) If the Office of the Interconnection reasonably believes a government policy or program would provide Conditioned State Support or a Capacity Market Seller certifies that it is receiving or is expected to receive Conditioned State Support associated with a given Generation Capacity Resource, the Office of Interconnection shall submit, pursuant to section 205 of the Federal Power Act, 16 U.S.C. § 824d, a filing at FERC indicating the Office of the Interconnection's intent to classify the government policy or program from which that support is derived as Conditioned State Support (and adding such policy or program to the list in Tariff, Attachment DD-3) and apply the Minimum Offer Price Rule to each Generation Capacity Resource reasonably expected to receive such Conditioned State Support. If FERC has already ruled on whether a specific government program or policy constitutes Conditioned State Support and such policy or program is listed in Tariff, Attachment DD-3, the Office of the Interconnection shall not be required to submit the filing described in the preceding sentence.

(ii) Government policies or programs that do not provide payments or other financial benefit outside of PJM markets and do not provide payment or other financial benefit in exchange for the sale of a FERC-jurisdictional product conditioned on clearing in any RPM Auction do not constitute Conditioned State Support. Examples of such government policies that do not constitute Conditioned State Support may include, but are not limited to: policies designed to procure, incent, or require environmental attributes, whether bundled or unbundled (e.g., Renewable Energy Credits, Zero Emission Credits; Regional Greenhouse Gas Initiative); economic development programs and policies; tax incentives; state retail default service auctions; policies or programs that provide incentives related to fuel supplies; any contract, legally enforceable obligation, or rate pursuant to the Public Utility Regulatory Policies Act or any other state-administered federal regulatory program (e.g., Cross-State Air Pollution Rule). In addition, Conditioned State Support shall not be determined solely based on the business model of the Capacity Market Seller, such that the fact that a Self-Supply Entity is the Capacity Market Seller, for example, is not a basis for determining Conditioned State Support.

(iii) Upon FERC acceptance (whether by order or operation of law) that a government policy or program or contract with a state entity constitutes Conditioned State Support, a Generation Capacity Resource for which a Capacity Market Seller certifies pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i) that it is receiving Conditioned State Support or is reasonably expected to receive such Conditioned State Support, as identified by the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, will be subject to the provisions of the Minimum Offer Price Rule.

(B) Exercise of Buyer-Side Market Power

(i) If a Capacity Market Seller does not certify that it acknowledges the prohibition of the Exercise of Buyer Side Market Power and the Capacity Market Seller intends to exercise Buyer-Side Market Power for this Generation Capacity Resource, then the underlying Capacity Resource shall be subject to the MOPR pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i). If the Office of the Interconnection and/or the Market Monitoring Unit reasonably suspects that a certification submitted under Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii) contains fraudulent or material misrepresentations such that the Capacity Market Seller's Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or otherwise reasonably suspects that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall initiate a fact-specific review into the facts and circumstances regarding the Generation Capacity Resource and whether the Capacity Market Seller has the ability and incentive to exercise Buyer-Side Market Power with respect to such Generation Capacity Resource. During such fact-specific review, the Capacity Market Seller will have the opportunity to explain and justify why a Sell Offer for the Generation Capacity Resource would not be an Exercise of Buyer-Side Market Power. The Office of the Interconnection and/or the Market Monitoring Unit shall notify the Capacity Market Seller of the bases for inquiry and initiation of review at least 135 days in advance of the RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year.

In initiating a review, the Office of the Interconnection and/or the Market Monitoring Unit shall provide the affected Capacity Market Seller, in writing, the basis for its inquiry, including, but not limited to, the Generation Capacity Resource(s), and the purported beneficiary of any price suppression. The Office of the Interconnection and/or the Market Monitoring Unit may request from the Capacity Market Seller additional information and documentation that is reasonably related to the basis for its inquiry, provided that, the Office of the Interconnection and the Market Monitoring Unit shall confer with the Capacity Market Seller in advance of any such requests. The Capacity Market Seller shall provide any additional supporting information and documentation requested by the Office of the Interconnection and/or the Market Monitoring Unit, and any other information and documentation the Capacity Market Seller believes may justify the conduct or action in question as not representing an Exercise of Buyer-Side Market Power, within 15 days or other such timeline as agreed to in writing by the Office of the Interconnection, Market Monitoring Unit and Capacity Market Seller.

The fact-specific review will determine, as necessary, whether a Capacity Market Seller has the ability and incentive to submit a Sell Offer for the Generation Capacity Resource that could be an Exercise of Buyer-Side Market Power, as follows:

(a) To determine whether a Capacity Market Seller may have Buyer Side Market Power associated with the Generation Capacity Resource for the applicable RPM Auction, the Office of the Interconnection and/or the Market Monitoring Unit will perform ex-ante testing to determine the extent to which a shift in the supply curve by a number of megawatts equal to the size of the Generation Capacity Resource would affect RPM Auction clearing prices, where such analysis would reflect expected supply and demand conditions in the region of the market clearing prices and quantities in recent RPM Auctions, would reflect whether the relevant LDAs have been constrained in recent RPM Auctions, and would reflect reasonably expected material changes in an LDA including the modeling of the LDA and expected changes in supply and demand for the applicable Delivery Year. To the extent the foregoing analyses show that the Generation Capacity Resource would have a material effect on RPM Auction clearing prices, the Capacity Market Seller shall be deemed to have the ability to exercise Buyer Side Market Power.

