

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

PJM Interconnection, L.L.C.

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Docket No. ER26-1563-001

**MOTION FOR LEAVE TO ANSWER,
LIMITED ANSWER, AND AMENDMENT OF FILING
OF PJM INTERCONNECTION, L.L.C.**

PJM Interconnection, L.L.C. (“PJM”) respectfully submits this Motion for Leave to Answer and Limited Answer¹ in response to certain issues raised in protests and comments² on PJM’s Expedited Interconnection Track (“EIT”) proposal in the captioned docket.³ PJM further submits in this filing, pursuant to section 205 of the Federal Power Act (“FPA”)⁴ and part 35 of the Commission’s regulations,⁵ targeted revisions to the EIT Filing’s proposed additions to the PJM Open Access Transmission Tariff (“Tariff”).

¹ PJM submits this filing pursuant to Rules 212 and 213 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or the “Commission”). 18 C.F.R. §§ 385.212 and 385.213.

² PJM’s Answer responds to the following protests and comments filed in Docket No. ER26-1563-000 concerning the EIT proposal: *PJM Interconnection, L.L.C.*, Protest of Environmental Law and Policy Center re Expedited Interconnection Track, Docket No. ER26-1563-000 (Mar. 20, 2026) (“Environmental Law & Policy Center Protest”); *PJM Interconnection, L.L.C.*, Protest of the Solar Energy Industries Association and Advanced Energy United, Docket No. ER26-1563-000 (Mar. 20, 2026) (“SEIA Protest”); *PJM Interconnection, L.L.C.*, ACORE Protest of PJM Interconnection LLC Proposed Expedited Interconnection Track, Docket No. ER26-1563-000 (Mar. 20, 2026) (“ACORE Protest”); *PJM Interconnection, L.L.C.*, Protest of Natural Resources Defense Council, Docket No. ER26-1563-000 (Mar. 20, 2026) (“NRDC Protest”); *PJM Interconnection, L.L.C.*, Protest of Public Interest Organizations, Docket Ns. ER26-1563-000 (Mar. 20, 2026) (“Sierra Club Protest”); Protest of LS Power Development, LLC, Docket No. ER26-1563-000 (Mar. 20, 2026) (“LS Power Protest”); *PJM Interconnection, L.L.C.*, Comments of the Illinois Commerce Commission, Docket No. ER26-1563-000 (Mar. 20, 2026) (“Illinois Comments”); *PJM Interconnection, L.L.C.*, Comments of Josh Shapiro, Governor Commonwealth of Pennsylvania, Docket No. ER26-1563-000 (Mar. 20, 2026) (“Shapiro Comments”); *PJM Interconnection, L.L.C.*, Protest of Vistra Corp. and Dynegy Marketing and Trade, LLC, Docket No. ER26-1563-000 (Mar. 20, 2026) (“Vistra Protest”). While PJM does not concede other issues raised in these and other pleadings, PJM is addressing only specified issues herein to assist the Commission’s decision-making process.

³ *PJM Interconnection, L.L.C.*, Proposed Tariff Amendments for Expedited Interconnection Track of PJM Interconnection, L.L.C., Docket No. ER26-1563-000 (Feb. 27, 2026) (“EIT Filing”).

⁴ 16 U.S.C. § 824d.

⁵ 18 C.F.R. part 35.

As explained below, the protests lack merit and the overwhelming majority of comments concern issues far beyond the scope of this proceeding (and the Commission’s jurisdiction generally). Given the significant near-term capacity shortfall the PJM Region⁶ is facing, EIT is an important tool to help speed the addition of needed generation resources. PJM proposes in this filing limited revisions to two provisions of the EIT Filing, to account for differences in state sitting authority. The Commission should reject the protests and accept the proposed EIT, as amended in this filing, as just and reasonable, effective July 31, 2026.

I. INTRODUCTION

On February 27, 2026, PJM proposed the EIT to address the critical need for additional generation capacity to meet PJM’s resource adequacy requirements in the near-term.⁷ Facing a capacity shortfall of 6,623 megawatts (“MW”) for the 2027/28 delivery year, PJM proposed the EIT as an expedited process capable of delivering a Generation Interconnection Agreement (“GIA”) for needed Capacity Resources in approximately 10 months.⁸ The EIT is a limited process that will sunset by its own terms at the end of a full calendar year after Commission approval.⁹

In response, a number of parties intervened in the proceeding and filed protests or negative comments raising a range of objections to the EIT Filing. As relevant here, protesters claimed that PJM failed to justify key features of the EIT including: (i) the 250

⁶ Capitalized terms not otherwise defined herein shall have the meanings given to them in the EIT Filing, PJM Tariff, and the Reliability Assurance Agreement Among Load Serving Entities in the PJM Region.

⁷ See generally EIT Filing Transmittal Letter at 1-12 (explaining the need for EIT and how EIT will help to close the capacity shortfall).

