

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

Independent Market Monitor for PJM)	
)	Docket No. EL24-126-000
)	
v.)	
)	
PJM Interconnection, L.L.C.)	
)	

NOTICE OF WITHDRAWAL OF COMPLAINT

Pursuant to Rules 212 and 216 of the Commission’s Rules of Practice and Procedure,¹ Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM Interconnection, L.L.C. (“PJM”), respectfully submits this notice of withdrawal (“Notice”) of the Market Monitor’s complaint filed July 10, 2024 (“Complaint”), in this proceeding.

The Market Monitor submits this Notice because the filing submitted by PJM on September 6, 2024, in Docket No. ER24-2995-000, confirming the complete removal of Energy Efficiency (“EE”) Resources from the PJM capacity market construct, and the order approving that filing issued November 5, 2024 (November 5th Order), address the Market Monitor’s concerns raised in the Complaint starting with the 2026/2027 Delivery Year.²

The motion for abeyance of this proceeding filed August 28, 2024, indicated:

Given the recently endorsed stakeholder proposal to explicitly disallow participation of Energy Efficiency Resources from PJM’s capacity market construct, the PJM Board has authorized PJM to submit revisions to the Reliability Assurance Agreement under section 205 of the Federal Power Act to effectuate this stakeholder-

¹ See 18 CFR §§ 385.212 & 216 (2024).

² See *PJM Interconnection, L.L.C.*, 189 FERC ¶ 61,095.

endorsed proposal in short order.[footnote omitted] The Market Monitor will seek to withdraw the complaint in EL24-126-000 and terminate this proceeding upon Commission acceptance of PJM's 205 filing to explicitly remove Energy Efficiency Resources from participating in the Reliability Pricing Model.

The motion for abeyance was granted by order issued September 16, 2024.

The November 5th Order meets the criterion identified by the Market Monitor. The November 5th Order confirms that at the start of the 2026/2027 Delivery Year EE will continue to not be treated as a capacity resource consistent with the tariff and will no longer receive subsidies in the PJM capacity market construct. The Market Monitor is satisfied with this result even though it leaves unaddressed the issues raised in the Complaint as they relate to Delivery Years prior to the 2026/2027 Delivery Year. Withdrawal of the Complaint will conserve the parties' and the Commission's resources, and is in the public interest.

Withdrawal of the Complaint should not prejudice the merits of the arguments raised on Complaint. The Complaint may be renewed if the November 5th Order is not implemented as expected.

The November 5th Order does not directly affect the 2024/2025 or 2025/2026 Delivery Years. The November 5th Order does not resolve issues concerning the eligibility of EE suppliers to receive subsidies based on post installation measurement and verification reports for the 2024/2025 Delivery Year. Those issues are the subject of the complaint filed May 31, 2024, by the Market Monitor in Docket No. EL24-113-000 for the 2024/2025 Delivery Year and could be the subject of a future complaint for the 2025/2026 Delivery Year. In anticipation of the November 5th Order, however, the Market Monitor entered into a partial settlement with state regulated entities, that, if approved, would narrow the scope of that proceeding.³

³ See *Independent Market Monitor for PJM v. Indicated Energy Efficiency Sellers*, Partial Settlement Agreement, Docket No. EL24-113-000 (October 30, 2024).

The Market Monitor respectfully requests that the Commission permit the requested withdrawal of the Complaint.

Respectfully submitted,



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Dated: November 19, 2024

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 19th day of November, 2024.



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