

111 FERC ¶ 61,201
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeen G. Kelly.

PJM Interconnection, L.L.C.

Docket Nos. ER03-1101-008

ORDER GRANTING CLARIFICATION

(Issued May 9, 2005)

1. On January 19, 2005, Amerada Hess Corporation (Amerada Hess) sought clarification regarding its intervention status in this proceeding. For the reasons discussed below, we will grant the requested clarification.
2. In an order issued by the Commission on December 20, 2004, we granted a motion to intervene submitted by Amerada Hess on April 12, 2004.¹ In doing so, we stated that the timely unopposed motion to intervene submitted by Amerada Hess “in Docket No. ER03-1101-003, serves to make it a party to that proceeding.”² In its request for clarification, Amerada Hess points out that the December 20 Order addressed, in addition to the issues raised in Docket No. ER03-1104-003, additional issues concerning related sub-docketed matters in Docket No. ER03-1101-004 (filed May 5, 2004), ER03-1101-005 (filed September 22, 2004), and ER03-1101-006 (filed September 29, 2004). Amerada Hess seeks clarification that the grant of Amerada Hess’ motion to intervene in Docket No. ER03-1104-003 serves to make it a party to all past and future subdockets in this proceeding.
3. We will grant the requested clarification. Rule 214(c) of the Commission’s Rules of Practice and Procedure,³ provides that “if no answer in opposition to a timely motion to intervene is filed within 15 days after the motion to intervene is filed, the movant

¹ *PJM Interconnection, L.L.C.*, 109 FERC ¶ 61,286 (2004) (December 20 Order).

² *Id.* at P 22.

³ 18 C.F.R. § 385.214(c) (2004).

becomes a party at the end of the 15 day period.” In addition, Rule 214(d)(ii) provides that “[e]xcept as otherwise ordered, a late intervenor must accept the record of the proceeding as the record was developed prior to the late intervention.”⁴

4. Applying these rules here, we agree (and hereby clarify) that Amerada Hess’ intervention in Docket No. ER03-1101-003 serves to make it a party to all subdockets filed thereafter. We also agree, and hereby clarify, that Amerada Hess’ intervention also makes it a party to all earlier-filed subdockets in this proceeding, subject to the requirement that Amerada Hess, as a late intervenor, is required to accept the record in these proceedings as the record was developed prior to Amerada Hess’ late intervention.

The Commission orders:

Amerada Hess’ request for clarification of the December 20 Order is hereby granted as discussed in the body of this order.

By the Commission.

(S E A L)

Linda Mitry,
Deputy Secretary.

⁴ *Id.* at § 385.214(d)(ii).