# UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Industrial Energy Consumers of America, et al.	)
Complainants,	) )
v. )	Docket No. EL25-44-000
Avista Corporation, et. al.	)
Respondents	) )

## COMMENTS OF THE ORGANIZATION OF PJM STATES, INC.

On December 19, 2024, a consortium representing consumer interests, the Consumers for Independent Regional Transmission Planning ("Consumers"), filed a Complaint pursuant to Sections 206, 306, and 309 of the Federal Power Act ("FPA")<sup>1</sup> and Rule 206 of the Federal Energy Regulatory Commission's ("FERC" or "Commission") Rules of Practice and Procedure<sup>2</sup> asking the Commission to find that practices allowing individual Transmission Owners to plan transmission facilities at 100 kV and above without regional oversight are unjust and unreasonable.<sup>3</sup> The Complaint recommends that all FERC-jurisdictional facilities at 100 kV and above be planned exclusively through regional planning processes conducted by an Independent Transmission Planner.

OPSI broadly agrees with the concerns around local transmission planning as expressed in the Complaint.<sup>4</sup> Local planning of transmission in the PJM region has vastly outstripped regional

<sup>&</sup>lt;sup>1</sup> 16 U.S.C. §§ 824e, 825e, and 825h.

<sup>&</sup>lt;sup>2</sup> 18 C.F.R. § 385.206.

<sup>&</sup>lt;sup>3</sup> Industrial Energy Consumers of America, et al. v. Avista Corporation, et. al., Complaint of Consumers for Independent Regional Transmission Planning for All FERC-Jurisdictional Transmission Facilities at 100 kV and Above, Docket No. EL25-44 (Dec. 19, 2024).

<sup>&</sup>lt;sup>4</sup> OPSI's following members support these Comments: the Delaware Public Service Commission, Public Service Commission of the District of Columbia, Illinois Commerce Commission, Indiana Utility Regulatory Commission,

planning in recent years, and thus retail consumers have not been able to reap the benefits of regional, more holistically planned projects. OPSI makes no comment on the remedy and replacement rate sought by the Consumers, nor the vehicle through which the Commission may ultimately choose to make any findings or decision, whether through this docket or a separate rulemaking. OPSI simply asks that the Commission address this proliferation of locally planned transmission with finality.

Respectfully Submitted,

#### Gregory V. Carmean

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Dated: March 20, 2025

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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, and Tennessee Public Utility Commission. The Virginia State Corporation Commission and Public Service Commission of West Virginia oppose these comments.

#### **CERTIFICA TE OF SERVICE**

I hereby certify that the foregoing has been served in accordance with 18 C.F.R. Section 385.2010 upon each person designated on the official service list compiled by the Secretary in this proceeding.

### /s/ Gregory V. Carmean

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Dated at Newark, Delaware this March 20, 2025.