

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

Independent Market Monitor for PJM)	
)	
v.)	Docket No. EL19-____-000
)	
PJM Interconnection, L.L.C.)	
)	

COMPLAINT OF THE INDEPENDENT MARKET MONITOR FOR PJM

Pursuant to Rule 206 of the Commission’s Rules and Regulations,¹ Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor (“Market Monitor”) for PJM Interconnection, L.L.C. (“PJM”),² files this Complaint against PJM Interconnection, L.L.C., in connection with PJM’s determination to not assess a Fuel Cost Policy penalty to a certain market seller (“Market Seller”) for not following their approved Fuel Cost Policy per Section 5 of Schedule 2 of the PJM Operating Agreement. PJM should be directed to find that the indicated actions constitute a violation of a Fuel Cost Policy and to assess the required penalty.

This complaint includes confidential information that is included in an attached confidential report (Attachment A). The report is redacted from the public version. In order to protect confidential information, the Market Monitor proposes to use the PJM Markets

¹ 18 CFR § 385.206 (2018).

² Capitalized terms used herein and not otherwise defined have the meaning used in the PJM Open Access Transmission Tariff (“OATT”), the PJM Operating Agreement (“OA”) or the PJM Reliability Assurance Agreement (“RAA”).

Protective Order, which was approved for use in Docket No. EL17-22,³ and is included as Attachment B.

I. COMPLAINT

A. Disagreement Regarding the Fuel Cost Policy Violation.

On Saturday, January 6, 2018, the Market Seller used a natural gas cost value based on a method not defined in their Fuel Cost Policy. If that method had been specified in the Fuel Cost Policy, the Fuel Cost Policy would have failed the Market Monitor's market power review. January 6, 2018, was the Saturday following PJM's winter peak load day of Friday, January 5, 2018. Natural gas prices reached their highest levels of the winter during this first weekend of 2018. A winter peak coinciding with a constrained natural gas market created the conditions that make Fuel Cost Policies essential to the competitive functioning of the PJM energy market.

On February 6, 2018, the Market Monitor notified the Market Seller of the identified Fuel Cost Policy violation for the January 6, 2018, cost-based offer ("Fuel Cost Policy Violation"). On February 8, 2018, the Market Monitor notified PJM of the Fuel Cost Policy Violation.

On April 26, 2018, the Market Seller provided PJM and the Market Monitor arguments explaining why PJM should not penalize the Market Seller. The Market Seller asserted an interpretation of its Fuel Cost Policy to justify its January 6, 2018, fuel cost that was clearly not supported by, or consistent with the plain language of, the Fuel Cost Policy. PJM accepted the Market Seller's argument.

On August 15, 2018, PJM notified the Market Monitor of PJM's disagreement with assessing a Fuel Cost Policy penalty to the Market Seller for not following Seller's PJM approved Fuel Cost Policy.

³ See *Indep. Market Monitor for PJM v. Am. Elec. Power Serv. Corp.*, 162 FERC ¶ 61,074 (2018).

B. The Importance of Fuel Cost Policies.

Recognizing the importance of the correct development of cost-based offers for market power mitigation on all days, including days when fuel costs rise to extraordinary levels, the Commission required that PJM create an approval process for Fuel Cost Policies and penalties for the violation of Fuel Cost Policies.⁴

This case presents an important precedent for the role of Fuel Cost Policies in protecting the PJM energy market from market power abuse. If PJM accepts Market Sellers' unreasonable after the fact arguments to justify developing fuel costs using a method not defined in the Fuel Cost Policy, Fuel Cost Policies become meaningless and fail to serve the functions that the Commission identified. The Commission should require that PJM impose the penalty for violation of the Fuel Cost Policy in this case and reiterate the importance of having verifiable and systematic Fuel Cost Policies.

II. RULE 206 REQUIREMENTS

A. Rule 206(b)(1): Action or Inaction Alleged To Violate Statutory Standards or Regulatory Requirements

PJM failed to apply a penalty to a Market Participant that violated its approved Fuel Cost Policy.

