

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

PJM Interconnection, L.L.C.	)	Docket No. ER23-1996-000
	)	
PJM Capacity Market Forum	)	Docket No. AD23-7-000
	)	(not consolidated)

**COMMENTS OF  
AMERICAN MUNICIPAL POWER, INC.**

On May 30, 2023, PJM Interconnection, L.L.C. (“PJM”) filed, pursuant to Federal Power Act (“FPA”) section 205,<sup>1</sup> proposed revisions to the definition of Emergency Action contained in its Open Access Transmission Tariff (“Tariff”).<sup>2</sup> PJM indicates that the proposed revisions “refine the Emergency Actions used for the purpose of determining Performance Assessment Intervals (‘PAIs’)<sup>3</sup> under its Reliability Pricing Model (“RPM”) Capacity Performance construct. The existence of an “Emergency Action” triggers a PAI, which exposes PJM Capacity Resources to Non-Performance charges and offers over-performing resources the opportunity to earn bonus payments.<sup>4</sup>

PJM states that the proposed revisions are needed “to ensure that an Emergency Action is better synchronized with instances where capacity shortage emergency conditions exist.”<sup>5</sup> PJM describes how the Emergency Action trigger was applied during the Winter Storm Elliott events of December 2022, stating that “during Winter Storm Elliott PJM kept both the Maximum Generation Emergency Actions and pre-

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> PJM, Filing, Docket No. ER23-1996-000 (filed May 30, 2023) (“Filing”).

<sup>3</sup> *Id.* at 1.

<sup>4</sup> *Id.* at 6.

<sup>5</sup> *Id.* at 4.

emergency/emergency load management reduction actions in effect throughout the day on December 24, 2023 [sic], which was prudent and in accordance with Good Utility Practice to pre-emptively address concerns regarding the evening peak and significant resource performance uncertainty.”<sup>6</sup> But PJM implies that these events “did not [rise] to the level of a capacity shortage emergency . . . .”<sup>7</sup> PJM therefore “propos[es] to narrow the definition of Emergency Action . . . .”<sup>8</sup>

PJM requested a shortened comment period and expedited Commission action on its filing, along with waiver of the Commission’s sixty-day prior notice requirement and a June 1, 2023 effective date. PJM argues that this “would allow for a consistent application of the Capacity Performance construct should a [PAI] be declared during the 2023/2024 Delivery Year . . . .”<sup>9</sup> American Municipal Power, Inc. (“AMP”) supports PJM’s filing but submits the following comments, pursuant to the Commission’s notices,<sup>10</sup> which address PJM’s statements<sup>11</sup> regarding its election to file only a portion of the complete package of related Tariff revisions that were endorsed by the PJM Members Committee. AMP demonstrates that the unfiled components of that package are ripe for discussion at the June 15, 2023 PJM Capacity Market Forum and requests that the Commission allow proponents of that package to participate as panelists.

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<sup>6</sup> *Id.* at 3-4.

<sup>7</sup> *Id.* at 3.

<sup>8</sup> *Id.* at 4.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> Combined Notice of Filings No. 1, at 7 (May 30, 2023); Errata Notice Shortening Comment Period, Docket No. ER23-1996-000 (May 31, 2023).

<sup>11</sup> Filing at 2 n.4, 21-22.

## I. BACKGROUND

AMP is a non-profit Ohio corporation organized in 1971. AMP has 133 members, including 132 member municipal electric systems in the states of Ohio, Pennsylvania, Michigan, Virginia, Kentucky, West Virginia, Indiana, and Maryland, and the Delaware Municipal Electric Corporation (“DEMEC”), a joint action agency with nine members that is headquartered in Smyrna, Delaware. AMP provides wholesale energy supply and related services to its members.

AMP and its members purchase transmission service and wholesale market services from PJM. Further, as load serving entities in PJM, AMP and its members are obligated under the PJM Reliability Assurance Agreement (“RAA”) to pay a Locational Reliability Charge for capacity that recovers the cost of PJM’s payments to generation resources that clear in the RPM Base Residual Auction (“BRA”). AMP supports PJM’s filing because it has the potential to reduce the risk of unnecessary Non-Performance charges faced by PJM Capacity Resources, which in turn may reduce future RPM offer prices submitted by these resources, while continuing to provide reasonable compensation to them. This may ultimately reduce RPM auction clearing prices without affecting reliability.

