

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

Old Dominion Electric Cooperative	)	Docket No. ER14-2242-000
	)	
	)	

**ANSWER AND MOTION FOR LEAVE TO ANSWER  
OF THE INDEPENDENT MARKET MONITOR FOR PJM**

Pursuant to Rules 212 and 213 of the Commission’s Rules and Regulations,<sup>1</sup> Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM (“Market Monitor”), submits this answer to, and moves for leave to answer, the answer filed by Old Dominion Electric Cooperative (“ODEC”), to the Market Monitor’s request for an additional 28 days to respond to ODEC’s petition for waiver filed June 23, 2013. The size and complexity of ODEC’s filing is good cause for additional time for analysis and the formulation of a complete response. ODEC has not shown otherwise. Accordingly, the comment date should be moved to August 11, 2014, and no earlier.

**I. ANSWER**

ODEC’s petition is the third filing for the recovery of gas costs incurred while participating in PJM markets during the first quarter of 2014.<sup>2</sup> The Market Monitor’s review of the fact patterns in earlier submittals has revealed significant information about the proper evaluation of those submittals. ODEC’s petition, nearly 500 pages, covers multiple event days and features multiple theories of recovery. No waiver of the filed tariff rules to afford special recovery would be appropriate without careful review of this information,

---

<sup>1</sup> 18 CFR § 385.212 & 213 (2013).

<sup>2</sup> See Dockets Nos. EL14-54 and ET14-2075.

and that cannot happen without adequate time. The Commission recently permitted a 28-day extension requested due to the complexity of the issues raised in a matter, and did so over the filing party's objections.<sup>3</sup> Good cause exists to permit a 28-day extension in this proceeding.

ODEC claims that the Market Monitor had advance knowledge of the facts related to its petition, but this is not a reason to deny the motion or shorten the extension. The Market Monitor has engaged in many discussions with many participants, and it has no way to know what information will end up in a particular filing, or even whether a filing would be made. ODEC did not share an advance draft of its filing, nor did it provide service. There is now a record greater than 500 pages. This information requires careful review.

ODEC asserts (at 3) that an earlier comment date will "protect" it, and would ensure adequate time for the Commission to render a decision. No one's interest will be served by rushing the initial comment date. The Commission should take whatever time it needs to consider the petition. ODEC's petition is not a rate schedule filed under Part 35 that could become effective after 60 days.<sup>4</sup> Responding by the requested date of August 11, 2014, poses a challenging deadline, given the volume of work on PJM matters pending before the Commission at this time. The request for an additional 28 days is reasonable, inconveniences no one, and should be granted.

## **II. MOTION FOR LEAVE TO ANSWER**

The Commission's Rules of Practice and Procedure, 18 CFR § 385.213(a)(2), do not permit answers to answers or protests unless otherwise ordered by the decisional authority. The Commission has made exceptions, however, where an answer clarifies the issues or

---

<sup>3</sup> See *Transmission Agency of Northern California v. Pacific Gas and Electric Company*, Notice of Extensions of Time, Docket No. EL14-44-000 (May 14, 2014).

<sup>4</sup> 18 CFR § 35.2 (e).

assists in creating a complete record.<sup>5</sup> In this answer, the Market Monitor provides the Commission with information useful to the Commission's decision-making process and which provides a more complete record. Accordingly, the Market Monitor respectfully requests that this answer be permitted.

### III. CONCLUSION

The Market Monitor respectfully requests that the Commission afford due consideration to this pleading as the Commission resolves the issues raised on the Market Monitor's motion.

Respectfully submitted,



---

Jeffrey W. Mayes

Joseph E. Bowring  
Independent Market Monitor for PJM  
President  
Monitoring Analytics, LLC  
2621 Van Buren Avenue, Suite 160  
Valley Forge Corporate Center  
Eagleville, Pennsylvania 19403  
(610) 271-8051  
*joseph.bowring@monitoringanalytics.com*

General Counsel  
Monitoring Analytics, LLC  
2621 Van Buren Avenue, Suite 160  
Valley Forge Corporate Center  
Eagleville, Pennsylvania 19403  
(610) 271-8053  
*jeffrey.mayes@monitoringanalytics.com*

Dated: July 1, 2014

---

<sup>5</sup> See, e.g., *PJM Interconnection, L.L.C.*, 119 FERC ¶61,318 at P 36 (2007) (accepted answer to answer that "provided information that assisted ... decision-making process"); *California Independent System Operator Corporation*, 110 FERC ¶ 61,007 (2005) (answer to answer permitted to assist Commission in decision-making process); *New Power Company v. PJM Interconnection, L.L.C.*, 98 FERC ¶ 61,208 (2002) (answer accepted to provide new factual and legal material to assist the Commission in decision-making process); *N.Y. Indep. Sys. Operator, Inc.*, 121 FERC ¶61,112 at P 4 (2007) (answer to protest accepted because it provided information that assisted the Commission in its decision-making process).

**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 Eagleville, Pennsylvania,  
this 1<sup>st</sup> day of July, 2014.



---

Jeffrey W. Mayes

General Counsel

Monitoring Analytics, LLC

2621 Van Buren Avenue, Suite 160

Valley Forge Corporate Center

Eagleville, Pennsylvania 19403

(610) 271-8053

*jeffrey.mayes@monitoringanalytics.com*