

Final Oct. 17, 2017



October 11, 2017

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VIA ELECTRONIC MAIL & OVERNIGHT DELIVERY

BOARD OF PUBLIC UTILITIES

OCT 12 2017

MAIL RECEIVED

Irene Kim Asbury, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

Re: In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Gas System Modernization Program and Associated Cost Recovery Mechanism; BPU Docket No. GR17070776

Dear Secretary Asbury:

I enclose for filing an original and ten copies of the motion of the Creamer-Sanzari Joint Venture to participate in the above-referenced proceeding pursuant to N.J.A.C. 1:1-16.6. Copies of the motion are being electronically served today on all persons appearing on the enclosed service list.

Thank you for your attention to this matter.

Respectfully submitted,

Kevin G. Walsh

Enclosures

cc: Service List (via email w/encl.) ✓

Case Mgmt

Kevin G. Walsh (Attorney # 044241998)
Michael D. DeLoreto (Attorney #108002014)

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Attorneys for Creamer-Sanzari Joint Venture



BOARD OF PUBLIC UTILITIES

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

IN THE MATTER OF THE PETITION OF
PUBLIC SERVICE ELECTRIC AND GAS
COMPANY FOR APPROVAL OF A GAS
SYSTEM MODERNIZATION PROGRAM
AND ASSOCIATED COST RECOVERY
MECHANISM

MOTION TO PARTICIPATE

Docket No. GR17070776

Creamer-Sanzari Joint Venture ("CSJV"), by and through its undersigned counsel, hereby moves before the New Jersey Board of Public Utilities ("Board") for leave to participate in the above-captioned proceeding pursuant to N.J.A.C. 1:1-16.6. In support of its motion, CSJV respectfully submits:

1. CSJV is a joint venture between J. Fletcher Creamer & Son, Inc. ("Creamer") and Joseph M. Sanzari Inc. ("Sanzari"), New Jersey corporations in the business of heavy highway construction and utilities installation. Formed in 2004, CSJV has been involved in major construction work on the New Jersey Turnpike and New Jersey Department of Transportation's highways, roads and bridges. CSJV was recognized by Engineering News as one of the top 25 contractors in the country. The members of CSJV, Creamer and Sanzari, have been responsible for, among other things, the reconstruction of the Route 4 and 17 overpasses, the largest highway

project in the State of New Jersey in recent memory. This project was completed eighteen months ahead of schedule.

2. On February 27, 2015, Public Service Electric and Gas Company (“PSE&G”) filed with the Board a petition seeking approval to implement and administer a Gas System Modernization Program and an associated cost recovery mechanism (“GSMP I”). GSMP I proposed to invest in the replacement of cast iron mains, replace unprotected steel mains and services, abandon district regulators associated with cast iron and unprotected steel plant, and relocate inside meter sets.

3. Considering decades of construction experience of Creamer and Sanzari in New Jersey building and repairing roads, highways, and utility infrastructure, CSJV moved to participate in the GSMP I proceeding. The Board granted CSJV’s motion to participate in the GSMP I proceeding due to CSJV’s unique ability to provide the Board with critical insight as to the implications GSMP I would have for job creation in New Jersey, as well as an accurate assessment of the construction costs associated with GSMP I, and recommendations concerning efficient solutions for its implementation.

4. On November 2, 2015, PSE&G, Rate Counsel, and numerous interveners executed a stipulation of settlement resolving all the issues of GSMP I, which the Board approved by an Order dated November 16, 2015.

5. On July 27, 2017, PSE&G filed a petition for Board approval of a continuation of GSMP I and the associated cost recovery mechanism (“GSMP II”). According to the petition, it is anticipated that GSMP II will be conducted over a five year period from 2019 through 2023. GSMP II is comprised of (1) gas utility projects designed to replace cast iron mains and unprotected steel mains and services; (2) abandonment of district regulators associated with this

cast iron and unprotected steel plant; (3) rehabilitation of large diameter elevated pressure cast iron; (4) upgrades to utilization pressure portions of the system to elevated pressure; (5) replacement of limited amounts of protected steel and plastic mains; and (6) the relocation of inside meter sets. According to PSE&G, approval of GSMP II would result in the replacement of approximately 250 miles of main per year, with an estimated investment of \$2.68 billion over the five year period. This includes, among other items, the replacement of 870 miles of unprotected cast iron main, 130 miles of elevated pressure cast iron main, and 200 miles of unprotected bare steel main. PSE&G indicates that the cost recovery mechanism proposed for GSMP II is consistent with the recently proposed Board Infrastructure Investment and Recovery regulations and GSMP I.