AMP’s comments, however, focus on misstatements and omissions in PJM’s filing related to PJM’s decision to override the Members Committee’s judgment that several additional revisions are necessary to ensure that RPM markets yield just and reasonable results going forward, while maintaining reliability. AMP, as a proponent of the complete package of reforms that PJM elected not to file, is compelled to provide this additional information in the Commission’s record to rebut PJM’s inaccurate portrayal of the package as impairing reliability.

## II. COMMENTS

### A. PJM ignored its Members' vote and instead filed only a portion of the Tariff revisions approved by the PJM Members Committee.

At a Special Meeting of PJM's Markets and Reliability Committee ("MRC") on May 4, 2023, and again at a Special Meeting of PJM's Members Committee ("MC") on May 11, 2023, PJM Members overwhelmingly endorsed the stakeholder-sponsored Capacity Performance Penalties Solution ("Member-Endorsed Solution").<sup>12</sup> The revisions to the Emergency Action trigger for PAIs included in PJM's instant filing were one of three components of the Member-Endorsed Solution. The others included revisions to both the Non-Performance charge rate and the associated annual stop-loss provision.

A limited number of stakeholder comments followed the May 11 MC meeting and some of these communications expressed unsupported concerns that reliability may be impacted as the basis for urging the PJM Board of Managers ("Board") to direct PJM to refrain from filing the full Member-Endorsed Solution with the Commission. The Board alluded to these negative comments in its May 23, 2023 letter<sup>13</sup> responding to those stakeholders and presented these erroneous concepts as a rationale for not filing the complete Member-Endorsed Solution. The fallacy of PJM's reliability impact allegations is addressed below.

The Board's letter also suggested that the Member-Endorsed Solution is susceptible to challenge under the filed-rate doctrine, notwithstanding the fact that the

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<sup>12</sup> PJM, Supplemental Voting Results, PJM Members Committee Meeting (May 11, 2023), <https://pjm.com/-/media/committees-groups/committees/mc/2023/20230511-special/summarized-voting-report.ashx>.

<sup>13</sup> Letter from Mark Takahashi, Chair, PJM Board of Managers to Multiple Members, *et al.* (May 23, 2023), <https://pjm.com/-/media/about-pjm/who-we-are/public-disclosures/20230523-pjm-board-response-to-several-letters-regarding-cp-penalty-rate-stop-loss-and-trigger-changes.ashx>.

Tariff revisions included in that proposal would apply prospectively on the same timeline as PJM's proposed PAI trigger revisions.<sup>14</sup> The filed-rate doctrine is a “cardinal principle of ratemaking,’ which prohibits a public utility from changing the rates collected for services rendered.”<sup>15</sup> But the services to be provided under the Member-Endorsed Solution include capacity to be made available in future delivery years and it is therefore illogical to conclude that the Member-Endorsed Solution raises filed-rate doctrine issues.

The PJM Board overreached in electing, without foundation, to refrain from filing the complete Member-Endorsed Solution. While PJM retains section 205 filing rights with respect to its Tariff, PJM is a membership organization and its Board should not lightly ignore the will of an overwhelming majority of Members, play favorites among them, or blithely defer to PJM staff's preferences. It is the Commission's role to make legal determinations such as whether the filed-rate doctrine is violated, not PJM's.<sup>16</sup> The PJM Board should therefore have respected the will of PJM's Members, as it has previously in similar circumstances,<sup>17</sup> and directed PJM to file the complete Member-Endorsed Solution.

**B. Additional Tariff revisions would match penalty exposure to RPM auction revenue.**

In addition to the PAI trigger revisions proposed in PJM's filing, the Member-Endorsed Solution included changes to both the Non-Performance charge rate and the

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<sup>14</sup> *Id.* at 2.

<sup>15</sup> *PJM Interconnection, L.L.C.*, 182 FERC ¶ 61,109, at P 163 (2023) (citing *City of Piqua v. FERC*, 610 F.2d 950, 954 (D.C. Cir. 1979)).

<sup>16</sup> *Duquesne Light Co. v. PJM Interconnection, L.L.C.*, 176 FERC ¶ 61,052, at P 27 (2021).

