

Philip J. Passanante
Assistant General Counsel



An Exelon Company

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September 17, 2018

**VIA FEDERAL EXPRESS and
ELECTRONIC MAIL**

aida.camacho@bpu.nj.gov
board.secretary@bpu.nj.gov

Aida Camacho-Welch
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, New Jersey 08625

RECEIVED
MAIL ROOM

SEP 18 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

RECEIVED
CASE MANAGEMENT

SEP 18 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

RE: In the Matter of the Verified Petition of Jersey Central Power & Light
Company for Approval of an Infrastructure Investment Program (JCP&L
Reliability Plus)
BPU Docket No. EO18070728

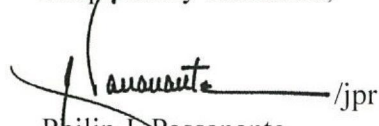
Dear Secretary Camacho-Welch:

On behalf of Atlantic City Electric Company, enclosed please find for filing an original and ten copies of the Company's Motion to Participate in the above docket.

Pursuant to the Order Designating Commissioner, Setting Manner of Service and Bar Date, dated August 29, 2018, this matter has been retained by the Board and has been assigned to the Honorable Upendra J. Chivukula as the Presiding Officer. We are the copying Commissioner Chivukula on this letter and enclosing a copy of the Motion to Participate.

Feel free to contact the undersigned with any questions.

Respectfully submitted,


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

Enclosure

Case mgmt

cc: Honorable Upendra J. Chivukula, Commissioner
Service List ✓

**IN THE MATTER OF THE VERIFIED
PETITION OF JERSEY CENTRAL
POWER & LIGHT COMPANY FOR
APPROVAL OF AN
INFRASTRUCTURE INVESTMENT
PROGRAM (JCP&L RELIABILITY
PLUS)**

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

BPU DOCKET NO. EO18070728

**NOTICE OF MOTION
TO PARTICIPATE**

**RECEIVED
MAIL ROOM**

SEP 18 2018

**BOARD OF PUBLIC UTILITIES
TRENTON, NJ**

**RECEIVED
CASE MANAGEMENT**

SEP 18 2018

TO: Aida Camacho-Welch
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44 South Clinton Avenue, Suite 314
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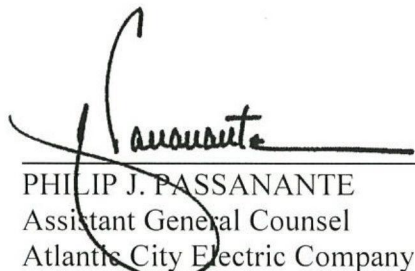
and

All Parties on the Attached Service List **BOARD OF PUBLIC UTILITIES
TRENTON, NJ**

PLEASE TAKE NOTICE that, pursuant to *N.J.A.C. 1:1-16.6*, Atlantic City Electric Company (“ACE”), by its undersigned counsel, hereby moves to participate in the above-titled proceeding.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion to Participate, ACE submits the annexed Certification of Philip J. Passanante, Esquire, dated September 17, 2018.

Dated: September 17, 2018


_____/jpr
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**IN THE MATTER OF THE VERIFIED
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**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

BPU DOCKET NO. EO18070728

**CERTIFICATION IN SUPPORT OF
MOTION TO PARTICIPATE**

I, Philip J. Passanante, of full age, do hereby certify as follows:

1. I am Assistant General Counsel for Atlantic City Electric Company (“ACE” or the “Company”), and an attorney at law of the State of New Jersey. As such, I am familiar with the facts and circumstances concerning this matter, and I make this Certification in support of ACE’s Motion to Participate.

2. On or about July 13, 2018, Jersey Central Power & Light Company (“JCP&L” or the “Petitioner”) filed a petition (the “Petition”) with the New Jersey Board of Public Utilities (the “Board”) for approval to implement a Reliability Plus Infrastructure Investment Program (the “Program”), including a proposed cost recovery mechanism, pursuant to N.J.A.C. 14:3-2A.1 *et seq.* According to the Petition, JCP&L proposes to invest \$386.8 million over a four year period from 2019 through 2022. The Program includes 15 electric distribution infrastructure projects.