(b) To determine whether the Capacity Market Seller's submission of a Sell Offer at any given price level for such Generation Capacity Resource may constitute an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall perform ex-ante testing to determine whether, given the ability to suppress prices identified in the relevant LDAs and the PJM Region, such price suppression would be economically beneficial to the Capacity Market Seller by comparing its expected cost with its economic benefit, and where the expected cost shall reflect the excess economic costs of the resource above expected market revenues, and the expected benefit shall reflect the expected cost savings to the expected net short position (based on estimated capacity obligations and owned and contracted capacity measured on a three-year average basis for the three years starting with the first day of the Delivery Year associated with the RPM Auction in which the Generation Capacity Resource is being offered) in the relevant LDAs and RTO multiplied by the price change resulting from offering the resource uneconomically. In this analysis, the Office of Interconnection and/or the Market Monitoring Unit shall consider whether any capacity obligations in which the capacity costs based on RPM Auction clearing prices are directly passed through to load and consider whether the price of any contracted capacity passes through RPM Auction clearing prices. If the expected benefit outweighs the expected cost, the Capacity Market Seller shall be deemed to have the incentive to exercise Buyer Side Market Power. If a resource offer can be justified, economically or otherwise, without consideration of the benefit to the Capacity Market Seller of the suppressed prices, the Capacity Market Seller shall be deemed not to have the incentive to exercise Buyer Side Market Power with respect to that resource. Out-of-market compensation (such as from renewable energy credits and zero emission credits) that are not tied to either Conditioned State Support or a bilateral contract that directs the submission of an offer to lower market clearing prices may be used to support the economics of the resource under review.

(ii) The following nonexhaustive list of circumstances would preclude an inquiry into or determination regarding an Exercise of Buyer-Side Market Power in the course of a review initiated pursuant to subsection (i) above: (a) the Generation Capacity Resource is a merchant generation supply resources that is not contracted to an entity with a Load

Interest; (b) the Generation Capacity Resource is acquired by or under the contractual control of the Capacity Market Seller through a competitive and non-discriminatory procurement process open to new and existing resources; or (c) the Generation Capacity Resource is owned by or bilaterally contracted to a Self-Supply Seller and such resource is demonstrated as consistent with or included in the Self-Supply Seller's long-range resource plan (e.g., a long-range hedging plan) that is approved or otherwise reviewed and accepted by the RERRA, provided that any such plan approval or contracts do not direct the submission of an uneconomic offer to deliberately lower market clearing prices or for the Capacity Market Seller to otherwise perform an Exercise of Buyer-Side Market Power. In addition, to the extent a Generation Capacity Resource may receive compensation in support of characteristics aligned with well-demonstrated customer preferences, such compensation shall not, in and of itself, be a basis for the determination of Buyer-Side Market Power.

(iii) Based on the foregoing tests and fact-specific review, including the facts and circumstances of the Generation Capacity Resource, the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, shall determine whether a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power. If the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, determines that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or the Capacity Market Seller certifies that it intends to exercise Buyer-Side Market Power, then such resource will be subject to the provisions of the Minimum Offer Price Rule. If the resource will be subject to the provisions of the Minimum Offer Price Rule, the Office of the Interconnection shall include in the notice a written explanation for such determination. A Capacity Market Seller that is dissatisfied with the Office of the Interconnection's determination of whether a given Generation Capacity Resource is subject to the Minimum Offer Price Rule 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 its determination hereunder unless FERC by order directs otherwise.

(C) Failure to timely submit a certification. Any Generation Capacity Resource for which a Capacity Market Seller has not timely submitted the certifications required under Tariff, Attachment DD, section 5.14(h-2)(1) shall be subject to the provisions of the Minimum Offer Price Rule. Notwithstanding the foregoing, if a Capacity Market Seller submits a timely unit-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-2)(4) for the relevant Delivery Year, and PJM approves the unit-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely submitted the foregoing certifications.

(3) **Minimum Offer Price Rule.** Any Sell Offer for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Market Seller, to participate in an RPM Auction, must request a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process, and the unit-specific MOPR Floor Offer Price shall establish the offer level for such resource.

(A) New Entry MOPR Floor Offer Price. For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource, or any uprate of such Generation Capacity Resource participating in the generation interconnection process under Tariff, Part IV, Subpart A, that has not cleared an RPM Auction for any Delivery Year, the applicable MOPR Floor Offer Price, based on the net cost of new entry for the resource type, shall be, at the election of the Capacity Market Seller, (i) the unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

Resource Type	Through the 2025/2026 Delivery Years: Gross Cost of New Entry (2022/2023 \$/ MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Gross Cost of New Entry (2026/2027 \$/ MW-day) (Nameplate)
Nuclear	\$2,000	\$2,568
Coal	\$1,068	\$1,480
Combined Cycle	\$320	\$540
Combustion Turbine	\$294	\$427
Fixed Solar PV	\$271	\$298
Tracking Solar PV	\$290	\$321
Onshore Wind	\$420	\$438
Offshore Wind	\$1,155	\$1,351
Battery Energy Storage	\$532	\$502

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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; or for all other generation resource types, the applicable class average EFORD. 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.

