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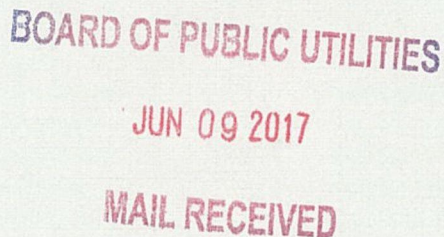
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June 8, 2017

Via Overnight Federal Express

Irene Kim Asbury, Secretary
Board of Public Utilities
44 South Clinton Ave., 3rd Fl., Suite 314
Trenton, NJ 08625-0350



Re: *In the Matter of the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, for Approval of a Grid Resiliency Initiative and Cost Recovery Related Thereto, and for Other Appropriate Relief (2017)*

BPU Docket No. ER17030308
OAL Docket No. PUC 04989-2017

Dear Secretary Asbury:

On behalf of the Wal-Mart Stores East, LP and Sam's East, Inc. (collectively "Walmart"), enclosed herewith for filing are an original and eleven (11) copies of a Motion to Intervene in the above captioned matter. Please return one (1) time-stamped copy of the same in the enclosed postage-prepaid self-addressed envelope.

I hereby confirm that a copy of this letter and the within Notice of Motion is concurrently being sent via first-class U.S. Mail to the Office of Administrative Law, P.O. Box 049, Trenton, NJ 08625-0049. Additionally, I hereby also confirm that a copy of this letter and the within Notice of Motion is also being transmitted by hand delivery, overnight express delivery or regular U.S. mail to the balance of the persons named in the attached Service List for this proceeding.

Case mgmt
B. Rocque - Romano
C. Vachier
T. Walker

Philadelphia • Reading • Valley Forge • Allentown • Harrisburg • Lancaster • Scranton
Wilkes-Barre • Princeton • Charleston • New York • Wilmington

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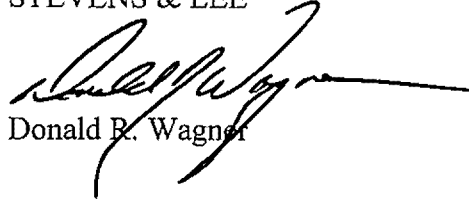
STEVENS & LEE
LAWYERS & CONSULTANTS

Irene Kim Asbury, Secretary
June 8, 2017
Page 2

Thank you for your assistance in this matter. Please contact me if you have any questions regarding the enclosed.

Very truly yours,

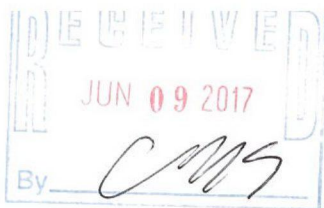
STEVENS & LEE



Donald R. Wagner

Enclosures

cc: Clerk, Office of Administrative Law, P.O. Box 049, Trenton, NJ 08625-0049
Service List



STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of **Atlantic City Electric Company** for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, for Approval of a Grid Resiliency Initiative and Cost Recovery Related Thereto, and for Other Appropriate Relief (2017) : BPU DOCKET NO. ER17030308 : OAL DOCKET No. PUC 04989-2017 : **Notice Of Motion To Intervene Of Wal-Mart Stores East, LP And Sam's East, Inc.**

BOARD OF PUBLIC UTILITIES

JUN 09 2017

TO: Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

MAIL RECEIVED

PLEASE TAKE NOTICE that the undersigned, counsel for Wal-Mart Stores East, LP and Sam's East, Inc. (collectively "Walmart"), hereby files this Motion to the Board of Public Utilities pursuant to the Uniform Administrative Procedure Rules ("UAPR") of the Office of Administrative Law ("OAL"), and the Rules of Practice of the Board of Public Utilities ("Board"), N.J.A.C. 1:1-16.1, *et seq.*, to intervene in the above-captioned proceeding.

PLEASE TAKE FURTHER NOTICE that in support of its Motion, Walmart shall rely upon the annexed Certification of Steve W. Chriss.

