

**REGULATORY UPDATE FOR AUGUST 23, 2022 (WEEK OF AUGUST 15, 2022)****CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)****New Proposed Decisions and Draft Resolutions<sup>1</sup>**

A.21-04-001 (SCE 2020 ERRA). This decision approves Southern California Edison Company's (SCE) rate recovery for 2020 costs, including its procurement-related operations and regulatory account management, as modified. For 2020, SCE's total recorded fuel and purchased power revenue requirement was \$4.735 billion. This decision finds that SCE achieved least-cost dispatch of its energy resources and economically-triggered demand response programs pursuant to the Standard of Conduct 4. This decision also finds that SCE prudently administered, managed and dispatched its procurement-related resources. SCE's application also requested a total revenue requirement of \$60.772 million associated with four accounts, as follows: (1) \$47.680 million for the COVID-19 Pandemic Protections Memorandum Account (CPPMA); (2) \$0.304 million for the Building Benchmarking Data Memorandum Account (MA); (3) \$0.550 million for the Integrated Resource Planning Costs MA; (4) \$21.554 million in the Residential Rate Implementation MA; and (5) \$0.684 million for franchise fees and uncollectibles (FF&U). This decision approves a \$31.080 net revenue requirement—roughly half of the originally requested amount—associated with the following accounts: (1) \$23.000 million in the CPPMA; (2) \$0.304 million for the Building Benchmarking Data MA; (3) \$0.550 million for the Integrated Resource Planning Costs MA; (4) \$21.554 million for the Residential Rate Implementation MA; (5) - \$3.669 million for the Energy Resource Recovery Account (ERRA) Balancing Account (BA); (6) -\$10.979 million for the Public Purpose Program Adjustment Mechanism (AM); and (7) \$0.350 million for FF&U, as discussed below. With respect to SCE's regulatory account management, the Commission finds SCE's recorded entries in 34 out of 37 accounts are appropriate, correctly stated, and in compliance with all statutes and orders of the Commission. This decision reduces SCE's recovery in the CPPMA by \$27.287 million. First, this decision approves SCE's corrected calculations for the CPPMA, which reduces SCE's revenue requirement request by \$12.821 million. Second, this decision finds SCE's methodology for calculating incremental uncollectibles in the CPPMA unreasonable and inappropriate, and reduces SCE's revenue requirement for the CPPMA by an additional \$14.466 million. Due to an account transfer of \$98.854 million in residential uncollectibles charges from the CPPMA to the Residential Uncollectibles BA (RUBA) during 2020, the \$14.466 million revenue requirement reduction in the CPPMA is allocated as follows: (1) \$3.669 million in the ERRA BA; and (2) \$10.797 million in the Public Purpose Programs AM. A methodology for allocating SCE's general rate case (GRC)-authorized uncollectibles amount among customer classes is adopted to determine the incrementality of uncollectibles in the CPPMA and is extended to the RUBA. SCE must file a Tier 1 advice letter for recovery of the adopted revenue. SCE's total revenue requirement for the CPPMA totaled \$168.538 million in Commission jurisdictional expenses for

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<sup>1</sup> Per CPUC Rules of Practice and Procedure Rule 14.3, comments on proposed decisions are due 20 days after issuance of the proposed decision, and reply comments are due five days thereafter. Comments on draft resolutions are due 20 days after the draft resolution appears in the CPUC's daily calendar, per Rule 14.5.

2020, consisting of \$139.075 million in incremental uncollectibles, \$6.226 million for the establishment of a new credit facility, and \$23.237 million in Late Payment Charges. The RUBA records the cost of incremental uncollectibles for residential customers through subaccounts in the ERRA BA and the Public Purpose Programs requirement, and adopts the GRC uncollectibles allocation methodology in the CPPMA and the RUBA tariffs, within 30 days of the issuance date of this decision. This proceeding remains open to consider Public Safety Power Shutoff issues scoped in Phase 2.

Draft Resolution E-5221. The Database for Energy Efficient Resources (DEER) contains information on energy-efficient technologies and measures. DEER provides estimates of the typical energy-savings potential for these technologies in residential and nonresidential applications. DEER is used by California Energy Efficiency (EE) Program Administrators, private sector implementers, and the EE industry across the country to develop and design energy efficiency programs. This Resolution approves updates to the DEER for program year (PY) 2024 and a revised version of DEER for PY2023 and PY2022, in compliance with D.15-10-028, D.21-05-031 and Resolutions E-4818, E-4952, E-5009, E-5082, and E-5152. This update also directs forward looking research and addresses significant transitions for the DEER and measure package system maintenance and operation.

