

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

**Enerwise Global Technologies, LLC d/b/a)
CPower,)
v.)
PJM Interconnection, L.L.C.)**

Docket No. EL24-128-000

**JOINT MOTION TO DISMISS COMPLAINT AND STIPULATED
SATISFACTION AGREEMENT OF PJM INTERCONNECTION, L.L.C. AND
ENERWISE GLOBAL TECHNOLOGIES, LLC D/B/A CPOWER**

Pursuant to Rule 206 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure,¹ PJM Interconnection, L.L.C. (“PJM”) and Enerwise Global Technologies, LLC d/b/a CPower (“CPower”) respectfully submit this joint motion to dismiss and stipulated agreement to withdraw the complaint in the captioned proceeding. PJM and CPower request that the Commission accept this stipulated agreement without condition and dismiss this complaint with prejudice. In accordance with Rule 206(j), PJM and CPower represent that the underlying complaint will be satisfied through the Commission’s acceptance of the stipulated withdrawal agreement specified below.

I. STIPULATED SATISFACTION AND WITHDRAW AGREEMENT

In resolving the captioned complaint in this proceeding and requesting that the Commission dismiss the complaint with prejudice, PJM and CPower agree and stipulate as follows:

- 1) PJM will permit CPower to retain energy efficiency savings associated with the installation of all set top boxes, small network equipment and green buildings projects based on the values that were reviewed and approved by PJM from

¹ 18 C.F.R. § 385.206.

CPower's post installation measurement and verification report associated with the 2023/2024 and 2024/2025 Delivery Years;

- 2) CPower will be permitted by PJM to report set top boxes in its post installation measurement and verification report for the 2025/2026 Delivery Year, but CPower will not be permitted to claim energy savings from small network equipment infrastructure or the green building projects at extended-hours-of-use retail facilities that use load shape sampling statistics from differing building types;
- 3) No pending or newly announced energy efficiency audit of a measurement and verification plan or post-installation measurement and verification report that pertains to the 2023/2024, 2024/2025 or 2025/2026 Delivery Years will be used by PJM to deviate from these commitments in this stipulated agreement, subject to additional inquiries, modification, and acceptance by the Commission;
- 4) CPower agrees to not file any new complaints against PJM relating to the energy efficiency audit that was conducted for the 2023/2024 Delivery Year and any associated issues with such audit;
- 5) CPower agrees not to file a protest, or cause, advise, fund, or otherwise assist any third party to file a protest or submit any other adverse comment or pleading, in response to PJM's section 205 filing in Docket No. ER24-2995 or on rehearing or judicial review of the same; and
- 6) Nothing in this stipulation is intended to affect or dispose of the Market Monitor for PJM's ("IMM") claims set forth in Docket No. EL24-113-000 or interfere with CPower's ability to vigorously defend itself against that or any other complaint. Notwithstanding that the IMM is a contractor of PJM, the IMM will not

be deemed to be an agent, instrumentality, or otherwise subject to the control of PJM for the purpose of this stipulation.

II. CONCLUSION

Based on the stipulated agreement described above, PJM and CPower request that the Commission accept this stipulation without condition and dismiss the underlying complaint with prejudice. PJM and CPower also request expedited action on this motion to provide certainty on the resolution of this proceeding.

Respectfully submitted,

/s/ Chenchao Lu

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 27th day of September, 2024, served a copy of the foregoing upon all parties on the service list in these proceedings in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2023).

/s/ Chenchao Lu

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