



NCEL

National Caucus of
Environmental Legislators

September 17, 2021

Honorable Richard Glick
Chairman
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Dear Chairman Glick and Members of the Federal Energy Regulatory Commission,

The undersigned legislators write to express our support for PJM's July 30, 2021 filing to revise its capacity market rules to facilitate more participation by state-supported clean energy resources (ER21-2582). We urge you to approve this filing so that PJM's capacity auctions better reflect the availability of resources supported by state policy and do not impose unnecessary costs on consumers in our states.

The Federal Power Act reserves authority over generation to the states. As state legislators, we are fully committed to using that authority to advance the decarbonization of the electric system, which is essential to avoid further worsening of climate change that already poses increasingly dire risks to the well-being of our residents and significant costs on state government itself. We are doing our part to lead the fight against climate change, and will continue to push for a just energy transition, as the federal government has not yet taken meaningful steps to address this existential threat. Reducing our dependence on fossil fuels is important not only to avoid further climate destabilization, but also to protect communities against the air and water pollution associated with fossil fuel combustion, provide clean energy jobs in our state, and take advantage of the enormous cost savings that renewable energy can provide.

Yet our efforts to support the development of carbon-free generation sources have recently been thwarted by the Commission's approval of PJM capacity market rules that explicitly impede participation by state-supported resources. The broad "minimum offer price rule" (MOPR) will make it harder and in some cases impossible for the reliability value of renewable energy resources to be counted, meaning that consumers will have to pay for redundant and unnecessary fossil-fired resources instead. FERC should take this opportunity to reverse that overreach and restore the balance of state and federal authority envisioned by Congress.

We are extremely pleased that PJM has finally recognized that state policies are not a threat to be countered, but instead contribute to promoting resilient and affordable resource adequacy in the region that benefits all PJM customers. PJM's filing would prevent consumer bills from rising

unnecessarily and thus help to protect overburdened and economically vulnerable populations. Some of the undersigned had met with PJM earlier this year to express our concerns about the adverse impact of the broad MOPR and appreciate that PJM has responded in a way that instills greater confidence that states and PJM can continue to work together to bring about a more reliable and affordable clean energy system.

Thank you for your attention and consideration of our input.

Sincerely,

Delegate Lorig Charkoudian
Maryland

Senators Laura Fine
Illinois

Delegate Heather Bagnall
Maryland

Delegate Kumar Barve
Maryland

Delegate Benjamin Brooks
Maryland

Delegate Al Carr
Maryland

Delegate Kathleen Dumais
Maryland

Delegate Jessica Feldmark
Maryland

Delegate Catherine Forbes
Maryland

Senator Shelly Hettleman
Maryland

Delegate Steve Johnson
Maryland

Delegate Marc Korman
Maryland

Representative Sue Errington
Indiana

Delegate Darryl Barnes
Maryland

Senator Pam Beidle
Maryland

Delegate Jon Cardin
Maryland

Delegate Dereck Davis
Maryland

Senator Brian Feldman
Maryland

Delegate Diana Fennell
Maryland

Delegate David Fraser-Hidalgo
Maryland

Delegate Julian Ivey
Maryland

Senator Delores Kelley
Maryland

Senator Ben Kramer
Maryland

Senator Susan Lee
Maryland

Delegate Robbyn Lewis
Maryland

Delegate Lesley Lopez
Maryland

Delegate David Moon
Maryland

Delegate Edith Patterson
Maryland

Senator Paul Pinsky
Maryland

Delegate Mike Rogers
Maryland

Delegate Stephanie Smith
Maryland

Delegate Vaughn Stewart
Maryland

Senator Jeff Waldstreicher
Maryland

Delegate Courtney Watson
Maryland

Assemblymember Wayne DeAngelo
New Jersey

Representative Julie von Haefen
North Carolina

Representative Chris Rabb
Pennsylvania

Delegate Evan Hansen
West Virginia

Delegate Mary Lehman
Maryland

Delegate Brooke Lierman
Maryland

Delegate Sara Love
Maryland

Delegate Julie Palakovich Carr
Maryland

Delegate Joseline Pena-Melnyk
Maryland

Delegate Susie Proctor
Maryland

Delegate Emily Shetty
Maryland

Delegate Dana Stein
Maryland

Delegate Jen Terrasa
Maryland

Senator Mary Washington
Maryland

Delegate Nicole Williams
Maryland

Senator Bob Smith
New Jersey

Representative Danielle Friel Otten
Pennsylvania

Delegate Sam Rasoul
Virginia

Delegate Kayla Young
West Virginia