⁸ EIT Filing at 3-4.

⁹ *Id.* at 12.

MW threshold for eligibility;¹⁰ (ii) the support from the Primary Siting Authority;¹¹ (iii) the 10 projects per year limit;¹² and (iv) the lack of a requirement for a long-term commitment.¹³ Each of these protests lack merit. As explained below, PJM has demonstrated that EIT is just and reasonable and not unduly discriminatory, and the Commission should accept the EIT Filing without delay.

In addition, many individuals filed comments opposing EIT due to concerns that are beyond the scope of this proceeding. In particular, a number of commenters voiced opposition to EIT due to their opposition to the 765-kilovolt Joshua Falls-Yeat Line to be located in Virginia. The Joshua Falls-Yeat Line is a baseline project that was identified in PJM's 2024 Regional Transmission Expansion Plan as needed for system reliability.¹⁴ As a baseline project, it is not considered a network upgrade resulting from a particular interconnection request of a generation developer. As such, it is already planned and approved and has no bearing on or connection to the Commission's consideration of the EIT proposal.

II. MOTION FOR LEAVE TO ANSWER

Although Rule 213 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213, does not generally provide for answers to protests,¹⁵ such pleadings are permitted where, as here, the information provided in an answer will facilitate the

¹⁰ SEIA Protest at 5-6; ACORE Protest at 2-3; LS Power Protest at 2, 7-10; NRDC Protest at 13-20.

¹¹ Shapiro Comments at 2; Sierra Club Protest at 46-48.

¹² Shapiro Comments at 2.

¹³ NRDC Protest at 5-7.

¹⁴ See Sami Abdulsalam, Director, PJM Transmission Planning, *Reliability Analysis Update*, PJM Interconnection, L.L.C., 61-62 (Jan. 7, 2025), <https://www.pjm.com/-/media/DotCom/committees-groups/committees/teac/2025/20250107/20250107-item-12---reliability-analysis-update.pdf> (“2024 Window 1 Update”).

¹⁵ See 18 C.F.R. § 385.213(a)(2). PJM notes that there is no prohibition on answering comments.

Commission's decision-making process, clarify the record, or aid in the explication of issues.¹⁶

Accordingly, PJM seeks leave to respond to certain comments and protests submitted in response to the EIT Filing in order to assist the Commission in its decision-making and clarify the issues under consideration in this proceeding. This Answer will provide the Commission with additional information that will aid its evaluation of the EIT Filing. Therefore, PJM respectfully requests that the Commission accept this Answer.

III. LIMITED ANSWER TO PROTESTS AND COMMENTS REGARDING PJM'S EIT FILING

PJM responds here to the protests relating to (i) the 250 MW threshold, (ii) the Primary Siting Authority requirement, and (iii) the 10 projects per year limit. PJM also notes that many of the specific protests are wrapped in a variety of charges of undue discrimination without clarity as to whether the undue discrimination is specific to PJM's proposed Tariff language or simply an issue of the variety of state laws and processes in the PJM Region, each of which PJM has attempted to accommodate through the EIT eligibility criteria.¹⁷

A. The 250 MW Threshold is Appropriate and Not Unduly Discriminatory

Several protesters take issue with the 250 MW threshold to qualify for EIT due to concerns that this limitation will effectively exclude solar and wind Generation Facilities

¹⁶ See, e.g., *PJM Interconnection, L.L.C.*, 193 FERC ¶ 61,192, at P 28 (2025) (accepting PJM's answer to protests because it provided information that assisted the Commission in its decision-making process), *reh'g denied*, 194 FERC ¶ 62,049 (2026); *PJM Interconnection, L.L.C.*, 176 FERC ¶ 61,163, at P 2 (2021) (accepting PJM's answer to protests because it provided information that assisted the Commission in its decision-making process); *Morgan Stanley Cap. Grp., Inc. v. N.Y. Indep. Sys. Operator, Inc.*, 93 FERC ¶ 61,017, at 61,036 (2000) (accepting an answer as helpful in the development of the record).

¹⁷ PJM also proposes herein limited revisions to the EIT Filing's Tariff language to accommodate that variety of state laws and processes.

from EIT.¹⁸ With respect to solar and wind projects, PJM currently has roughly 54 gigawatts (“GW”) of projects, the vast majority of which are wind and solar projects, that already have an Interconnection Service Agreement, Wholesale Market Participation Agreement, or GIA but nonetheless are not being constructed. These projects are represented by the “Construction Ready” and “Construction Paused” boxes in Figure 1 below. Figure 1 shows that of the total 324 GW of Interconnection Requests PJM has received since 2020, taking into account the 217 GW of projects that have been withdrawn at various stages of the process and the 30 GW of projects remaining to be studied, 77 GW of projects have service agreements but only 23 GW of projects have been completed and are in service today.