Respectfully submitted,

STEVENS & LEE¹

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*Attorneys for Wal-Mart Stores East, LP and Sam's
East, Inc.*

Dated: June 8, 2017

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

In the Matter of the Petition of Atlantic City	:	BPU DOCKET NO. ER17030308
Electric Company for Approval of	:	OAL DOCKET No. PUC 04989-2017
Amendments to its Tariff to Provide for an	:	
Increase in Rates and Charges for Electric	:	
Service Pursuant to <u>N.J.S.A.</u> 48:2-21 and	:	Certification Of Steve W. Chriss In
<u>N.J.S.A.</u> 48:2-21.1, for Approval of a Grid	:	Support Of Motion To Intervene Of
Resiliency Initiative and Cost Recovery	:	Wal-Mart Stores East, LP And
Related Thereto, and for Other Appropriate	:	Sam's East, Inc.
Relief (" 2017 Base Rate Filing ")	:	

Steve W. Chriss, of full age, certifies as follows:

1. I am Director, Energy and Strategy Analysis for Wal-Mart, Inc. and I make this Certification in support of the motion of Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart") to intervene in the above-captioned proceeding.
2. Wal-Mart Stores East, LP is a Delaware Limited Partnership authorized to do business in New Jersey. Sam's East, Inc. is an Arkansas Corporation authorized to do business in New Jersey. The business address of both entities is Sam M. Walton Development Complex, 2001 SE 10th St., Bentonville, AR, 72716-0550.
3. Walmart currently operates facilities in the service territory of Atlantic City Electric Company ("ACE"), and Walmart is a large retail customer of ACE. Specifically, Walmart operates eleven Walmart stores, two Sam's Clubs and one retail gasoline station in the ACE service territory.
4. By Verified Petition ("Petition") filed with the Board of Public Utilities ("Board") on or about March 30, 2017, ACE seeks Board approval for an increase in its current base rates for electric service which would result in additional revenues of approximately \$74.8 million, including Sales and Use Tax. Additionally, ACE proposes a return on equity of 10.10% and proposes to revise certain terms and conditions of its existing tariff for electric service. ACE is

also proposing to implement a grid resiliency initiative and an associated cost recovery mechanism.

5. The rate changes proposed by ACE will substantially, specifically and directly impact each of the 14 Walmart locations in ACE's service territory, and Walmart has preliminarily determined that such proposed changes will substantially increase the distribution charges that it pays to ACE if such changes are approved.

6. As a large customer of ACE, Walmart may be adversely impacted by the relief being requested by ACE, and therefore has a direct interest in participating in this case. Walmart desires to participate in the case to assure that issues including, but not limited to, *inter alia*, cost of service, revenue allocation, rate design, and competitive issues are adequately considered from the perspective of large retail customers.

7. Walmart respectfully submits that all factors for intervention set forth in N.J.A.C. 1:1-16.3 weigh in favor of the granting of Walmart's motion to intervene in the above-captioned proceeding.

8. Walmart's interests cannot be represented adequately by any other party, and Walmart's interests are sufficiently different from that of any party so as to add measurably and constructively to the scope of the case.

9. Walmart's motion is timely and will not cause delay or otherwise disrupt this proceeding.

10. No prejudice will result to the other parties if Walmart is allowed to intervene. Walmart's rights, however, will be affected if intervention is not granted at this time.

11. Accordingly, Walmart respectfully requests that it be permitted to intervene in the above-captioned proceeding.

12. Further, Walmart requests that all communications regarding this proceeding be directed to me and Walmart's counsel at the following addresses:

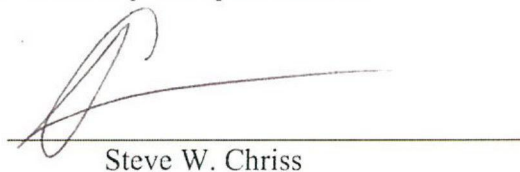
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I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



Steve W. Chriss

Dated: June 6, 2017
Bentonville, AR

In the Matter of the Petition of **Atlantic City Electric Company** for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, for Approval of a Grid Resiliency Initiative and Cost Recovery Related Thereto, and for Other Appropriate Relief (2017)

BPU Docket No. ER17030308
OAL Docket No. PUC 04989-2017

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