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CASE MANAGEMENT

OCT 15 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Aida Camacho-Welch
Secretary of the Board
New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

FLORENCE K.S. DAVIS
Attorney at Law

242 Trumbull Street
Hartford, CT 06103-1212
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fkdavis@daypitney.com

October 9, 2018

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OCT 15 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Via Overnight Delivery and E-Mail

Re: In the Matter of Compliance Tariff Filing Reflecting Changes to Schedule 12
Charges in PJM Open Access Transmission Tariff

Docket No. ER18091061

Dear Ms. Camacho-Welch:

Enclosed please find the motion to intervene of Exelon Generation Company, LLC, in the above-referenced proceeding, along with an affidavit in support of that motion. In addition, also included with this submission are two motions for admission *pro hac vice* and supporting affidavits. An original and 10 conformed copies of all of the referenced documents are included herein.

If you have any questions about this submission, please do not hesitate to contact me.

Regards,

/s/ Florence K.S. Davis

Florence K.S. Davis
Day Pitney LLP
242 Trumbull Street
Hartford, CT 06103
860-275-0360
fkdavis@daypitney.com

Handwritten signatures:
A. Hard, Esq.
C. Vashier, Esq.
S. Peterson

RECEIVED
CASE MANAGEMENT

OCT 15 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)

BEFORE THE NEW JERSEY
BOARD OF PUBLIC UTILITIES

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Docket No. ER18091061

**MOTION TO INTERVENE OF
EXELON GENERATING COMPANY**

Pursuant to New Jersey Administrative Code § 1:1-16.1 *et seq.*, Exelon Generation Company, LLC (“ExGen”) hereby moves to intervene in the above-captioned proceeding. As set forth below, ExGen has a substantial interest in this proceeding that cannot to be represented by any other party.

The following individuals should be included on the official service list in this proceeding, and all communications concerning this motion should be addressed to the following persons:

Jeanne J. Dworetzky
Assistant General Counsel
Exelon Corporation
101 Constitution Avenue, NW
Suite 400 East
Washington, DC 20001
(202) 347-7500
jeanne.dworetzky@exeloncorp.com

Florence K.S. Davis
Day Pitney LLP
242 Trumbull Street
Hartford, CT 06103
(860) 275-0360
fkdavis@daypitney.com

John P. Slocum
Senior Manager, State Government Affairs
Exelon Corporation
101 Constitution Avenue, NW
Suite 400 East
Washington, DC 20001
(202) 347-7500
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James B. Blackburn IV
Day Pitney LLP
1100 New York Avenue, NW
Washington, DC 20005
(202) 218-3905
jblackburn@daypitney.com

On September 26, 2018, Jersey Central Power & Light Company, Atlantic City Electric Company, Public Service Electric and Gas Company and Rockland Electric Company (collectively, the “EDCs”) submitted revised tariff sheets and supporting exhibits (“EDC Tariff

Filing”). The EDC Tariff Filing incorporates changes to the PJM Open Access Transmission Tariff (“OATT”) pursuant to a Federal Energy Regulatory Commission (“FERC”) Order issued on May 31, 2018, in FERC Docket No. EL05-121-009 (“7th Circuit Settlement Order”). As set forth in the EDC Tariff Filing, PJM implemented changes to its OATT, effective July 1, 2018, on a going-forward basis. As a result, as set forth in the EDC Tariff Filing, Transmission Enhancement Charges in Schedule 12 of the PJM OATT have been adjusted to reflect the revised cost allocation.

As noted in the EDC Tariff Filing, Basic Generation Service (“BGS”) suppliers began paying these revised transmission charges for transmission service effective July 1, 2018, pursuant to the PJM OATT changes implementing the 7th Circuit Settlement Order. In the EDC Tariff Filing, the EDCs seek authority from the Board to remit payment to suppliers for the increased charges they incur.

ExGen owns approximately 33,300 megawatts of generation, including nuclear, fossil, hydroelectric, solar, landfill gas, and wind generation assets. In addition, ExGen markets wholesale energy and capacity products to municipal, cooperative, and investor-owned utilities, retail suppliers, retail energy aggregators, merchant participants, power marketers, and major commodity trading houses. ExGen, individually or through its subsidiaries, has participated in the competitive BGS auction procurement processes and is a BGS supplier in New Jersey. As such, ExGen is subject to the Transmission Enhancement Charges in Schedule 12 of the PJM OATT.

