

These comments on the PJM-proposed tariff provisions are submitted on behalf of H-P Energy Resources LLC (H-P):

Market participant requirements should apply to market participants, not other entities. This is consistent with the longstanding scope of minimum participation criteria in PJM, dating back to 2011 when PJM advised the Commission that:

“The Minimum Participation Requirements only apply to the entities actually participating in the PJM markets.” PJM Filing in *PJM Interconnection, L.L.C.*, Docket No. ER11-3972-000, page 13, fn. 37 (June 30, 2011). The Commission twice referred to this PJM statement in its Order addressing the filing, *PJM Interconnection, L.L.C.*, 136 FERC ¶ 61,190, P 33, fn. 33, and P 108 (2011).

H-P is concerned about vague and inconsistent new tariff language that could be construed as changing this longstanding scope.

The proposed new definition of “Market Participants” is vague in its description of any entity that “generates, transmits, distributes, purchases or sells electricity, ancillary services, or any other product or service provided under the PJM Tariff...” This could be interpreted to mean every entity and person in the PJM region, or perhaps some smaller group that could still number in the millions or thousands.

H-P suggests that Market Participants under Attachment Q be defined by specific categories such as “Market Buyers, Market Sellers, Economic Load Response Participants, Capacity Market Sellers, Capacity Market Buyers and FTR Participants” so that it is clear what entities are subject to the credit provisions.