<sup>17</sup> See Letter from Mark Takahashi, Chair, PJM Board of Managers to PJM Members (July 7, 2021), <https://www.pjm.com/-/media/about-pjm/who-we-are/public-disclosures/20210708-board-letter-communicating-critical-issue-fast-path-minimum-offer-price-rule-decision.ashx>.

associated annual stop-loss provision, which would align both parameters with the BRA clearing price, rather than PJM's much higher Net Cost of New Entry ("Net CONE"), as is the case under the currently effective RPM penalty provisions. Net CONE is an administratively determined estimation of the amortized cost of constructing certain new hypothetical generating resources in PJM. Net CONE therefore bears no direct relationship to the revenues to be earned by Capacity Resources in PJM when they are awarded a capacity obligation in the BRA.

As AMP demonstrated in the PJM stakeholder process, under the currently effective RPM structure for the 2024/2025 Delivery Year, the Non-Performance penalty charge rate is more than ten times higher than the BRA clearing price in dollars per megawatt-day.<sup>18</sup> This means that for every five-minute PAI of non-performance under the status quo, a resource is effectively penalized ten days of RPM revenue. The Member-Endorsed Solution, however, would tether the Non-Performance penalty charge rate to be equivalent with each Capacity Resource's Locational Delivery Area BRA clearing price in dollars per megawatt-day. Under this Member-endorsed change, each five-minute PAI of non-performance would result in a forfeiture of one-day's RPM revenue as a penalty.<sup>19</sup> The overwhelming majority of PJM Members agreed that a loss of one day's revenue for each five-minute interval of non-performance is reasonable.

The extent of how grossly excessive PJM's currently effective penalty is becomes even more readily apparent when considering the annual stop-loss provisions. The

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<sup>18</sup> See PJM MC May 11, 2023 Meeting Materials, Item 01A – 2 AMP Supplement to May 11 Special MC, Comparison of Market Design Options for Non-Performance Charge Rate and Stop-Loss Rate, Status Quo column, lines [2], [4] (attached as Exhibit A hereto), <https://pjm.com/-/media/committees-groups/committees/mc/2023/20230511-special/item-01a---2-amp-supplement-to-may-11-special-mc.ashx>.

<sup>19</sup> See *id.*, AMP column, lines [2], [4].

annual stop-loss under the status quo is more than fifteen times the annual RPM capacity revenue available to PJM Capacity Resources.<sup>20</sup> Under the Member-Endorsed Solution, however, the annual stop-loss is tethered to actual RPM revenue with a cap of 1.5 times available annual capacity revenue.<sup>21</sup> As in the case of the Non-Performance penalty charge rate, the overwhelming majority of PJM Members agreed that a maximum potential loss of one and one-half times available annual revenue is reasonable. The need to address the mismatch between the Non-Performance charge rate and the stop-loss has been recognized by participants in other Commission proceedings.<sup>22</sup>

**C. The additional proposed Tariff revisions will not jeopardize reliability.**

The Member-Endorsed Solution was developed outside the PJM Critical Issue Fast Path (“CIFP”) process initiated by the Board. That process seeks to implement more comprehensive RPM reforms through an FPA section 205 filing on or before October 1, 2023. PJM expects that filing will include Tariff revisions that will apply prospectively. Noting the fallout from application of PJM’s Capacity Performance rules to generator performance during Winter Storm Elliott, one PJM stakeholder (LS Power) presented at the April 26, 2023 MRC meeting a Problem Statement/Issue Charge under the Quick Fix Process “to address the misalignment between the recent BRA Clearing Prices and the

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<sup>20</sup> See *id.*, Status Quo column, lines [7], [8].

<sup>21</sup> See *id.*, AMP column, lines [7], [8].

<sup>22</sup> See East Kentucky Power Cooperative, Complaint, Docket No. EL23-74-000, at 52 (filed May 31, 2023) (“PJM’s penalty rate and stop loss provisions, as well as its PAI trigger, are unjust and unreasonable as evidenced by the region’s Winter Storm Elliott experience, and should be changed.”); SunEnergy1, LLC, Complaint, Docket No. EL23-58-000 (filed April 5, 2023) (“while the September 2021 MSOC Order changed the price upon which Generation Capacity Resources can offer into the capacity market to be based on Net ACR, it did not change the stop-loss provision for the Non-Performance Charge, which is still based on the significantly higher Net CONE. The result is an asymmetric and unjust market framework. . . .”).

