

151 FERC ¶ 61,067
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Philip D. Moeller, Cheryl A. LaFleur,
Tony Clark, and Colette D. Honorable.

PJM Interconnection, L.L.C.

Docket No. ER15-1470-000

ORDER GRANTING WAIVER

(Issued April 24, 2015)

1. On April 7, 2015, PJM Interconnection, L.L.C. (PJM) requested waiver of its Open Access Transmission Tariff (Tariff) to delay the 2015 Base Residual Auction for the 2017-18 delivery year. Specifically, PJM seeks to delay the auction that is scheduled for May 11-15, 2015, and instead conduct the auction within the time period 30-75 days after the Commission issues an order on the merits of its Capacity Performance proposal set forth in Docket No. ER15-632-000,¹ but no later than the week of August 10-14, 2015. PJM requests that the Commission grant the requested waiver no later than April 24, 2015 so that PJM and the relevant stakeholders have certainty as to which rules are applicable to the 2015 Base Residual Auction. For the reasons discussed below and for good cause shown, the Commission grants PJM's request for waiver.

I. Background

2. PJM's Capacity Performance Filing proposes to establish, on a phased-in basis, a new capacity product, termed Capacity Performance, to provide greater assurance of delivery of energy and reserves during emergency conditions. PJM also proposes to establish charges for poor performance and credits for superior performance, a must-offer requirement as applicable to Capacity Performance resources, and a transition mechanism to remain in effect through May 31, 2020. PJM proposes to implement its Capacity Performance proposal, effective April 1, 2015, in advance of its 2015 Base Residual

¹ On December 12, 2014, in Docket No. ER15-623-000, PJM submitted proposed changes to its Tariff and Reliability Assurance Agreement Among Load Serving Entities (RAA), pursuant to section 205 of the Federal Power Act (FPA), to establish a new capacity product, a Capacity Performance resource, on a phased-in basis, to ensure that PJM's capacity market provides adequate incentives for resource performance (Capacity Performance Filing).

Auction for delivery year 2017-18. In that filing, PJM explains that it designed the existing capacity market construct to ensure resource adequacy at a reasonable cost through the use of an annual auction.² PJM argues, however, that these rules have failed to keep pace with the level of resource commitments required, apply inadequate charges for sub-par performance, and do not adequately ensure actual performance.

3. On March 31, 2015 the Commission issued a deficiency letter directing PJM to submit additional information in order to process the Capacity Performance Filing. On April 10, 2015 PJM submitted its response to the deficiency letter.

II. PJM's Proposal

4. PJM's Tariff requires that the Base Residual Auction be "conducted in the month of May that is three years before the start of [the relevant] delivery year."³ PJM contends that under the FPA's 60-day notice rule, the Commission would have to act on their deficiency letter response no later than June 9, 2015. PJM notes that the period of time the Commission takes to review the deficiency response will in turn affect the timing of the rescheduled Base Residual Auction under PJM's proposed waiver request.

5. PJM states that it proposes flexibility in its revised schedule under this waiver solely as a contingency, to accommodate any actions that PJM or market participants may need to take in response to the Commission's action on the Capacity Performance proposal, and to ensure an orderly auction process. PJM contends, however, that if the Commission directs several significant changes to the Capacity Performance proposal such that conducting the Base Residual Auction under those rules becomes too challenging or uncertain, then PJM's preferred course of action would be to conduct the auction under PJM's current tariff rules.⁴

6. PJM proposes to announce the specific timing for the rescheduled Base Residual Auction shortly after the Commission's action on the deficiency letter response. At that time, PJM also would announce deadlines for updates by market participants to their pre-auction submissions, such as offer quantities, offer-price caps, and credit submissions, as necessary and appropriate to reflect the Capacity Performance rules accepted by the Commission. PJM notes that it would follow the Tariff rules that specify how many days in advance of the relevant auction a market participant must take a particular action, to

² *PJM Interconnection, L.L.C.*, 117 FERC ¶ 61,331 (2006).

³ PJM Tariff, Attachment DD, § 5.4(a).

