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*Jan O*  
*11/19/18*

File No.: 300135-70

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November 13, 2018

NOV 14 2018

**VIA HAND DELIVERY**

Aida Camacho-Welch, Esq.  
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TRENTON, NJ

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TRENTON, NJ

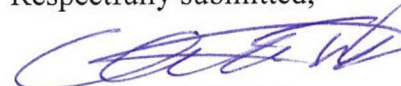
**RE: In The Matter Of The Petition Of Public Service Electric & Gas Company  
For Approval of Its Clean Energy Future-Electric Vehicle and Energy  
Storage ("CEF-EVES") Program on a Regulated Basis  
BPU Docket No.: EO18101111**

Dear Secretary Camacho-Welch:

Enclosed are an original and ten (10) copies of the Motion of Direct Energy Business, LLC ("Direct Business"), Direct Energy Business Marketing, LLC ("Direct Marketing"), Direct Energy Services, LLC ("Direct Services"), and Gateway Energy Services Corporation ("Gateway"), (collectively, "Direct Energy") and Centrica Business Solutions to Intervene in the above proceeding, together with an original and ten (10) copies of a Motion for Admission *Pro Hac Vice* of Karen O. Moury, Esq. and Sarah C. Stoner, Esq. By copy of this letter, copies of both motions are being forwarded on this date via email to all persons whose names appear on the attached Service List.

Thank you for your courtesies.

Respectfully submitted,



Christopher E. Torkelson

*CMS*

CET/djl

Enclosures

cc: Stephanie A. Brand, Esq. (w/encs., via email and FedEx)  
Matthew M. Weissman, Esq. (w/encs., via email and FedEx)  
All Persons on Attached Service List (w/encs., via email only)

PUBLIC SERVICE ELECTRIC AND GAS COMPANY - IN THE MATTER OF THE  
PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL OF  
ITS CLEAN ENERGY FUTURE-ELECTRIC VEHICLE AND ENERGY STORAGE  
("CEF-EVES") PROGRAM ON A REGULATED BASIS

RECEIVED DOCKET NO. EO18101111  
CASE MANAGEMENT SERVICE LIST

NOV 14 2018

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BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

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NOV 14 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

IN THE MATTER OF THE PETITION :  
OF PUBLIC SERVICE ELECTRIC :  
AND GAS COMPANY FOR : BPU DOCKET NO. EO18101111  
APPROVAL OF ITS CLEAN ENERGY :  
FUTURE-ELECTRIC VEHICLE AND :  
ENERGY STORAGE PROGRAM ON A :  
REGULATED BASIS :

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**MOTION TO INTERVENE OF DIRECT ENERGY BUSINESS, LLC,  
DIRECT ENERGY BUSINESS MARKETING, LLC,  
DIRECT ENERGY SERVICES, LLC, GATEWAY ENERGY SERVICES  
CORPORATION, AND CENTRICA BUSINESS SOLUTIONS**

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Pursuant to N.J.A.C. 1:1-16.1 and 16.2, Direct Energy Business, LLC ("Direct Business"), Direct Energy Business Marketing, LLC ("Direct Marketing"), Direct Energy Services, LLC ("Direct Services"), and Gateway Energy Services Corporation ("Gateway"), (collectively, "Direct Energy") and Centrica Business Solutions hereby file this Motion to Intervene ("Motion") in the above-captioned proceeding initiated by a Petition filed on October 11, 2018 by Public Service Electric and Gas Company ("PSE&G") for Approval of its Clean Energy Future-Electric Vehicle and Energy Storage Program on a Regulated Basis ("Petition"). In support of the Motion, Direct Energy and Centrica Business Solutions state as follows:

**I. INTRODUCTION**

1. Direct Energy is one of the largest competitive retail providers of electricity, natural gas and home services in North America, with over 4 million customer relationships, multiple brands and roughly 5,000 employees. As third-party energy suppliers in New Jersey, four of the intervening Direct Energy companies hold electric power licenses, as follows: Direct Business –

ESL-0165; Direct Marketing – ESL-0142; Direct Services – ESL-0078; and Gateway – ESL-0166.

Direct Energy is licensed to sell electricity to customers in PSE&G's service territory.

2. Centrica Business Solutions, a subsidiary of Centrica plc and affiliate of Direct Energy, integrates localized energy solutions for businesses around the world that leverages its energy insights, onsite generation and demand management capabilities. The energy solutions integrated by Centrica Business Solutions include solar, combined heat and power, energy efficiency, energy insight, demand response, power generation and energy storage. Centrica Business Solutions provides end-to-end energy services across design, manufacture, financing, installation and maintenance. Offering innovative distributed energy solutions, Centrica Business Solutions enables organizations to improve operational efficiency, increase resilience and drive their business vision forward.

3. By this Motion to Intervene, Direct Energy and Centrica Business Solutions seek party status in the above-captioned proceeding for the purpose of protecting their direct and substantial interest in the outcome of this proceeding. If PSE&G is granted approval by the Board to implement the new ratepayer-funded electric vehicle and energy storage programs proposed by PSE&G, the interests of Direct Energy and Centrica Business Solutions will be directly and substantially affected.