#### Voting Meetings

The CPUC will hold its next voting meeting on August 25, 2022. The agenda includes the following energy-related items.

Item 8. R.20-07-013 (Risk-Based Decision-Making Framework). This decision refines certain reporting requirements for the Risk Spending Accountability Reports required of investor-owned utility (IOU) and Small and Multi-Jurisdictional Utility gas and electric utilities pursuant to Decision (D.) 19-04-020 and D.14-12-025. It updates certain requirements for IOU Risk Assessment and Mitigation Phase (RAMP) reports and clarifies information requirements related to RAMP filings for submittal in GRC applications. As such, this decision updates the Rate Case Plan for GRC applications, most recently addressed in D.20-01-002. This decision eliminates the separate gas safety reporting requirements adopted in D.19-09-025, D.17-05-013, D.13-05-010, and D.11-05-018 and directs the IOUs to include any non-duplicative aspects of these reporting requirements into their RSARs or related filings.

Item 9. Draft Resolution E-5220. The CPUC adopted D.21-12-032 on December 17, 2021, which directed the three large IOUs to each file a Tier 2 Advice Letter (AL) modifying their ReMAT tariffs and standard Power Purchase Agreements (PPA) to accommodate the eligibility of facilities enhanced with storage, establish a de minimis threshold for each product category, and include a process through which the IOUs aggregate remaining capacity across one or two of the three Product Categories, if necessary, to meet their individual share of the statewide ReMAT capacity target. Further, D.21-12-032 directed San Diego Gas & Electric (SDG&E) to reopen its ReMAT program. D.21-12-032 also reaffirmed the IOUs' option to provide information-only time-of-delivery factors, as adopted in D.19-12-042, and resolved several petitions for modification. On March 15, 2022, Pacific Gas and Electric Company (PG&E), SCE, and SDG&E filed ALs pursuant to Ordering Paragraph 8 of D.21-12-032. On

April 25, 2022, and May 13, 2022, PG&E, SCE, and SDG&E filed supplemental ALs. On April 4, 2022, California Energy Storage Alliance and JTN Energy each filed timely responses and protests. This resolution approves with modification PG&E ALs 6528-E/E-A and SDG&E ALs 3968-E/E-A and approves SCE ALs 4745-E/E-A as they include the required modifications to their ReMAT tariffs and PPAs consistent with D.21-12-032.

Item 14. Draft Resolution E-5225. This resolution approves an energy storage contract with Nextera (Desert Peak Energy Storage II, LLC) for 75 megawatts (MW) of nameplate capacity, expected to provide 72 MW of incremental September net qualifying capacity, that SCE procured to satisfy a portion of its 2023 mid-term reliability requirements. The contract is for a new stand-alone, in-front-of-the-meter energy storage project and is a resource adequacy (RA) with put option contract, i.e., an RA contract where the seller also has the option to put the energy dispatch rights to SCE. This resolution approves all of the relief requested in AL 4800-E.

Item 16. R.21-10-002 (RA). This decision adopts regional wind ELCCs for the 2023 compliance year and addresses the demand response (DR) qualifying capacity methodology for the 2023 and 2024 compliance years. The Energy Division's regional wind ELCC study values are adopted for 2023 and beyond. The decision also declines to adopt an interim qualifying capacity methodology for DR, finding there is insufficient record support for adopting the methodology. The decision, however, does find it reasonable to apply a load impact protocol (LIP) methodology to DR resources, and directs parties to develop refinements to the LIP methodology so that it can apply to the 24-hour slice framework the CPUC recently adopted, for the 2024 test year. The Energy Division is directed to notice the first workshop to address this issue as soon as practicable; subsequent workshops will be added to the Workstream 2 schedule for this proceeding.