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 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, 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, and combine cycle 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 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 shall be determined by the gross energy market revenue determined by the product of [average annual zonal day-ahead LMP, 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 services revenue of \$3,350/MW-year;

(ii) for coal resource type, the net energy and ancillary services revenue estimate shall be determined by a simulated 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 applicable coal prices, as set forth in the PJM Manuals, plus reactive 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 shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v)(B) for the Reference Resource combustion turbine.

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate 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 6,553 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 \$3,350/MW-year.

(v) for solar PV resource type, the net energy and ancillary services revenue estimate 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary 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 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary services revenue of \$3,350/MW-year;

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate shall be the product of [the average annual zonal real-time LMP times 8,760 hours times an assumed annual capacity factor of 45%], plus an ancillary services revenue of \$3,350/MW-year; and

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by 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 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.

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. 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has not previously cleared an RPM Auction for that or any prior Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-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.

For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource has previously cleared an RPM Auction for any Delivery Year, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (a) based on the unit-specific MOPR Floor Offer Price, as determined in accordance with Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, to reflect changes in avoidable costs, net of projected PJM market revenues equal to the resource's historical net energy and ancillary service revenues consistent with Tariff, Attachment DD, section 6.8(d).

Existing Resource Type	Through the 2025/2026 Delivery Years: Default Gross ACR (2022/2023) (\$/MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Default Gross ACR (2026/2027) (\$/ MW-day) Nameplate
Nuclear - single	\$697	\$591
Nuclear - dual	\$445	\$537
Coal	\$80	\$94
Combined Cycle	\$56	\$113
Combustion Turbine	\$50	\$52
Steam Oil & Gas	NA	\$64

Solar PV (fixed and tracking)	\$40	\$70
Wind Onshore	\$83	\$147

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 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting for any winter Capacity Interconnection Rights) or the resource-specific EFORD for all other generation resource types and on. 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 Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) that have cleared in an RPM Auction for any 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction for any Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

(4) **Unit-Specific Exception.** A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Capacity Resource. A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is under a fact-specific review for Buyer-Side Market Power pursuant to Tariff, Attachment DD, section 5.14(h-2)(2)(B)(ii), and where the offer is below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Generation Capacity Resource. A Sell Offer below the default MOPR Floor Offer Price, but no lower than the unit-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 unit-specific MOPR Floor Offer Price determined under this provision shall be based on the unit-specific Accredited UCAP value for battery energy storage resource types and for solar and wind generation resource types (appropriately time-weighted for any winter Capacity Interconnection Rights) or on the unit-specific EFORd for all other generation resource types, 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 of the resource. 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 unit-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-2)(3)(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 unit-specific exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has never cleared an RPM Auction, 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 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 or any other revenues outside of PJM markets that do not constitute Conditioned State Support), 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 unit-specific exception hereunder. The request also shall identify all revenue sources (exclusive of any Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside the PJM market not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, which may include Maintenance Adders, 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. 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.

(C) For a Unit-Specific Exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction, 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, 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 Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside of PJM markets not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, energy demand, which may include Maintenance Adders, and 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. 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.

(D) A Sell Offer evaluated at the unit-specific exception shall be permitted if the information provided reasonably demonstrates that the Sell Offer’s competitive, fixed, cost-based offer level 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, and that out-of-market compensation is not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices. Failure to adequately support such claimed cost advantages or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in the elimination of consideration of the unsupported element(s) of a unit-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 unit-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 unit-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 unit-specific determination unless and until ordered to do otherwise by FERC.

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) above also shall receive a credit, comparable to the Capacity Transfer Rights provided to Load-Serving Entities under Tariff, Attachment DD, section 5.15. Such credit shall be equal to the locational capacity price difference specified in section 5.14(i)(1) above times the Export Customer's Allocated Share determined as follows:

Export Customer's Allocated Share equals

$$(\text{Export Path Import} * \text{Export Reserved Capacity}) /$$

$$(\text{Export Reserved Capacity} + \text{Daily Unforced Capacity Obligations of all LSEs in such Zone}).$$

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.

Attachment C

Previously Accepted Version of the
PJM Open Access Transmission Tariff

Attachment DD, Section 5.14
Docket No. ER23-1700-000

5.14 Clearing Prices and Charges

h-2) Minimum Offer Price Rule Effective with the 2023/2024 Delivery Year

(3) **Minimum Offer Price Rule.** Any Sell Offer for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Market Seller, to participate in an RPM Auction, must request a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process, and the unit-specific MOPR Floor Offer Price shall establish the offer level for such resource.

(A) **New Entry MOPR Floor Offer Price.** For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource, or any uprate of such Generation Capacity Resource participating in the generation interconnection process under Tariff, Part IV, Subpart A, that has not cleared an RPM Auction for any Delivery Year, the applicable MOPR Floor Offer Price, based on the net cost of new entry for the resource type, shall be, at the election of the Capacity Market Seller, (i) the unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, net of estimated net energy and ancillary service revenues for the resource type and Zone in which the resource is located.

