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CASE MANAGEMENT

MAY 14 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

PHIL MURPHY  
Governor

SHEILA OLIVER  
Lt. Governor



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MAY 11 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

STEFANIE A. BRAND  
Director

*Amo*  
*5/4/18*

May 11, 2018

**VIA HAND DELIVERY AND ELECTRONIC MAIL**

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

**Re: In the Matter of the Petition of Atlantic City Electric Company for  
Approval of a Voluntary Program for Plug-In Vehicle Charging  
BPU Docket No. EO18020190**

Dear Commissioner Chivukula:

Please accept this letter in response to the April 27, 2018 e-mail correspondence from Legal Specialist Andrea Hart, Esq. As explained more fully below, Rate Counsel still believes that setting a procedural schedule while its motion to stay is pending is inappropriate. Nonetheless, in order to preserve Rate Counsel's rights, Rate Counsel submits a tentative<sup>1</sup> schedule for the above referenced matter.

As the Board is aware, Rate Counsel filed a motion to stay this proceeding on April 6, 2018. After the Board's April agenda meeting passed with no action on Rate Counsel's motion,

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<sup>1</sup> This schedule assumes the Board will issue a report analyzing the current stakeholder process and providing guidance for the EV community by its June 20, 2018 agenda. If the Board does not do so, then the starting date of this schedule should move to after the Monday following the Board agenda meeting where the Board does so act.

*AMS*  
*List Copied*



Hon. Upendra Chivukula, Commissioner  
May 11, 2018  
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Legal Specialist Andrea Hart, Esq. issued an e-mail requesting that the parties submit proposed schedules, which were to commence after Monday, June 25th, the Monday after the Board's June Agenda meeting. On May 4, 2018, Rate Counsel submitted a letter to the Board stating that it was inappropriate to set a procedural schedule while a motion to stay is pending. Rate Counsel received no response to that correspondence. Rate Counsel maintains that the Board should complete the EV stakeholder process and provide guidance to all parties as to how to proceed before this matter moves forward. There simply is no urgency to deal with this matter at this time. To the extent EV implementation moves forward in New Jersey, there are ample private, unregulated entities to meet those needs.

The following schedule is based upon the assumption that the Board will take action regarding the EV stakeholder process by its June 20, 2018 Agenda meeting. If the Board does not, then this schedule must be revisited. Likewise, the schedule assumes timely answers to discovery. If discovery deadlines are not met, the schedule would again need to be revisited.

ACE Direct Testimony	June 29
First Round discovery	July 13
Responses to first round discovery	July 27
Second Round discovery	August 10
Responses to second round discovery	August 24
Third round discovery	September 7
Responses to third round discovery	September 21
Rate Counsel/Intervenor Testimony	October 19
Discovery on testimony	November 2
Responses to discovery	November 16
Rebuttal testimony	December 7
Discovery on rebuttal	December 21
Responses to discovery	January 11
Evidentiary hearings	Week of February 4



Hon. Upendra Chivukula, Commissioner

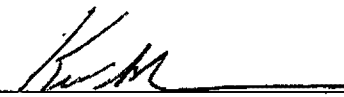
May 11, 2018

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Rate Counsel continues to believe that proceeding with this matter, before the Board decides the direction for EVs based on the EV stakeholder process, risks wasting agency resources and conflicting approaches to developing EV infrastructure in New Jersey. Despite these inherent uncertainties, and while reserving all of Rate Counsel's rights, Rate Counsel submits the above tentative schedule in response to the request of Board Staff.

Respectfully submitted,

STEFANIE A. BRAND  
DIRECTOR, DIVISION OF RATE COUNSEL

By:   
Kurt S. Lewandowski, Esq.  
Assistant Deputy Rate Counsel

c: Service List (via electronic and regular mail)



**In the Matter of the Petition of  
Atlantic City Electric Company  
for Approval of a Voluntary  
Program for Plug-In Vehicle  
Charging  
BPU Docket No. EO18020190**

Honorable Upendra J. Chivukula  
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