Item 26. A.20-03-016 (PG&E Gas Demand Pilot Program). This decision dismisses without prejudice Application 20-03-016 (Application) filed by PG&E for approval of its Gas DR Pilot Programs in compliance with Ordering Paragraph 11 of D.19-09-025. Concurrently with its Application, PG&E filed a motion for a ruling to defer consideration of its Application in order to allow the CPUC to issue a final decision in Track 2 of Rulemaking (R.) 20-01-0071 (Track 2 decision, LT Gas Rulemaking). On June 2, 2020, the assigned Administrative Law Judge (ALJ) issued a ruling granting PG&E's Motion (ALJ Ruling). The ALJ Ruling directed PG&E to file an amended Application in this proceeding within 60 days of the date of issuance of the Track 2 decision. On September 27, 2021, the CPUC issued D.21-09-042 extending the initial statutory deadline for this proceeding by one year to September 29, 2022. On January 5, 2022, the Commissioner in R.20-01-007, the LT Gas Rulemaking, issued an amended scoping memo setting both the scope and the proceeding schedule for Track 2. The Track 2 decision is currently scheduled for Second Quarter 2023. This decision does not prejudice the merits of PG&E's Application. PG&E may file a new application within 18 months of the issuance of this decision.

Item 28. Draft Resolution 5229. SCE filed AL 4747-E on March 16, 2022, requesting CPUC review and approval of a BioMAT contract amendment with Santa Barbara County. The contract is a standard BioMAT PPA for which amendments are requested. SCE's execution of the contract amendments was at the request of Santa Barbara County. This Resolution approves

the contract amendment between SCE and Santa Barbara County without modification because it is consistent with the revised BioMAT program terms defined in D. 20-08-043.

## **CALIFORNIA INDEPENDENT SYSTEM OPERATOR (ISO)**

### **Stakeholder Initiatives: Upcoming Meetings and Deadlines**

**Washington WEIM Greenhouse Gas Enhancements.** The California ISO has launched a new initiative called Washington Western Energy Imbalance Market (WEIM) Greenhouse Gas Enhancements, and held a virtual workshop with stakeholders and Washington joint agencies on August 22, 2022, to discuss the issue paper and straw proposal for this initiative. Written comments are due September 6.

**Transmission Service and Market Scheduling Priorities Phase 2.** The California ISO held a stakeholder call on August 11, 2022 to discuss the Transmission Service and Market Scheduling Priorities Phase 2 straw proposal. Comments are due August 25, 2022.

**Extended Day-Ahead Market (EDAM).** The EDAM revised straw proposal has been posted to the initiative webpage. The ISO has scheduled a public meeting, offered in-person and virtually, on September 7-8, 2022, at the Embassy Suites by Hilton Sacramento Riverfront Promenade in Sacramento, California, to hear stakeholders' preliminary feedback on the proposal. This two-day meeting is a follow-up to the virtual stakeholder meeting scheduled on August 29, during which the ISO will discuss the various elements of the revised straw proposal in detail, and take clarifying questions from stakeholders. The comment deadline for the revised straw proposal has been extended from September 13 to September 20.

**2022-2023 Transmission Planning Process.** The California ISO has posted the 2022-2023 Transmission Planning Process preliminary reliability results to its website. The request window is open through October 15, 2022.

**Energy Storage Enhancements.** The California ISO will hold a public stakeholder call on August 25, 2022, to discuss the draft final proposal for the Energy Storage Enhancements initiative. Written comments are due September 9, 2022.

### **2023 Net Qualifying Capacity Values**

The California ISO has posted the preliminary 2023 Resource Adequacy Net Qualifying Capacity list. Scheduling coordinators are requested to review their information and submit comments by September 1, 2022.

### **2023 Effective Flexible Capacity Values**

The California ISO has posted the preliminary 2023 Resource Adequacy Effective Flexible Capacity list. Scheduling coordinators are requested to review their information and submit comments by September 8, 2022.

## CALIFORNIA ENERGY COMMISSION (CEC)

### Offshore Wind

During the August 10, 2022 CEC Business Meeting (see [agenda](#)), the CEC adopted the final report on Offshore Wind Energy Development off the California Coast: Maximum Feasible Capacity and Megawatt Planning Goals for 2030 and 2045 (see agenda item 2). A copy of the final report is available [here](#). A copy of Order No. 22-0810-02, *Adoption Order of the AB 525 Offshore Wind Report Including the Maximum Feasible Capacity and Megawatt Planning Goals for 2030 and 2045* is available at TN# 245037 in [Docket No. 17-MISC-01](#).