Resource Type	Through the 2025/2026 Delivery Years: Gross Cost of New Entry (2022/2023 \$/ MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Gross Cost of New Entry (2026/2027 \$/ MW-day) (Nameplate)
Nuclear	\$2,000	\$2,568
Coal	\$1,068	\$1,480
Combined Cycle	\$320	\$540
Combustion Turbine	\$294	\$427
Fixed Solar PV	\$271	\$298
Tracking Solar PV	\$290	\$321
Onshore Wind	\$420	\$438
Offshore Wind	\$1,155	\$1,351
Battery Energy Storage	\$532	\$502

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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; or for all other generation resource types, the applicable class average EFORd. 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.

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 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, 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, and combine cycle 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 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 shall be determined by the gross energy market revenue determined by the product of [average annual zonal day-ahead LMP, 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 services revenue of \$3,350/MW-year;

(ii) for coal resource type, the net energy and ancillary services revenue estimate shall be determined by a simulated 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 applicable coal prices, as set forth in the PJM Manuals, plus reactive 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 shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v)(B) for the Reference Resource combustion turbine.

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate 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 6,553 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 \$3,350/MW-year.

(v) for solar PV resource type, the net energy and ancillary services revenue estimate 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary 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 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary services revenue of \$3,350/MW-year;

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate shall be the product of [the average annual zonal real-time LMP times 8,760 hours times an assumed annual capacity factor of 45%], plus an ancillary services revenue of \$3,350/MW-year; and

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by 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 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.

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. 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has not previously cleared an RPM Auction for that or any prior Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-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.

For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource has previously cleared an RPM Auction for any Delivery Year, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (a) based on the unit-specific MOPR Floor Offer Price, as determined in accordance with Tariff, Attachment DD, section 5.14(h-2)(4) 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 or 2026/2027 Delivery Year, as applicable, to reflect changes in avoidable costs, net of projected PJM market revenues equal to the resource’s historical net energy and ancillary service revenues consistent with Tariff, Attachment DD, section 6.8(d).

Existing Resource Type	Through the 2025/2026 Delivery Years: Default Gross ACR (2022/2023) (\$/MW-day) (Nameplate)	For the 2026/2027 Delivery Year and Subsequent Delivery Years: Default Gross ACR (2026/2027) (\$/MW-day) (Nameplate)
Nuclear - single	\$697	\$591
Nuclear - dual	\$445	\$537
Coal	\$80	\$94
Combined Cycle	\$56	\$113
Combustion Turbine	\$50	\$52
Steam Oil & Gas	NA	\$64
Solar PV (fixed and tracking)	\$40	\$70
Wind Onshore	\$83	\$147

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 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting for any winter Capacity Interconnection Rights) or the resource-specific EFORD for all other generation resource types and on. 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 Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) that have cleared in an RPM Auction for any 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction for any Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

Attachment D

Previously Accepted Version of the
PJM Open Access Transmission Tariff

Attachment DD, Section 5.14
Docket No. ER23-1265-000

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 Tariff, Attachment DD, section 5.12(a) and section 5.14(a) above.

- (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) above; 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 Tariff, Attachment DD, section 5.12(a), 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) above that is entitled to compensation pursuant to section 5.14(b) above; 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) above 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) above. Other capacity resources that clear the BRA in such LDA receive the Capacity Resource Clearing Price as determined in section 5.14(a) above.

6. The failure to submit a Sell Offer consistent with section 5.14(c)(i)-(iii) above 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) above 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 Tariff, Attachment DD, section 5.10(a)(ii).

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 Tariff, Attachment DD, 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 Tariff, Attachment DD, section 5.14B, Tariff, Attachment DD, section 5.14C, Tariff, Attachment DD, section 5.14D, Tariff, Attachment DD, section 5.14E and Tariff, Attachment DD, section 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 for up to the 2022/2023 Delivery Year.

(1) The provisions of this section 5.14(h) shall not be effective after the 2022/2023 Delivery Year. 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 Tariff, Attachment DD, 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 2018/2019 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 2015/2016, 2016/2017 and 2017/2018 Delivery Years, 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	132,200	130,300	128,990	130,300
CC \$/MW-yr	185,700	176,000	172,600	179,400

(2) 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 Tariff, Attachment DD, 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 25% for the wages index, 60% for the construction materials index, and 15% 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 2022/2023 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 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 2022/2023 Delivery Year, 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 for the 2022/2023 Delivery Year.

(1) **General Rule.** The provisions of this section 5.14(h-1) shall not be effective after the 2022/2023 Delivery Year. For the 2022/2023 Delivery Year, 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, 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. 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. Notwithstanding, if a Capacity Market Seller submits a timely resource-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-1)(3) for the relevant Delivery Year, and PJM approves the resource-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely certified whether or not the resource is a Capacity Resource with State Subsidy.

(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 material change in status as a Capacity Resource with State Subsidy within 30 days of such material change, unless such material change occurs within 30 days of the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year, in which case the Market Seller must notify PJM no later than 5 days prior to the commencement of the offer period of any RPM Auction for the 2022/2023 Delivery Year. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the Office of Interconnection whether its resource meets the criteria of a Capacity Resource with State Subsidy pursuant to Tariff, Attachment DD, section 5.14(h-1)(1)(C)(i).