ExGen therefore has a substantial interest in this matter and will be significantly affected by the outcome. ExGen’s interest is sufficiently different from that of any other party so as to

add measurably and constructively to the scope of the case and that interest cannot be represented by any other party.

WHEREFORE, ExGen respectfully request the BPU grant this motion to intervene in this proceeding.

Respectfully submitted,

/s/ Naju R. Lathia

Naju R. Lathia
NJ Bar #: 902782012
Day Pitney LLP
One Jefferson Road
Parsippany, NJ 07054
(973) 966-8082
nlathia@daypitney.com

Florence K.S. Davis (*admission pro hac vice pending*)
Day Pitney LLP
242 Trumbull Street
Hartford, CT 06103
(860) 275-0360
fkdavis@daypitney.com

Jeanne Dworetzky (*admission pro hac vice pending*)
Assistant General Counsel
Exelon Generation Company, LLC
Suite 400 East
101 Constitution Avenue, NW
Washington, DC 20001
(202) 637-0346
jeanne.dworetzky@exeloncorp.com

Attorneys for Exelon Generation Company, LLC

Dated: October 9, 2018

**BEFORE THE NEW JERSEY
BOARD OF PUBLIC UTILITIES**

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)
)

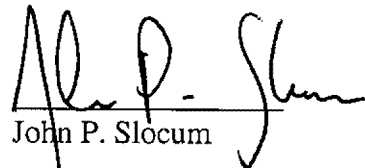
Docket No. ER18091061

**AFFIDAVIT IN SUPPORT OF
MOTION TO INTERVENE**

Washington)
) ss.
D.C.)

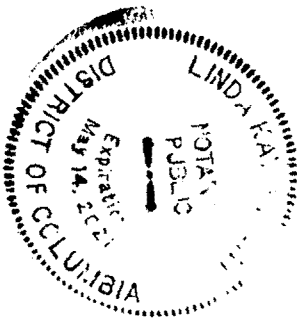
I, John P. Slocum, duly sworn according to law, depose and say:

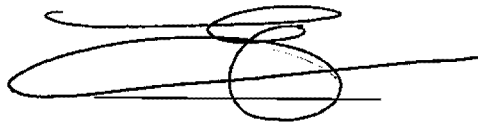
1. I am a Senior Manager, State Government Affairs, employed by Exelon Generation Company, LLC ("ExGen").
2. I declare, to the best of my knowledge and understanding, that the facts set forth in the attached Motion of to Intervene of ExGen are true and correct.


John P. Slocum

District of Columbia: ss

Signed and sworn to before me on this 9 day of October, 2018, by John P. Slocum.





My Commission Expires:

May 14, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 9th day of October, 2018.

By: /s/ James B. Blackburn IV

James B. Blackburn IV
Day Pitney LLP
1100 New York Avenue NW
Washington, DC 20005
202-218-3905
jblackburn@daypitney.com

**BEFORE THE NEW JERSEY
BOARD OF PUBLIC UTILITIES**

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)
Docket No.)

Docket No. ER18091061

MOTION FOR ADMISSION *PRO HAC VICE*

The undersigned counsel, a member in good standing of the bar of the State of New Jersey and serving as attorney of record in this proceeding, hereby moves for the admission *pro hac vice* of Jeanne J. Dworetzky, Esq. Ms. Dworetzky is a member in good standing of the bars of the Commonwealth of Pennsylvania and the District of Columbia. There is good cause for Ms. Dworetzky to be admitted *pro hac vice* because she has significant experience representing the interests of energy suppliers, and this proceeding involves a complex field of law in which she is a specialist. As evidenced by her affidavit attached hereto, Ms. Dworetzky has paid the fees to the New Jersey Lawyers' Fund for Client Protection pursuant to R. 1:20-1(b) and the Lawyers Assistance Program pursuant to R. 1:28B-1(e).

Respectfully submitted,

/s/ Naju R. Lathia
Naju R. Lathia
NJ Bar #: 902782012
Day Pitney LLP
One Jefferson Road
Parsippany, NJ 07054
T: (973) 966 8082
F: (973) 206 5804
nlathia@daypitney.com

**BEFORE THE NEW JERSEY
BOARD OF PUBLIC UTILITIES**

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)
)

Docket No. ER18091061

**AFFIDAVIT IN SUPPORT OF REQUEST
TO APPEAR *PRO HAC VICE***

Washington)
) ss.
D.C.)