⁴ PJM Request at 2.

the extent the rescheduled date for the Base Residual Auction allows time for such actions under those Tariff rules.⁵

7. PJM explains that it has cleared Base Residual Auctions for eight successive years on a 36-month forward basis. PJM indicates that market participants have integrated the Base Residual Auction's 36-month forward schedule into their business practices and development schedules. PJM suggests that developers of new projects have come to rely on the current Base Residual Auction schedule, and have made clear to PJM that a delay could impact the costs and construction schedule of certain planned units for which they planned around receiving the results of the 2015 Base Residual Auction in May.⁶ However, PJM explains that its Capacity Performance proposal is critical because the current Reliability Pricing Model rules do not provide sufficient incentives to ensure that committed resources deliver the performance for which loads are paying.

8. PJM notes that the Commission issued a deficiency letter on March 31, 2015 in lieu of an order on the merits of its Capacity Performance Proposal. PJM states that it interprets the deficiency letter as identifying the most significant areas of concern the Commission has with the Capacity Performance proposal. PJM contends if it were not confident that it could successfully address those identified concerns, or felt that timely and favorable Commission action was unlikely, PJM would not seek to delay the Base Residual Auction.

9. PJM argues that its waiver request satisfies each of the criteria previously used by the Commission to evaluate similar waiver requests: (1) the waiver is of limited scope; (2) a concrete problem shall be remedied; and (3) the waiver has no undesirable consequences, such as harming third parties.

10. In support of its request, PJM suggests that its request is limited, discrete, and concrete. PJM notes that its request applies only to one auction and the only change it makes is to enable rescheduling of that auction from May 2015 to a subsequent week in the summer of 2015. PJM contends that its request provides a mechanism for resolution of the issues indirectly raised in the March 31 Deficiency Letter, i.e., whether an opportunity should be preserved to implement the proposed Capacity Performance changes in the 2015 Base Residual Auction for the 2018-19 delivery year, to the extent those changes are approved by the Commission when it acts on PJM's deficiency letter response. PJM contends that the deficiency letter neither accepts nor rejects the Capacity Performance Filing and, consequently, makes no affirmative finding that PJM should, or should not, fully implement the Capacity Performance changes in the 2015 Base Residual

⁵ PJM Request at 2-3.

⁶ PJM Request at 3.

Auction. PJM contends that given the need for improvements in PJM's rules for Capacity Resource performance, this question regarding the implementation of those improvements should not be decided through silence or by mere default.

11. Finally, PJM argues that granting the waiver meets Commission standards concerning impacts on third parties. PJM points out that while the Commission takes these impacts into account, the relevant standard does not require that the waiver have zero impact on third parties.⁷ PJM contends that the consequences of its proposal to delay the Base Residual Auction will not outweigh the impacts of denying the waiver request. PJM states that the vast majority of market participants have already taken the steps required under the Tariff to participate in the auction. PJM suggests that the market participants will take any remaining Tariff-required steps in the next few weeks, in accordance with currently established deadlines. PJM argues that the deferral of the auction will not change those already-completed preparatory actions.

12. PJM recognizes that some developers of new entry projects that have entered agreements or made arrangements that assume a 36-month period between the Base Residual Auction and the start of the relevant delivery year could face complications if that time period is shortened, especially if it is reduced by as much as three months. However, PJM contends that on balance its request is the only means available to ensure that favorable Commission action on the Capacity Performance Filing can be implemented in the 2015 Base Residual Auction. PJM suggests that the only other alternative would be that, even if the Commission finds that changes in the capacity resource performance rules in the PJM Region are warranted, such changes could not be incorporated in a Base Residual Auction for another year, thereby pushing full implementation of Capacity Performance reforms out to the 2019-20 delivery year.

III. Notice of Filing and Responsive Pleadings

13. Notice of PJM's filings was published in the *Federal Register*, 80 Fed. Reg. 19,979 (2015), with interventions and comments due on or before April 14, 2015.⁸ Notices of intervention and timely-filed motions to intervene were submitted by the entities listed in the Appendix to this order.⁹ In addition, motions to intervene out-of-

⁷ PJM Request at 9 (citing *PJM Interconnection, L.L.C.*, 150 FERC ¶ 61,122, at P 47 (2015); *PJM Interconnection, L.L.C.*, 146 FERC ¶ 61,078, at P 41 (2014); *PJM Interconnection, L.L.C.*, 146 FERC ¶ 61,041, at P 5, *order on reh'g*, 149 FERC ¶ 61,059 (2014).

⁸ See Notice Granting Extension of Time (issued Dec. 24, 2014).