(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, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Resource with State Subsidy must seek a resource-specific value determined in accordance with the resource-specific MOPR Floor Offer Price process to participate in an RPM Auction.

(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, 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
Diesel 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. For Delivery Years through the 2022/2023 Delivery Year, 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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for thermal generation resource types, the applicable class average EFORD; for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; 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.

For generation-backed Demand Resources that are not powered by diesel generators, the default New Entry MOPR Floor Offer Price shall be the default New Entry MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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.

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 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 LMPs 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.

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, 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
Diesel-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: for Delivery Years through the 2022/2023 Delivery Year, the resource-specific EFORD for thermal generation 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 for the 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific EFORD for thermal generation resource types and on the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting 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.

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.

For generation-backed Demand Resources that are not powered by diesel generators, the default Cleared MOPR Floor Offer Price shall be the default Cleared MOPR Floor Offer Price applicable to their technology type. Generation-backed Demand Resources using a technology type for which there is no default MOPR Floor Offer Price provided in accordance with this section must seek a 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 to participate in an RPM Auction.

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: an average equivalent availability factor of all PJM nuclear resources to account for refueling outages; (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, on the resource-specific Accredited UCAP value for ELCC Resources (where for solar and wind generation resource types the Accredited UCAP shall be 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 consider all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 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.

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 all costs associated with the generation unit supporting the Demand Resource, and 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.

(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 unless the Self-Supply Entity certifies, subject to PJM and Market Monitor review, that the Capacity Resource will not accept a State Subsidy, including any financial benefit that is the result of being owned by a regulated utility, such that retail ratepayers are held harmless, (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 (unless the underlying Capacity Resource that is the subject of a bilateral transaction has not received, is not receiving, and is not entitled to receive any State Subsidy except those that are assigned (i.e., renewable energy credits) to the off-takers of a bilateral transaction and the Capacity Market Seller of such Capacity Resource can demonstrate and certify that the Capacity Market Seller's rights and obligations of its share of the capacity, energy, and assignable State Subsidy associated with the underlying Capacity Resource are in pro rata shares). 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) 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.

(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 by the interconnection customer 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 by the interconnection customer 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 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 by the interconnection customer 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.

h-2) Minimum Offer Price Rule Effective with the 2023/2024 Delivery Year

(1) **Certification Requirement.**

(A) By no later than one hundred and fifty (150) days prior to the commencement of the offer period of any RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year, each Capacity Market Seller must certify to the Office of Interconnection for each Generation Capacity Resource the Capacity Market Seller intends to offer into the RPM Auction, in accordance with the PJM Manuals:

(i) whether or not the Generation Capacity Resource is receiving or expected to receive Conditioned State Support under any legislative or other governmental policy or program that has been enacted or effective at the time of the certification; and

(ii) whether or not the Capacity Market Seller acknowledges and understands that the Exercise of Buyer-Side Market Power is not permitted in RPM Auctions, and does not intend to submit a Sell Offer for their Generation Capacity Resource as an Exercise of Buyer-Side Market Power.

(B) All Capacity Market Sellers shall be responsible for the accuracy of each certification and its conformance with the Tariff irrespective of any guidance developed by the Office of the Interconnection and the Market Monitoring Unit.

(C) Once a Capacity Market Seller has certified whether or not a Generation Capacity Resource is receiving or expected to receive Conditioned State Support, the certification requirements in subsection (A)(i) above do not apply and the status of such Generation Capacity Resource will remain unchanged unless and until the Capacity Market Seller (or a subsequent Capacity Market Seller of the underlying resource) that owns or controls such Generation 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 Generation Capacity Resource's material change in status regarding whether such resource is receiving or expected to receive Conditioned State Support within 30 days of such material change. Nothing in this provision shall supersede the requirement for all Capacity Market Sellers to certify to the Office of Interconnection pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii).

(2) Determining Generation Capacity Resources Subject to the Minimum Offer Price Rule.

(A) Conditioned State Support.

(i) If the Office of the Interconnection reasonably believes a government policy or program would provide Conditioned State Support or a Capacity Market Seller certifies that it is receiving or is expected to receive Conditioned State Support associated with a given Generation Capacity Resource, the Office of Interconnection shall submit, pursuant to section 205 of the Federal Power Act, 16 U.S.C. § 824d, a filing at FERC indicating the Office of the Interconnection's intent to classify the government policy or program from which that support is derived as Conditioned State Support (and adding such policy or program to the list in Tariff, Attachment DD-3) and apply the Minimum Offer Price Rule to each Generation Capacity Resource reasonably expected to receive such Conditioned State Support. If FERC has already ruled on whether a specific government program or policy constitutes Conditioned State Support and such policy or program is listed in Tariff, Attachment DD-3, the Office of the Interconnection shall not be required to submit the filing described in the preceding sentence.

