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MAY 14 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

*Handwritten signature and date: 5/15/18*

RECEIVED  
CASE MANAGEMENT

MAY 14 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

May 10, 2018

**VIA FEDERAL EXPRESS and  
ELECTRONIC MAIL**

[dianne.solomon@bpu.nj.gov](mailto:dianne.solomon@bpu.nj.gov)  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Honorable Dianne Solomon  
Commissioner  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
P.O. Box 350  
Trenton, New Jersey 08625-0350

**RE:** In the Matter of the Petition of Atlantic City Electric Company for Approval of an Infrastructure Investment Program, and Related Cost Recovery Mechanism, Pursuant to *N.J.A.C. 14:3-2A.1 Et Seq.*  
BPU Docket No. EO18020196

Dear Commissioner Solomon:

Atlantic City Electric Company ("ACE" or the "Company"), the Petitioner in the above-referenced matter, files this letter to advise you of the Company's concerns regarding the proposed procedural schedule circulated by Legal Specialist Andrea Hart and Rate Counsel's request to further delay this proceeding.

As indicated in the Company's Infrastructure Investment Program ("IIP") filing, ACE has proposed a comprehensive five year investment program that is slated to begin January 1, 2019. By filing its IIP request in February, shortly after the IIP regulations became effective, ACE sought to provide the Board of Public Utilities (the "Board") with time to consider the proposed IIP in a comprehensive and thoughtful manner while also ensuring that capital investments would commence in an orderly fashion in 2019. The reason for this timing is straightforward: ACE's IIP is important to its customers and to South Jersey, as it will provide reliability and resiliency enhancements while also generating jobs in a region that continues to be economically challenged. Pursuant to the IIP regulations, however, the Company's proposed investments cannot be made until the IIP is approved by the Board. Thus, delays in the resolution of this proceeding translate directly into delays in the provision of those benefits to customers and the region.

*Handwritten notes:*  
CMS  
Legal  
a. Moreau, Esq.  
S. Peterson

ACE has read the filings made by the Division of Rate Counsel seeking delays in the processing of this case. Although the Company appreciates the fact that the Board, Rate Counsel, and those businesses subject to Board jurisdiction are involved in a number of competing priorities at the moment, the delays proposed by Rate Counsel are not acceptable to the Company, and are not in the public interest. In response, the Company has prepared an alternative schedule that it believes will avoid the Public Service Electric and Gas Company evidentiary hearings identified by Rate Counsel. In addition, this schedule reflects the April 13 bar date for motions to intervene originally set by the Board in the Order Designating Commissioner, Setting a Bar Date and Manner of Service, dated March 26, 2016. Multiple parties have already sought to intervene or participate in this matter so it is clear that notice has been widely disseminated and additional time is not warranted.

As proposed, this alternative schedule extends the timing originally submitted by the Company. It also allows for a December 2018 decision, which would permit investments and benefits to begin as proposed in January 2019. ACE believes this is a reasonable compromise given the competing interests of the Company and Rate Counsel. Moreover, ACE is hopeful that this approach will be acceptable to Staff. To date, only Board Staff has propounded discovery on ACE, which has since been answered. ACE appreciates Staff's willingness to engage on this request and its efforts to begin to process the case.

<b>REVISED ACE IIP Procedural Schedule</b>	
February 28, 2018	Case filed.
April 13, 2018	Deadline for all Motions to Intervene.
May 15, 2018	All first round discovery requests propounded on the Company.
May 31, 2018	All first round discovery responses provided by ACE.
June 12, 2018	Two public comment hearings at Mays Landing (at 3:30 PM and 5:30 PM).
June 14, 2018	All second round discovery requests propounded on the Company.
June 29, 2018	All second round discovery responses provided by ACE.
Week of July 16	Discovery conference/settlement discussions.
August 13, 2018	Rate Counsel/Intervenor Direct Testimony is due.
August 23, 2018	Discovery propounded on Rate Counsel/Intervenor Direct Testimony.
September 10, 2018	Rate Counsel/Intervenor responses to discovery requests are due.
September 20, 2018	Rebuttal Testimony filed by parties as appropriate.
October 1, 2018	Discovery requests propounded on Rebuttal Testimony.
October 17, 2018	Responses to discovery requests on Rebuttal Testimony are due.
October, 2018	Settlement discussions, if necessary.
October 31, November 1, 2	Three days of evidentiary hearings, with live surrebuttal.
November 23, 2018	Initial Briefs due.
December 11, 2018	Reply Briefs due.
December 18, 2018	BPU Decision.

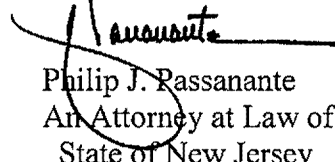
Honorable Dianne Solomon

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Should you have any questions regarding any of these matters, please contact me. Thank you for your consideration.

Respectfully submitted,

/jpr  
Philip J. Passanante  
An Attorney at Law of the  
State of New Jersey

cc: Service List