

# Notice of Anticipated Section 206 Filing PJM's Use of the Designated Entity Agreement

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Associate General Counsel  
Planning Committee  
August 9, 2022

- September 1, 2021 – PJM filed Updated Compliance Filing in its Order No. 1000 docket:
  - Filing sought to clarify ambiguous language in Operating Agreement (OA) regarding the term “Designated Entity”
  - Included proposed OA revisions to clarify ambiguities
  - February 8, 2022 order rejected filing on procedural grounds
- April 12, 2022 – PJM Quick Fix process with OA revisions
- May 25, 2022 –
  - Quick Fix did not receive stakeholder endorsement
  - Two alternative issue charges were presented:
    - Transmission Owners – EKPC, Exelon and PSEG
    - Consumer Advocates Delaware Division of Public Advocate and NJ Division of Rate Counsel

- July 20, 2022. PJM included on the July 27, 2022 MRC/MC agenda:
  - Informational notice of anticipated section 206 filing regarding OA language related to the use of the Designated Entity Agreement (DEA).
  - Notice of Consultation to MC related to possible section 205 filing related to the DEA.
  - Request to approve issue charge – withdrawn following issuance of notices.
- July 26, 2022. AMP, ICC and OPC-DC filed a Complaint against PJM seeking to compel compliance with the OA related to issuance of DEAs.
- August 2, 2022. Notice of Consultation to TOA-AC of a possible section 205 filing related to the Tariff, Attachment KK (DEA).

- PJM is considering:
  - Submitting a section 206 filing asserting that:
    - the overly broad and imprecise use of the term “Designated Entity” in OA Schedule 6, section 1.5.8 is unjust and unreasonable; and
    - the definition of “Designated Entity” renders the provisions unjust and unreasonable;
  - Including the same proposed revisions filed with the Updated Compliance Filing as a proposed just and reasonable replacement rate;
  - Requesting an effective date as of the date of the filing.

Presenter:

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