B. Rule 206(b)(2): Legal Bases for Complaint

The Market Monitor submits this complaint pursuant to Section IV of Attachment M to the OATT, specifically section IV.E-1. Section IV.E-1 provides, "In the event that a market participant determines to use an offer or cost input at a level or value that the Market Monitoring Unit has found to involve a potential exercise of market power, the Market Monitoring Unit may file a petition or initiate other regulatory proceedings addressing the

⁴ See *PJM Interconnection, L.L.C.*, 155 FERC ¶ 61,282 at P 63 (2016).

issue.” PJM failed to apply a penalty to a Market Participant that violated its approved Fuel Cost Policy.⁵

By order issued February 3, 2017 (“February 3rd Order”), the Commission “require[d] PJM to remove the proposed Tariff revisions regarding referrals to the Office of Enforcement on compliance, within 30 days of the date of this order” in connection with disputes between the Market Monitor and the PJM over Fuel Cost Policies.⁶ The Commission cited concerns raised by the Market Monitor that the “Office of Enforcement will be unable to defend determinations that participants exercised market power when PJM has approved such behavior in advance even if it agrees with the Market Monitor that cost based offers were not competitive.”⁷ The Commission found (*id.*), “such disputes are the province of the Commission and its Administrative Law Judges to address in response to a complaint when appropriate, or for its Administrative Dispute Resolution process to resolve outside of formal processes.”

The conclusion that “Resolution of such disputes between an RTO and its market monitor is not the role of the Office of Enforcement” logically also includes disputes regarding the applicability of penalties for Fuel Cost Policy violations and otherwise incorrect cost-based offers. But despite the February 3rd Order (at PP 83–86), which addressed all of “the proposed Tariff revisions regarding referrals to the Office of

⁵ See also, OATT Attachment M § IV.C & J.2 (“In addition to notifications and Referrals under sections IV.I.1 and IV.I.2 above, respectively, the Market Monitoring Unit shall have the additional authority described in this section, as follows: ... Excepting matters governed by section IV.I above, file reports and make appropriate regulatory filings with Authorized Government Agencies to address design flaws, structural problems, compliance, market power, or other issues, and seek such appropriate action or make such recommendations as the Market Monitoring Unit shall deem appropriate. The Market Monitoring Unit shall make such filings or reports publicly available and provide simultaneous notice of the existence of reports to the PJM members and PJM, subject to protection of confidential information.”).

⁶ *PJM Interconnection, L.L.C.*, 158 FERC ¶ 61,133 at P 86 (2017).

⁷ *Id.* at P 84.

Enforcement,” PJM’s second compliance filing, which is still pending before the Commission, removed language directing the Market Monitor to submit referrals to the Office of Enforcement disputing PJM’s approval of Fuel Cost Policies but failed to remove similar proposed language directing referrals of disputes over penalty assessments.

This complaint should be accepted without regard to the language in the compliance filing pending in Docket Nos. ER1-372-003, -005. Language in PJM’s pending compliance filing contradicting the Commission’s directives in the February 3rd Order should not be approved.

The legal and factual bases for this Complaint are further set forth in detail in the report included as confidential Attachment A.

C. Rules 206(b)(3) and 206(b)(4): Issues Presented as They Relate to the Complainant and Quantification of Financial Impact on Complainant

The impact of the matters subject to this complaint is explained in confidential Attachment A.

D. Rule 206(b)(5): Nonfinancial Impacts on Complainant

The impacts of the matters subject to this complaint are explained in confidential Attachment A.

E. Rule 206(b)(6): Related Proceedings

Complainant is not aware of any other pending proceedings that are directly related to the issues raised in this Complaint.

F. Rule 206(b)(7): Specific Relief Requested

PJM should be directed to find that the indicated actions constitute a violation of a Fuel Cost Policy and to assess the required penalty.

G. Rule 206(b)(8): Documents that Support the Complaint

This pleading and its attachments support the complaint.

H. Rule 206(b)(9): Dispute Resolution

The Market Monitor has not contacted the Enforcement Hotline or Dispute Resolution Service or made use of the tariff-based dispute resolution mechanisms. Such mechanisms are neither intended nor appropriate for resolving disputes of this nature.

I. Rule 206(b)(10): Form of Notice

A form of notice suitable for publication in the Federal Register is included as an Attachment C.

