

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

The New Power Company,)	
)	
Complainant,)	
)	
v.)	Docket No. EL01-105-000
)	
PJM Interconnection, L.L.C.,)	
)	
Respondent.)	
)	

MOTION TO INTERVENE OUT OF TIME OF
INDUSTRIAL CONSUMERS

Pursuant to Rule 214 of the Federal Energy Regulatory Commission’s (the “Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.214 and the Commission’s July 20, 2001 Notice of Filing, Industrial Consumers, the Electricity Consumers Resource Council (ELCON) and the American Iron and Steel Institute (AISI), move to intervene out of time in the above-referenced docket.

On July 19, 2001, the New Power Company (New Power) filed a complaint requesting that the Commission find that (1) the rules for ensuring reliable electric service in the Pennsylvania-New Jersey-Maryland (“PJM”) control area have resulted in prices for capacity in the PJM auction and bilateral markets that are unjust and unreasonable, and (2) the continued imposition of the existing capacity requirement and deficiency charge on load serving entities

under the current changed circumstances resulting from restructuring, is unjust and unreasonable, and unduly discriminatory and preferential.

Intervention at this early stage of the proceeding will not prejudice or burden any party nor otherwise disrupt the proceeding. Industrial Consumers are willing to accept the record as it exists. Therefore, Industrial Consumers respectfully request leave to intervene. Industrial Consumers intend to file comments in this docket shortly.

NOTICES AND COMMUNICATIONS

Notices and communications should be addressed to:

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DESCRIPTION OF FILING ENTITIES

The Electricity Consumers Resource Council (ELCON) is an association of industrial consumers of electricity organized to promote the development of coordinated and rational federal and state policies that will assure an adequate, reliable and efficient electricity

supply for all users at competitive rates. ELCON member companies produce a wide range of products, including: steel, aluminum, chemicals, petroleum, motor vehicles, industrial gases, machinery, glass, agricultural and food products, rubber, computer chips, paper and electronics. The member companies of ELCON consume approximately five percent of all electricity in the United States.

The American Iron and Steel Institute (AISI) is the principal trade association of the North American steel industry. Its member companies account for about seventy percent of the raw steel production in the United States. The steel industry is one of the most energy-intensive sectors in the United States; the cost of electricity for AISI members may constitute as much as twenty percent of the manufacturing cost of a steel mill product.

Industrial Consumers have a direct interest in this proceeding as numerous members have facilities in the PJM area.

CONCLUSION

For the foregoing reasons, Industrial Consumers Motion for Late Intervention should be granted.

Respectfully submitted,

/s/ Sara D. Schotland

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Dated: August 20, 2001

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion to Intervene Out of Time of Industrial Consumers were today mailed to parties on the service list of this proceeding by U.S. mail, postage prepaid.

Dated at Washington, D.C., this 20th day of August, 2001.

/s/ Kari Vander Stoep

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