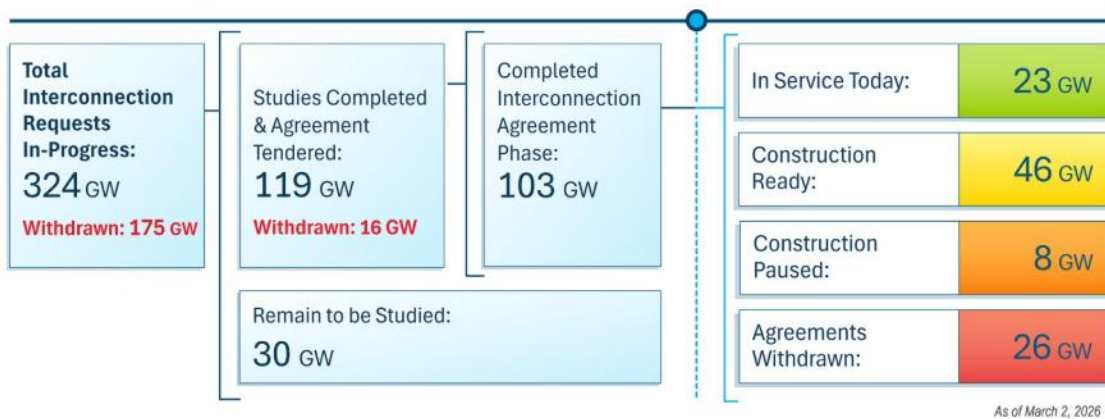


Figure 1. Chart describing the progress made in PJM’s Interconnection Reforms.¹⁹

Historically, only about 5% of the renewable projects that enter the interconnection process ultimately are built.²⁰ Thus, commercial viability and the loss of tax credits are

¹⁸ SEIA Protest at 5-6; ACORE Protest at 2-3; LS Power Protest at 2, 7-10; NRDC Protest at 13-20.

¹⁹ J. Connell, *Successful Interconnection Reforms, Other PJM Initiatives Seek To Maximize Electricity Supplies*, PJM Inside Lines (Mar. 16, 2026), <https://insidelines.pjm.com/connected/> (“*Successful Interconnection Reforms*”).

²⁰ *PJM Interconnection, L.L.C.*, Tariff Revisions for Reliability Resource Initiative of PJM Interconnection, L.L.C., Docket No. ER25-712-000, at 8 (Dec. 13, 2024).

likely more significant limitations for solar and wind projects than the size limit. Further, aggregation of wind, solar, and battery storage facilities at the same point of interconnection is a permissible way to meet this threshold under the proposed Tariff revisions.

To the extent the 250 MW threshold does exclude smaller projects, this discriminatory treatment is not undue. PJM is facing a near-term capacity shortfall that will require adding 3 GW per year of additional capacity in the next few years.²¹ The 250 MW threshold is an amount derived from the needed 3 GW per year (a minimum of 250 MW per project multiplied by the 10 EIT Projects per year PJM will study equates to 2.5 GW, i.e., a healthy contribution to the necessary 3 GW per year) and also represents a compromise (reduced from the initial proposed 500 MW) based on feedback from stakeholders. Thus, PJM chose the 250 MW threshold as a reasonable balance of the significant need for additional capacity and PJM's ability to process the expedited requests separately from the much-anticipated first cycle of PJM's reformed interconnection processes—Cycle 1.²² This minimum size threshold is similar to cap or threshold amounts established in other recently approved resource adequacy initiatives,²³ and is not unduly discriminatory.

B. Primary Siting Authority

Certain protesters object to the EIT proposal's requirement for EIT Projects to obtain support for the expedition of their siting from the relevant state's primary siting

²¹ See EIT Filing at 3-4.

²² EIT Filing at 19.

²³ See, e.g., *Sw. Power Pool, Inc.*, 192 FERC ¶ 61,062, at P 117 (2025) (approving SPP's Expedited Resource Adequacy Study ceiling limit calculation over protests that the calculation's reliance on 419 MW of capacity was unduly discriminatory against renewable projects), *order on reh'g*, 194 FERC ¶ 61,051 (2026).

authority as an unlawful incursion into the state’s exclusive authority over generation.²⁴ Protesters claim this requirement impermissibly intrudes upon state authority by pressuring the state regulators to hasten or even prejudge their siting decisions.²⁵ To clarify: PJM is not asking for a predetermined approval of projects, just a commitment to expedite their consideration. Further, to the extent a state is not in a position to commit to expedite consideration, there is no obligation to do so and the project can simply apply for Cycle 1 or Cycle 2.²⁶

Other commenters express concerns regarding the proposed definition of “Primary Siting Authority.” The Illinois Commerce Commission is concerned that the current proposal is unduly discriminatory towards retail choice states that lack a primary siting authority.²⁷ Governor Shapiro of Pennsylvania argues that the EIT Filing’s definition of “Primary Siting Authority” ignores the fact that many states in the PJM Region do not have a single siting authority but have split the siting authority for generating facilities and transmission authorities among different governmental bodies.²⁸

To address these concerns regarding the Primary Siting Authority, PJM proposes to amend its EIT Filing to modify the language of Tariff, Part X, Subpart A, section 601(B)(1) as indicated in redline below:

²⁴ Sierra Club Protest at 46-48.

