

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

STAFF NOTICE OF ALLEGED VIOLATIONS

(June 6, 2013)

Take notice that in a nonpublic, formal investigation pursuant to 18 CFR Part 1b, the staff of the Office of Enforcement of the Federal Energy Regulatory Commission has preliminarily determined that Enerwise Global Technologies, Inc. (Enerwise) violated the PJM Interconnection, LLC (PJM) Open Access Transmission Tariff (Tariff) and the Commission's Anti-Manipulation Rule, 18 CFR § 1c.2 (2012), with respect to its provision of demand response in PJM's Interruptible Load for Reliability (ILR) program during 2009-2010.

Enerwise acts as a curtailment service provider in PJM by aggregating demand response customers. Staff alleges Enerwise violated the PJM Tariff, Attachment DD, § 2.44 during the period 2009-2010 by registering a demand response customer, the Maryland Stadium Authority (MSA), for a load reduction amount it knew MSA could not reliably achieve. Staff further alleges that Enerwise violated the Commission's Anti-Manipulation Rule, 18 CFR § 1c.2, by registering MSA for an improper load reduction amount, instructing MSA to artificially increase its electric load prior to an August 2009 PJM test event in order to demonstrate a larger load reduction, and taking actions to misrepresent to PJM the functionality of MSA's back-up generators during the August 2009 PJM test event.

This Notice does not confer a right on third parties to intervene in the investigation or any other right with respect to the investigation.<sup>1</sup>

Kimberly D. Bose,  
Secretary.

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<sup>1</sup> *Enforcement of Statutes, Regulations, and Orders*, 129 FERC ¶ 61,247 (2009), *order on reh'g*, 134 FERC ¶ 61,054 (2011).

Document Content(s)

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