J. Rule 206(c): Service on Respondent

The Market Monitor certifies that copies of this Complaint were served by email and overnight mail on Respondent.

III. COMMUNICATIONS

All communications with respect to this pleading and in connection with this proceeding should be addressed to the following:

Joseph E. Bowring⁸
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President
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Jeffrey W. Mayes⁹
General Counsel
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⁸ Designated to receive service.

⁹ Designated to receive service.

IV. CONCLUSION

The Market Monitor respectfully requests that the Commission afford due consideration to the arguments raised in this complaint as the Commission resolves the issues raised in this proceeding.

Respectfully submitted,



Jeffrey W. Mayes

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Dated: December 28, 2018

Attachment A

Redacted

ATTACHMENT B

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

Independent Market Monitor for PJM)	Docket No. EL19-____-000
v.)	
PJM Interconnection, L.L.C.)	
)	
)	

PJM MARKETS PROTECTIVE ORDER
(Issued _____)

1. IT IS ORDERED THAT this PJM Markets Protective Order shall govern the use of all material produced by, or on behalf of, the Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM in the above-captioned proceedings.

2. The Commission’s regulations¹ and its policy governing the labelling of controlled unclassified information (CUI)² establish and distinguish the respective designations of Privileged Material and CEII. As to these designations, this PJM Markets Protective Order provides that the Market Monitor *may* designate as Privileged Material any material which customarily is treated by that Participant as market sensitive, commercially sensitive or proprietary or material subject to a legal privilege, which is not otherwise available to the public, and which, if disclosed, would subject the Market Monitor, the PJM markets or PJM Members to risk of harm, reduction in competition, competitive disadvantage or other business injury.

3. For the purposes of this PJM Markets Protective Order, the listed terms are defined as follows:

- A. Participant(s): As defined at 18 C.F.R. § 385.102(b).
- B. Privileged Material:³

¹ Compare 18 C.F.R. § 388.112 with 18 C.F.R. § 388.113

² Notice of Document Labelling Guidance for Documents Submitted to or Filed with the Commission or Commission Staff, 82 Fed. Reg. 18632 (Apr. 20, 2017) (issued by Commission Apr. 14, 2017).

³ The Commission’s regulations state that “[f]or the purposes of the Commission’s filing requirements, non-CEII subject to an outstanding claim of exemption from disclosure under FOIA . . . will be referred to as privileged material.” 18 C.F.R. § 388.112(a). The regulations further state that “[f]or material filed in proceedings set for trial-type hearing or settlement judge proceedings, a participant’s access to material for which privileged treatment is claimed is governed by the presiding official’s protective order.” 18 C.F.R. § 388.112(b)(2)(v).

- i. Material (including depositions) provided by the Market Monitor in response to discovery requests or filed with the Commission, and that is designated as Confidential or Privileged Material by the Market Monitor;
- ii. Material that is privileged under federal, state, or foreign law, such as work-product privilege, attorney-client privilege, or governmental privilege, and that is designated as Privileged Material by the Market Monitor;⁴
- iii. Any information contained in or obtained from such designated material;
- iv. Any other material which is made subject to this PJM Markets Protective Order by the Presiding Administrative Law Judge (Presiding Judge) or the Chief Administrative Law Judge (Chief Judge) in the absence of the Presiding Judge or where no presiding judge is designated, the Federal Energy Regulatory Commission (Commission), any court, or other body having appropriate authority, or by agreement of the Participants (subject to approval by the relevant authority);
- v. Notes of Privileged Material (memoranda, handwritten notes, or any other form of information (including electronic form) which copies or discloses Privileged Material);⁵ or
- vi. Copies of Privileged Material.
- vii. Privileged Material does not include
 - a. Any information or document that has been filed with and accepted into the public files of the Commission, or contained in the public files of any other federal or state agency, or any federal or state court, unless the information or document has been determined to be privileged by such agency or court;
 - b. Information that is public knowledge, or which becomes public knowledge, other than through disclosure in violation of this PJM Markets Protective Order; or

⁴ The Commission's regulations state that "[a] presiding officer may, by order . . . restrict public disclosure of discoverable matter in order to . . . [p]reserve a privilege of a participant. . . ." 18 C.F.R. § 385.410(c)(3). To adjudicate such privileges, the regulations further state that "[i]n the absence of controlling Commission precedent, privileges will be determined in accordance with decisions of the Federal courts with due consideration to the Commission's need to obtain information necessary to discharge its regulatory responsibilities." 18 C.F.R. § 385.410(d)(1)(i).

