

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

STAFF NOTICE OF ALLEGED VIOLATIONS

(February 25, 2011)

Take notice¹ that in a nonpublic preliminary investigation pursuant to 18 CFR Part 1b, the staff of the Office of Enforcement of the Federal Energy Regulatory Commission (Commission) has preliminarily determined that Joseph Polidoro violated the Commission's Prohibition of Electric Energy Market Manipulation, 18 CFR § 1c.2 (2010).

Mr. Polidoro is the former Senior Vice President of Operations at North America Power Partners (NAPP). NAPP is a curtailment service provider that participates in PJM Interconnection L.L.C's (PJM) demand response programs. Staff alleges that Mr. Polidoro violated 18 CFR § 1c.2 (2010) through his actions on behalf of NAPP in PJM's Synchronized Reserve Market and Interruptible Load for Reliability (ILR) Program. Specifically, staff alleges that Mr. Polidoro committed fraudulent acts in violation of section 1c.2 of the Commission's regulations by: (1) bidding entities into the Synchronized Reserve Market, even though they were at times unavailable to respond; (2) failing to notify entities that had cleared in the market that PJM had called a Synchronized Reserve event and that they were required to reduce demand; and (3) failing to submit meter data to PJM for entities that had been called on by PJM to reduce demand in response to a Synchronized Reserve event. Staff alleges that this violation occurred from March 2007 through September 2008. Staff also alleges that Mr. Polidoro committed fraudulent acts in violation of section 1c.2 of the Commission's regulations by failing to obtain adequate authorization for over 100 resources registered by NAPP in the 2008/2009 ILR Program.

This Notice does not confer a right on third parties to intervene in the investigation or any other right with respect to the investigation.

Kimberly D. Bose,
Secretary.

¹*Enforcement of Statutes, Regulations, and Orders*, 129 FERC ¶ 61,247 (2009), *order on reh'g*, 134 FERC ¶ 61,054 (2011).

Document Content(s)

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