Capacity Performance Non-Performance Charge Rate.”<sup>23</sup> LS Power also presented a proposal that included revisions to the Non-Performance charge rate and stop-loss provisions that are reflected in the Member-Endorsed Solution.

Subsequent to the April 26, 2023 MRC meeting, LS Power amended its proposed changes to the Non-Performance charge rate to address concerns raised by PJM staff, primarily over tethering the Non-Performance charge rate to the BRA clearing price, among other issues.<sup>24</sup> LS Power ultimately dropped its proposed changes to the Non-Performance charge rate and raised its proposed stop loss multiplier from 1.5 times the BRA clearing price to 2.0 times the BRA clearing price, in response to PJM staff’s preferences.<sup>25</sup> This is a significant point because, while LS Power dropped its proposed reduction of the Non-Performance charge rate at the insistence of PJM staff, LS Power also proposed a considerable reduction in the annual stop-loss limit that is actually not substantially different from the stop-loss limit included in the Member-Endorsed Solution.

The Non-Performance charge rate does have important implications for reliability as it is applied in conjunction with the stop-loss limit (see discussion below), but the stop-loss limit caps the Capacity Resource’s total annual liability for Non-Performance charges. The status quo stop-loss limit is \$160,522 per megawatt-year of committed UCAP.<sup>26</sup> While the Member-Endorsed solution would reduce this cap to \$15,834 per

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<sup>23</sup> PJM MRC April 26, 2023 Meeting Materials, Item 05A - LS Power Capacity Performance Penalty Rate Alignment Issue Charge – Revised Updated (April 25, 2023), <https://pjm.com/-/media/committees-groups/committees/mrc/2023/20230426/20230426-item-05a---ls-power-capacity-performance-penalty-rate-alignment-issue-charge---revised-updated.ashx>.

<sup>24</sup> PJM MRC May 4, 2023 Meeting Materials, Item 02 – 1 LS Power Issue Charge Quick Fix CP Penalty Stop Loss Emergency Action Changes – Updated, <https://pjm.com/-/media/committees-groups/committees/mrc/2023/20230504-special/item-02---1b-ls-power-proposal-cp-penalty-stop-loss-emergency-action-changes---updated.ashx>.

<sup>25</sup> *Id.*

<sup>26</sup> See Exhibit A, Status Quo column, line [8].



megawatt-year, the final LS Power proposal, which was endorsed by PJM staff, would have reduced the stop-loss limit to \$21,112. In other words, the Member-Endorsed Solution would reduce the cap to approximately one-tenth of the status quo, while the final LS Power proposal supported by PJM staff would have reduced the cap to approximately one-eighth of the status quo. The Member-Endorsed Solution received greater-than super-majority sector-weighted support for tethering the annual stop loss limit to the locational BRA clearing price, as opposed to the unrelated Net CONE formula. Moreover, the Member-Endorsed Solution is the only proposal that addresses the misalignment between capacity prices and penalties raised in the Problem Statement/Issue Charge that these proposals were developed to address.

It is therefore baffling at best for PJM to claim that “PJM has reservations with lowering the Non-Performance Charge and associated stop loss when no additional changes are being proposed to the Capacity Performance construct at this time.”<sup>27</sup> PJM staff did not attach any such additional strings to their endorsement of the final LS Power proposal, with the overall reduction in annual Non-Performance charge exposure being materially the same under the Member-Endorsed Solution. PJM staff endorsed the final LS Power proposal that would have reduced the annual Non-Performance charge exposure to approximately 13% of the status quo, while the Member-Endorsed Solution would reduce that exposure to approximately 10% of the status quo.<sup>28</sup> Accordingly, PJM’s assertions have only ever amounted to a superficial invocation of the “reliability card” and

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<sup>27</sup> Filing at 2 n.4, 22.

<sup>28</sup> See Exhibit A, line 8 ( $21,112 \cdot 100 / 160,522 = 13.2\%$ ;  $15,834 \cdot 100 / 160,522 = 9.86\%$ ).

fail to support PJM's arguments that the Member-Endorsed Solution would actually impair reliability.