### AB 205: Expansion of CEC Siting Jurisdiction

On June 30, 2022, California Governor Gavin Newsom signed [AB 205](#), which, among other things, expands the siting jurisdiction of the CEC to include non-thermal generating facilities, such as solar and wind projects, with a capacity of 50 MW or more. The CEC's siting jurisdiction was previously limited to thermal generating facilities like gas-fired and geothermal power plants with a capacity of 50 MW or more. In addition, AB 205 allows the CEC to have siting jurisdiction over energy storage facilities with a capacity of 200 MW hours or more. Unlike thermal generating facilities, the CEC's expanded siting jurisdiction over solar and non-thermal generating facilities, as well as energy storage facilities, is at the request of the applicant—meaning it is “opt-in.” A summary of the changes to the CEC siting jurisdiction contained in AB 205 can be found on the Stoel Rives [California Environmental Law blog](#) and [Renewable + Law blog](#).

### Integrated Energy Policy Report Update – Equity

The CEC is hosting a series of workshops to explore approaches to ensure meaningful community engagement and develop an equity and environmental justice framework. The upcoming August 31, 2022 workshop will focus on addressing barriers to clean energy adoption and explore approaches to providing effective technical assistance at the local level to accelerate the State's transition to a clean energy future for all. The workshop is scheduled to begin at 10:00 a.m. on Wednesday, August 31, 2022, and there are in-person and remote access options. For additional information, please see TN# 245492 in [Docket No. 22-IEPR-04](#).

### Lithium Valley Commission

The next Lithium Valley Commission meeting will be held in Calipatria, California (and via remote access) on August 25, 2022 at 1:30 p.m. Additional information is available at TN# 245045 in [Docket No. 20-LITHIUM-01](#).

### CEC Business Meetings

The next CEC Business Meeting is scheduled for September 14, 2022.

## **CALIFORNIA AIR RESOURCES BOARD (CARB)**

### Meetings and Workshops

On August 23, 2022, CARB will host a [public meeting](#) of the [AB 32 Environmental Justice Advisory Committee](#), virtually and in person in Los Angeles. Information on attendance and the agenda for the meeting are available [here](#).

On August 23, 2022, CARB will hold a [public workshop](#) on the proposed [2022 State Strategy](#) for the federal Clean Air Act State Implementation Plan (SIP). The 2022 SIP Strategy is currently scheduled for Board consideration in September.

CARB has invited Native American tribes to consult on the draft [Assembly Bill \(AB\) 32 Scoping Plan Update](#). CARB will hold a listening session and webinar for tribes on the draft Plan on August 24, 2022. Information is available [here](#).

CARB will hold its next [Board meeting](#) on August 25, 2022. The full agenda is available [here](#). At the meeting, the Board will consider the [Community Emissions Reduction Plan for the South Los Angeles Community](#), developed under the [AB 617 Community Air Protection Program](#). The deadline to submit written comments electronically has passed, but comments may be presented at the Board meeting. At the meeting, the Board will also consider the [Advanced Clean Cars II Regulations](#). Additional documentation on the draft Advanced Clean Cars II Regulations is available for comment on or before August 23, 2022.

### Opportunities for Public Comment

Comments may be submitted on the proposed [2022 State Strategy](#) for the federal Clean Air Act SIP [here](#) on or before September 12, 2022.

A draft [People's Blueprint](#) has been prepared by community and environmental justice advisors to CARB as a starting point for discussion of CARB's update to the [AB 617 Community Air Protection Blueprint](#), issued in 2018. Comments on the draft People's Blueprint may be submitted to CARB [here](#) on or before September 30, 2022.

## **MINNESOTA PUBLIC UTILITIES COMMISSION (MPUC)**

### Overview of August 18, 2022, MPUC Agenda Meeting

On August 18, 2022, the MPUC considered three different matters. First, the MPUC considered and approved the proposed settlement agreement in CenterPoint Energy's pending rate case. At a high level, the settlement approved a revenue requirement increase of \$48.5 million for the utility based upon a return on equity (ROE) of 9.39%. Second, the MPUC considered, modified, and approved Red Rock Solar LLC's application for a Certificate of Need and Site Permit for a large wind facility in Cottonwood County, Minnesota. Lastly, the MPUC reviewed and approved various permitting aspects of Xcel Energy's proposed solar project to be sited at its Sherco facility. All written orders are pending.

