

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

Neptune Regional Transmission System, LLC and the Long Island Power Authority,	:	
	:	Docket No. EL21-39-000
Complainants,	:	
v.	:	
PJM Interconnection, L.L.C.,	:	
Respondent	:	

**UNOPPOSED MOTION FOR EXTENSION OF TIME,
SHORTENED ANSWER PERIOD
AND REQUEST FOR EXPEDITED ACTION**

Pursuant to Rules 212 and 2008(a) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”),¹ PJM Interconnection, L.L.C. (“PJM”) respectfully requests that the Commission grant a twenty (20) day extension of time until February 9, 2021 for parties to file answers and comments in response to the Complaint filed on behalf of Neptune Regional Transmission System, LLC (“Neptune”) and Long Island Power Authority (“LIPA”) (collectively, “Complainants”) on December 31, 2020 in the above-captioned proceeding.² Granting this extension request will afford PJM and other affected

¹ 18 C.F.R. §§ 385.212, 385.2008(a) (2020).

² *Neptune Regional Transmission System, LLC, et al., v. PJM Interconnection, L.L.C.*, Complaint, Docket No. EL21-39-000 (Dec. 31, 2020) (“Complaint”).

parties³ sufficient time to reply to the Complaint. Additionally, at this early stage of the proceeding, an extension will not prejudice Complainants or any other party. Further, Neptune and LIPA have authorized PJM to state that they do not oppose the requested 20-day extension to February 9, 2021.

PJM requests that the Commission establish a shortened period for answers to this motion and issue an order on this motion on or before January 14, 2021.

I. MOTION FOR EXTENSION OF TIME

On December 31, 2020, Neptune and LIPA filed the Complaint, alleging unjust and unreasonable distortions of cost allocation assignments for PJM Regional Transmission Expansion Plan (“RTEP”) projects.⁴ Specifically, Complainants contend that the “netting” procedure and *de minimis* rule as specified in the PJM Open Access Transmission Tariff (“PJM Tariff”), Schedule 12, undermine both the accurate measurement of relative use, by each zone, of a RTEP upgrade and the allocation of costs in a manner roughly commensurate with derived benefits.⁵

³ The following PJM Transmission Owners have authorized PJM to state that they support the extension of time and, therefore, join PJM’s request to seek an extension to respond to the Complaint. Allegheny Electric Cooperative, Inc.; American Electric Power Service Corporation on behalf of its affiliates, Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company, Wheeling Power Company, AEP Appalachian Transmission Company, Inc., AEP Indiana Michigan Transmission Company, Inc., AEP Kentucky Transmission Company, Inc., AEP Ohio Transmission Company, Inc., and AEP West Virginia Transmission Company, Inc. (collectively “AEP”); Duke Energy Corporation on behalf of its affiliates Duke Energy Ohio, Inc., Duke Energy Kentucky, Inc., and Duke Energy Business Services LLC.; East Kentucky Power Cooperative, Inc.; Exelon Corporation; FirstEnergy Service Company, on behalf of its transmission owning affiliates, including Jersey Central Power & Light Company, Mid-Atlantic Interstate Transmission, LLC, Monongahela Power Company, The Potomac Edison Company, West Penn Power Company, Trans-Allegheny Interstate Line Company and American Transmission Systems, Incorporated; PPL Electric Utilities Corporation; Public Service Electric and Gas Company; Virginia Electric and Power Company d/b/a Dominion Energy Virginia; and UGI Utilities Inc. (collectively, “Indicated Transmission Owners”).

⁴ Complaint at 4.

⁵ *Id.* at 4-10.

Pursuant to Rule 206(f) of the Commission’s Rules,⁶ unless otherwise ordered, answers and comments in response to complaints must be filed within twenty (20) days after the complaint is filed. In this case, under Rule 206(f), answers and comments currently are due by January 20, 2021.

PJM respectfully requests a twenty (20) day extension of time until February 9, 2021 to file answers and comments in response to the Complaint. There is good cause for the Commission to approve this unopposed extension of time. The extensive Complaint includes two lengthy affidavits and other supporting materials. It also raises numerous complex legal and factual issues regarding cost allocation under Schedule 12 of the PJM Tariff. In order for PJM to respond effectively to the Complaint, PJM will need to coordinate internally and with the PJM Transmission Owners.⁷ Allowing PJM and the PJM Transmission Owners the additional time to prepare their answers will ensure that the Commission will have as complete and accurate a record as early as possible in the complaint process. In short, the extension benefits all interested parties because it will allow PJM, the PJM Transmission Owners and other interested parties adequate time to assess and appropriately respond to the numerous complex legal and factual issues raised by the Complaint.

Given that Complainants have authorized PJM to state they do not oppose this extension request, it is unlikely at this early stage of the proceeding that an extension of time would prejudice any parties that may intervene in this docket. As such, PJM submits that good cause exists for an extension until February 9, 2021 to file answers in response to the Complaint.

⁶ 18 C.F.R. § 385.206(f).

⁷ Under the PJM Tariff, section 9.1 and Consolidated Transmission Owners Agreement (“CTOA”), Article 7, the PJM Transmission Owners have the exclusive authority and responsibility to submit filings under section 205 “in or relating to . . . the transmission rate design under the PJM Tariff.”

II. MOTION FOR SHORTENED ANSWER PERIOD AND EXPEDITED ACTION

Because this motion is unopposed, PJM requests that the Commission shorten the time for responses to this motion to one (1) day. Otherwise, if the Commission allows the standard five (5) day period for answers to motions for extensions, any response to this motion will be due on January 17, 2021 – only (3) days before an answer is due. PJM also requests that the Commission act on this motion for extension expeditiously and issue an order on or before January 14, 2021. Expedited Commission action is necessary in order to provide PJM and other parties with sufficient notice of the extension, which will facilitate the preparation of their answers and comments.

III. CONCLUSION

As discussed above, PJM, with the support of the Indicated PJM Transmission Owners, respectfully requests the Commission grant the requested extension of time until February 9, 2021 to file answers and comments in response to the Complaint. PJM also requests that the Commission establish a shortened answer period for answers to this motion and issue an order on this motion on or before January 14, 2021.

Respectfully submitted,

/s/ Pauline Foley

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Dated: January 12, 2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing document on the persons listed on the official service list maintained by the Secretary for this proceeding.

Dated in Audubon, PA this 12th day of January 2021.

Respectfully submitted,

/s/ Pauline Foley _____

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