I, Jeanne J. Dworetzky, duly sworn according to law, depose and say:

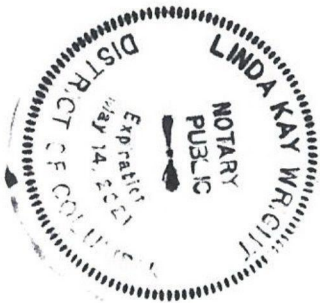
1. I am an attorney in good standing admitted to practice law in the Commonwealth of Pennsylvania and the District of Columbia. I am not admitted to practice in New Jersey. I have no disciplinary proceedings pending against me in any jurisdiction and no discipline has been previously imposed on me in any jurisdiction.
2. I am associated in this matter with New Jersey counsel of record, Naju R. Lathia, who is qualified to practice law in this State pursuant to R. 1:21-1.
3. My employer, Exelon Generation Company, LLC ("ExGen"), has requested my representation in this matter.
4. There is good cause for my admission *pro hac vice* in that I have had considerable experience representing ExGen in various proceedings before the Federal Energy Regulatory Commission and state public service commissions, and I am an attorney with ExGen. The proceeding in which I seek admission involves a complex field of law in which I am a specialist.
5. I have paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1:20-1(b) and the Lawyers Assistance Program required by R. 1:28B-1(e).

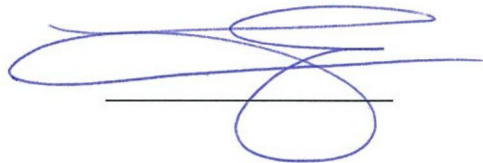
6. If this application to appear *pro hac vice* is granted, I agree to:
- a) abide by the New Jersey Court Rules, including all disciplinary rules;
 - b) consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against me or my company that may arise out of my participation in this matter;
 - c) notify the Board of Public Utilities immediately of any matter affecting my standing at the bar of any court; and
 - d) have all pleadings, briefs and other papers filed with the Board of Public Utilities signed by the attorney of record.


Jeanne J. Dworetzky

District of Columbia: ss

Signed and sworn to before me on this 8 day of October, 2018, by Jeanne J. Dworetzky.





My Commission Expires:

May 14, 2021

**BEFORE THE NEW JERSEY
BOARD OF PUBLIC UTILITIES**

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)
Docket No.)

Docket No. ER18091061

MOTION FOR ADMISSION *PRO HAC VICE*

The undersigned counsel, a member in good standing of the bar of the State of New Jersey and serving as attorney of record in this proceeding, hereby moves for the admission *pro hac vice* of Florence K.S. Davis, Esq. Ms. Davis is a member in good standing of the bars of the Maryland and Connecticut. There is good cause for Ms. Davis to be admitted *pro hac vice* because she has significant experience representing the interests of energy suppliers, and this proceeding involves a complex field of law in which she is a specialist. As evidenced by her affidavit attached hereto, Ms. Davis has paid the fees to the New Jersey Lawyers' Fund for Client Protection pursuant to R. 1:20-1(b) and the Lawyers Assistance Program pursuant to R. 1:28B-1(e).

Respectfully submitted,

/s/ Naju R. Lathia
Naju R. Lathia
NJ Bar #: 902782012
Day Pitney LLP
One Jefferson Road
Parsippany, NJ 07054
T: (973) 966 8082
F: (973) 206 5804
nlathia@daypitney.com

In the Matter of Compliance Tariff Filing)
Reflecting Changes to Schedule 12 Charges)
in PJM Open Access Transmission Tariff)
)

Hartford)
)
Connecticut) ss.

5. I have paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1:20-1(b) and the Lawyers Assistance Program required by R. 1:28B-1(e).

6. If this application to appear *pro hac vice* is granted, I agree to:
- a) abide by the New Jersey Court Rules, including all disciplinary rules;
 - b) consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against me or my firm that may arise out of my participation in this matter;
 - c) notify the Board of Public Utilities immediately of any matter affecting my standing at the bar of any court; and
 - d) have all pleadings, briefs and other papers filed with the Board of Public Utilities signed by the attorney of record.



Florence K.S. Davis

State of Connecticut: ss

Subscribed and sworn to before me on this 8th day of October, 2018, by Florence K.S. Davis.



BARBARA S. HALLORAN
NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 31, 2021

My Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 9th day of October, 2018.

By: /s/ James B. Blackburn IV

James B. Blackburn IV
Day Pitney LLP
1100 New York Avenue NW
Washington, DC 20005
202-218-3905
jblackburn@daypitney.com