²⁵ *Id.* at 42-46.

²⁶ The protests reveal some confusion as to the ability to enter a project for consideration in the EIT without having to withdraw it from a Cycle it already has a place in. *See, e.g.*, LS Power Protest at 1-2, 4-7. To clarify, while the Tariff prohibits *maintaining* more than one place in the process for a single project, there is no prohibition on applying for a spot in the EIT for a project that already has a place in an ongoing Cycle. In other words, a project does not have to withdraw from an ongoing Cycle just to apply for the EIT process. However, if the project secures one of the EIT spots, it must withdraw from the ongoing Cycle. In addition, each submission must meet the Tariff requirements for that submission on its own; the submissions may not share elements such as Site Control.

²⁷ Illinois Comments at 3-5.

²⁸ *See* Shapiro Comments at 2-3.

A request for interconnection to the Transmission System for an EIT Project that is supported by evidence of state commitment in the form of, at a minimum, the commitment of a Primary Siting Authority to support a request to expedite, if necessary, consideration of the EIT Project's siting to meet a targeted deadline that will enable the EIT Project to meet its proposed commercial operation date, provided that a Primary Siting Authority's commitment to expedite consideration is not a commitment to approve the siting of the EIT Project~~including, as applicable, siting for any associated Network Upgrades and Interconnection Facilities that will be determined to be needed within the state to make the EIT Project deliverable.~~

PJM also proposes to revise the Tariff definition of Primary Siting Authority in Tariff, Part X, Subpart A, section 600, as follows:

“Primary Siting Authority” shall mean a commission, board, agency, or governmental subdivision of a state within the PJM Region that has primary siting authority for the subject EIT project, or the chief executive of the state.~~if a program has been established to expedite the siting for priority projects through executive order or other binding authority.~~

These revisions would clarify that the required commitment is only to expedite consideration of an EIT Project's siting, not to prejudge the outcome of the siting process. It also would avoid the issues the Illinois Commerce Commission and Governor Shapiro identified by limiting the siting to the Generating Facility and allowing a state's chief executive to commit to expedite consideration of a project if no other state entity is able to do so.²⁹

C. The 10 Projects Limit Per Year Is Appropriate

Several protestors question EIT's 10 projects per year limit, and argue that 10 projects per year is an arbitrary cut off and too low.³⁰ As previously explained, this limitation is neither: the ten-project limit corresponds to the number of projects that PJM can study in a serial manner without adversely affecting PJM's ongoing, parallel analysis of the main

²⁹ Shapiro Comments at 3; Illinois Comments at 3-5.

³⁰ Shapiro Comments at 2; Illinois Comments at 3-5.

Cycle projects.³¹ PJM determined 10 projects per year as the number PJM can study in serial fashion and still process the main Cycle projects unimpeded based on PJM's extensive experience processing Generation Interconnection Requests using both a serial method and a clustered Cycle method.³² Further, as PJM will need to interconnect roughly 3 GWs of additional generating capacity a year in the coming years to close the resource adequacy shortfall, the 10 projects limit coupled with the minimum 250 MW threshold should result in GIAs for at least 2.5 GWs of capacity resources if EIT is fully utilized.³³ Thus, the criticism of the EIT's ten-project per year limit is without merit.

D. The EIT Capacity Requirements Are Appropriate

One protest contends that the EIT's Capacity Resource requirements are not strict enough because the EIT does not require EIT Projects to make a long-term commitment to offer into the Base Residual Auction ("BRA") as did the Reliability Resource Initiative ("RRI"), which included a ten year must-offer requirement.³⁴ Although it is true that the EIT does not require a specific long-term commitment to the BRA, such a requirement is not necessary for the EIT proposal to be just and reasonable. The proposed EIT is not

³¹ EIT Filing at 11-12.

³² See *Successful Interconnection Reforms* (PJM has studied and completed interconnection agreements for 103 GW of generation since 2020 under both the prior serial process and the transition period rules that apply a clustered cycle process).

