

# Status Quo: Jurisdiction

Steve Pincus  
Associate General Counsel  
DERS Education Session  
January 26, 2018

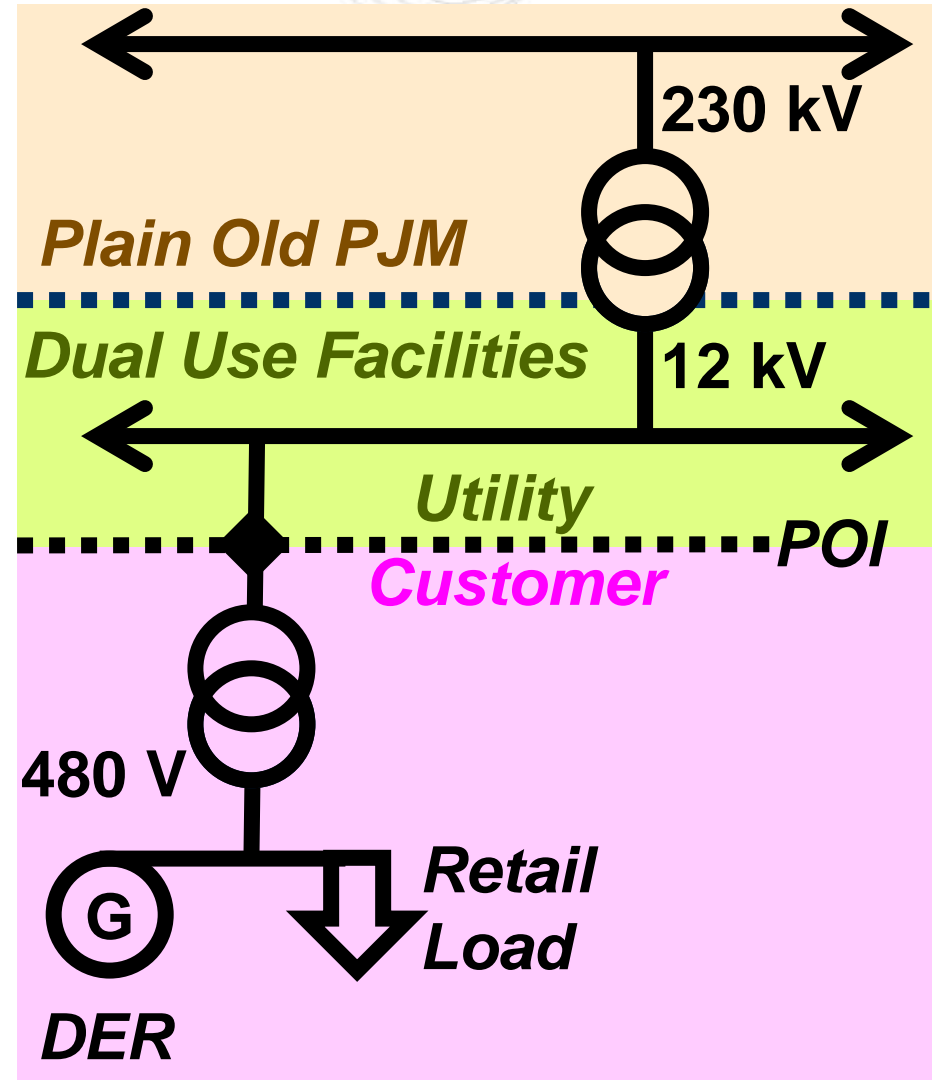


# Status Quo Jurisdiction of Utility Grid Connected to W-DER

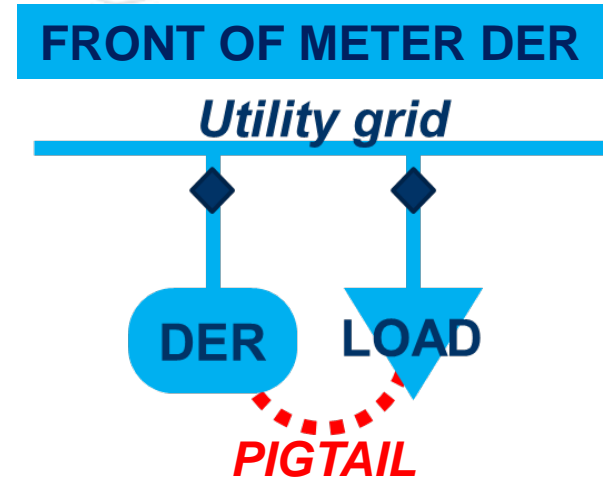
1. Distribution lines w/o prior wholesale sales: not under FERC Tariff.
2. Wholesale interconnection to such lines: state jurisdictional.

*Note: state interconnection process for wholesale DER may be different than for state-jurisdictional net metered DER.*

3. Exception: QF selling to PJM = FERC jurisdiction for interconnection if host utility opts out of mandatory purchase obligation.
4. Once a distribution line used for wholesale sales, it is subject to a FERC tariff. This is a “Dual Use Facility”.
5. Subsequent wholesale interconnections are FERC.



1. “Pigtails” allowing a generator to directly serve an adjacent load.
2. Pigtail sometimes allowed under state law, e.g. as an “on site generator”, self supply, or if owned by a utility. PJM views permissibility as a matter of state jurisdiction, not federal. There is no federal right to a pigtail.
3. DER that can provide emergency backup to adjacent customers could use pigtails, w/ some examples in PJM today.
4. Typically the pigtail must be disconnected for safety reasons while the grid is connected, and vice versa.
5. If state rules allow pigtails, PJM generators might be wired in this configuration, and therefore sell either to the grid, or through a separate “pigtail” wire directly to adjacent customers.
6. PJM W-DER proposal is compatible with this configuration, and tracks the interaction of the W-DER with the retail customer, e.g. for capacity market accounting.



# Jurisdiction Over Interconnection and Sales of Generation/Storage on Distribution Facilities

Is this a Net Energy Metering (NEM) facility without excess generation at the end of a billing period?

YES



Physical Interconnection Sales Jurisdiction

NO 1. A NEM Facility with excess sales or 2. Not a NEM Facility

Is this a Qualifying Facility (QF) selling under a PURPA rate to the interconnected EDC?

YES



Physical Interconnection Sales Jurisdiction

NO 1. QF not selling to interconnected EDC at PURPA rate or 2. Not a QF

Is this a Qualifying Facility (QF) not selling to interconnected EDC at a PURPA rate?

YES



Physical Interconnection Sales Jurisdiction

NO 1. Not a QF

Is this a generator interconnecting to a non-OATT distribution facility?

YES



Physical Interconnection



Sales Jurisdiction

1. On a distribution line with prior FERC jurisdictional sales or 2. On a transmission line

NO

Physical Interconnection Sales Jurisdiction