### August 25, 2022, MPUC Agenda Meeting

The MPUC will meet at 8:00 a.m. PT on August 25, 2022, to address the follow matters: (1) Xcel Energy’s conservation improvement programs; (2) Xcel Energy’s natural gas conservation improvement programs; (3) Otter Tail Power Company’s conservation improvement programs; (4) Minnesota Energy Resources Corporation’s conservation improvement programs; (5) formal complaint by Nokomis Energy LLC against Xcel Energy; and (6) Xcel Energy’s certificate of need for additional dry cask storage and Prairie Island nuclear generating facility.

### **OREGON PUBLIC UTILITIES COMMISSION (OPUC)**

On Tuesday, August 23 at 9:30 a.m., the OPUC held a public meeting to discuss a large number of issues, including updates to the Portland General Electric Schedule 54, Large Nonresidential Renewable Energy Certificates rider, to add geothermal as a resource and allow resource mixing (see staff report [here](#)); the joint-utility methodology for calculating the incremental cost of subscribed energy in the Community Solar Program (see staff report [here](#)); PacifiCorp’s proposal to establish a new Schedule 7, Low-Income Discount and the corresponding Low-Income Discount Cost Recovery Mechanism (see staff report [here](#)); Idaho Power’s Wildfire Protection Plan (see staff report [here](#)); and guidance on implementing the new Division 87 Oregon Administrative Rules and amending Clean Fuels Program Order No. 18-376 to comply with the new rules (see staff report [here](#)).

### **OREGON ENERGY FACILITY SITING COUNCIL (EFSC)**

EFSC will be meeting for a three-day hearing to review, discuss, and possibly modify the proposed order on the Boardman [Oregon] to Hemingway [Idaho] Transmission Line proposal. The hearing will take place at the Gilbert Event Center at Eastern Oregon University in La Grande beginning Monday, August 29, and it may also be viewed online. Materials and access information can be found [here](#).

### **FEDERAL ENERGY REGULATORY COMMISSION (FERC)**

FERC’s July 28, 2022 Open Meeting resulted in three proposed rulemakings:

FERC issued a [Notice of Proposed Rulemaking](#) (NOPR) to modernize its accounting systems to better reflect the rapid changes in electric power market resources and technologies. The NOPR would modify FERC’s Uniform System of Accounts by creating new accounts for wind, solar, and other non-hydro renewable assets; establishing a new functional class for energy storage accounts; codifying the accounting treatment for renewable energy credits; and creating new accounts for computer hardware, software, and communication equipment. Creation of these discrete accounts would provide more accurate information to FERC and the public during the ratemaking process by enabling more reasonable estimates for lifetimes of plant service and their recorded depreciation. Additionally, the NOPR seeks comments on whether the Chief Accountant should issue guidance on accounting for hydrogen. Comments on the NOPR will be due 45 days after publication in the Federal Register.

FERC issued a second [NOPR](#) on improving credit risk management in the organized wholesale electric power markets. The NOPR would allow electric power market operators to share credit-related information among themselves so they can more accurately assess market participants' credit risks. Separately, FERC also issued an Order to Show Cause finding that the existing open access transmission tariffs of the California ISO Corporation, ISO New England Inc., New York Independent System Operator, Inc. (NYISO), and Southwest Power Pool Inc. appear to be unjust and unreasonable because they lack certain credit risk management practices. Specifically, these tariffs do not contain practices intended to ensure that market participants in financial transmission rights markets administered by these market operators maintain sufficient collateral to reduce the risk of defaults and the potential mutualization of costs from any defaults that are not supported by adequate collateral. Comments on the NOPR will be due 60 days after publication in the Federal Register. Market operators' responses to the Show Cause Order are due October 26, 2022.

FERC issued a third [NOPR](#) that would impose a new duty of candor for entities that communicate with FERC or organizations upon which FERC relies to carry out its statutory obligations in the FERC-jurisdictional electric, natural gas, and oil industries and markets. The proposed rule is based on the existing rule governing communications by entities with market-based rate authority and would apply to communications with FERC (including FERC staff), FERC-approved market monitors, FERC-approved regional transmission organizations, FERC-approved ISOs, jurisdictional transmission or transportation providers, and the North American Electric Reliability Corporation (NERC) and its associated Regional Entities. Comments on the NOPR will be due 60 days after publication in the Federal Register.