⁹ The abbreviated names or acronyms by which these entities are referred to in this order are noted in the Appendix.

time were submitted by Duquesne Light Company, the Market Monitor, North Carolina Electric Membership Corporation, Invenergy Wind Development LLC and Invenergy Thermal Development LLC, and Noble Americas Energy Solutions, LLC.

14. Comments or protests were submitted by the following parties: AES United States et al., AEP, AEMA, Joint Protestors, Calpine, Joint Consumers, Dominion, EPSA, Essential Power, Exelon, IMEA, Indicated State Regulators, LS Power, the Market Monitor, NRG, NTE, Panda, Pennsylvania Commission, PJM Power Providers Group, PSEG, Public Service Enterprise Group, Ohio Commission, Rockland Capital, Shell, and Public Interest Organizations.

15. On April 16, 2015, PJM submitted a limited answer to the protests. On April 22, 2015, AEMA and Transition Coalition submitted answers to PJM's answer.

IV. Procedural Matters

16. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2014), the notices of intervention and timely, unopposed motions to intervene serve to make the entities that filed them parties to the proceedings in which these pleadings were filed. In addition, given their interest in the proceedings, the early stage of the proceedings, and the absence of undue prejudice or delay, we grant the unopposed, late-filed interventions.

17. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2014), prohibits an answer to a protest and/or answer unless otherwise ordered by the decisional authority. We are not persuaded to accept the answers submitted by PJM and Transition Coalition and will, therefore, reject them.

V. Comments and Protests Addressing PJM's Waiver Request

18. Multiple intervenors express support for PJM's request to delay the 2015 Base Residual Auction on the grounds that it will allow the Commission time to fully consider the merits of PJM's proposal and to implement changes they argue are necessary to ensure resources improve performance and enhance system reliability with only a minimal delay to the Base Residual Auction.¹⁰ The Market Monitor states that it supports

¹⁰ See AES United States et al. comments at 1; NTE comments at 2-3; AEP comments at 1; Calpine comments at 2-3; Dominion comments at 3-4; EPSA comments at 3-5; Exelon comments at 1-5; LS Power comments at 4-5; Market Monitor comments at 3; NRG comments at 1-3; NTE Ohio comments at 1-2; Ohio Commission comments at 3-5; Pennsylvania Commission comments at 2-3; PJM Power Providers Group comments at 3-5; PJM Utilities Coalition answer at 1-2; PSEG comments at 2-3.

PJM's procedural and implementation schedule. Some intervenors add that a three month delay will not inhibit them from making the investments necessary to meet the performance requirements PJM proposes in its Capacity Performance Filing. For example, LS Power states that it recently completed a new generation project and has several new projects in development, and, based on its experience, a three-month delay in the auction would not prevent timely completion of a new generation project.¹¹ NRG also explains that it will be able to implement multiple investments in its fleet, such as installing additional natural gas pipeline infrastructure, procuring firm natural gas transportation, and the installation of backup fuels on site to ensure all of its resources will be able to meet PJM's proposed performance standards, even if the auction is delayed by as much as three months.¹²

19. Others protest that the Commission should deny PJM's waiver request because PJM has failed to meet the requirements for waiver of tariff provisions.¹³ Joint Protestors and AEMA argue that a waiver delaying the auction is not limited in scope because it would delay all current, pending, and proposed tariff provisions associated with the Base Residual Auction.¹⁴ Joint Protestors and Shell assert that such a delay will exacerbate uncertainty, thereby preventing market participants from making crucial decisions about resources and resource commitments for the 2018-19 delivery year and discouraging the long-term investments PJM seeks to promote.¹⁵ AEMA and IMEA contend that PJM's waiver request is impermissibly vague given that the pre-auction requirement timelines are not specified.¹⁶ Joint Protestors claim that PJM's failure to address how the incremental auctions will be impacted further heightens the uncertainty created by the waiver request.¹⁷ Panda and Shell argue that PJM's statements suggest that the delay of 2015 Base Residual Auction is not bounded by August 14, 2015.

¹¹ LS Power comments at 4.

¹² NRG comments at 2-3.

¹³ AEMA protest at 3 Joint Protestors protest at 4-7; Joint Consumers protest at 3; 7-8; Essential Power protest at 3-5; Panda protest at 3-5; Rockland Capital protest at 4.

