



Organization of PJM States, Inc. (OPSI)

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Resolution # OPSI-2008-2

Supporting the Retention of PJM's Three Pivotal Supplier Test

Whereas, the Three Pivotal Supplier Test is a key component of ensuring market behavior in PJM's energy markets; and,

Whereas, PJM stakeholders are participating in a Three Pivotal Supplier Task Force whose "mission is to respond to the direction of [PJM's] Markets and Reliability Committee with respect to evaluating and making recommendations regarding PJM market power mitigation practices"; and,

Whereas, the Independent Market Monitor for PJM (IMM-PJM) has indicated to members of OPSI that it is crucial to retain the Three Pivotal Supplier Test; and,

Whereas, a viable alternative to the Three Pivotal Supplier Test has not yet been proposed by PJM's stakeholders;

Now, therefore, be it resolved, that the OPSI Board of Directors approve the retention of PJM's Three Pivotal Supplier Test and that the removal of the test not occur until such time as the Federal Energy Regulatory Commission's (FERC) approval of an appropriate alternative based on a complete FERC proceeding.

Be it further resolved, that OPSI shall participate as a party in any FERC proceeding on this subject and shall make such filings and take such actions as are consistent with this resolution.

Be it further resolved, that OPSI's Executive Director shall forward this resolution to the members of FERC, PJM's Board of Managers, PJM's senior executives, and PJM's Members Committee.

Motion by: Commissioner Mark Christie, Virginia SCC

Seconded by: Commissioner Sam J. Ervin, IV, North Carolina UC

Vote: Unanimous

Adopted by the Board of Directors of the Organization of PJM States, Inc.

July 3, 2008