In fact, the Member-Endorsed Solution, overwhelmingly supported by PJM Members, was a direct response to the documented negative effects on reliability inherent in the final LS Power proposal that PJM staff supported. While major reductions to the overall Non-Performance charge exposure were fundamental to both proposals, the final LS Power proposal included at the behest of PJM staff a dynamic antithetical to incentivizing reliable Capacity Resource performance, and PJM Members recognized this in defeating the final LS Power proposal in a vote at the May 4, 2023 MRC meeting,<sup>29</sup> which caused the Member-Endorsed Solution to move forward as the sole proposal accepted by vote at the MC meeting on May 11, 2023.<sup>30</sup>

By retaining an unreasonably high Non-Performance charge rate, while reducing substantially the annual stop-loss, the PJM-supported final LS Power proposal would have ensured that the overall annual Non-Performance charges faced by Capacity Resources would be exhausted in as little as six hours of non-performance during consecutive PAIs, leaving those resources with no further RPM Non-Performance charge incentives toward reliable operations for the entire remainder of the Delivery Year.<sup>31</sup> In other words, on a day like December 24, 2022, where PJM experienced more than six

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<sup>29</sup> See PJM Special MRC Summarized Voting Report (May 4, 2023), <https://pjm.com/-/media/committees-groups/committees/mrc/2023/20230504-special/special-mrc-summarized-voting-report.ashx>.

<sup>30</sup> See PJM Special MC Summarized Voting Report (May 11, 2023), <https://pjm.com/-/media/committees-groups/committees/mc/2023/20230511-special/summarized-voting-report.ashx>.

<sup>31</sup> See Exhibit A, column LS (PJM-supported), line [10].

hours of PAIs,<sup>32</sup> a generator that was off-line for the day would have faced crushing penalties of more than fifteen times the annual RPM capacity revenue available to PJM Capacity Resources for its non-performance on that day, but would have no RPM-based incentive to get back on line and stay operational going forward for the balance of the 2022/2023 Delivery Year, which concluded on May 31, 2023, spanning 159 days.

In contrast, the exposure to Non-Performance charges faced by Capacity Resources under the status quo is exhausted after approximately 45.6 hours of PAIs and this timeline is exactly the same under the Member-Endorsed Solution, which would continue to provide a performance incentive for almost eight times as long as PJM's preferred approach, potentially for an entire calendar week of peak hour PAIs.<sup>33</sup> PJM's pejorative assertions regarding the Member-Endorsed Solution are therefore completely unfounded and ignore the substantial negative reliability impacts of PJM's own preferred approach.

**D. The Commission's June 15, 2023 PJM Capacity Market Forum should address the additional Tariff revisions endorsed by the PJM Members Committee and allow panel participation by proponents of the Member-Endorsed Solution.**

AMP appreciates the Commission's convening of its June 15, 2023 PJM Capacity Market Forum. Scheduling of this event is consistent with AMP's prior requests, where AMP has argued that "the Commission should invoke its authority under [FPA] section 206 to conduct a technical conference to address further revisions to PJM's governing documents and Manuals that may be necessary to avoid unjust, unreasonable, and

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<sup>32</sup> Filing at 3 ("during Winter Storm Elliott PJM kept both the Maximum Generation Emergency Actions and pre-emergency/emergency load management reduction actions in effect throughout the day on December 24, 2023 [sic]").

<sup>33</sup> See Exhibit A, line [10].

unduly discriminatory RPM auction results going forward.”<sup>34</sup> The Commission’s agenda for the PJM Capacity Market Forum appropriately includes a statement that “the forum is not for the purpose of discussing any specific matters before the Commission . . . .”<sup>35</sup>

The content of the Member-Endorsed Solution encompassing revisions to the Non-Performance charge rate and the stop-loss, however, are not before the Commission because PJM expressly elected to refrain from including these incremental Member-endorsed proposed revisions in its Filing. The Commission should therefore amend its June 9, 2023 notice<sup>36</sup> to ensure that these components of the Member-Endorsed Solution—revisions to the penalty charge rate and the stop-loss provisions—are fair game and flagged as among the most pertinent issues currently facing PJM’s RPM participants. Accordingly, the Commission should make clear that acceptance of PJM’s Filing should not foreclose future RPM changes in line with the unfiled components of the Member-Endorsed Solution.