FERC Chairman Rich Glick and Jim Robb, President and CEO of NERC, [published a letter](#) encouraging the North American Energy Standards Board to convene a forum to identify solutions to the reliability challenges facing the nation's natural gas system and bulk electric system. Such a forum was one of the key recommendations from the FERC-NERC report on the February 2021 freeze in Texas and the southcentral U.S. caused by Winter Storm Uri.

On August 19, 2022, FERC approved [\(here\)](#) the Cost Sharing and Recovery Agreement filed by the New York Transmission Owners (NYTOs) and accompanying Rate Schedule 19 filed by the NYISO in order to recover the cost of local transmission upgrades that are determined by the New York Public Service Commission (NYPSC) to be necessary to meet New York State's climate and renewable energy goals under State law. FERC rejected LS Power's protest that the proposal was non-compliant with Order 1000, noting that Order 1000 recognizes, and indeed encourages, voluntary participant funding agreements as clarified in its [State Agreement Policy Statement](#). FERC also approved cost allocation on a load-ratio share basis because the upgrades are those that the NYPSC has found to facilitate the achievement of statewide mandates applicable to the NYTOs, which benefit customers throughout the State.

#### FERC-Related Court Decisions

On August 9, 2022, the D.C. Circuit Court of Appeals vacated FERC's 2020 Order setting the MISO transmission owners' ROE at 10.02% ([Order](#)). The proceeding has lasted nearly a decade and, in its Order, the Court held that FERC's methodology used to determine the



latest appropriate ROE was arbitrary and capricious. The proceeding arises from two Section 206 complaints filed by customers who argued that MISO's existing ROE of 12.38% was too high. Since that time, FERC has set three ROE rates: 10.32% in 2016, 9.88% in 2019, and 10.02% in 2020. In determining the 10.02% ROE in 2020, FERC utilized a revised methodology for determining ROE, incorporating the discounted-cash-flow, capital-asset, and risk-premium models to determine a zone of reasonableness and set the ROE at its midpoint. FERC added the use of the risk-premium model despite finding, in its first rehearing order in 2019, Opinion No. 569, that any "additional robustness" the risk-premium model added to its methodology was "outweighed by the disadvantages of its deficiencies," and rejecting its use. While the Court recognized that FERC is entitled to change its mind and now use the risk-premium model, it found that "FERC failed to offer a reasoned explanation for its decision to reintroduce the risk-premium model after initially, and forcefully, rejecting it." FERC will now re-evaluate its methodology in a third rehearing order. With the need to upgrade the transmission system across the MISO footprint, FERC will need to act quickly to ensure investors have the economic certainty necessary to invest in these high-cost upgrades.

Also on August 9, 2022, the D.C. Circuit Court of Appeals vacated several FERC orders that had determined cost responsibility as between New York and New Jersey ratepayers for hundreds of millions of dollars of investment in regional transmission upgrades in northern New Jersey. [\*Consolidated Edison Company of New York, Inc. v. FERC, Nos. 15-1183, et al. \(D.C. Cir. Aug. 9, 2022\)\*](#). The Court found fault with FERC's failure to explain why it used the solution-based distribution-factor analysis (DFAX) method of cost allocation for two transmission projects (the Bergen and Sewaren projects) in northern New Jersey, but did not use the DFAX method for the allocation of costs associated with the Artificial Island project. The Court was dissatisfied with FERC's attempt to explain the difference in treatment of costs related to short-circuit issues (Bergen and Sewaren) versus the treatment of flow-based thermal overload or stability issues (Artificial Island). It therefore remanded the orders to FERC for an adequate explanation as to why DFAX cost allocation is appropriate for short-circuit issues but not for stability-related projects.

The Court also found unlawful and remanded to FERC the *de minimis* threshold aspect of the DFAX cost allocation method. The *de minimis* threshold exempts transmission zones with a distribution factor below 1% from any cost responsibility. Because the distribution factors are based on the size of the zone rather than the zone's share of the facility's total flow, the Court found that it discriminates against smaller zones that are required to pay higher cost allocations after larger zones are exempted. Notably, this issue is currently being litigated at FERC in another related proceeding, *PPL Electric Utility Corp., et al. v. PJM Interconnection, LLC*, Docket Nos. ER22-1606 and EL21-39.