³³ See EIT Filing at 3-4. In response to the Vistra Protest concern that PJM has not explained how the EIT timing will tie in with other measures, such as the reliability backstop auction (Vistra Protest at 2, 7-8), PJM notes that it has proposed a reliability backstop auction mechanism (see Letter from David Mills, Interim President & CEO of PJM Interconnection, L.L.C. to Stakeholders addressing the initiation of the Critical Issue Fast Path (CIFP) – Reliability Backstop Procurement (RBP) accelerated stakeholder process by the Board of Managers of PJM Interconnection, L.L.C. (Board) pursuant to Manual 34, Section 8.6.4, PJM Interconnection, L.L.C. (Apr. 8, 2026), <https://www.pjm.com/-/media/DotCom/about-pjm/who-we-are/public-disclosures/2026/20260408-cifp-rbp-initiation-letter.pdf> (indicating PJM will post "the initial proposal, Issue Charge and matrix, including all proposals identified to date in the matrix" on April 10, 2026)) and project developers can use the EIT process to get generating facilities offered in that auction interconnected.

³⁴ NRDC Protest at 5-7.

attempting to address potential capacity shortfalls a decade in the future. Instead, the EIT is targeted to address the near-term capacity shortfall in the PJM Region and has the appropriate guardrails specific to the near-term (e.g., the EIT proposal’s study deposit and readiness deposit requirements preclude projects joining and then almost immediately withdrawing from EIT, a guardrail RRI lacked). The fact that the EIT differs in approach from that taken in RRI does not render the EIT proposal unjust and unreasonable.³⁵

In any event, EIT Projects are motivated to participate in the BRA for years to come, regardless of whether that participation is specifically required, to recoup the up-front financial investment required. The heightened Study Deposit, Readiness Deposit, responsibility for Network Upgrades, and Site Control requirements all will demand significant up-front financial commitments from a project sponsor to participate in the EIT. Although these requirements are intended to select projects that are commercially viable and ready to move forward, the financial commitments (along with the designation of EIT Projects as Capacity Resources and their receipt of Capacity Interconnection Rights) will also, as a practical matter, result in the long-term commitment of these Capacity Resources to the BRA and PJM markets to recover those substantial investments. Thus, it is unnecessary to mandate BRA participation to render the EIT just and reasonable.

E. The Joshua Falls-Yeat Line Is Beyond the Scope of This Proceeding

A large number of protests and comments oppose the EIT Filing due to concerns that the EIT will expedite the construction of new generation resources for which insufficient transmission facilities exist and thereby drive the need for the 765-kilovolt Joshua Falls-

³⁵ See, e.g., *Neb. Pub. Power Dist. v. FERC*, 957 F.3d 932, 943 (8th. Cir. 2020) (stating that the law does not require the Commission to consider alternatives, but only whether the rate proposal itself is just and reasonable); *Cities of Bethany, et al. v. FERC*, 727 F.2d 1131, 1136 (D.C. Cir. 1984) (finding that the Commission properly did not consider “whether a proposed rate schedule is more or less reasonable than alternative rate designs”).

Yeat Line, which these protesters and commenters oppose.³⁶ As an initial matter, FERC has no siting authority over the Joshua Falls-Yeat Line, which is instead within the exclusive purview of the relevant state authority.³⁷ And, regardless of the jurisdictional issues, the EIT cannot drive the need for the Joshua Falls-Yeat Line because the need for that line is not related to generator interconnections but to system reliability; the Joshua Falls-Yeat Line is already included as a baseline project in PJM's Regional Transmission Expansion Plan as part of a group of upgrades needed for reliability purposes.³⁸ Because the reliability need for the Joshua Falls-Yeat Line has already been determined, it cannot be driven, or indeed, affected in any way, by the interconnection of EIT Projects to the PJM Transmission System. Ultimately, the EIT proposal here is aimed at resource adequacy issues, and it is undeniable that PJM needs more capacity in the region. Accordingly, the Commission should accept the EIT, as amended by this filing, effective July 31, 2026.

IV. AMENDMENT OF THE EIT FILING

As stated above in Section III.B, PJM proposes to amend the EIT Filing, and specifically, to revise Tariff, Part X, Subpart A, sections 600 and 601(B)(1), to account for the varying state siting laws and processes in the PJM Region. PJM therefore attaches to this answer:

³⁶ See, e.g., *PJM Interconnection, L.L.C.*, Comments of Tony O'Brien, Chair of Fluvanna County, Virginia Board of Supervisors, Docket No. ER26-1563-000 (Mar. 20, 2026); *PJM Interconnection, L.L.C.*, Comments of Sarah J. Regan, Docket No. ER26-1563-000 (Mar. 20, 2026).

³⁷ A number of commentors raise specific routing concerns regarding the Joshua Falls-Yeat Line. See, e.g., *PJM Interconnection, L.L.C.*, Comments of Shirley A. Gish, Docket No. ER26-1563-000 (Mar. 19, 2026). Given that the route of the Joshua Falls-Yeat Line is not before the Commission, these concerns would be more appropriately addressed to the Virginia State Corporation Commission in the state siting proceedings.

³⁸ See 2024 Window 1 Update at 61-62.

