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August 17, 2018

Via Federal Express

Aida Camacho-Welch
Board Secretary
New Jersey Board of Public Utilities
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CASE MANAGEMENT
Filed 8/20/18
AUG 20 2018
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Re: Petition of PSE&G For Approval of the Second Energy Strong Program (Energy Strong II)
Docket Nos.: EO 18060629 and GO 18060630

Dear Madam Secretary:

This firm serves as counsel to the Engineers Labor-Employer Cooperative ("ELEC"), the Labor Management Fund of the International Union of Operating Engineers Local 825. I am enclosing for filing an original and eleven (11) copies of ELEC's Motion to Intervene in the above-captioned matter.

Upon filing, kindly return one (1) time-stamped copy of the same in the enclosed, self-addressed stamped envelope.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
Daniel J. Brennan

Daniel J. Brennan

Enclosures

c: Service List as per Board's July 25, 2018 Order (via electronic mail only)

CMS
Energy
Legal
DAG
B. Kilar, Energy / O. Brown, Energy

AUG 20 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

STATE OF NEW JERSEY BOARD OF PUBLIC UTI

Original, please
file.
Thank you!

IN THE MATTER OF THE PETITION :
OF PUBLIC SERVICE ELECTRIC AND :
GAS COMPANY FOR APPROVAL OF :
THE SECOND ENERGY STRONG :
PROGRAM (ENERGY STRONG II) :

Docket Nos. EO18 :
GO18060630

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AUG 20 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

MOTION OF
ENGINEERS LABOR-EMPLOYER COOPERATIVE
TO INTERVENE

1. The Engineers Labor-Employer Cooperative ("ELEC"), the Labor Management Fund of the International Union of Operating Engineers Local 825, by way of this Motion, and the attached declaration of Mark Longo, request to intervene in the above-captioned Petition for Approval of the Second Energy Strong Program (the "Petition"), filed by Public Service and Gas Company ("PSE&G") pursuant to N.J.A.C. § 1: 1-16.1. All communications and correspondence concerning these proceedings should be directed to:

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I. **Background**

2. ELEC is a labor-management organization that promotes economic development, investments in infrastructure and construction to provide opportunities for developers, union contractors, and members of the International Union of Operating

Engineers Local 825 (the "Union"), (heavy equipment operators). ELEC is a unique organization because it is a partnership between employers and the Union, seeking to find common ground and ways to improve the construction industry as a whole for the benefit of both labor and management.

3. On or about June 8, 2018, PSE&G filed the Petition with the New Jersey Board of Public Utilities (the "Board") seeking approval of PSE&G's Energy Strong II Program (the "Program") at a cost of \$1.503 billion in electric infrastructure over five (5) years and \$0.999 billion in gas infrastructure over five (5) years.

4. The Program seeks to build on the Energy Strong Program I ("ES I Program"), which was approved by a Board order dated May 21, 2014 and is a request by PSE&G for approval of both the elements of a second phase of the ES I Program and the cost recovery mechanisms for the Program. It is described by PSE&G as a series of investments to improve the reliability and resiliency of its electric and gas distribution infrastructure by rebuilding critical electrical equipment, installing stronger poles, deploying advanced technology, building backup pipes, modernizing critical gas equipment, and improving customer service.

5. The Program is expected to continue economic development and create enhanced employment opportunities in New Jersey, many of them in the construction industry.

6. The Program is a continuation of PSE&G's efforts to stabilize and modernize New Jersey's energy infrastructure. In 2014, the Board approved PSE&G's petition for the ES I Program allocating \$1 billion toward infrastructure projects over 10 years. ELEC sent letters of support, testified before the Board and filed a brief on behalf

of PSE&G. ELEC member contractors and operating engineers also played a key role in the construction work performed under the ES I Program. Additionally, from 2015 through the present, ELEC has been a participant in PSE&G's Petition before the Board seeking approval of a Gas Modernization Program ("GSMP II")

7. ELEC represents more than 7,000 experienced operating engineers and over 1,000 contractors throughout the state of New Jersey and the lower counties of New York state. These operating engineers operate cranes, bulldozers, front-end loaders, backhoes and graders. Representatives from large New Jersey construction contractors sit on ELEC's Board. These contractors regularly perform work for private and public entities in New Jersey, including PSE&G. For example, ELEC member contractors performed work for PSE&G in the recovery efforts from Superstorm Sandy, the \$2 billion High Line Project and the ES I Program.

8. ELEC regularly partners with New Jersey business and trade organizations and offers professional support to union contractors. ELEC regularly meets with local officials throughout New Jersey and county governments to identify issues in the construction industry and opportunities for ELEC to positively impact Union operating engineers and their employers.

9. ELEC also supports ongoing training for Union operating engineers to ensure higher levels of productivity, improved safety records, and greater profitability for contractors and project owners.

10. ELEC is in a unique position to provide insight on the impact of the Program from both a contractor and operating engineer perspective, speaking to the costs and feasibility of the continued energy infrastructure improvements, the related

economic impact, and the impact of the future and long-term costs of the Program, in addition to providing insight on manpower requirements of the project, the market for operating engineers and any additional specific training that may be necessary for operating engineers to perform work under the Program.

