



STATE OF NEW JERSEY
Board of Public Utilities
 44 South Clinton Avenue, 3rd Floor, Suite 314
 Post Office Box 350
 Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE VERIFIED PETITION OF)
 JERSEY CENTRAL POWER & LIGHT COMPANY)
 ("JCP&L") AND MID-ATLANTIC INTERSTATE)
 TRANSMISSION, LLC ("MAIT") FOR: (1) APPROVAL)
 OF THE TRANSFER OF ITS TRANSMISSION ASSETS)
 TO MAIT PURSUANT TO N.J.S.A. 48:3-7; (2))
 APPROVAL OF A LEASE OF JCP&L'S REAL)
 PROPERTY AND THE REAL PROPERTY RIGHTS)
 ASSOCIATED WITH ITS TRANSMISSION ASSETS TO)
 MAIT PURSUANT TO N.J.S.A. 48:3-7; (3) APPROVAL)
 OF A MUTUAL ASSISTANCE AGREEMENT)
 PURSUANT TO N.J.S.A. 48:3-7.1; AND (4) A)
 DECLARATION THAT MAIT WILL BE DEEMED A)
 PUBLIC UTILITY FOR, *INTER ALIA*, THE PURPOSES)
 OF SITING AUTHORITY UNDER N.J.S.A. 40:55D-19)
 AND EMINENT DOMAIN AUTHORITY PURSUANT TO)
N.J.S.A. 48:3-17.6 ET. SEQ.

ORDER REGARDING
 WITHDRAWAL OF PETITION
 AND SUSPENSION OF THE
 PROCEDURAL SCHEDULE

DOCKET NO. EM15060733

-AND-

IN THE MATTER OF THE VERIFIED PETITION OF)
 JERSEY CENTRAL POWER AND LIGHT COMPANY)
 FOR AUTHORIZATION PURSUANT TO N.J.S.A. 48:3-
7.2 FOR APPROVAL TO PARTICIPATE IN THE)
 FIRSTENERGY CORP. INTRASYSTEM MONEY POOL)

DOCKET NO. EF02030185

Parties of RECORD:

- Gregory Eisenstark, Esq.**, Jersey Central Power and Light Co.
- Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel
- Steven Goldenberg, Esq.**, New Jersey Large Energy Users Coalition
- Joseph Accardo, Esq.**, Public Service Electric and Gas
- Murray E. Bevan, Esq.**, LSP Transmission Holdings
- Stephen Eisdorfer, Esq.**, Hovsons, Inc.

BY PRESIDENT RICHARD MROZ:

On June 19, 2015, Jersey Central Power & Light ("JCP&L") and Mid-Atlantic Interstate Transmission ("MAIT") (collectively, "Joint Petitioners") filed a petition requesting the Board issue a decision and order regarding seven (7) requested actions. By Order dated August 19, 2015, the Board retained this matter for hearing, and designated me as the presiding officer with authority to establish and modify schedules, decide all motions and otherwise control the conduct of this case, subject to Board ratification. Additionally, the Order of August 19, 2015 set Friday, September 18, 2015 as the last day for filing motions to intervene or participate in this matter.

Pursuant to the authority granted under the Order of August 19, 2015, I issued a pre-hearing order in this matter establishing a procedural schedule. On October 19, 2015, I issued an order granting the motions to intervene of Public Service Electric and Gas ("PSE&G") and the New Jersey Large Energy Users Coalition ("NJLEUC") and the motions to participate of Rockland Electric Company ("RECO") and Atlantic City Electric Company ("ACE"). On October 26, 2015, the NJLEUC motion seeking admission of Paul Forshay, Esquire pro hac vice was granted.

On December 7, 2015, the Division of Rate Counsel ("Rate Counsel") filed a motion ("RC Motion") asking for a briefing schedule to resolve the legal issue of whether JCP&L's proposed transmission affiliate, MAIT, can be designated a New Jersey public utility under New Jersey law. Rate Counsel further requested that the procedural schedule be held in abeyance.

