February 13, 2006

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

RE: ER06-456-000, PJM Interconnection, L.L.C.

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
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PJM Interconnection, L.L.C.	§	Docket No. ER06-456-000

MOTION TO INTERVENE OUT OF TIME OF THE OFFICE OF THE PEOPLE'S COUNSEL OF THE DISTRICT OF COLUMBIA

Pursuant to Sections 212 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.212 and 385.214, and the Commission's January 11, 2006 Notice of Filing, as amended on January 26, 2006 in the above-captioned docket, the Office of the People's Counsel of the District of Columbia ("DC OPC") respectfully moves for leave to intervene in this proceeding.

I. STATEMENT OF ISSUES

Whether to grant DC OPC's motion to intervene in this proceeding. Because DC OPC is the statutory representative of District of Columbia retail electric consumers, it has a direct and substantial interest in the outcome of this proceeding that cannot be adequately represented by another party. DC OPC's participation is in the public interest. DC OPC meets the requirements under Rule 214 for the Commission to grant it full party status.[1]

II. BACKGROUND

[1] The positions of DC OPC on specific issues that may arise in the course of this proceeding will be identified in subsequent Statements of Issues, as appropriate, in compliance with Rule 203(a)(7).

On January 5, 2006, PJM Interconnection, L.L.C. ("PJM")[2] submitted, in accordance with Schedule 12 of the PJM Open Access Transmission Tariff ("Tariff"), Section 1.6 of Schedule 6 of the PJM Operating Agreement, and Section 205 of the Federal Power Act, 16 U.S.C. § 824d, (1) a report of the allocations of cost responsibility for certain transmission upgrades approved by the PJM Board of Managers as part of PJM's most recent Regional Transmission Expansion Plan ("RTEP"), and (2) revised tariff sheets to identify the upgrades and state the approved cost allocations in the appropriate portions of Schedule 12-Appendix of the Tariff (the "RTPE Filing"). The RTEP Filing designated construction responsibilities and allocated costs for certain RTEP projects to the Potomac Electric Power Company ("PEPCO").

III. MOTION TO INTERVENE

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.[3] The DC OPC represents the interests of these retail consumers, who ultimately pay the costs of PJM transmission system and the unhedged and unhedgeable congestions costs that result from the configuration of that system. These consumers have a direct and material interest in the RTEP filed in this proceeding, particularly the RTEP's allocation of costs to transmission owners and load zones within PJM. Additionally, the PJM filing contains projects and cost allocations that are a direct result the status of the Potomac River

[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 PEPCO, which is an electric utilities providing electric supply, transmission and distribution services to retail electric consumers in the District of Columbia, .

[3] D.C. Code § 34-804 (d) (2006).

Generation Station currently under consideration in Docket No. EL05-145 and in which retail consumers in the District of Columbia have a direct and material interest. 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, whose interests as shareholders in a transmission-facility-owning entity directly conflict with the interests of small retail consumers as the ultimate purchasers of transmission services provided over those transmission facilities. 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, notably the interests of the electric utility that serves District of Columbia and large commercial retail consumers. Consequently, the DC OPC must be allowed to participate in this proceeding in order to ensure that the interests of small retail consumers in the District of Columbia are adequately represented. Therefore, DC OPC has a direct and material interest in the outcome of this proceeding, which interests cannot be adequately represented by any other party.

Good cause exists to grant late intervention in this proceeding. First, no party will be prejudiced by the intervention as on February 3, 2006, PJM filed a Motion requesting that the Commission extend the comment date on its January 5 RTEP filing until March 31, 2006. Second, DC OPC accepts the record as it stands. Third, DC OPC's participation in these proceedings is essential to DC OPC's ability to adequately represent the interests of retail consumers in the District of Columbia and no other party can adequately represent these interests.

IV. COMMUNICATION

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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V. CONCLUSION

For the foregoing reasons, the DC OPC respectfully requests that the Commission grant this its Motion for Late Intervention in this case and that DC OPC be permitted to intervene and be granted full party status in this proceeding.

Respectfully Submitted,

- Filed electronically -

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

On behalf of:

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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 13th day of February 2006..

Filed electronically

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