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Board of Public Utilities

March 1, 2016

MAR 04 2016

MAIL RECIEVED

Clerk  
Office of Administrative Law  
33 Washington Street  
Newark, NJ 07102

**Re: In the Matter of the Petition of Jersey Central Power & Light Company pursuant to N.J.S.A. 40:55D- 19 for a Determination that the Montville-Whippany 230kV Transmission Project is Reasonably Necessary for the Service, or Welfare of the Public  
OAL Docket No. PUC-08235-15  
BPU Docket No. EO-15030383**

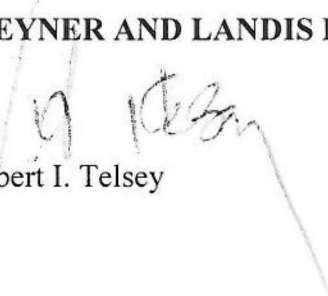
Dear Clerk:

This office represents Wildlife Preserves, Inc. in connection with the above referenced matter. Enclosed please find an original and one copy of the Certification of Service, dated March 1, 2016, along with two copies of the brief in reply to Petitioner Jersey Central Power & Light Company's letter brief in opposition to Wildlife's motion to intervene.

Kindly file same and return a copy stamped "filed" in the enclosed self-addressed stamped envelope.

Respectfully submitted,

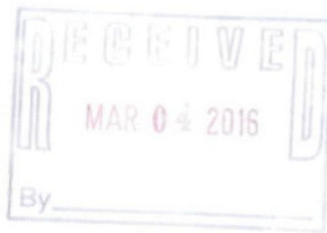
**MEYNER AND LANDIS LLP**

  
Albert I. Telsey

Cc: Hon. Leland S. McGee (w/encl.) ✓  
Service List (w/encl.) ✓

Case mgmt

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Board of Public Utilities

MAR 04 2016

MAIL RECIEVED

OFFICE OF ADMINISTRATIVE LAW  
OAL Docket No. PUC-08235-15  
BPU Docket No. EO-15030383

IN THE MATTER OF THE PETITION OF  
JERSEY CENTRAL POWER & LIGHT  
COMPANY PURSUANT TO N.J.S.A.  
40:55D-19 FOR A DETERMINATION OF  
THE MONTVILLE-WHIPpany 230kV  
TRANSMISSION PROJECT IS  
REASONABLY NECESSARY FOR THE  
SERVICE, OR WELFARE OF THE  
PUBLIC

### CERTIFICATION OF SERVICE

Albert I. Telsey, Esq., an attorney at law of the State of New Jersey, hereby certifies that:

On February 29, 2016, I caused to be served by Federal Express an original of the brief in reply to Petitioner Jersey Central Power & Light Company's letter brief in opposition to Wildlife's motion to intervene ("**Reply Brief**") to Leland S. McGee ALJ, 33 Washington St., Trenton, NJ 07102; and

On March 1, 2016, I also caused to be served by Regular Mail a copy of the Reply Brief upon each party on the Service List (attached);

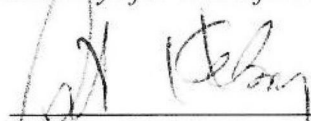
On March 1, 2016, I also caused to be served by E-Mail a copy of the Reply Brief upon each party on the Service List for which an e-mail is listed (attached).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: March 1, 2016

**MEYNER AND LANDIS LLP**  
*Attorneys for Wildlife Preserves, Inc.*

By:

  
\_\_\_\_\_  
Albert I. Telsey, Esq.

