

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

PJM Interconnection, L.L.C. : Docket No. ER09-1063-000  
: Docket No. ER09-1063-003

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**THE ORGANIZATION OF PJM STATES, INC.  
COMMENTS IN SUPPORT OF THE MOTION OF  
THE INDEPENDENT MARKET MONITOR FOR PJM  
FOR AN ORDER REQUIRING PJM TO CEASE AND DESIST**

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The Organization of PJM States, Inc. (OPSI)<sup>1</sup> supports the March 24, 2010 motion of the Independent Market Monitor (“Market Monitor”) for PJM Interconnection, L.L.C. (“PJM”) requesting that the Commission issue an order directing PJM to “cease and desist from posting offer data from RPM auctions in a form that substantially reveals the identity and offers of specific generation capacity units in PJM and may constitute commercially sensitive data of PJM Members protected under section 18.17 of the PJM Operating Agreement, and that it do so until the Commission has had an opportunity to address on the merits [of]

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<sup>1</sup> 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 Utilities Commission, Public Utilities Commission of Ohio, Pennsylvania Public Utility Commission, Tennessee Regulatory Authority, Virginia State Corporation Commission, and Public Service Commission of West Virginia.

For these comments: Illinois Commerce Commission and Kentucky Public Service Commission abstained; Michigan Public Service Commission voted no; and the Public Utilities Commission of Ohio had not voted at the time of filing.

the issues raised by this precipitous action” (p. 1). Subsequently, the Commission directed that answers be filed by April 1, 2010.

In Docket Nos. EL07-56 and EL07-58 the Commission approved the creation of an OPSI Advisory Committee that is comprised of five representatives selected by OPSI to provide advice to the Commission, the Market Monitor, PJM Board and PJM stakeholders regarding any matter concerning the Market Monitor or the Market Monitoring Plan.<sup>2</sup> Since then, the OPSI Advisory Committee has been in regular communication with the Market Monitor, including meeting at least once annually in a public forum. The Market Monitor has raised substantial issues in this instant proceeding and, therefore, it is of great importance to OPSI and its members.

In its March 24, 2010 Motion, the Market Monitor raises concerns about the posting of offer data from RPM auctions. Without a complete examination and hearing of the merits of the concerns, OPSI is unaware of how PJM’s actions may affect the rates of electric customers at the distribution level, which are under the purview of OPSI’s members.

For the reasons outlined above, OPSI supports the Market Monitor and respectfully requests that the Commission issue an order granting the Market Monitor’s request for interim relief to restore the *status quo ante* pending the

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<sup>2</sup> 122 FERC ¶ 61,257; P. 18; fn 15 (March 21, 2008).

Commission's consideration of the issues on the merits upon the imminent filing of comments in this matter. OPSI believes that such an examination and hearing of the issues are in the public interest.

Respectfully submitted,

/s/ Rajnish Barua

Rajnish Barua, Ph.D.

Executive Director

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Dated: April 1, 2010

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served (as an email attachment) a copy of the foregoing document upon each party on the official service list compiled by the Secretary in this proceeding.

Dated at Newark, Delaware, this 1<sup>st</sup> day of April, 2010.

/s/ Rajnish Barua

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