1. Attachment A: Tariff Redline; and
2. Attachment B: Clean Tariff.

PJM requests that the Commission accept the Proposed Revisions in the EIT Filing, as amended in this filing, effective July 31, 2026. This date will allow PJM to have the EIT in place by August 2026, as directed by the PJM Board. PJM also respectfully requests that the Commission issue an order accepting this filing, without condition or modification, on or before June 9, 2026, 60 days from the date of this filing.³⁹

V. CONCLUSION

PJM requests that the Commission: (i) accept this Limited Answer; and (ii) accept PJM's EIT Filing, as amended by this filing, effective July 31, 2026.

Respectfully submitted,

/s/ Wendy B. Warren

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***Counsel for
PJM Interconnection, L.L.C.***

Dated: April 10, 2026

³⁹ PJM has assigned an effective date of June 9, 2026, to one eTariff record (Tariff, Part II, section 20) submitted with this filing (in metadata only) in order to effectuate Commission action by this date.

CERTIFICATE OF SERVICE

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

Dated at Washington, D.C., this 10th day of April 2026.

/s/ Ruth M. Porter

Ruth M. Porter

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Attachment A

Revisions to the
PJM Open Access Transmission Tariff

(Marked Format)

Tariff, Part X, Subpart A, section 600
Definitions

For purposes of these Expedited Interconnection Track procedures and any agreement set forth in Tariff, Part IX, where a term is not specifically defined in this Tariff, Part X, Subpart A, section 600, the meaning it is given in Tariff, Part VIII, shall apply, except that the term “New Service Request” in Tariff, Part VIII shall be read as “EIT Request,” Engineering and Procurement Agreements under Tariff, Part VIII shall not be available to EIT Projects, and the reference to “a later Cycle” in Tariff, Part VIII, Subpart A, section 400, definition of “Material Modification” shall be read as any Cycle after the Cycle that is active when the EIT Request is submitted.

EIT Project:

“EIT Project” shall mean a new Generating Facility or an increase in the generating capacity of a Generating Facility with an effective Generation Interconnection Agreement or Interconnection Service Agreement that seeks interconnection to the Transmission System using the Expedited Interconnection Track process under Tariff, Part X.

EIT Readiness Deposit:

“EIT Readiness Deposit” shall mean the deposit or deposits required by Tariff, Part X, Subpart B, section 602(A)(2)(b) for the Expedited Interconnection Track process under Tariff, Part X.

EIT Request:

“EIT Request” shall mean a request for interconnection of an EIT Project to the Transmission System using the Expedited Interconnection Track process under Tariff, Part X.

EIT Request Number:

“EIT Request Number” shall mean, when an EIT Project Application or EIT Request has been validated by Transmission Provider in accordance with Tariff, Part X, Subpart B, section 602, the assigned request number for such request as confirmed by Transmission Owner. The EIT Request Number will indicate the serial position and priority.

EIT Study Deposit:

“EIT Study Deposit” shall mean the non-refundable payment in the form of cash required to initiate and fund any study for an EIT Project, as required in Tariff, Part X, Subpart B, section 602(A)(2)(a).

Primary Siting Authority:

“Primary Siting Authority” shall mean a commission, board, agency, or governmental subdivision of a state within the PJM Region that has primary siting authority for the subject EIT

project, or the chief executive of the state ~~if a program has been established to expedite the siting for priority projects through executive order or other binding authority.~~

Tariff, Part X, Subpart A, section 601
Expedited Interconnection Track Overview, Availability, and Eligibility

- A. Expedited Interconnection Track Overview. Tariff, Part X sets forth the procedures and other terms governing the Transmission Provider's administration of the Expedited Interconnection Track process. The Expedited Interconnection Track process is a separate process outside of, and operating in parallel with, Transmission Provider's Cycle process under Tariff, Part VII and Tariff, Part VIII.
- B. Availability. Tariff, Part X applies to:
1. A request for interconnection to the Transmission System for an EIT Project that is supported by evidence of state commitment in the form of, at a minimum, the commitment of a Primary Siting Authority to support a request to expedite, if necessary, consideration of the EIT Project's siting to meet a targeted deadline that will enable the EIT Project to meet its proposed commercial operation date, provided that a Primary Siting Authority's commitment to expedite consideration is not a commitment to grant siting approval of the EIT Project including, as applicable, siting for any associated Network Upgrades and Interconnection Facilities that will be determined to be needed within the state to make the EIT Project deliverable.
 2. Transmission Provider will accept and study no more than ten (10) completed and valid Applications for EIT Projects per calendar year.
- C. Eligibility. All of the following criteria must be met for a Generation Project Developer's submission of an EIT Request to be valid and accepted by the Transmission Provider.
1. Generation Project Developer's EIT Request must include a request for Capacity Resource status along with Capacity Interconnection Rights relevant to the fuel type of the EIT Project.
 2. A Generation Project Developer may not submit an EIT Request for an increase in the generating capacity of a Generating Facility that already has a Generation Interconnection Request for that Generating Facility in Transmission Provider's Cycle process under Tariff, Part VII or Tariff, Part VIII without an effective Generation Interconnection Agreement. If the EIT Project is an increase in the generating capacity of a Generating Facility with an effective Generation Interconnection Agreement or Interconnection Service Agreement, the legal entity submitting the EIT Request and the legal entity named as the Generation Project Developer in the Generation Interconnection Agreement for that Generating Facility must be the same.
 3. Generation Project Developer must submit a critical path construction schedule showing that the EIT Project will achieve commercial operation within 36 months of the date the EIT Request is submitted and how it plans to achieve that commercial operation date, which must be set forth in the schedule, an attestation executed by an officer or authorized representative of the Generation Project