(ii) Government policies or programs that do not provide payments or other financial benefit outside of PJM markets and do not provide payment or other financial benefit in exchange for the sale of a FERC-jurisdictional product conditioned on clearing in any RPM Auction do not constitute Conditioned State Support. Examples of such government policies that do not constitute Conditioned State Support may include, but are not limited to: policies designed to procure, incent, or require environmental attributes, whether bundled or unbundled (e.g., Renewable Energy Credits, Zero Emission Credits; Regional Greenhouse Gas Initiative); economic development programs and policies; tax incentives; state retail default service auctions; policies or programs that provide incentives related to fuel supplies; any contract, legally enforceable obligation, or rate pursuant to the Public Utility Regulatory Policies Act or any other state-administered federal regulatory program (e.g., Cross-State Air Pollution Rule). In addition, Conditioned State Support shall not be determined solely based on the business model of the Capacity Market Seller, such that the fact that a Self-Supply Entity is the Capacity Market Seller, for example, is not a basis for determining Conditioned State Support.

(iii) Upon FERC acceptance (whether by order or operation of law) that a government policy or program or contract with a state entity constitutes Conditioned State Support, a Generation Capacity Resource for which a Capacity Market Seller certifies pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i) that it is receiving Conditioned State Support or is reasonably expected to receive such Conditioned State Support, as identified by the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, will be subject to the provisions of the Minimum Offer Price Rule.

(B) Exercise of Buyer-Side Market Power

(i) If a Capacity Market Seller does not certify that it acknowledges the prohibition of the Exercise of Buyer Side Market Power and the Capacity Market Seller intends to exercise Buyer-Side Market Power for this Generation Capacity Resource, then the underlying Capacity Resource shall be subject to the MOPR pursuant to Tariff, Attachment DD, section 5.14(h-2)(1)(A)(i). If the Office of the Interconnection and/or the Market Monitoring Unit reasonably suspects that a certification submitted under Tariff, Attachment DD, section 5.14(h-2)(1)(A)(ii) contains fraudulent or material misrepresentations such that the Capacity Market Seller's Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or otherwise reasonably suspects that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall initiate a fact-specific review into the facts and circumstances regarding the Generation Capacity Resource and whether the Capacity Market Seller has the ability and incentive to exercise Buyer-Side Market Power with respect to such Generation Capacity Resource. During such fact-specific review, the Capacity Market Seller will have the opportunity to explain and justify why a Sell Offer for the Generation Capacity Resource would not be an Exercise of Buyer-Side Market Power. The Office of the Interconnection and/or the Market Monitoring Unit shall notify the Capacity Market Seller of the bases for inquiry and initiation of review at least 135 days in advance of the RPM Auction conducted for the 2024/2025 Delivery Year and all subsequent Delivery Years, and by the date posted on the PJM website for the 2023/2024 Delivery Year.

In initiating a review, the Office of the Interconnection and/or the Market Monitoring Unit shall provide the affected Capacity Market Seller, in writing, the basis for its inquiry, including, but not limited to, the Generation Capacity Resource(s), and the purported beneficiary of any price suppression. The Office of the Interconnection and/or the Market Monitoring Unit may request from the Capacity Market Seller additional information and documentation that is reasonably related to the basis for its inquiry, provided that, the Office of the Interconnection and the Market Monitoring Unit shall confer with the Capacity Market Seller in advance of any such requests. The Capacity Market Seller shall provide any additional supporting information and documentation requested by the Office of the Interconnection and/or the Market Monitoring Unit, and any other information and documentation the Capacity Market Seller believes may justify the conduct or action in question as not representing an Exercise of Buyer-Side Market Power, within 15 days or other such timeline as agreed to in writing by the Office of the Interconnection, Market Monitoring Unit and Capacity Market Seller.

The fact-specific review will determine, as necessary, whether a Capacity Market Seller has the ability and incentive to submit a Sell Offer for the Generation Capacity Resource that could be an Exercise of Buyer-Side Market Power, as follows:

(a) To determine whether a Capacity Market Seller may have Buyer Side Market Power associated with the Generation Capacity Resource for the applicable RPM Auction, the Office of the Interconnection and/or the Market Monitoring Unit will perform ex-ante testing to determine the extent to which a shift in the supply curve by a number of megawatts equal to the size of the Generation Capacity Resource would affect RPM Auction clearing prices, where such analysis would reflect expected supply and demand conditions in the region of the market clearing prices and quantities in recent RPM Auctions, would reflect whether the relevant LDAs have been constrained in recent RPM Auctions, and would reflect reasonably expected material changes in an LDA including the modeling of the LDA and expected changes in supply and demand for the applicable Delivery Year. To the extent the foregoing analyses show that the Generation Capacity Resource would have a material effect on RPM Auction clearing prices, the Capacity Market Seller shall be deemed to have the ability to exercise Buyer Side Market Power.