⁵ Notes of Confidential or Privileged Material are subject to the same restrictions for Confidential or Privileged Material.

- c. Any information or document labeled as “Non-Internet Public” by a Participant, in accordance with Paragraph 30 of FERC Order No. 630.⁶
- C. Critical Energy/Electric Infrastructure Information (CEII): As defined at 18 C.F.R. §§ 388.113(a), (c).
- D. Non-Disclosure Certificate: The certificate attached to this PJM Markets Protective Order, by which Participant representatives granted access to Privileged Material and/or CEII must certify their understanding that such access to such material is provided pursuant to the terms and restrictions of this PJM Markets Protective Order, and that such Participants have read the PJM Markets Protective Order and agree to be bound by it. All executed Non-Disclosure Certificates must be served on all Participants on the official service list maintained by the Secretary of the Commission for this proceeding.
- E. Reviewing Representative: A person who has signed a Non-Disclosure Certificate, who declares that he or she does not and does not plan to engage in any of the activities identified in Paragraph 7, and who is:
 - i. Commission Trial Staff designated as such in this proceeding;
 - ii. An attorney who has made an appearance in this proceeding for a Participant;
 - iii. Attorneys, paralegals, and other employees associated for purposes of this case with an attorney who has made an appearance in this proceeding on behalf of a Participant;
 - iv. An expert or an employee of an expert retained by a Participant for the purpose of advising, preparing for, submitting evidence or testifying in this proceeding;
 - v. A person designated as a Reviewing Representative by order of the Presiding Judge, the Chief Judge, or the Commission; or
 - vi. Employees or other representatives of Participants appearing in this proceeding with significant responsibility for this docket.

4. Privileged Material and/or CEII shall be made available under the terms of this PJM Markets Protective Order only to Participants and only to their Reviewing Representatives as provided in Paragraphs 6–10 of this PJM Markets Protective Order. The contents of Privileged Material, CEII or any other form of information that copies or discloses such

⁶ FERC Stat. & Reg. ¶ 31,140.

materials shall not be disclosed to anyone other than in accordance with this PJM Markets Protective Order and shall be used only in connection with this specific proceeding.

5. All Privileged Material and/or CEII must be maintained in a secure place. Access to those materials must be limited to Reviewing Representatives specifically authorized pursuant to Paragraphs 7–9 of this PJM Markets Protective Order.

6. Privileged Material and/or CEII must be handled by each Participant and by each Reviewing Representative in accordance with the Non-Disclosure Certificate executed pursuant to Paragraph 9 of this PJM Markets Protective Order. Privileged Material and/or CEII shall not be used except as necessary for the conduct of this proceeding, nor shall they (or the substance of their contents) be disclosed in any manner to any person except a Reviewing Representative who is engaged in this proceeding and who needs to know the information in order to carry out that person's responsibilities in this proceeding. Reviewing Representatives may make copies of Privileged Material and/or CEII, but such copies automatically become Privileged Material and/or CEII. Reviewing Representatives may make notes of Privileged Material, which shall be treated as Notes of Privileged Material if they reflect the contents of Privileged Material.

7. If a person's scope of employment includes any of the activities listed under this Paragraph 7, such person may not become a Reviewing Representative and may not receive information contained in any Privileged Material and/or CEII obtained in this proceeding for any purpose (e.g. to give a Participant or competitor of any Participant a commercial advantage):

- A. Energy marketing;
- B. Direct supervision of any employee or employees whose duties include energy marketing; or
- C. The provision of consulting services to any person whose duties include energy marketing.

8. In the event that a Participant wishes to designate a person not described in Paragraph 3.E above as a Reviewing Representative, the Participant must seek agreement from the Market Monitor. If an agreement is reached, the designee shall be a Reviewing Representative pursuant to Paragraph 3.D of this Protective Order with respect to those materials. If no agreement is reached, the matter must be submitted to the Presiding Judge for resolution.

