

ORGANIZATION OF PJM STATES, INC.

Members:

Delaware Public Service Commission
District of Columbia Public Service Commission
Illinois Commerce Commission
Indiana Utility Regulatory Commission
Kentucky Public Service Commission
Maryland Public Service Commission
Michigan Public Service Commission
New Jersey Board of Public Utilities
North Carolina Public Service Commission
Public Utilities Commission of Ohio
Pennsylvania Public Utility Commission
Tennessee Regulatory Authority
Virginia State Corporation Commission
West Virginia Public Service Commission

September 16, 2005

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426
(by Electronic Filing)

Re: PJM Interconnection, L.L.C., Docket Nos. ER05-1410-000 and EL05-148-000; Motion for Intervention on behalf of the Organization of PJM States, Inc. and Motion in Support of Extension of Comment Due Date (NOT CONSOLIDATED)

Dear Ms. Salas:

Please accept for filing in the above-referenced matter an electronically filed motion for intervention and motion in support of extension of Comment Due Date on behalf of the Organization of PJM States, Inc. Service has been made upon the service list as evidenced by the attached certificate of service.

Thank you for your attention to this matter. If you have any questions in reference to this filing, please contact me at 717-787-5978.

Sincerely,

s/ John A. Levin
John A. Levin, Assistant Counsel
Pennsylvania Public Utility Commission

Enclosures

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

PJM Interconnection, L.L.C.

ER05-1410-000

EL05-148-000

(CASES NOT CONSOLIDATED)

**MOTION OF THE ORGANIZATION OF PJM STATES, INC. FOR LEAVE TO
INTERVENE AND MOTION FOR EXTENSION OF COMMENT DUE DATE**

The Organization of PJM States, Inc.¹, hereby timely moves your Commission for leave to intervene, pursuant to Rules 214 (a) (2) and (b) of the rules of practice and procedure of your Commission.

1. All communications with respect to this matter should be addressed as follows:

John A. Levin, Assistant Counsel
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17105-3265
email: johlevin@state.pa.us [please note spelling]

¹ The Organization of PJM States, Inc. (“OPSI”) is a Delaware non-stock corporation with membership drawn from all 14 state regulatory commissions within the footprint of PJM Interconnection. OPSI is organized for the purpose of providing a regional forum for state regulatory authorities on issues affecting the region’s wholesale electricity market. Its board of directors, which is comprised of one Commissioner from each member state, has authorized this intervention to express the Organization’s views. No vote of, or resolution passed by the Board of Directors has any binding effect upon any state regulatory authority or any individual member thereof in the exercise of such authority’s powers. Actions or positions taken by OPSI do not constitute official actions or positions of any individual member regulatory authority.

MOTION FOR LEAVE TO INTERVENE

1. On August 31, 2005, PJM Interconnection, L.L.C. filed its “Reliability Pricing Model” as a proposed replacement for its existing unforced capacity obligation, as contained in its Open Access Transmission Tariff and Amended and Restated Operating Agreement, both filed with your Commission and subject to your Commission’s jurisdiction under the Federal Power Act. Because the Operating Agreement is administered by the PJM Members Committee, which has declined to support the current proposal, PJM styles its filing as a joint Federal Power Act Section 205 and 206 filing.
2. Your Commission issued a notice of the filing on September 7, 2005, setting the Comment due date on or before September 21, 2005.
3. OPSI is an organization of the state utility regulatory commissions created by the legislatures of their respective states² and charged with the regulation

² State commissions that are current members of OPSI are:

Delaware Public Service Commission
District of Columbia Public Service Commission
Illinois Commerce Commission
Indiana Utility Regulatory Commission
Kentucky Public Service Commission
Maryland Public Service Commission
Michigan Public Service Commission
New Jersey Board of Public Utilities
North Carolina Public Service Commission
Public Utilities Commission of Ohio
Pennsylvania Public Utility Commission
Tennessee Regulatory Authority
Virginia State Corporation Commission
West Virginia Public Service Commission

of electric utilities and of generation suppliers where retail electric generation competition has been authorized.

4. OPSI, in support of the public interest in safe, adequate and reliable electric service at just and reasonable rates, desires to intervene in the above captioned matters. As an organization comprised of all of the state utility regulatory agencies within the PJM regional footprint, OPSI has a unique interest in this proceeding. Each of our member Commissions have a vital interest in the effect on wholesale and retail markets and grid reliability which this filing may affect. Each of our member commissions has been delegated individual statutory responsibilities in the regulation of their State's retail electricity sector and has a statutory obligation to protect the public interest in safe, adequate and reliable electric service at just and reasonable rates, as well as the establishment of effective and fair wholesale markets. No other party is able to adequately represent OPSI's unique interests in this proceeding.
5. OPSI asks your Commission to grant its motion for leave to intervene in the above captioned dockets. Intervention is sought for the purpose of reviewing the instant filing and participating in the proceeding before your Commission that has been initiated by PJM's proposed filing of revisions to its tariffs to implement RPM as a replacement of its existing unforced capacity obligation requirements.

MOTION IN SUPPORT OF EXTENSION OF COMMENT DUE DATE

6. As noted above, the filing was noticed by your Commission on September 7, 2005, with comments to be filed on or before September 21, 2005.
7. Your Commission has docketed three individual motions or motions in support of extension of the comment due date: the Joint Consumer Advocates have moved your Commission for an extension of 15 days to October 6, 2005, the Public Utility Commission of Ohio has moved for an extension of 14 days to October 5, 2005, and the PUCO's 14 day extension request been supported by American Electric Power. OPSI expects the imminent filing of other motions proposing similar or longer extensions.
8. It is anticipated that the New Jersey Board of Public Utilities will imminently file a motion for extension of the comment due date to October 19, 2005, which would constitute a total comment period of four weeks.
9. Given the importance, size and complexity of this filing, OPSI supports this motion and so moves your Commission. As the Joint Consumer Advocates point out, the PJM proposal involves a major change in wholesale rates, materially affects every wholesale and retail customer in the 14 state PJM region, and in addition, given the materially different approaches to dealing with capacity issues and generation pricing in the ISO New England and Midwest ISO regions, the filing also raises questions regarding how it would affect the super regional joint and common markets being developed between

MISO and PJM. Given the fact that this proposal is apparently intended to provide stable long term pricing signals to generation for a considerable number of years, it is simply inappropriate to confine the comment period within two weeks after the initial notice date.

10. Given the size, complexity and importance of this filing, OPSI accordingly moves your Commission for an extension of the comment due date in these matters to October 19, 2005.

WHEREFORE, OPSI respectfully asks that your Commission allow its intervention in the above matters, and further, that your Commission summarily extend the comment due date to October 19, 2005, waiving the 15 answer period to this motion prescribed by Rule 213 (d) of your rules of administrative practice and procedure.

Respectfully Submitted,

s/ John A. Levin

John A. Levin

Assistant Counsel

Pennsylvania Public Utility Commission

P.O. Box 3265

Harrisburg, PA 17105-3265

(for the Organization of PJM States, Inc.)

Dated: September 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each party designated on the official service list compiled by the Secretary in Docket Nos. ER05-1410 and EL05-148 in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure.

Dated this 16th day of September, 2005.

s/ John A. Levin

John A. Levin, Assistant Counsel
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5978
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For the Organization of PJM States

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