(b) To determine whether the Capacity Market Seller's submission of a Sell Offer at any given price level for such Generation Capacity Resource may constitute an Exercise of Buyer-Side Market Power, the Office of the Interconnection and/or the Market Monitoring Unit shall perform ex-ante testing to determine whether, given the ability to suppress prices identified in the relevant LDAs and the PJM Region, such price suppression would be economically beneficial to the Capacity Market Seller by comparing its expected cost with its economic benefit, and where the expected cost shall reflect the excess economic costs of the resource above expected market revenues, and the expected benefit shall reflect the expected cost savings to the expected net short position (based on estimated capacity obligations and owned and contracted capacity measured on a three-year average basis for the three years starting with the first day of the Delivery Year associated with the RPM Auction in which the Generation Capacity Resource is being offered) in the relevant LDAs and RTO multiplied by the price change resulting from offering the resource uneconomically. In this analysis, the Office of Interconnection and/or the Market Monitoring Unit shall consider whether any capacity obligations in which the capacity costs based on RPM Auction clearing prices are directly passed

through to load and consider whether the price of any contracted capacity passes through RPM Auction clearing prices. If the expected benefit outweighs the expected cost, the Capacity Market Seller shall be deemed to have the incentive to exercise Buyer Side Market Power. If a resource offer can be justified, economically or otherwise, without consideration of the benefit to the Capacity Market Seller of the suppressed prices, the Capacity Market Seller shall be deemed not to have the incentive to exercise Buyer Side Market Power with respect to that resource. Out-of-market compensation (such as from renewable energy credits and zero emission credits) that are not tied to either Conditioned State Support or a bilateral contract that directs the submission of an offer to lower market clearing prices may be used to support the economics of the resource under review.

(ii) The following nonexhaustive list of circumstances would preclude an inquiry into or determination regarding an Exercise of Buyer-Side Market Power in the course of a review initiated pursuant to subsection (i) above: (a) the Generation Capacity Resource is a merchant generation supply resources that is not contracted to an entity with a Load Interest; (b) the Generation Capacity Resource is acquired by or under the contractual control of the Capacity Market Seller through a competitive and non-discriminatory procurement process open to new and existing resources; or (c) the Generation Capacity Resource is owned by or bilaterally contracted to a Self-Supply Seller and such resource is demonstrated as consistent with or included in the Self-Supply Seller's long-range resource plan (e.g., a long-range hedging plan) that is approved or otherwise reviewed and accepted by the RERRA, provided that any such plan approval or contracts do not direct the submission of an uneconomic offer to deliberately lower market clearing prices or for the Capacity Market Seller to otherwise perform an Exercise of Buyer-Side Market Power. In addition, to the extent a Generation Capacity Resource may receive compensation in support of characteristics aligned with well-demonstrated customer preferences, such compensation shall not, in and of itself, be a basis for the determination of Buyer-Side Market Power.

(iii) Based on the foregoing tests and fact-specific review, including the facts and circumstances of the Generation Capacity Resource, the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, shall determine whether a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power. If the Office of the Interconnection, with the advice and input of the Market Monitoring Unit, determines that a Generation Capacity Resource may be the subject of a Sell Offer that would be an Exercise of Buyer-Side Market Power or the Capacity Market Seller certifies that it intends to exercise Buyer-Side Market Power, then such resource will be subject to the provisions of the Minimum Offer Price Rule. If the resource will be subject to the provisions of the Minimum Offer Price Rule, the Office of the Interconnection shall include in the notice a written explanation for such determination. A Capacity Market Seller that is dissatisfied with the Office of the Interconnection's determination of whether a given Generation Capacity Resource is subject to the Minimum Offer Price Rule 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 its determination hereunder unless FERC by order directs otherwise.

(C) Failure to timely submit a certification. Any Generation Capacity Resource for which a Capacity Market Seller has not timely submitted the certifications required

under Tariff, Attachment DD, section 5.14(h-2)(1) shall be subject to the provisions of the Minimum Offer Price Rule. Notwithstanding the foregoing, if a Capacity Market Seller submits a timely unit-specific exception pursuant to Tariff, Attachment DD, section 5.14(h-2)(4) for the relevant Delivery Year, and PJM approves the unit-specific MOPR Floor Offer Price, then the Capacity Market Seller may use such floor price regardless of whether it timely submitted the foregoing certifications.

(3) **Minimum Offer Price Rule.** Any Sell Offer for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) shall have an offer price no lower than the applicable MOPR Floor Offer Price, unless the applicable MOPR Floor Offer Price is higher than the applicable Market Seller Offer Cap, in which circumstance the Capacity Market Seller, to participate in an RPM Auction, must request a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process, and the unit-specific MOPR Floor Offer Price shall establish the offer level for such resource.

(A) **New Entry MOPR Floor Offer Price.** For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource, or any uprate of such Generation Capacity Resource participating in the generation interconnection process under Tariff, Part IV, Subpart A, that has not cleared an RPM Auction for any Delivery Year, the applicable MOPR Floor Offer Price, based on the net cost of new entry for the resource type, shall be, at the election of the Capacity Market Seller, (i) the unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process in Tariff, Attachment DD, section 5.14(h-2)(4) 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

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. For the 2023/2024 Delivery Year and subsequent Delivery Years, to determine the applicable UCAP MW-day value, the net cost of new entry is adjusted as follows: for battery storage, wind, and solar resource types, the applicable ELCC Class Rating; or for all other generation resource types, the applicable class average EFORD. 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.

