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September 26, 2017

By Hand Delivery and electronic mail

Irene Kim Asbury, Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350

Re: AARP Motion to Participate  
BPU Docket No.: TT17070776

Dear Secretary Asbury:

Enclosed are an original and ten copies of the Motion of AARP to participate in the above-referenced Proceeding. Please file same and list the Motion on the Board's docket for action.

By copy of this letter, copies of the AARP Motion are being forwarded this date via electronic mail to the attached service list.

Thank you for your anticipated cooperation in this important matter.

Respectfully submitted,

Janine G. Bauer

Encl.

cc. Service List ✓

*Case mgmt*

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++Certified Civil and Criminal Trial Attorney  
\*NJ & PA Bars  
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SEP 27 2017

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STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

BOARD OF PUBLIC UTILITIES

SEP 27 2017

MAIL RECEIVED

In the Matter of the Verified Petition of Public Service ) BPU Docket No. TT17070776  
Electric and Gas Company for Approval of the Next )  
Phase of Gas Modernization Program and Associated )  
Cost Recovery Mechanism )

**MOTION TO PARTICIPATE OF AARP**

AARP, a nonprofit, nonpartisan social welfare organization with a membership base, including more than 1.3 million members residing throughout New Jersey, hereby moves to participate in the above-captioned Proceeding, including the review of the Verified Petition filed by Public Service and Gas Company (hereafter "PSE&G") for approval of the next phase of its Gas Modernization Program and associated cost recovery mechanism. In support of its motion, AARP states as follows:

1. All communications and correspondence concerning these Proceedings should be directed to:

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Evelyn Liebman, State Director for Advocacy  
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2. On February 27, 2015, Public Service Electric and Gas Company (“PSE&G”) filed a Verified Petition with the New Jersey Board of Public Utilities (“NJBPU”) requesting approval to implement a Gas Modernization Program and associated cost recovery mechanism. PSE&G sought to spend up to \$1.594 billion over 5.5 years. See NJBPU Docket No. GR15030272.

3. AARP participated in that 2015 Proceeding, by Order of the NJBPU dated May 27, 2015. Following discovery, testimony, public hearings, and related proceedings, on November 2, 2015, PSE&G, Rate Counsel, AARP and other intervenors entered into a Stipulation of Settlement resolving all issues. The terms were set forth in the Board’s Order dated November 16, 2015, effective November 26, 2015, and in the Stipulation itself.

4. Having participated in the initial phase of PSE&G’s Gas Modernization Program proceeding, it is appropriate and logical that AARP be permitted to participate in the instant Proceeding for the further phase of PSE&G’s Gas Modernization Program and its request for a cost recovery mechanism to implement this Program.

**WHEREFORE**, in support of its application for participation in this phase of PSE&G’s Gas Modernization Program and associated cost recovery mechanism, as further summarized below, AARP respectfully submits that all factors for participation set forth in N.J.A.C. 1:1-16 are met, thereby supporting AARP’s motion to intervene in the above-captioned Proceeding:

1. In New Jersey, AARP has 1.3 million members aged 50 or more, including hundreds of thousands of members residing within PSE&G’s service territory. Members of AARP purchase gas and service gas-related from NJ’s regulated utilities and, therefore, will be substantially and specifically affected by the outcome of the above captioned Proceeding and PSE&G’s Gas Modernization Program and associated cost recovery mechanism;

2. AARP has sought, through its affordable utilities work, to guarantee that all residents in the state of New Jersey have access to safe, reliable, and affordable utility rates, advocating in particular for the needs of aged 50+ who may be low, moderate and fixed-income ratepayers;

3. AARP has actively participated in numerous energy policy proceedings including the state's Energy Master Plan, legislative proceedings leading to and following the adoption of the Electric Discount & Energy Competition Act of 1999 (EDECA), and numerous deregulation and/or energy proceedings before the BPU and/or the Legislature.

4. Since 1998 AARP has advocated for and actively participated in the establishment of New Jersey's Universal Service Fund (USF) to provide affordable utility rates for low and fixed-income consumers, a program which became operational in 2003 and is now a model for the nation (BPU Docket No. EX0002091);

5. AARP is a member of the BPU's USF Working Group and continues in its efforts to make the program fully operational and accessible to all eligible ratepayers;

6. In 2011 AARP commissioned a survey designed to better gather information on the needs, interests and concerns of 50+ New Jerseyans and determined that over two-thirds of NJ 50+ adults have experienced a problem paying their household utilities.

7. Older adults are especially vulnerable to high utility prices, in part because they spend a far greater proportion of their income on home energy costs than younger households. Studies show older people limit or do without food (15%), medical services (11%) and prescription medicine (11%) to pay for higher energy bills.

8. Older adults are also especially vulnerable to unreliable electric service, in part because they are not as mobile as younger people and often must suffer the consequences of lack of electricity (which can include loss of heat, light and drinking water) in their own residences.