¹⁴ Joint Protestors protest at 3-4; AEMA protest at 3-4.

¹⁵ Joint Protestors protest at 4-7; Shell comments at 4-5.

¹⁶ AEMA protest at 4.

¹⁷ Joint Protestors protest at 6-7.

20. Multiple intervenors argue that PJM has not demonstrated a concrete problem to be remedied.¹⁸ AMP further argues that PJM is adequately addressing causes of the 2013-14 performance issues in other proceedings, so full implementation of PJM's proposal is not immediately necessary.¹⁹ Joint Consumers and Public Interest Organizations contend that PJM has failed to show how reliability might be threatened in 2018-19 if PJM's proposal is not implemented prior to this year's auction.²⁰ Public Interest Organizations add that, without the waiver, PJM would simply conduct its 2015 Base Residual Auction under its current tariff, which the Commission approved as just and reasonable. AEMA, Essential Power, Panda, and Rockland Capital argue that, if new capacity resource requirements are needed to ensure system reliability in 2018-19, rather than delay the 2015 Base Residual Auction, PJM could implement additional requirements through an incremental auction after new rules are established.²¹ For example, they point out, PJM's Capacity Performance proposal includes a transition mechanism to address delivery years for which the Base Residual Auction has already been conducted.²²

21. Multiple intervenors also protest PJM's assertion that the waiver will not have undesirable consequences, such as harming third parties. Joint Protestors and AEMA argue that PJM's contention that the waiver standard is not "zero impact" is not supported by precedent and would open the Commission's waiver analysis to new, subjective considerations.²³ Joint Protestors also claim that granting the request would impose additional costs and risks on load serving entities if the auction process must be accelerated following significant rule changes.²⁴ Multiple intervenors suggest that a delay in the auction could discourage resources from participating and would harm the function of the capacity market by increasing uncertainty.²⁵ Essential Power also argues

¹⁸ Joint Protestors protest at 7-8; Panda protest at 3; Public Interest Organizations protest at 2-3; AEMA protest at 5-6.

¹⁹ Joint Protestors protest at 9-11.

²⁰ Joint Consumers protest at 3.

²¹ AEMA protest at 1, 6; Essential Power protest at 3; Panda protest at 5-6; Rockland Capital protest at 4.

²² Panda protest at 5; AEMA protest at 6; Rockland Capital at 4.

²³ Joint Protestors protest at 12; AEMA at 7, 10-11.

²⁴ Joint Protestors protest at 12.

that granting PJM's request would establish a dangerous precedent whereby independent system operators, regional transmission organizations and market participants could request delays any time there are pending changes to market rules.²⁶

22. Essential Power, Shell, and Panda assert that PJM's waiver request will increase costs to construct projects, such as by requiring parties to pay expediting fees, and would threaten the viability of projects that may be competing for the same construction funding, contractor, or production slot.²⁷ Joint Consumers and Panda argue that delaying the auction will cause harm to market participants because they cannot prepare for a significant delay in the auction when that auction may incorporate major structural revisions.²⁸ Joint Consumers also suggest that, if the Commission approves PJM's capacity market revisions, implementation will require more time than PJM has requested and rushing may result in the potential for significant and material mistakes as well as adding uncertainty and risk to market participant decisions.²⁹

23. AEMA asserts that, if the Commission approves Capacity Performance and grants PJM's waiver request, these combined actions will result in an unprecedented amount of capacity auction activity in a short period of time. Further, AEMA asserts that there would be a significant and unnecessary disruption of the capacity market if the Commission were to grant PJM's waiver request and then subsequently deny the Capacity Performance proposal.

²⁵ Essential Power protest at 3-4; Panda protest at 4-5; AEMA protest at 8-9, 14-15.

²⁶ Essential Power protest at 4; Public Interest Organizations protest at 3.

²⁷ Essential Power protest at 5; Panda protest at 5; Shell comments at 4.

²⁸ Joint Consumers protest at 7; Panda protest at 5.

²⁹ Joint Consumers protest at 5-6.

