

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

Welcome Solar, LLC)	
Welcome Solar II, LLC)	
Welcome Solar III, LLC)	
Complainants,)	Docket No. EL25-5-000
)	
v.)	
)	
PJM Interconnection, L.L.C.)	
Respondent.)	

**ANSWER OF PJM INTERCONNECTION, L.L.C.
IN OPPOSITION TO REQUEST FOR EXPEDITED TREATMENT AND
SHORTENED ANSWER PERIOD AND REQUEST FOR EXPEDITIOUS
ACTION**

Pursuant to Rule 213 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.213, PJM Interconnection, L.L.C. (“PJM”) submits this answer to the request of Welcome Solar, LLC, Welcome Solar II, LLC, and Welcome Solar III, LLC (together, “Welcome Solar” or “Complainants”) for a shortened period to answer the Complaint filed in the captioned proceeding.¹ PJM further requests that the Commission act as expeditiously as possible—i.e., by Friday, October 11, 2024. In support hereof, PJM states as follows.

I. BACKGROUND

The Complaint concerns Welcome Solar’s ongoing breach of its obligation to satisfy certain project-specific milestones set forth in three Interconnection Service

¹ *Welcome Solar, LLC v. PJM Interconnection, L.L.C.*, Complaint and Request for Fast Track Processing of Welcome Solar, LLC, Welcome Solar II, LLC, and Welcome Solar III, LLC, Docket No. EL25-5-000 (Oct. 4, 2024) (“Complaint”).

Agreements (“ISAs”)², for three generation projects that Welcome Solar seeks to interconnect to the PJM transmission system (“Welcome Solar ISAs”).³ PJM previously filed Notices of Cancellation of each of the Welcome Solar ISAs with the Commission on January 24, 2024, and January 25, 2024, based on Welcome Solar’s ongoing breach of milestones despite Welcome Solar’s March 2023 cure responses and representations.⁴ On May 28, 2024, the Commission issued an order rejecting the Notices of Cancellation without prejudice and dismissing the EL24-74 Complaint.⁵ Following issuance of the May 28 Order, PJM requested evidence to support Welcome Solar’s claimed achievement of the breached milestones consistent with Welcome Solar’s March 2023 cure responses and representations. Since then, PJM and Welcome Solar have engaged in discussions regarding Welcome Solar’s progress toward meeting those specific milestone dates in the Welcome Solar ISAs. Based on those discussions and the evidence provided, Welcome Solar had not yet demonstrated achievement of those milestones. Therefore, on September 5, 2024, PJM issued notices of breach of the Welcome Solar ISAs, and provided Welcome Solar with specific guidance as to PJM’s expectations for demonstrating cure within 30

² Terms not otherwise defined herein shall have the same meaning as set forth in the PJM Open Access Transmission Tariff and Amended and Restated Operating Agreement of PJM Interconnection, L.L.C.

³ Complaint at 4-6 (describing the projects associated with the Welcome Solar ISAs)

⁴ *PJM Interconnection L.L.C.*, Notice of Cancellation of Service Agreement No. 6475; Queue No. AE1-079, Docket No. ER24-994-000 (Jan. 24, 2024); *PJM Interconnection L.L.C.*, Notice of Cancellation of Service Agreement No. 6454; Queue No. AE1-237, Docket No. ER24-995-000 (Jan. 25, 2024); *PJM Interconnection L.L.C.*, Notice of Cancellation of Service Agreement No. 6239; Queue No. AE2-343, Docket No. ER24-1001-000 (Jan. 25, 2024) (collectively, “Notices of Cancellation”). Welcome Solar also filed a related complaint against PJM alleging numerous violations of the Welcome Solar ISAs. *Welcome Solar, LLC v. PJM Interconnection, L.L.C.*, Complaint and Request for Fast Track Processing of Welcome Solar, LLC, Welcome Solar II, LLC, and Welcome Solar III, LLC, Docket No. EL24-73-000 (Feb. 14, 2024) (“EL24-73 Complaint”).

⁵ *PJM Interconnection, L.L.C.*, 187 FERC ¶ 61,118 (2024) (“May 28 Order”).

days.

Despite the fact that PJM has not yet filed new notices of cancellation of the Welcome Solar ISAs based on failure to cure, the Complaint seeks fast track processing under 18 C.F.R. §§ 385.206(b)(11) and 385.206(h) to “prevent irreparable harm to Welcome Solar.”⁶ In addition, the Complaint requested that PJM only be allowed a shortened period of 17 days, instead of the standard 20 day period to answer complaints under 18 C.F.R. § 385.206(f).⁷

II. ANSWER

PJM requests that the Commission deny Welcome Solar’s request for a shortened 17-day answer period. PJM will be unduly prejudiced if a shortened answer period is granted. The Complaint comprises 192 pages of pleading and supporting material. It includes allegations that the notices of breach issued on September 5, 2024 are unjust and unreasonable, along with claims of unduly discriminatory treatment by PJM personnel.⁸ Giving PJM just 17 days to respond to these substantial allegations is unduly burdensome and will not aid the Commission in developing a complete record in this proceeding. Even more egregious is the fact that Welcome Solar filed its Complaint (with the request for a shortened answer period buried on page 42) on Friday, October 4, 2024, and did not serve the Complaint on PJM until 5:04 p.m. that day, following close of business. Thus, while Welcome Solar requests a 17-day answer period, its actions would effectively limit PJM to an unduly prejudicial 14-day answer period.

⁶ Complaint at 42.

⁷ *See id.* at 43.

⁸ *See* Complaint at 21-22.

As noted above, while notices of breach have been issued, notices of cancellation of the Welcome Solar ISA have not been filed, and no outstanding filings regarding the Welcome Solar ISAs are pending before the Commission. As such, there is no “irreparable harm” necessitating an expedited answer in this proceeding.

III. REQUEST FOR EXPEDITIOUS ACTION

PJM respectfully requests that the Commission issue an order denying the motion for shortened answer period no later than October 11, 2024. Good cause exists for the Commission to act expeditiously on PJM’s request, as issuing an order by October 11, 2024, will provide PJM and other interested parties with certainty regarding whether they will have sufficient time to develop complete and thorough responses to the Complaint.

IV. CONCLUSION

For the reasons stated above, PJM respectfully requests that the Commission deny Welcome Solar's request to shorten the answer period in this proceeding and act expeditiously to issue an order on PJM's request no later than October 11, 2024.

Respectfully submitted,

Craig Glazer
Vice President – Federal Government Policy
PJM Interconnection, L.L.C.
1200 G Street, NW, Suite 600
Washington, DC 20005
(202) 423-4743 (phone)
(202) 393-7741(fax)
craig.glazer@pjm.com

/s/ Elizabeth P. Trinkle
Wendy B. Warren
Elizabeth P. Trinkle
WRIGHT & TALISMAN, P.C.
1200 G Street, N.W., Suite 600
Washington, DC 20005-3898
(202) 393-1200
warren@wrightlaw.com
trinkle@wrightlaw.com

***Attorneys for
PJM Interconnection, L.L.C.***

Christopher Holt
Managing Counsel
PJM Interconnection, L.L.C.
2750 Monroe Blvd
Audubon, PA 19403-2497
(610) 666-2368 (phone)
christopher.holt@pjm.com

October 8, 2024

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 Washington, DC, this 8th day of October 2024.

/s/ Elizabeth P. Trinkle
Elizabeth P. Trinkle
WRIGHT & TALISMAN, P.C.
1200 G Street, N.W., Suite 600
Washington, DC 20005-3898

***Attorney for
PJM Interconnection, L.L.C.***