The Commission should also expand the panel participants invited to speak at the PJM Capacity Market Forum to include representation of public power and other load-serving entities. Despite self-nominating as directed by FERC, no member of PJM’s Electric Distributor Sector has been invited and 100% of this sector<sup>37</sup> supported the

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<sup>34</sup> AMP, Comments, Docket No. ER23-729-000, at 2 (filed January 20, 2023).

<sup>35</sup> PJM Capacity Market Forum, Second Supplemental Notice of Forum, Docket No. AD23-7-000, at 1 (June 9, 2023).

<sup>36</sup> *Id.*

<sup>37</sup> PJM’s stakeholders are organized into five sectors for purposes of, *inter alia*, voting on proposed revisions to PJM’s governing documents, including the Tariff. These five sectors include Electric Distributor, End-Use Customer, Generation Owner, Other Supplier, and Transmission Owner. Electric Distributors include entities that own distribution systems serving retail customers and also include public power generation and transmission cooperatives and joint action agencies. See PJM Operating Agreement, Definitions.

Member-Endorsed Solution.<sup>38</sup> AMP stands ready to supply informative subject matter expertise to address needed reforms to PJM's RPM administrative capacity construct.

### III. CONCLUSION

WHEREFORE, for the foregoing reasons, American Municipal Power, Inc. respectfully requests that the Commission: (1) accept PJM's Filing effective as proposed; (2) amend its agenda for the June 15, 2023 PJM Capacity Market Forum to expressly include discussion of the additional Tariff revisions included in the Member-Endorsed Solution; (3) offer proponents of the Member-Endorsed Solution an opportunity to participate in panel discussions at the PJM Capacity Market Forum; and (4) grant such further relief as the Commission may deem appropriate.

Respectfully submitted,

/s/ Lisa G. McAlister

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Dated: June 9, 2023

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<sup>38</sup> See PJM Special MC Summarized Voting Report, at 3 (May 11, 2023), <https://pjm.com/-/media/committees-groups/committees/mc/2023/20230511-special/summarized-voting-report.ashx>.

**Exhibit A**

**American Municipal Power, Inc.**

**Comparison of Market Design Options for Non-Performance Charge Rate and Stop Loss Rate**

**PJM Members Committee Meeting Materials**

**May 11, 2023**

## Comparison of Market Design Options for Non-Performance Charge Rate and Stop Loss Rate

*Intervals and Hours to Stop Loss*

2024/25 Delivery Year	Status Quo		AMP		LS (PJM-supported)	
	Rates	Formula	Rates	Formula	Rates	Formula
RTO Net CONE (\$/MW-day, UCAP)	\$293.19	[1]	\$293.19	[1]	\$293.19	[1]
RTO BRA Clearing Price (\$/MW-day, UCAP)	\$28.92	[2]	\$28.92	[2]	\$28.92	[2]
Stop Loss Multiplier	1.5	[3]	1.5	[3]	2	[3]
Non-Performance Charge Rate (\$/MW-day)	\$293.19	[4]=[1]	\$28.92	[4]=[2]	\$293.19	[4]=[1]
Stop Loss Rate (\$/MW-day)	\$439.79	[5]=[1]*[3]	\$43.38	[5]=[2]*[3]	\$57.84	[5]=[2]*[3]
# days/year	365	[6]	365	[6]	365	[6]
Annual Revenue	\$10,556	[7]=[2]*[6]	\$10,556	[7]=[2]*[6]	\$10,556	[7]=[2]*[6]
Annual Stop Loss	\$160,522	[8]=[5]*[6]	\$15,834	[8]=[5]*[6]	\$21,112	[8]=[5]*[6]
Intervals to Stop Loss	548	[9]=[8]/[4]	548	[9]=[8]/[4]	72	[9]=[8]/[4]
Hours to Stop Loss	45.6	[10]=[9]/12	45.6	[10]=[9]/12	6.0	[10]=[9]/12

### Data Source

<https://www.pjm.com/-/media/markets-ops/rpm/rpm-auction-info/2024-2025/2024-2025-planning-period-parameters-for-base-residual-auction.ashx>

### **CERTIFICATE OF SERVICE**

I hereby certify that I have on this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Columbus, Ohio this 9th day of June, 2023.

*/s/ Lisa G. McAlister*

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