On December 9, 2015, the parties were notified via email that the procedural schedule established by the October 7, 2015 Prehearing Order was suspended. I thereafter entered an Order on January 8, 2016 setting forth a briefing schedule on the motion, and reserving determination of the matter to the full Board. On February 24, 2016, the Board issued a determination that the proposed entity MAIT, as presented by Joint Petitioners, was not a

“public utility” as that term is defined under N.J.S.A. 48:2-13. The Board further directed that the matter proceed in accordance with a new procedural schedule to be issued.

On April 22, 2016, Joint Petitioners filed a Supplemental Petition. After receiving submissions by the parties, an Amended Prehearing Order was entered on July 18, 2016 setting forth a new procedural schedule. A deadline for filing motions to intervene or participate in the Supplemental Petition was set for July 22, 2016. By Order dated August 15, 2016, I entered an Order granting the motions of LSP Transmission Holdings, LLC and Hovson's Inc. to intervene in the case.

A public hearing was held on August 22, 2016 in Morristown, New Jersey. A public hearing was held on August 30, 2016 in Freehold, New Jersey. Testimony has been filed by the parties in accordance with the procedural schedule set in this case.

By letter dated September 8, 2016, the Joint Petitioners advised the Board “that they are withdrawing the Petition in the above-referenced matter.” Given the procedural status of this case, to the extent any other party wishes to submit comment regarding the requested withdrawal, they may do so within ten (10) days of September 8, 2016. Accordingly, any such comments or papers shall be due on or before Monday, September 19, 2016. Any papers from Joint Petitioners shall be filed and served on or before Friday, September 23, 2016; and

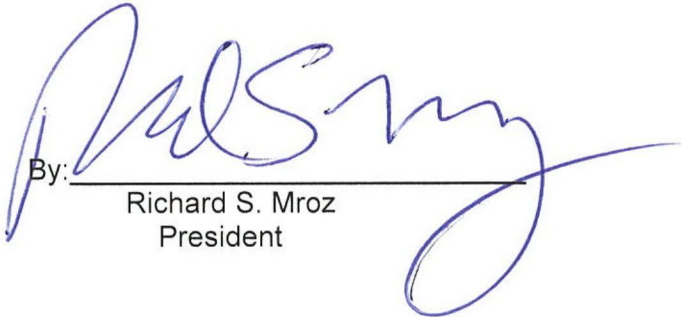
I **FURTHER ORDER** that the procedural schedule currently in effect pursuant to the Amended Prehearing Order of July 18, 2016 shall be suspended; and

I **DIRECT** Staff to post this Order on the Board's website and distribute this Order electronically to the e-service list.

Any necessary action regarding the requested withdrawal will occur on or after September 23, 2016.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: September 9, 2016

By: 
Richard S. Mroz
President

In the Matter of the Verified Petition of Jersey Central Power & Light Company ("JCP&L") and Mid-Atlantic Interstate Transmission, LLC ("MAIT") for (1) Approval of the Transfer of JCP&L's Transmission Assets to MAIT Pursuant to N.J.S.A. 48:3-7; (2) Approval of a Lease of the Real Property and Real Property Rights Associated with its Transmission Assets Pursuant to N.J.S.A. 48:3-7; (3) Approval of a Mutual Assistance Agreement Pursuant to N.J.S.A. 48:3-7, 1; and (4) a Declaration that MAIT will be Deemed a Public Utility for, *inter alia*, the Purposes of Siting Authority under N.J.S.A. 40:55d-19 and Eminent Domain Authority pursuant to N.J.S.A. 48:3-17.6 et. seq.

-and-

In the Matter of the Verified Petition of Jersey Central Power and Light Company for Authorization Pursuant to N.J.S.A. 48:3-7.2 for Approval to Participate in the Firstenergy Corp. Intrasystem Money Pool

Docket Nos: EM15060733 & EF02030185

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