PJM Interconnection, L.L.C. (“PJM”), pursuant to Federal Energy Regulatory Commission ("Commission" or "FERC") Rules of Practice and Procedure 212 and 213, submits this Motion for Leave to Answer and Answer to the Answer of American Municipal Power, Inc. (“AMP”), East Kentucky Power Cooperative, Inc. (“EKPC”), and AES Clean Energy Development, LLC (“AES”) filed on July 5, 2023. PJM maintains that the original intent of the May 30 Filing was to define Emergency Action where there is a shortage of the Extended Primary Reserve Requirement when coupled with a Voltage Reduction Warning and reduction of non-critical plant load, Manual Load Dump Warning, Maximum Generation Emergency, or the curtailment of non-essential building loads and voltage reduction. Nevertheless, PJM would consent to a Commission order accepting the May 30 Filing that directs further compliance to clarify that a shortage of the Primary Reserve Requirement, coupled with certain emergency procedures, is the proper trigger in the definition of Emergency Action should the Commission agree with AMP, EKPC, and AES.


I. MOTION FOR LEAVE TO ANSWER

The Commission’s rules provide that a party may answer comments where the decisional authority permits the answer for good cause shown. The Commission has accepted responses to comments and protests when doing so will ensure a more accurate and complete record or will assist the Commission in its deliberative process by clarifying the issues. All of these criteria are met. Therefore, PJM respectfully requests that the Commission grant its Motion because the Answer will help clarify the record and contribute to an understanding of the issues.

II. ANSWER

A. The Shortage of an Extended Primary Reserve Requirement Better Represents the Initiation of a Capacity Emergency. Notwithstanding, a Shortage of a Primary Reserve Requirement in the Definition of Emergency Action Would Also be Acceptable to PJM.

PJM’s intent regarding the revised definition of Emergency Action is that there would need to be a shortage of an Extended Primary Reserve Requirement coupled with a Voltage Reduction Warning and reduction of non-critical plant load, Manual Load Dump Warning, Maximum Generation Emergency, or the curtailment of non-essential building loads and voltage reduction. Such a definition better represents a capacity emergency because a shortage of the Extended Primary Reserve Requirement, coupled with certain emergency procedures, means PJM is already

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4 The Commission regularly allows answers in such cases. See, e.g., *PJM Interconnection, L.L.C.*, 139 FERC ¶ 61,165, at P 24 (2012) (accepting answers to a protest because “they have provided information that assisted [the Commission] in [its] decision-making process”); *Cal. Indep. Sys. Operator Corp.*, 129 FERC ¶ 61,241, at P 16 (2009) (“[w]e will accept the answers and responses to the requests for rehearing because they provide information that assisted us in our decision-making process”); *PJM Interconnection, L.L.C.*, 104 FERC ¶ 61,031, at P 10 (2003) (accepting answer because “it will not delay the proceeding, will assist the Commission in understanding the issues raised, and will [c]onfirm a complete record upon which the Commission may act”); *KN Wattenberg Transmission LLC*, 94 FERC ¶ 61,189, at 6 (2001) (finding good cause to accept an answer to a request for rehearing “in order to insure a complete record in this proceeding”); *Tex. E. Transmission, LP*, 131 FERC ¶ 61,164, at P 1, n.3 (2010) (accepting answer to a request for rehearing that aided the Commission’s decision-making); *Southwest Power Pool, Inc.*, 126 FERC ¶ 61,153, at P 18 (2009) (accepting answers that aided the Commission’s decision-making).
taking actions to maintain system balance while being in danger of being short reserves that could increase the risk of more severe emergency conditions. Rather than substantively amending the May 30 Filing, PJM’s June 20 Answer simply clarifies that the term “shortage of the Primary Reserve requirement” in the proposed Tariff refers to a shortage of the Extended Primary Reserve Requirement.5

That said, in light of the arguments raised by AMP, EKPC, and AES, PJM would consent to the Commission accepting PJM’s May 30th Filing without the additional clarifications suggested in PJM’s June 20th Answer. To be clear, PJM prefers to use the shortage of the Extended Primary Reserve Requirement in the revised Emergency Action definition. However, if the Commission is persuaded by the substantive and procedural arguments advanced by AMP, EKPC, and AES, PJM agrees to have the revised Emergency Action definition be based on a shortage of the Primary Reserve Requirement. In other words, the Commission should accept the filed revision to the definition of Emergency Action, with additional clarification directed on compliance clarifying either the originally intended shortage of the Extended Primary Reserve Requirement or the Primary Reserve Requirement as advocated by AMP, EKPC, and AES. PJM simply requests that the Commission accept the May 30 Filing and indicate its desired outcome to be clarified on compliance.

5 PJM Interconnection, L.L.C., Motion for Leave to Answer and Answer, Docket No. ER23-1996-000 (June 20, 2023) (“June 20 Answer”).
III. CONCLUSION

PJM asks that the Commission accept the proposed Tariff revisions, effective June 1, 2023, as discussed herein. Additionally, the Commission should refrain from initiating a separate section 206 proceeding given that PJM is in the midst of an expedited stakeholder proceeding related to capacity market reforms.

Respectfully submitted,

/s/ Chenchao Lu
Chenchao Lu
Associate General Counsel
PJM Interconnection, L.L.C.
2750 Monroe Boulevard
Audubon, PA 19403
(610) 666-2255
Chenchao.Lu@pjm.com

On behalf of
PJM Interconnection, L.L.C.
CERTIFICATE OF SERVICE

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

Dated at Audubon, PA this 7th day of July 2023.

/s/ Chenchao Lu
Chenchao Lu