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 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, 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, and combine cycle 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 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 shall be determined by the gross energy market revenue determined by the product of [average annual zonal day-ahead LMP, 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 services revenue of \$3,350/MW-year;

(ii) for coal resource type, the net energy and ancillary services revenue estimate shall be determined by a simulated 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 applicable coal prices, as set forth in the PJM Manuals, plus reactive 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 shall be determined in a manner consistent with the methodology described in Tariff, Attachment DD, section 5.10(a)(v)(B) for the Reference Resource combustion turbine.

(iv) for combined cycle resource type, the net energy and ancillary services revenue estimate 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 6,553 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 \$3,350/MW-year.

(v) for solar PV resource type, the net energy and ancillary services revenue estimate 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary 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 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 zonal LMP applicable to such hour with this product summed across all of the hours of an annual period, plus an ancillary services revenue of \$3,350/MW-year;

(vii) for offshore wind resource type, the net energy and ancillary services revenue estimate shall be the product of [the average annual zonal real-time LMP times 8,760 hours times an assumed annual capacity factor of 45%], plus an ancillary services revenue of \$3,350/MW-year; and

(viii) for Capacity Storage Resource, the net energy and ancillary services revenue estimate shall be estimated by 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 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.

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. 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has not previously cleared an RPM Auction for that or any prior Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-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.

For a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and for which a Sell Offer based on that resource has previously cleared an RPM Auction for any Delivery Year, the applicable Cleared MOPR Floor Offer Price shall be, at the election of the Capacity Market Seller, (a) based on the unit-specific MOPR Floor Offer Price, as determined in accordance with Tariff, Attachment DD, section 5.14(h-2)(4) 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 historical net energy and ancillary service revenues 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

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 2023/2024 Delivery Year and subsequent Delivery Years, the resource-specific Accredited UCAP value for solar and wind resource types (with appropriate time-weighting for any winter Capacity Interconnection Rights) or the resource-specific EFORD for all other generation resource types and on. 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 Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) that have cleared in an RPM Auction for any 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.

Any Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction for any Delivery Year and for which there is no default MOPR Floor Offer Price provided in accordance with this section, including hybrid resources, must seek a unit-specific value determined in accordance with the unit-specific MOPR Floor Offer Price process below to participate in an RPM Auction. Failure to obtain a unit-specific MOPR Floor Offer Price will result in the Office of the Interconnection rejecting any Sell Offer based on such resource.

(4) **Unit-Specific Exception.** A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Capacity Resource. A Capacity Market Seller intending to submit a Sell Offer in any RPM Auction for a Generation Capacity Resource that is under a fact-specific review for Buyer-Side Market Power pursuant to Tariff, Attachment DD, section 5.14(h-2)(2)(B)(ii), and where the offer is below the applicable default MOPR Floor Offer Price may, at its election, submit a request for a unit-specific exception for such Generation Capacity Resource. A Sell Offer below the default MOPR Floor Offer Price, but no lower than the unit-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 unit-specific MOPR Floor Offer Price determined under this provision shall be based on the unit-specific Accredited UCAP value for battery energy storage resource types and for solar and wind generation resource types (appropriately time-weighted for any winter Capacity Interconnection Rights) or on the unit-specific EFORd for all other generation resource types, 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 of the resource. 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 unit-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-2)(3)(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 unit-specific exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has never cleared an RPM Auction, 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 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 or any other revenues outside of PJM markets that do not constitute Conditioned State Support), 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 unit-specific exception hereunder. The request also shall identify all revenue sources (exclusive of any Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside the PJM market not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, which may include Maintenance Adders, 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. 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.

(C) For a Unit-Specific Exception for a Generation Capacity Resource that is subject to the provisions of the Minimum Offer Price Rule pursuant to Tariff, Attachment DD, section 5.14(h-2)(2) and that has previously cleared an RPM Auction, 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, 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 Conditioned State Support or bilateral contracts that direct submission of an offer to lower RPM Auction clearing prices) relied upon in the Sell Offer to offset the claimed fixed costs, including, without limitation, long-term power supply contracts, tolling agreements, evidence of compensation outside of PJM markets not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices, 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 well-defined models that include fully documented estimates of future fuel prices, variable operation and maintenance expenses, energy demand, which may include Maintenance Adders, and 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. 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.

(D) A Sell Offer evaluated at the unit-specific exception shall be permitted if the information provided reasonably demonstrates that the Sell Offer's competitive, fixed, cost-based offer level 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, and that out-of-market compensation is not tied to Conditioned State Support or a bilateral contract that directs submission of an offer to lower RPM Auction clearing prices. Failure to adequately support such claimed cost advantages or revenues so as to enable the Office of the Interconnection to make the determination required in this section will result in the elimination of consideration of the unsupported element(s) of a unit-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 unit-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 unit-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 unit-specific determination unless and until ordered to do otherwise by FERC.

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) above also shall receive a credit, comparable to the Capacity Transfer Rights provided to Load-Serving Entities under Tariff, Attachment DD, section 5.15. Such credit shall be equal to the locational capacity price difference specified in section 5.14(i)(1) above times the Export Customer's Allocated Share determined as follows:

Export Customer's Allocated Share equals

$$(\text{Export Path Import} * \text{Export Reserved Capacity}) /$$

$$(\text{Export Reserved Capacity} + \text{Daily Unforced Capacity Obligations of all LSEs in such Zone}).$$

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.