Developer, verifying the accuracy of the information, including all dates, and certifying that the Generation Project Developer will exercise commercially reasonable best efforts to achieve these dates, and an independent engineer certification that the schedule is feasible in light of future construction, siting, permitting, and supply chain conditions. If the Generation Project Developer elects in its Application to exercise the Option to Build for Stand-Alone Network Upgrades identified with respect to its EIT Request, the critical path construction schedule must include relevant dates for the exercise of the Option to Build. An EIT Request that does not include the critical path construction schedule and required attestation and certification shall not be considered complete.

- a. Notwithstanding the requirement for the EIT Project to achieve commercial operation within 36 months of the date the Generation Project Developer submits its EIT Request, the EIT Project's output to the Transmission System upon its completion still may be limited based on the completion of any Network Upgrades necessitated by the interconnection of the EIT Project. The EIT Project's GIA shall include a milestone requiring the Generation Project Developer to take Provisional Interconnection Service subject to Tariff, Part VIII, Subpart L, section 439 in the event completion of Network Upgrades necessitated by the interconnection of the EIT Project is delayed.
4. The EIT Project must interconnect at a Point of Interconnection to the Transmission System and have at the time it submits its EIT Request 100% Site Control, as defined in Tariff, Part VIII, Subpart A, section 400, for each of the Generating Facility, Interconnection Facilities, and Interconnection Switchyard in the state in which the EIT Project will be sited.
 5. An EIT Request must be for a large scale EIT Project that, as of the time the EIT Request is submitted, has a generating capacity equal to or greater than 250 MW of Accredited UCAP value, as defined in the most recently published forward-looking Preliminary Class Ratings for the Delivery Year in which the EIT Project proposes to achieve commercial operation. Subject to the requirements of this Tariff, Part X, Subpart A, section 601, and of Tariff, Part X, Subpart B, section 602, all fuel types, including electric storage, are eligible for the Expedited Interconnection Track process.
- D. Sunset of Tariff, Part X. The provisions of this Tariff, Part X shall sunset and no new EIT Requests will be processed after the end of the calendar year following the year in which the Commission accepts this Part X. The provisions of this Tariff, Part X shall continue in effect until Transmission Prover has completed processing of all valid EIT Requests accepted prior to the sunset date.

Attachment B

Revisions to the
PJM Open Access Transmission Tariff

(Clean Format)

Tariff, Part X, Subpart A, section 600
Definitions

For purposes of these Expedited Interconnection Track procedures and any agreement set forth in Tariff, Part IX, where a term is not specifically defined in this Tariff, Part X, Subpart A, section 600, the meaning it is given in Tariff, Part VIII, shall apply, except that the term “New Service Request” in Tariff, Part VIII shall be read as “EIT Request,” Engineering and Procurement Agreements under Tariff, Part VIII shall not be available to EIT Projects, and the reference to “a later Cycle” in Tariff, Part VIII, Subpart A, section 400, definition of “Material Modification” shall be read as any Cycle after the Cycle that is active when the EIT Request is submitted.

EIT Project:

“EIT Project” shall mean a new Generating Facility or an increase in the generating capacity of a Generating Facility with an effective Generation Interconnection Agreement or Interconnection Service Agreement that seeks interconnection to the Transmission System using the Expedited Interconnection Track process under Tariff, Part X.

EIT Readiness Deposit:

“EIT Readiness Deposit” shall mean the deposit or deposits required by Tariff, Part X, Subpart B, section 602(A)(2)(b) for the Expedited Interconnection Track process under Tariff, Part X.

EIT Request:

“EIT Request” shall mean a request for interconnection of an EIT Project to the Transmission System using the Expedited Interconnection Track process under Tariff, Part X.

EIT Request Number:

“EIT Request Number” shall mean, when an EIT Project Application or EIT Request has been validated by Transmission Provider in accordance with Tariff, Part X, Subpart B, section 602, the assigned request number for such request as confirmed by Transmission Owner. The EIT Request Number will indicate the serial position and priority.