24. Some intervenors protest that the waiver request fails to account for significant time and stakeholder input associated with the Capacity Performance proposal.³⁰ IMEA and Shell request that, if the Commission grants PJM's waiver request, it require PJM to clarify how many days before the relevant auction a market participant must take a particular action. IMEA contends that, to the extent the Commission approves the requested delay, Fixed Resource Requirement entities should be treated similarly.³¹ Shell requests the Commission convene a technical conference wherein all relevant issues, including changes made by the Commission, can be addressed.³²

VI. Substantive Matters

25. The Commission typically grants waivers of tariff provisions when the requesting party has shown that the waiver: (1) is of limited scope; (2) remedies a concrete problem; and (3) will not have undesirable consequences, such as harming third parties.³³ We find that these conditions have been satisfied here, and we therefore grant PJM's request for a limited one-time waiver of Attachment DD, Section 5.4(a) of the PJM Tariff, as applicable to the 2015 Base Residual Auction for the 2018-19 delivery year.

26. First, we find that the waiver is of limited scope, given that it applies only to the timing of the 2015 Base Residual Auction for the 2018-19 delivery year. In addition, PJM has sufficiently explained its planned timeline for conducting the auction under the terms of its requested waiver, which further limits the scope of its requested relief and provides clarity to market participants.

³⁰ Joint Consumers protest at 1, 4, 5-6; Shell comments at 3; AEMA protest at 11; Indicated State Regulators comments at 4.

³¹ IMEA comments at 5-6; Shell comments at 5.

³² Shell comments at 5.

³³ *E.g.*, *PJM Interconnection, L.L.C.*, 146 FERC ¶ 61,078, at P 38 (2014); *New York Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,061, at P 20 (2014); *New York Indep. Sys. Operator, Inc.*, 144 FERC ¶ 61,147, at P 8 (2013); *New York Indep. Sys. Operator, Inc.*, 139 FERC ¶ 61,108, at P 14 (2012); *New York Power Authority*, 139 FERC ¶ 61,157, at P 28 (2012); *Demand Response Partners, Inc.*, 140 FERC ¶ 61,093, at P 13 (2012); *PJM Interconnection, L.L.C.*, 137 FERC ¶ 61,184, at P 13 (2011); *ISO New England Inc.*, 134 FERC ¶ 61,182, at P 8 (2011); *California Indep. Sys. Operator Corp.*, 132 FERC ¶ 61,004, at P 10 (2010); and *ISO New England Inc. – EnerNOC, Inc.*, 22 FERC ¶ 61,297, at P 13 (2008).

27. In addition, we find that granting the requested waiver remedies a concrete problem. PJM explains that it seeks to postpone the upcoming Base Residual Auction to give the Commission time to consider the additional information that PJM submitted in the Capacity Performance proceeding and the opportunity to decide on the Capacity Performance proposal before PJM conducts the 2015 Base Residual Auction for the 2018-19 delivery year. We are persuaded by PJM and other commenters' arguments that this timing concern represents a concrete problem. We note that many parties favor PJM's request for waiver because it will allow the Commission time to fully consider the merits of PJM's Capacity Performance proposal,³⁴ and we agree that the requested waiver will address the problem identified by PJM. We disagree with protesters that PJM has not presented a concrete problem to be solved because it did not seek to show, in this proceeding, how reliability might be impacted without its waiver, or because it has other options available to address the conduct of the upcoming auction. To satisfy this waiver criterion, PJM need only demonstrate that it has a concrete problem, and that its waiver request will address that problem, and we find that PJM has met those requirements.

28. Finally, we find that the PJM's requested relief will not have undesirable consequences. As noted above, PJM's request for waiver will allow the Commission to consider the additional information submitted by PJM in support of its Capacity Performance proposal, as well as comments and protests regarding that additional information, while also providing clarity regarding the timing under which PJM will conduct its auction following Commission action on that proposal. While some uncertainty is inevitable under these circumstances, we disagree with protesters that the possible impacts of delaying the auction warrant rejection of the waiver. That said, we recognize that some protestors argue that delaying the auction will harm them by increasing their costs to participate in the auction. We acknowledge these concerns, but agree with PJM that it is important that the Commission have the opportunity to consider the full record in the Capacity Performance proceeding prior to PJM running this year's auction. Additionally, PJM has proposed to conduct the auction no later than mid-August, which mitigates the potential impacts on market participants, and we note that any additional costs incurred by participating resources may be included in their capacity sell offers, to the extent permitted by the rules in place for the auction. We also note that the waiver requested in the instant proceeding applies to all load-serving entities in PJM

³⁴ See AES comments at 1; NTE comments at 2-3; AEP comments at 1; Calpine comments at 2-3; Dominion comments at 3-4; EPSA comments at 3-5; Exelon comments at 1-5; LS Power comments at 4-5; Market Monitor comments at 3; NRG comments at 1-3; NTE Ohio comments at 1-2; Ohio Commission comments at 3-5; Pennsylvania Commission comments at 2-3; P3 comments at 3-5; PJM Utilities Coalition answer at 1-2; PSEG comments at 2-3.

and potential capacity resources for the 2018-19 delivery year, and therefore we do not believe that it will result in disparate treatment among similarly-situated parties.