**IN THE MATTER OF THE PETITION OF JERSEY CENTRAL POWER & LIGHT COMPANY  
PURSUANT TO N.J.S.A. 40:55D-19 FOR A DETERMINATION THAT THE MONTVILLE-  
WHIPPANY 230 KV TRANSMISSION PROJECT IS REASONABLY NECESSARY FOR THE  
SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC  
BPU DOCKET NO. ER15030383  
OAL DOCKET NO. PUC 08235-2015N**

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February 29, 2016

**Via Federal Express**

Honorable Leland McGee, ALJ  
Office of Administrative Law  
33 Washington Street  
Newark, New Jersey 07102

**Re: In the Matter of the Petition of Jersey Central Power & Light Company pursuant to N.J.S.A. 40:55D- 19 for a Determination that the Montville-Whippany 230kV Transmission Project is Reasonably Necessary for the Service, or Welfare of the Public  
OAL Docket No. PUC-08235-15  
BPU Docket No. EO-15030383**

Dear Hon. Leland McGee, ALJ:

We represent Wildlife Preserves, Inc. ("Wildlife"), an interested third party seeking to intervene in the referenced matter. Please accept this letter brief in lieu of a more formal brief in reply to Petitioner Jersey Central Power & Light Company's ("JCP&L") letter brief in opposition to Wildlife's motion to intervene. No other parties challenge Wildlife's motion.

JCP&L supports its request for a denial of the instant motion by asserting that (1) Wildlife failed to establish a right of intervention; and (2) this proceeding has been active for too long to allow any intervenors and doing so would likely cause undue delay and confusion. In the alternative, JCP&L requests that Wildlife be limited to participant status. JCP&L failed to provide any meaningful analysis of the standards for non-statutory intervention.

In fact, Wildlife has a very large interest in the outcome of this case that differs significantly from the other parties thereby adding measurably and constructively to the scope of

the case. JCP&L is proposing to extend an additional easement through Wildlife's 2,000+ acre property designated as a "National Natural Landmark," "New Jersey Natural Area," and "Natural Heritage Property site" (the "**Preserve**"). JCP&L's proposal will likely cause significant damage to a substantial portion of the Preserve. Furthermore, JCP&L has failed to complete a proper alternatives analysis to determine if there is a less damaging way to upgrade their electric utility lines and towers. A much less damaging alternative is readily available by, for example, upgrading the lines and towers already located in the current easements on the Preserve instead of scratching another 2-mile long series of easements through the Preserve parallel to its existing easements. Why did JCP&L not analyze this or other alternatives that would be less damaging to Wildlife's Preserve?

Furthermore, JCP&L's assertion that Wildlife's motion should be denied because it was brought late is unsupportable. NJAC § 1:1-16.2(a) states that a motion for leave to intervene may be filed at **any** time after a case is initiated. JCP&L cites cases that are distinguishable from the matter at hand. None of the cases involve an interest as substantial as Wildlife's. Furthermore, JCP&L failed to show how Wildlife's intervention would actually prejudice the proceedings, instead simply concluding that would be the result, which Wildlife denies.

Wildlife's participation in meetings with JCP&L prior to filing the instant motion represents nothing more than Wildlife's attempts to better understand the contemplated project. Wildlife filed the instant motion when JCP&L made it clear that an amicable and mutually beneficial resolution would not be forthcoming, especially after Wildlife representatives attended the public hearing a few weeks ago and understood for the first time the paucity of alternatives

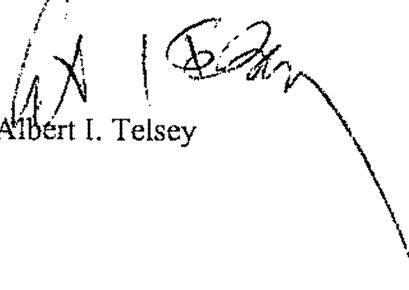
Honorable Leland McGee, ALJ  
February 29, 2016  
Page 3 of 3

analyses undertaken by JCP&L to protect the Preserves. Wildlife's intervention in this matter is the only way for its interests to be protected on this very important issue.

For the reasons set forth above, Wildlife's motion to intervene as a Party should be granted.

Respectfully submitted,

**MEYNER AND LANDIS LLP**



Albert I. Telsey

Cc: Wildlife Preserves  
William Fiore, Esq.