

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

STAFF NOTICE OF ALLEGED VIOLATIONS

(December 2, 2016)

Take notice¹ that in a nonpublic investigation pursuant to 18 C.F.R. Part 1b, the staff of the Office of Enforcement of the Federal Energy Regulatory Commission has preliminarily determined that GDF SUEZ Energy Marketing NA, Inc. (GSEMNA) violated the Commission's Anti-Manipulation Rule, 18 C.F.R. § 1c.2 (2016), by engaging in a strategy to target and inflate its receipt of lost opportunity cost credits (LOCs) in the PJM Interconnection, L.L.C. (PJM) market during the period May 2011 to September 2013.

Staff alleges that GSEMNA carried out its strategy by offering combustion turbine units in the day-ahead market with below-cost offers when it anticipated that the units would not be dispatched in the real-time market and at times when the discounted units were expected otherwise to be out of the money and likely would run at a loss if dispatched, in order to target the receipt of LOCs paid to combustion turbine units that clear the day-ahead market and are not dispatched in the real-time market. This Notice does not confer a right on third parties to intervene in the investigation or any other right with respect to the investigation.

Kimberly D. Bose,
Secretary.

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