EIT Study Deposit:

“EIT Study Deposit” shall mean the non-refundable payment in the form of cash required to initiate and fund any study for an EIT Project, as required in Tariff, Part X, Subpart B, section 602(A)(2)(a).

Primary Siting Authority:

“Primary Siting Authority” shall mean a commission, board, agency, or governmental subdivision of a state within the PJM Region that has primary siting authority for the subject EIT project, or the chief executive of the state.

Tariff, Part X, Subpart A, section 601
Expedited Interconnection Track Overview, Availability, and Eligibility

- A. Expedited Interconnection Track Overview. Tariff, Part X sets forth the procedures and other terms governing the Transmission Provider's administration of the Expedited Interconnection Track process. The Expedited Interconnection Track process is a separate process outside of, and operating in parallel with, Transmission Provider's Cycle process under Tariff, Part VII and Tariff, Part VIII.
- B. Availability. Tariff, Part X applies to:
 - 1. A request for interconnection to the Transmission System for an EIT Project that is supported by evidence of state commitment in the form of, at a minimum, the commitment of a Primary Siting Authority to support a request to expedite, if necessary, consideration of the EIT Project's siting to meet a targeted deadline that will enable the EIT Project to meet its proposed commercial operation date, provided that a Primary Siting Authority's commitment to expedite consideration is not a commitment to grant siting approval of the EIT Project.
 - 2. Transmission Provider will accept and study no more than ten (10) completed and valid Applications for EIT Projects per calendar year.
- C. Eligibility. All of the following criteria must be met for a Generation Project Developer's submission of an EIT Request to be valid and accepted by the Transmission Provider.
 - 1. Generation Project Developer's EIT Request must include a request for Capacity Resource status along with Capacity Interconnection Rights relevant to the fuel type of the EIT Project.
 - 2. A Generation Project Developer may not submit an EIT Request for an increase in the generating capacity of a Generating Facility that already has a Generation Interconnection Request for that Generating Facility in Transmission Provider's Cycle process under Tariff, Part VII or Tariff, Part VIII without an effective Generation Interconnection Agreement. If the EIT Project is an increase in the generating capacity of a Generating Facility with an effective Generation Interconnection Agreement or Interconnection Service Agreement, the legal entity submitting the EIT Request and the legal entity named as the Generation Project Developer in the Generation Interconnection Agreement for that Generating Facility must be the same.
 - 3. Generation Project Developer must submit a critical path construction schedule showing that the EIT Project will achieve commercial operation within 36 months of the date the EIT Request is submitted and how it plans to achieve that commercial operation date, which must be set forth in the schedule, an attestation executed by an officer or authorized representative of the Generation Project Developer, verifying the accuracy of the information, including all dates, and certifying that the Generation Project Developer will exercise commercially reasonable best efforts to achieve these dates, and an independent engineer certification that the schedule is feasible in light of future construction, siting,

permitting, and supply chain conditions. If the Generation Project Developer elects in its Application to exercise the Option to Build for Stand-Alone Network Upgrades identified with respect to its EIT Request, the critical path construction schedule must include relevant dates for the exercise of the Option to Build. An EIT Request that does not include the critical path construction schedule and required attestation and certification shall not be considered complete.

- a. Notwithstanding the requirement for the EIT Project to achieve commercial operation within 36 months of the date the Generation Project Developer submits its EIT Request, the EIT Project's output to the Transmission System upon its completion still may be limited based on the completion of any Network Upgrades necessitated by the interconnection of the EIT Project. The EIT Project's GIA shall include a milestone requiring the Generation Project Developer to take Provisional Interconnection Service subject to Tariff, Part VIII, Subpart L, section 439 in the event completion of Network Upgrades necessitated by the interconnection of the EIT Project is delayed.
4. The EIT Project must interconnect at a Point of Interconnection to the Transmission System and have at the time it submits its EIT Request 100% Site Control, as defined in Tariff, Part VIII, Subpart A, section 400, for each of the Generating Facility, Interconnection Facilities, and Interconnection Switchyard in the state in which the EIT Project will be sited.
 5. An EIT Request must be for a large scale EIT Project that, as of the time the EIT Request is submitted, has a generating capacity equal to or greater than 250 MW of Accredited UCAP value, as defined in the most recently published forward-looking Preliminary Class Ratings for the Delivery Year in which the EIT Project proposes to achieve commercial operation. Subject to the requirements of this Tariff, Part X, Subpart A, section 601, and of Tariff, Part X, Subpart B, section 602, all fuel types, including electric storage, are eligible for the Expedited Interconnection Track process.
- D. Sunset of Tariff, Part X. The provisions of this Tariff, Part X shall sunset and no new EIT Requests will be processed after the end of the calendar year following the year in which the Commission accepts this Part X. The provisions of this Tariff, Part X shall continue in effect until Transmission Prover has completed processing of all valid EIT Requests accepted prior to the sunset date.