9. A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Privileged Material and/or CEII pursuant to this PJM Markets Protective Order until three business days after that Reviewing

Representative first has executed and served a Non-Disclosure Certificate.⁷ Attorneys designated Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with this PJM Markets Protective Order, and must take all reasonable precautions to ensure that Privileged Material and/or CEII are not disclosed to unauthorized persons. All executed Non-Disclosure Certificates must be served on all Participants on the official service list maintained by the Secretary of the Commission for the proceeding.

10. Any Reviewing Representative may disclose Privileged Material and/or CEII to any other Reviewing Representative as long as both Reviewing Representatives have executed a Non-Disclosure Certificate. In the event any Reviewing Representative to whom Privileged Material and/or CEII are disclosed ceases to participate in this proceeding, or becomes employed or retained for a position that renders him or her ineligible to be a Reviewing Representative under Paragraph 3.D of this PJM Markets Protective Order, access to such materials by that person shall be terminated. Even if no longer engaged in this proceeding, every person who has executed a Non-Disclosure Certificate shall continue to be bound by the provisions of this PJM Markets Protective Order and the Non-Disclosure Certificate for as long as the PJM Markets Protective Order is in effect.⁸

11. All Privileged Material and/or CEII in this proceeding filed with the Commission, submitted to the Presiding Judge, or submitted to any Commission personnel after the date this PJM Markets Protective Order issues, must comply with the Commission's Notice of Document Labelling Guidance for Documents Submitted to or Filed with the Commission or Commission Staff.⁹ Consistent with those requirements:

- A. Documents that contain Privileged Material must include a top center header on each page of the document with the following text: CUI//PRIV. Any corresponding electronic files must also include the following text in the file name: CUI-PRIV.
- B. Documents that contain CEII must include a top center header on each page of the document with the following text: CUI//CEII. Any corresponding electronic files must also include the following text in the file name: CUI-CEII.
- C. Documents that contain both Privileged Material and CEII must include a top center header on each page of the document with the following text:

⁷ During this three day period, a Participant may file an objection with the Presiding Judge or the Commission contesting that an individual qualifies as a Reviewing Representative, and the individual shall not receive access to the Privileged Material and/or CEII until resolution of the dispute.

⁸ See *infra* P 18.

⁹ 82 Fed. Reg. 18632 (April 20, 2017) (issued by Commission April 14, 2017).

CUI//CEII/PRIV. Any corresponding electronic files must also include the following text in the file name: CUI-CEII-PRIV.

- D. The specific content on each page of the document that constitutes Privileged Material and/or CEII must also be clearly identified. For example, lines or individual words or numbers that include both Privileged Material and CEII shall be prefaced and end with "BEGIN CUI//CEII/PRIV" and "END CUI//CEII/PRIV".

12. The Secretary shall place any Privileged Material and/or CEII filed with the Commission in a non-public file. By placing such documents in a non-public file, the Commission is not making a determination concerning any claim of privilege or CEII status. The Commission retains the right to make determinations with regard to any privilege or CEII claim, as well as the discretion to release information necessary to carry out its jurisdictional responsibilities. For documents submitted to Commission Trial Staff, the notification procedures specified at 18 C.F.R. § 388.112 must be followed before making public any Privileged Material.

13. A Participant shall not include, utilize, or refer to Privileged Material or information derived from Privileged Material in testimony or other exhibits during the hearing in this proceeding in a manner that might require disclosure of such materials to persons other than Reviewing Representatives, unless explicitly authorized by the Presiding Judge after the Market Monitor has been afforded reasonable opportunity to explain any objections.

14. Nothing in this PJM Markets Protective Order shall be construed as precluding any Participant from objecting to the production or use of Privileged Material and/or CEII on any appropriate ground.

15. Subject to Paragraph 16, The Commission shall resolve any disputes arising under this Protective Order pertaining to Privileged Material according to the following procedures. Prior to presenting any such dispute to the Commission, the Participants to the dispute shall employ good faith best efforts to resolve it.