9. Recently, AARP has been a participant and/or intervenor in the following Proceedings, I/M/O Verified Petition of Public Service Electric and Gas Company for Approval of a Gas Modernization Program and Associated Cost Recovery Mechanism, NJBPU Docket No. GR15030272; I/M/O in the Matter of the Petition of Public Service Electric and Gas Company for Approval of the Energy Strong Program, NJBPU Docket No. E013020155 and G013020156; I/M/O the Verified Petition of Jersey Central Power & Light Company for Review and Approval of Increases in and Other Adjustments to Its Rates and charges for Electric Service, and for Approval of other Proposed Tariff Revisions in Connection Therewith; and for Approval of an Accelerated Reliability Enhancement Program (“2012 Base Rate Filing”), NJBPU Docket No. ER12111052 and OAL Docket No. PUC-16310-2012N; I/M/O Verified Petition of New Jersey Natural Gas Company for Approval of an Increase in Gas Base Rates and Changes in Tariff for Gas Service, etc., NJBPU Docket No.: GR15111304, OAL Docket No. 00738-16; and others.

10. AARP is moving to participate in this Proceeding related to Gas Modernization and the associated cost recovery mechanism because we participated or intervened in the initial phase and our members who purchase gas and gas-related services from PSE&G New Jersey’s older regulated gas companies and who stand to be directly affected by and gas service rates, related to modernization of infrastructure and to service and reliability upgrades;

11. Because AARP members aged 50 or older and their households in New Jersey will be directly affected by future investments made to PSE&G’s gas system and potential rate changes, to ensure just and reasonable rates, or the lack thereof, AARP’s members’ interests, like those of AARP itself, are unique from and not adequately represented by the Division of the Rate Counsel (“RC”) or any other party. (N.J.A.C 1:1-16.1(A));



12. The RC represents all ratepayers, while AARP represents the specific interests of residential consumers ages 50 or older, and therefore AARP's interests are substantially different from those of any other parties currently in this Proceedings;

13. Considering AARP's history on behalf of its members of both federal and state advocacy in support of affordable, safe and reliable utility services as well as AARP's participation in legislative proceedings leading to and following the adoption of the Electric Discount & Energy Competition Act of 1999 (EDECA), AARP's participation in the Energy Master Plan process and its work to establish the USF, and its participation in many rate cases, AARP holds a unique perspective and insight regarding the impact of unaffordable and unreasonable rates and the prudence of investments, which perspective will be helpful to deciding the matters presented by this;

14. Given that AARP is a non-governmental, non-profit, and non-partisan organization whose interest is to protect the affordability, reliability, efficiency and safety of utility services for its members who are concurrently residential ratepayers throughout New Jersey including in PSE&G's service area, AARP has representative and associational standing to intervene in this matter, pursuant to case law cited in Pressler & Verniero, Current N.J. Court Rules (Gann), Comment 2.2 and Comment 3, R.4:26-1 (pp. 1841-43, 2018, ed.);

15. AARP's motion to participate is timely and will not delay or otherwise disrupt the prosecution of this Proceedings (N.J.A.C 1:1-16.2);

16. Fundamental fairness and due process considerations militate in favor of AARP being afforded an opportunity to fully participate as an intervenor in this Proceeding, the outcome of which will have a significant impact on the cost of gas service and poses significant and imminent risks to utility customers including the potential for irreparable harm to AARP



member/ratepayers' quality of life if gas service does not remain affordable for the elderly and those on fixed incomes;

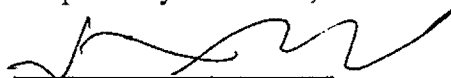
17. Accordingly, the issues to be decided in this Proceeding "substantially, specifically and directly affect" AARP and its members within the meaning of these terms as used in the relevant regulations, thereby making it appropriate for AARP to participate herein;

18. AARP's entry as a participant would "measurably and constructively" advance this Proceeding (N.J.A.C 1:1-16.3(a)) because of the unique status of its members as PSE&G residential ratepayers, and their view of the necessity and prudence of the proposed investments for modernization of the gas infrastructure system. AARP's entry as a participant would promote an informed and balanced presentation of the issues;

19. Notwithstanding its unique interests, where it is possible and practical for it to do so, AARP will, of course, work cooperatively with other parties in this Proceeding in the interests of administrative efficiency and economy of administrative agency and judicial resources.

WHEREFORE, pursuant to N.J.A.C. 1:1-16.6, AARP respectfully requests that it be permitted to participate with full procedural and substantive rights, in the above-captioned Proceeding arising from PSE&G's Verified Petition.

Respectfully submitted,



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### **CERTIFICATION OF SERVICE**

I hereby certify that I have this day served by electronic mail a copy of the foregoing Motion to Participate on all parties set forth on the attached service list.

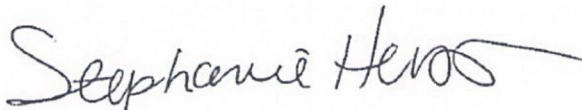
Dated at Princeton, New Jersey on this 20th day of September 2017.



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### **CERTIFICATION**

1. I am the New Jersey State Director for AARP.
2. I have read the contents of the foregoing Petition and hereby certify that the statements therein contained are true and accurate to the best of my knowledge.



Stephanie Hunsinger, New Jersey State Director AARP

DATED: September 26, 2017