3. ACE is a New Jersey public utility incorporated in the State of New Jersey and maintains a regional office at 5100 Harding Highway, Mays Landing, New Jersey 08330. ACE is engaged in the transmission, distribution, and sale of electric energy for residential, commercial, and industrial purposes within New Jersey. The Company’s service territory comprises eight counties located in southern New Jersey and includes approximately 553,000 customers.

4. *N.J.A.C.* 1:1-16.6(a) sets forth the criteria for participation:

Any person or entity with a significant interest in the outcome of a case may move for permission to participate.

5. *N.J.A.C.* 1:1-16.6(b) sets forth the standard that must be weighed when considering a motion to participate:

In deciding whether to permit participation, the judge shall consider whether the participant's interest is likely to add constructively to the case without causing undue delay or confusion.

6. ACE is entitled to participate because, as one of only four investor-owned electric utilities in New Jersey serving retail customers, it has a significant interest in the above-captioned proceeding, *N.J.A.C.* 1:1-16.1(a), and its interests will add constructively to this proceeding without causing any delay or confusion, *N.J.A.C.* 1:1-16.3(a). ACE's significant interest in the outcome of the proceeding is rooted in the fact that substantive policy and/or procedural requirements established in this proceeding can significantly influence, if not have a precedential effect on, the positions taken by parties in, and the outcome of, proceedings involving ACE. Therefore, it is important that ACE be permitted Participant status in this proceeding so that it may monitor developments and be apprised of potential policy developments, both substantive and procedural, on these important issues in a timely manner.

7. As an investor-owned electric utility serving retail customers, the Company's interests in this proceeding are materially different from Petitioner, who represents its own interests, and from the other parties (*i.e.*, Board Staff and the Division of Rate Counsel), who represent primarily consumer interests.

8. Moreover, ACE's interests will contribute to the development of a complete record for consideration by the Board without causing any delay or confusion, as the proceeding has just commenced. *N.J.A.C. 1:1-16.3(a)*. In this matter, ACE intends to participate only in order to receive copies of testimony, briefs, and other materials; to monitor the proceedings; and possibly to file briefs and/or exceptions. ACE will abide by the procedural schedule(s) set in this matter.

9. At this time, ACE seeks only Participant status and does not foresee expanding that role. ACE must, however, reserve its right to seek full party intervenor status if the relevant circumstances underlying this proceeding change, and if it can establish that it satisfies regulatory requirements for such status.

10. The Company requests that all communications, correspondence, orders, and other documentation relating to this proceeding be directed to the following:


Philip J. Passanante, Esquire
Assistant General Counsel
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(302) 429-3801 – Facsimile
philip.passanante@pepcoholdings.com

ACE also respectfully requests that the above attorney be placed on the official service list compiled for purposes of this proceeding.

11. Accordingly, ACE respectfully requests that the Board grant its Motion to Participate in this proceeding, with the rights to argue orally, file briefs or statements, and file exceptions.

I hereby certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 17, 2018


_____/jpr
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**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
BPU DOCKET NO. EO18070728
CERTIFICATION OF SERVICE**

I, Philip J. Passanante, of full age, hereby certify as follows:

1. I am an attorney at law in the State of New Jersey and Assistant General Counsel to Atlantic City Electric Company ("ACE") in the above referenced matter, with which I am familiar.

2. On this day, I caused ACE's Motion to Participate and Certification of Philip J. Passanante, Esquire to be delivered via Federal Express to Aida Camacho-Welch, Secretary of the Board, Board of Public Utilities, 44 South Clinton Avenue, Suite 314, Trenton, New Jersey 08625..

3. On this day, I further caused copies of ACE's Motion to Participate and Certification of Philip J. Passanante to be served by Federal Express to Hon. Upendra J. Chivukula, Commissioner, Board of Public Utilities, 44 South Clinton Avenue, Suite 314, Trenton, New Jersey 08625.

4. On this day, I further caused copies of ACE's Motion to Participate and Certification of Philip J. Passanante to be served by electronic mail to the entities on the Service List.

5. I further and finally certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 17, 2018


_____/jpr
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Service List

BPU

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JCP&L

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