

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

)	
Industrial Energy Consumers of America;)	Docket No. EL25-44-000
American Forest & Paper Association; R Street)	
Institute; Glass Packaging Institute; Public)	
Citizen; PJM Industrial Customer Coalition;)	
Coalition of MISO Transmission Customers;)	
Association of Businesses Advocating for Tariff)	
Equity; Carolina Utility Customers Association,)	
Inc.; Pennsylvania Energy Consumer Alliance;)	
Resale Power Group of Iowa; Wisconsin)	
Industrial Energy Group; Multiple Intervenors)	
(NY); Arkansas Electric Energy Consumers, Inc.;)	
Public Power Association of New Jersey;)	
Oklahoma Industrial Energy Consumers; Large)	
Energy Group of Iowa; Industrial Energy)	
Consumers of Pennsylvania; Maryland Office of)	
People's Counsel; Pennsylvania Office of)	
Consumer Advocate; Consumer Advocate)	
Division of the Public Service Commission of)	
West Virginia; and Missouri Industrial Energy)	
Consumers;)	
v.)	
Avista Corporation; Idaho Power Company;)	
MATL LLP; NorthWestern Corporation;)	
PacifiCorp; Portland General Electric Company;)	
Puget Sound Energy, Inc.; Duke Energy Florida,)	
LLC; Florida Power & Light Company; Tampa)	
Electric Company; Dominion Energy South)	
Carolina, Inc.; Duke Energy Carolinas, LLC and)	
Duke Energy Progress, Inc.; Louisville Gas and)	
Electric Company and Kentucky Utilities)	
Company; Southern Company Services Inc., as)	
agent For Alabama Power Company, Georgia)	
Power Company, Georgia Power Company and)	
Mississippi Power Company; Arizona Public)	
Service Company; Black Hills Power, Inc.; Black)	

Hills Colorado Electric Utility Company, LP;)
 Cheyenne Light, Fuel & Power Company; El)
 Paso Electric Company, NV Energy, Inc.; Public)
 Service Company of Colorado; Public Service)
 Company of New Mexico; Tucson Electric)
 Power Company; UNS Electric, Inc.; California)
 Independent System Operator, Inc.; Southwest)
 Power Pool, Inc.; PJM Interconnection, L.L.C.;)
 Midcontinent Independent System Operator)
 Inc.; New York Independent System Operator,)
 Inc.; and Independent System Operator of New)
 England Inc.)
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COMMENTS OF THE INDEPENDENT MARKET MONITOR FOR PJM

Pursuant to Rule 211 of the Commission’s Rules and Regulations,¹ Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM² (“Market Monitor”), submits this comment in response to the filing submitted on December 19, 2024 (“December 19th Filing”) by the Consumers for Independent Regional Transmission Planning³ (“Consumers”). Consumers allege that provisions in the tariffs of the respondent

¹ 18 CFR § 385.211 (2024).

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

³ This group consists of Industrial Energy Consumers of America; American Forest & Paper Association; R Street Institute; Glass Packaging Institute; Public Citizen; PJM Industrial Customer Coalition; Coalition of MISO Transmission Customers; Association of Businesses Advocating for Tariff Equity; Carolina Utility Customers Association, Inc.; Pennsylvania Energy Consumer Alliance; Resale Power Group of Iowa; Wisconsin Industrial Energy Group; Multiple Intervenors (NY); Arkansas Electric Energy Consumers, Inc.; Public Power Association of New Jersey; Oklahoma Industrial Energy Consumers; Large Energy Group of Iowa; Industrial Energy Consumers of Pennsylvania; Maryland Office of People’s Counsel; Pennsylvania Office of Consumer Advocate;

transmission owning utilities and the RTOs/ISOs inappropriately authorize individual transmission owners to plan facilities rated at 100 kV and above without regard to efficiency or cost effectiveness. Consumers allege that the cumulative effect of tariff provisions allowing local planning of transmission projects rated at 100 kV and above results in unjust and unreasonable transmission rates.⁴ Consumers request issuance of an order that, for transmission facilities rated at 100 kV and above, requires: (i) removal of planning from transmission owner tariffs (and RTO tariffs that confirm such transmission owner planning); (ii) amendment of regional planning tariffs to require that all planning be done at the regional or interregional level (specifying facilities reaching the end of operational life); and (iii) amendment of regional planning tariffs be to require that the regional planning within the existing Order No. 1000 regions be conducted by independent transmission system planners.⁵

I. COMMENTS

A. The Commission Should Require Regional Planning of the Bulk Power System.

The Market Monitor supports the Complaint. The Complaint requests two forms of relief: the 100 kV threshold for regional planning and the Independent Transmission Planner.

More specifically, the Complaint requests that the Commission declare that electrical facilities at or above 100 kV, unless specifically excluded by a seven-factor or BES analysis or an emergency/*force majeure* rebuild, are Commission jurisdictional regional transmission facilities and all planning for regional transmission facilities above 100 kV must be conducted exclusively under the regional planning processes required by Order No. 1000. The Complaint specifically requests that each Order No. 1000 regional planning region must amend its tariff, if necessary, to establish that the regional planning is conducted by an entity

Consumer Advocate Division of the Public Service Commission of West Virginia; and Missouri Industrial Energy Consumers (“Consumers”).

⁴ Consumers at 11.

⁵ *Id.* at 42–43.

meeting an independent planning standard. As the Complaint states, it is expected that certain RTO/ISO regions will be able to establish that the required independence is in place once the local planning opportunities for 100 kV and above transmission facilities are removed from individual transmission owner tariffs.

B. Establishment of an Independent Transmission Planner (ITP) and Independent Transmission Monitor.

The 100 kV threshold is the primary relief sought by the Complaint. The Complaint requests that any concerns with implementation and administration of an ITP should not hold up the expeditious granting of the Complaint's requested 100 kV threshold and removal of the applicable local planning tariff provisions.

In order to fulfill the intent of the Complaint, each ITP should provide that its Independent Market Monitor be specifically authorized to act as an Independent Transmission Monitor to monitor the planning and cost of transmission facilities in the region.

The Market Monitor supports the Commission's previously stated concept of an independent transmission monitor. At a high level, the purpose of an independent transmission monitor would be to provide an expert, informed, and independent source of information about the transmission component of the organized markets, and the transmission component of the areas without organized markets. That information, including information about transmission planning, competition and costs, is essential for the Commission, for state public utility commissions, for all market participants, for all customers and for PJM. Focus on each of the specific potential areas identified would provide such essential information. PJM needs an independent transmission monitor for the same reasons it needs an independent market monitor. As is the case for the Market Monitoring Plan in PJM, the independent transmission monitors should have the responsibility to monitor, to report the results of analysis and monitoring, and to recommend market rule changes.

The roles and responsibilities of an independent transmission monitor should include regular preparation of public reports and protection of confidential information. The required access includes relevant data and information held by the RTO/ISOs; balancing authorities; transmission companies; NERC; and Reliability Councils.

II. CONCLUSION

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

Respectfully submitted,



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Dated: March 20, 2025

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 20th day of March, 2025.



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