6. In light of its participation in the GSMP I proceeding, CSJV moves to participate in the GSMP II proceeding. As was the case in the GSMP I proceeding, CSJV is in a unique position to provide the Board with critical insight as to the implications that GSMP II would have for job creation and retention in the state of New Jersey, an accurate assessment of the construction costs associated with the GSMP II, and recommendations concerning efficient solutions for its implementation.

7. Creamer and Sanzari, the companies that constitute CSJV, have decades of experience in New Jersey between them working with the utility industry, including the type of work necessary to implement GSMP II. CSJV has employed a significant number of union workers from various trades to perform that work including laborers and operating engineers, to name just two. CSJV has performed installation work in connection with PSE&G's Energy Strong Program and to execute portions of GSMP I. The extensive work of Creamer and Sanzari with PSE&G and GSMP I gives CSJV a unique understanding of PSE&G's exacting standards

of quality, safety, and detail in the installation and replacement of its utility infrastructure and of the scope, scale, and complexity of the work necessary to implement the GSMP II.

8. N.J.A.C. § 1:1-16.6(c) provides that “[a]ny person or entity with a significant interest in the outcome of a case may move for permission to participate.”

9. Based on Creamer’s, Sanzari’s and CSJV’s extensive experience with the utility industry generally, as well as PSE&G and GSMP I specifically, and the likelihood that CSJV may be retained to effect at least some of the construction work GSMP II will entail, CSJV not only has a significant interest in the outcome of this petition, but will be uniquely affected by the outcome of this case in a manner that will assist the Board in its resolution of the Petition. CSJV will be able to leverage its substantial experience with utilities and PSE&G to provide the Board with valuable insight both as to the impact GSMP II will have for job creation in New Jersey as well as a detailed, practical assessment of the most effective strategies for the successful implementation of GSMP II. CSJV’s participation in this proceeding will contribute to the development of a complete record for consideration by the Board on these issues.

10. CSJV’s motion is timely and will not delay or otherwise disrupt the prosecution of this proceeding.

11. For the foregoing reasons, CSJV respectfully requests a participant status in the above-captioned proceeding that will include the ability to offer oral argument, file statements and briefs, and participate in conferences. N.J.A.C. § 1:1-16.6(c); see, e.g., In re the Petition of Public Service Electric & Gas Company for Approval of the Energy Strong Program, BPU Dkt. Nos. EO13020155; GO130201562013, N.J. PUC LEXIS 307, Final Decision (October 16, 2013) (environmental organization permitted to “appropriately share its expertise . . . by participating in

conferences and site visits, and filing statements and briefs including its perspective on the various proposals.”).

12. Copies of all correspondence and other communications related to this proceeding should be addressed to:

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with a copy to

Michael D. DeLoreto
mdeloreto@gibbonslaw.com

WHEREFORE, CSJV respectfully requests an Order: (1) granting CSJV full rights as a participant in this matter pursuant to N.J.A.C. § 1:1-16.6(c) including, without limitation, the ability to offer oral argument, file statements and briefs, and participate in conferences; and (2) providing such other or further relief as the Board may deem just and proper.

Dated: Oct. 11, 2017
Newark, New Jersey

Respectfully submitted,



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Attorneys for Creamer-Sanzari Joint Venture

**I/M/O THE PETITION OF PSE&G FOR APPROVAL OF A GAS SYSTEM MODERNIZATION
PROGRAM AND ASSOCIATED COST RECOVERY MECHANISM**

BPU DOCKET NO. GR17070776

Service List

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

IN THE MATTER OF THE PETITION OF
PUBLIC SERVICE ELECTRIC AND GAS
COMPANY FOR APPROVAL OF A GAS
SYSTEM MODERNIZATION PROGRAM
AND ASSOCIATED COST RECOVERY
MECHANISM

CERTIFICATION OF SERVICE

Docket No. GR17070776

I, **MICHAEL D. DELORETO, ESQ.**, of full age, hereby certify as follows:

1. I am an attorney at law of the State of New Jersey and a member in good standing of the bar of this Court. I am an Associate of the law firm of Gibbons P.C., counsel for Creamer-Sanzari Joint Venture ("CSJV").

2. On October 11, 2017, I caused to be served via electronic mail copies of CSJV's Motion to Participate in the above-captioned proceeding on each person identified on the service list. An original and ten (10) hard copies have this day been sent via overnight delivery to Irene Kim Asbury, Secretary, New Jersey Board of Public Utilities, as well as a copy via electronic mail. Two (2) hard copies have this day been sent via regular mail to a representative for each party identified on the service list.

I certify under penalty of perjury that the foregoing is true and correct. Executed in
Trenton, New Jersey, on October 11, 2017.



Michael D. DeLoreto, Esq.

Dated: 10/11/17
Trenton, New Jersey