II. Legal Standard

11. Under N.J.A.C. § 1: 1-16.1(a), any person or entity substantially, specifically, or directly affected by the outcome of a contested case, may on motion, seek leave to intervene. N.J.A.C. § 1: 1-16.3(a) provides that, in ruling on a motion to intervene, consideration should be made of the nature and extent of the movant's interest in the outcome of the case, whether or not the movant's interest is sufficiently different from that of any party so as to add measurably and constructively to the scope of the case, the prospect of confusion or delay arising from the movant's inclusion, and other appropriate matters.

III. Argument

12. The members of ELEC will be substantially, specifically, and directly affected by the outcome of this proceeding, ELEC's interest in the case differs from that of any other party, ELEC's interest will add measurably and constructively to the scope of the case, and inclusion of ELEC as an intervenor will not cause confusion or delay.

Direct Impact to ELEC members

13. ELEC represents more than 7,000 experienced operating engineers and over 1,000 contractors throughout the state of New Jersey and the lower counties of New York state. Representatives from large New Jersey construction contractors sit on ELEC's Board. These operating engineers and construction contractors performed

substantial work on the ES I Program and PSE&G has stated in its petition for the Program that the Program is designed to support additional skilled jobs, many of which ELEC believes will be available to operating engineers, as was the case with the ES I Program.

14. ELEC's member contractors and operating engineers will be directly impacted by the Program because ELEC member contractors and operating engineers will be performing work called for in PSE&G's petition.

ELEC's Interest will Add Measurably and Constructively to Proceeding

15. As an intervenor, ELEC has a substantial interest in knowing, understanding, and reviewing the intricacies of the Program as discussed in this proceeding, so it has the opportunity to provide input on the manpower requirements of the project, the market for operating engineers, and so ELEC member contractors who are likely to be used for the construction work performed under the project can provide input on the costs and scope of the project.

16. Given ELEC's support for additional training for operating engineers, ELEC also has a substantial interest in knowing, understanding, and reviewing the intricacies of the Program as discussed in this proceeding, so it has the opportunity to provide input on any additional or specialized training necessary for completing the work.

17. ELEC has a history of successful efforts on behalf of PSE&G and other energy and pipeline projects, including supporting PSE&G and testifying before the Board in the 2014 Energy Strong Initiative, participating in PSE&G's GSMP II proceedings, routinely attending public meetings, and supporting new pipelines

throughout the region including the SpectraEnergy Algonquin Incremental Market project, the PennEast Pipeline, the Pilgrim Pipeline, the New Jersey Natural Gas Southern Reliability Link and the Construction Line. Through this work, ELEC has gained a profound understanding of the impact of energy infrastructure projects on the construction industry and the economy of the region.

18. ELEC's member contractors have significant experience in large-scale, long-term construction projects, including previous energy infrastructure projects working with PSE&G, as described above, and can provide information on the financial markets for borrowing for large-scale construction projects and the cost feasibility of large-scale construction projects, such as the Program.

19. Permitting ELEC to intervene so it can offer input on the market for operating engineers which will be used in the construction work under the Program, the economic impact on contractors, operating engineers and the construction industry, as well as the financial aspects of the Program, will add measurably and constructively to the scope of this proceeding and provide a substantial benefit to this Board in deciding the prudence and reasonableness of the Program.

ELEC's Interests are Not Adequately Represented

20. The above-referenced interests of ELEC's membership are not adequately represented by any other Party to these proceedings. As a partnership between employers and the Union, ELEC is in a unique position to provide insight on the impact of the Program from both a contractor and operating engineer perspective, with each constituency having an interest in the outcome of this proceeding, as demonstrated above.

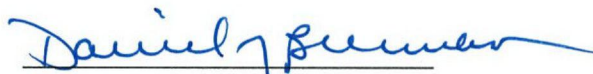
Inclusion of ELEC as an Intervenor will Not Cause Delay or Confusion

21. Intervention of ELEC will not cause undue delay. This Motion is being made in accordance with the August 17, 2018 deadline for motions to intervene. Additionally, no prospect of confusion arises from allowing ELEC to intervene. While ELEC's interest in the outcome of the petition is distinct from other Parties and potential Intervenors, ELEC will cooperate with other Parties to the proceeding to ensure a decision is made in full view of all relevant facts.

WHEREFORE, pursuant to N.J.A.C. 1:1-16, ELEC respectfully requests it be permitted to intervene in this matter.

Date: August 17, 2018

Respectfully submitted,



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DECLARATION OF MARK LONGO

I, Mark Longo, declare as follows:

1. I am the Director of ELEC.
2. I have read the herein motion and hereby certify that the statements contained therein are true and accurate to the best of my knowledge.



Mark Longo, Director
ELEC

Dated: August 17, 2018

CERTIFICATE OF SERVICE

I, Daniel J. Brennan, hereby certify that copies of the herein motion were sent to all parties on the attached service list by electronic mail.

Date: August 17, 2018



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