

January 20, 2004

Magalie Roman Salas, Secretary
Federal Energy Regulatory
Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Midwest Independent System Operator,
Inc. and PJM Interconnection, L.L.C.
Docket No. ER04-375

Dear Secretary Salas:

Please find for e-filing, the Office of the People's Counsel of the District of Columbia's Motion to Intervene. Copies of this document have been served upon all parties designated on the Commission's official service list, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure.

Very truly yours,

- Filed electronically -

Lopa B. Parikh
Assistant People's Counsel

Enclosure

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Midwest Independent Transmission :
System Operator, Inc :

and : Docket No. ER04-375-000

PJM Interconnection, L.L.C. :

OFFICE OF THE PEOPLE’S COUNSEL OF THE DISTRICT OF COLUMBIA’S
MOTION TO INTERVENE

Pursuant to Section 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.214, the Office of the People’s Counsel of the District of Columbia (“DC OPC”) respectfully requests leave to intervene in this proceeding. In support of this Motion to Intervene, DC OPC submits the following:

1. DC OPC is an independent agency of the District of Columbia government and is the statutory representative of District of Columbia consumers in public utility issues in proceedings before the District of Columbia Public Service Commission, federal regulatory agencies and state and federal courts. The name, address, phone number, facsimile number and e-mail address of the D.C. OPC's designated recipient for service are as follows:

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2. PJM is an Independent System Operator ("ISO") operating the electric transmission systems of several electric utilities in the mid-Atlantic region, including the facilities of the Potomac Electric Power Company ("PEPCO") which is an electric utilities providing electric supply, transmission and distribution services to retail electric consumers in the District of Columbia.

3. Since January, 2001, PEPCO's retail consumers have had the opportunity to choose their supplier of electric generation services. Some retail consumers have switched suppliers, while most others have remained customers of PEPCO. Whether these retail consumers have switched or not, they remain dependent on PEPCO for distribution and transmission services. PEPCO either buys or sells energy and capacity into PJM's market.

4. DC OPC represents the interests of retail consumers in the District of Columbia, who receive their energy from load serving entities within PJM. The load serving entities may produce or procure a portion of this energy in PJM's wholesale markets and could be impacted by any agreements with other ISO's. Thus, PJM's filing may affect the interests of the retail consumers that DC OPC represents.

5. DC OPC represents the interests of these retail consumers. No other party to this proceeding can represent these interests. The electric utility that serves District of Columbia consumers must represent the interests of their shareholders, which sometimes can conflict with the interests of small retail consumers. Additionally, the District of Columbia Public Service Commission represents the public interest in the District, which includes interests broader than those represented by the DC OPC. Consequently, the DC OPC must be allowed to participate in

this proceeding in order to ensure that the interests of retail consumers in the District of Columbia are adequately represented.

6. The January 9, 2004 Notice of Filing in this proceeding indicates that all motions to intervene be filed by the comment date of January 21, 2004.

7. DC OPC requests that the Commission grant this Motion for Intervention.

Respectfully Submitted,

Filed electronically

Sandra Mattavous-Frye
Deputy People's Counsel
Lopa B. Parikh
Assistant People's Counsel

On behalf of:

Elizabeth A. Noël
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CERTIFICATE OF SERVICE

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

Dated at Washington D.C. this 20th day of January, 2004.

Filed electronically

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