

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

PJM Interconnection, L.L.C.

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Docket Nos. ER18-1314-006

COMMENTS OF THE ELECTRIC POWER SUPPLY ASSOCIATION

In accordance with the June 2, 2020 notice issued by the Federal Energy Regulatory Commission (the “Commission”),¹ the Electric Power Supply Association (“EPSA”)² respectfully submits comments in response to PJM Interconnection, L.L.C.’s (“PJM”) second compliance filing, filed on June 1, 2020,³ pursuant to the Commission’s April 16, 2019 Order on Rehearing and Clarification⁴ of the December 19, 2019 Order⁵ in the above-captioned proceeding.⁶ PJM’s June 1 Compliance Filing⁷ proposes modifications to the PJM Open Access Transmission Tariff (“Tariff”), Reliability Assurance Agreement Among Load Serving Entities in the PJM Region (“RAA”) and the

¹ See Combined Notice of Filings #1, Docket Nos. ER10-2042-032, *et al.* (June 2, 2020) (unreported).

² EPSA is the national trade association representing competitive power suppliers in the U.S. EPSA members provide reliable and competitively priced electricity from environmentally responsible facilities using a diverse mix of fuels and technologies. EPSA seeks to bring the benefits of competition to all power customers. This pleading represents the position of EPSA as an organization, but not necessarily the views of any particular member with respect to any issue. EPSA is a party to Docket No. ER18-1314-000. See *Calpine Corp. v. PJM Interconnection, L.L.C.*, 163 FERC ¶ 61,236 at PP 28, 30 & Appendix 2 (2018), *on reh’g*, 171 FERC ¶ 61,034 (2020) (the “April 16 Order on Rehearing”). As such, it is automatically a party to this and other subsequent sub-dockets of Docket No. ER18-1314. See *Midwest Indep. Transmission Sys. Operator, Inc.*, 121 FERC ¶ 61,131 at P 5 (2007) (“When an entity is already a party in a particular docket, it need not file a separate motion to intervene in individual sub-dockets to maintain its party status.”).

³ *Second Compliance Filing Concerning the Minimum Offer Price Rule*, Docket No. ER18-1314-006 (filed June 1, 2020) (“June 1 Compliance Filing”).

⁴ *PJM Interconnection, L.L.C.*, 171 FERC ¶ 61,035 (2020) (“April 16 Order on Rehearing”).

⁵ *Calpine Corp., et al., v. PJM Interconnection, L.L.C.*, 169 FERC ¶ 61,239 (2019) (“December 19 Order”).

⁶ This proceeding is consolidated with Docket Nos. EL16-49-000 and EL18-178-000.

⁷ Capitalized terms not otherwise defined herein have the meaning set forth in the Compliance Filing or, if not therein defined, the PJM Open Access Transmission Tariff (the “Tariff”).

Amended and Restated Operating Agreement of PJM Interconnection, L.L.C. (“Operating Agreement”) to further amend the application of the Minimum Offer Price Rule (“MOPR”) in the PJM capacity market, known as the Reliability Pricing Model (“RPM”), in order to implement the Commission’s directives in the April 16 Order on Rehearing, incorporating these directives into the Tariff, Operating Agreement, and RAA revisions presented in PJM’s initial March 18, 2020 Compliance Filing to comply with the December 19 Order.⁸

I. COMMENTS

As previously noted, EPSA greatly appreciates the steps taken by the Commission in the December 2019 Order and related orders to expand the MOPR in order to prevent further harm to the RPM market from out-of-market subsidies, including moving swiftly to provide further guidance to PJM and stakeholders through the April 16 Order on Rehearing. EPSA further commends PJM for its extensive efforts to address and resolve issues in the stakeholder processes it has conducted with respect to both the March 18 and June 1 Compliance Filings.

In submitting the June 1 Compliance Filing, PJM stated, as it had in the stakeholder process, that it will wait for Commission action on both filings before implementing the expanded MOPR in the next BRA. PJM urged the Commission to issue a timely ruling that would address both the instant compliance filing and the March 18 Compliance Filing so that PJM may move forward with the delayed BRA for the

⁸ *Compliance Filing Concerning the Minimum Offer Price Rule, Request for Waiver of RPM Auction Deadlines, and Request for an Extended Comment Period of at Least 35 Days of PJM Interconnection, L.L.C.*, Docket No. ER18-1314-003 (Mar. 18, 2020) (“March 18 Compliance Filing”).

2022/2023 Delivery Year (the “2022/2023 BRA”) as well as subsequent Incremental Auctions. In addition, PJM urged that the Commission’s ruling on these compliance filings “provide clear final direction so that PJM may move forward on its proposed timeline for commencing this long-overdue series of RPM Auctions and provide needed certainty to the marketplace.”⁹

As in its earlier comments on the March 18 Compliance Filing, EPISA is refraining from wading into the details of PJM’s June 1 Compliance Filing, but, in EPISA’s view, the filing is generally consistent with the requirements of the April 16 Order on Rehearing and should be accepted. EPISA agrees with PJM that the 2022/2023 BRA is “long-overdue,” and strongly supports PJM’s request for expeditious action by the Commission on both compliance filings in order to allow the delayed auction process to re-commence as soon as possible. EPISA previously emphasized the vital need for the Commission to act expeditiously to allow the 2022/2023 BRA and subsequent BRAs to move forward, particularly with respect to the importance for resource investment and exit decisions – and the impacts that market participants are currently experiencing (and will continue to do so) from ongoing delay.

⁹ June 1 Compliance Filing at 1-2.

II. CONCLUSION

WHEREFORE, EPSA respectfully requests, as outlined by PJM, that the Commission expeditiously act on the June 1 Compliance Filing, as well as the March 18 Compliance Filing, and provide clear guidance to allow PJM to conduct the delayed 2022/2023 BRA and resume the long-delayed BRA auction process.

Respectfully submitted,

ELECTRIC POWER SUPPLY ASSOCIATION

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On behalf of the **Electric Power Supply Association**

Dated: June 22, 2020

CERTIFICATE OF SERVICE

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

Dated at Washington DC, this 22th day of June, 2020.

/s/ Sharon Royka Theodore
Sharon Royka Theodore