- A. Any Participant that contests the designation of material as Privileged Material shall notify the Market Monitor by specifying in writing the material for which the designation is contested.
- B. In any challenge to the designation of material as Privileged Material, the burden of proof shall be on the Participant seeking disclosure. If the Presiding Judge, the Chief Judge, or the Commission finds that the material at issue is not entitled to the designation, the procedures of Paragraph 16 shall apply.
- C. The procedures described above shall not apply to material designated by a Participant as CEII. Material so designated shall remain subject to the provisions of this Protective Order, unless a Participant requests and obtains a

determination from the Commission's CEII Coordinator that such material need not retain that designation.

16. The Market Monitor will have five (5) business days in which to respond to any pleading requesting disclosure of Privileged Material. Should the Commission determine that the information should be made public, the Commission will provide notice to the Market Monitor no less than five (5) business days prior to the date on which the material will become public. This Protective Order shall automatically cease to apply to such material on the sixth (6th) calendar day after the notification is made. The provisions of 18 C.F.R. §§ 388.112 and 388.113 shall apply to any requests under the Freedom of Information Act (5 U.S.C. § 552) for Privileged Material and/or CEII in the files of the Commission.

17. Privileged Material and/or CEII shall remain available to Participants until the later of 1) the date an order terminating this proceeding no longer is subject to judicial review, or 2) the date any other Commission proceeding relating to the Privileged Material and/or CEII is concluded and no longer subject to judicial review. No less than three (3) days after the date of such order, any Participant receiving Privileged Material and/or CEII shall return or destroy the Privileged Material and/or CEII. If requested, each Participant also must submit to the Market Monitor an affidavit stating that to the best of its knowledge it has returned or destroyed the Privileged Material and/or CEII.

18. Regardless of any order terminating this proceeding, this PJM Markets Protective Order shall remain in effect until specifically modified or terminated by the Presiding Judge, the Chief Judge, or the Commission. All CEII designations shall be subject to the "[d]uration of the CEII designation" provisions of 18 C.F.R. § 388.113(e).

19. Any violation of this PJM Markets Protective Order and of any Non-Disclosure Certificate executed hereunder shall constitute a violation of an order of the Commission.

Respectfully submitted,



Jeffrey W. Mayes

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Dated: December 18, 2018

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

Independent Market Monitor for PJM)	
)	Docket No. EL19-____-000
v.)	
)	
PJM Interconnection, L.L.C.)	
)	

NON-DISCLOSURE CERTIFICATE

I hereby certify my understanding that access to Privileged Material and/or Critical Energy/Electric Infrastructure Information (CEII) is provided to me pursuant to the terms and restrictions of the PJM Markets Protective Order in this proceeding, that I have been given a copy of and have read the PJM Markets Protective Order, and that I agree to be bound by it. I declare that the scope of my employment does not include and is not planned to include any of the activities described in Paragraph 7 of the PJM Markets Protective Order. I understand that the contents of Privileged Material and/or CEII, any notes or other memoranda, or any other form of information that copies or discloses such materials, shall not be disclosed to anyone other than in accordance with the PJM Markets Protective Order. I acknowledge that a violation of this certificate constitutes a violation of an order of the Federal Energy Regulatory Commission.

By: _____
Printed Name: _____
Title: _____
Representing: _____
Date: _____

Attachment C

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Independent Market Monitor for PJM)
v.) Docket No. EL19-____-000
PJM Interconnection, L.L.C.)
)
)

NOTICE OF COMPLAINT

(____, 2018)

Take notice that on December 28, 2018, pursuant to section 206 of the Rules and Practice and Procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR § 385.206 (2011), Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM (Complainant) filed a formal complaint against PJM Interconnection, L.L.C. (PJM) requesting that the Commission direct PJM to find that the indicated actions constitute a violation of a Fuel Cost Policy and to assess the required penalty against the market participant.

The Complainant states that copies of the complaint were served on PJM representatives.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. PJM’s answer and all interventions, or protests must be filed on or before the comment date. PJM’s answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public Reference Room in Washington, DC. There is an “eSubscription” link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 pm Eastern Time on __, 2018.

Kimberly D. Bose,
Secretary