29. We find that comments related to the merits of PJM's Capacity Performance proposal are beyond the scope of this proceeding, and therefore we will not address them here.

The Commission orders:

PJM's request for limited waiver of Attachment DD, Section 5.4(a) of the PJM Tariff is hereby granted, as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

AppendixList of Intervenors in
Docket No. ER15-1470-000

AES United States (AES United States et al.)*
American Electric Power Service Corporation* (AEP)
Advanced Energy Management Alliance * (AEMA)
American Municipal Power, Inc. * (Joint Protestors)
American Public Power Association (APPA/NRECA)
Ares EIF Management, LLC (AEIF)
Buckeye Power, Inc.
Calpine Corporation * (Calpine) (AES United States et al.)
Comverge Inc.
Consolidated Edison Energy, Inc.
CPower Corporation
DC Office of the People's Counsel * (Joint Consumers)
The Dayton Power and Light Company * (Dayton)
Delaware Division of the Public Advocate (Joint Consumers)
Delaware Public Service Commission * (Delaware Commission)
(Joint Consumers)
Direct Energy Companies * (Direct Energy) (Transition Coalition)
Dominion Resources Services, Inc. * (Dominion)
Dynergy Companies * (Dynergy) (AES United States et al.)
Duke Energy Corporation * (Duke)
Duquesne Light Company **
East Kentucky Power Cooperative, Inc. * (EKPC)
Electric Power Supply Association * (EPSA)
EnergyConnect, Inc.
EnerNOC, Inc.
Essential Power Companies * (Essential Power)
Exelon Corporation * (Exelon) (AES United States et al.)
FirstEnergy Service Company *(FirstEnergy)
Illinois Citizens Utility Board * (Joint Consumers)
Illinois Municipal Electric Agency * (IMEA)
Invenergy Wind Development LLC and Invenergy Thermal Development LLC **
Kentucky Attorney General
Kentucky Public Service Commission * (Indicated State Regulators)
LS Power Associates, L.P. * (LS Power)
Maryland Office of People's Counsel * (Joint Consumers)
Maryland Public Service Commission * (Indicated State Regulators)
Monitoring Analytics, LLC, acting as PJM's Independent Market
Monitor *** (Market Monitor)

NRG Companies * (NRG)
NTE Ohio, LLC * (NTE)
New Jersey Board of Public Utilities * (Joint Consumers) (Indicated State Regulators)
New Jersey Division of Rate Counsel * (Joint Consumers)
NextEra Energy Resources, LLC
Noble Americas Energy Solutions, LLC **
North Carolina Electric Membership Corporation **
Ohio Consumers' Counsel * (Joint Consumers)
Old Dominion Electric Cooperative * (Joint Protestors)
Organization of PJM States, Inc. (OPSI)
Panda Power Funds * (Panda)
Pennsylvania Office of Consumer Advocate * (Joint Consumers)
Pennsylvania Public Utility Commission (Pennsylvania Commission) *
PJM Industrial Customer Coalition * (Joint Consumers)
PJM Power Providers Group *
Potomac Electric Power Company
PPL Companies (PPL) *
PSEG Companies * (PSEG)
Public Power Association of New Jersey * (Joint Consumers)
Public Service Enterprise Group *
Public Utilities Commission of Ohio * (Ohio Commission)
Rockland Capital, LLC * (Rockland Capital)
Shell Energy North America (US), LP * (Shell)
Sierra Club * (Public Interest Organizations)
Southern Maryland Electric Cooperative, Inc. * (Transition Coalition)
(Joint Protestors)
Sustainable FERC Project and Natural Resources * (Public Interest Organizations)
West Virginia Consumer Advocate

* Entities submitting protests or comments.

** Entities submitting motions to intervene out-of-time.