4. Specifically, as a third-party supplier that is very active in New Jersey's retail market, Direct Energy has a substantial and direct interest in a number of issues concerning PSE&G's proposal to recover costs of a Clean Energy Future – Electric Vehicle and Energy Storage Program. Likewise, as a market leader in distributed energy solutions, Centrica Business Solutions has a substantial and direct interest in several issues regarding PSE&G proposal to use ratepayer funds to support programs that it is offering in the private market. These issues include:

- The Clean Energy Future – Electric Vehicle and Energy Storage Program will impact the ability of third-party suppliers and other market participants to provide innovative technologies to customers in PSE&G's service territory;
- PSE&G should not own energy storage facilities or electric vehicle charging infrastructure as controlling those assets are outside its function as a regulated utility;
- The sale of output from PSE&G's proposed microgrid facilities into the market may impact the price of electricity that will inure to the detriment of suppliers;
- Approving PSE&G's Petition may make customers more likely to perceive that energy storage solutions and electric vehicle charging infrastructure is available only from the traditional monopoly provider and thereby serve to reinforce the historical utility-customer monopoly relationship;
- PSE&G's Petition raises concerns regarding cross-subsidization because it proposes to utilize ratepayers dollars to benefit certain customer classes;
- Direct Energy and Centrica Business Solutions have concerns regarding equal access to customer data and the ability of third party suppliers and other market participants to provide competitive service to customers that would be served by the proposed microgrid projects; and
- PSE&G's proposal is premature given that New Jersey's Clean Energy Law calls for a study on energy storage that should include third party suppliers such as Direct Energy and other stakeholders such as Centrica Business Solutions that provides energy storage services in the private market.

5. Direct Energy submits that these issues, among others, should be thoroughly examined in this proceeding.

## II. BACKGROUND

6. On September 26, 2018, PSE&G initially filed this matter with the Board along with its Clean Energy Future – Energy Efficiency (“CEF-EE”)<sup>1</sup> and Clean Energy Future – Energy Cloud (“CEF-EC”)<sup>2</sup> Programs. At the request of the Board, PSE&G filed these three Clean Energy Future Programs separately, with their own petitions and docket numbers. On October 11, 2018, PSE&G filed its Petition with the Board pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, seeking approval for a Clean Energy Future – Electric Vehicle and Energy Storage Program (“CEF-EVES Program”).

7. PSE&G proposes to commit up to \$261 million of investment over approximately six years and projects \$103 million in expenses for four Electric Vehicle (“EV”) subprograms. Petition at ¶ 9. PSE&G proposes to commit up to \$109 million in five energy storage (“ES”) subprograms over six years and projects \$70 million in expenses. Petition at ¶ 16.

8. PSE&G proposes to recover the CEF-EVES Program as separate components of a new Technology Innovation Charge (“TIC”) to the Company’s Tariff for Electric Service. The two components of the TIC are the CEF-EV component and the CEF-ES component. Petition at ¶ 25. PSE&G proposes that the CEF-EV and CEF-ES components be applicable to all electric rate schedules on an equal cents per kilowatt-hour basis. Attachment 1 at 11-12.

9. PSE&G requests flexibility to transfer funds between EV subprograms and across years to “respond to market conditions and participant demands to further maximize energy savings and EV subprogram resources.” Petition at ¶ 14. Likewise, PSE&G seeks flexibility to

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<sup>1</sup> Docket Nos. GO18101112 & EO10121113.

<sup>2</sup> Docket No. EO18101115.



transfer funds between ES subprograms and across subprogram years to respond to market conditions and participant demands. Petition at ¶ 21.

10. PSE&G requests that the Board approve this Petition and its proposed CEF-EVES Program on an expedited basis. Petition at ¶ 8. PSE&G requests that the proposed CEF-EVES Program be reviewed on the same schedule as the CEF-EE Program. Petition at ¶ 39. The CEF-EE Program was filed pursuant to N.J.S. § 48:3-98.1, which establishes a 180-day review period.

11. Along with its Petition, PSE&G filed the following Direct Testimonies in support thereof: Karen Reif (“Attachment 1”); Jorge Cardenas (“Attachment 2”); and Stephen Swetz (“Attachment 3”).

12. The Direct Testimony of Karen Reif describes the four EV subprograms PSE&G is proposing to support the deployment of EV charging infrastructure and accelerate electrification of vehicles as follows:

- **Residential Smart Charging** – PSE&G proposes to provide rebates for networked EV charges at residences in the PSE&G territory and customer incentives to encourage charging during off-peak periods.
- **Level 2 Mixed-Use Charging** – PSE&G seeks funding to deploy electrical infrastructure and provide rebates towards the upfront cost of Level 2 charging equipment and installation. This subprogram is designed to target a diverse set of customers (e.g. multifamily residences, workplaces, fleets, municipalities, overnight lodging) and serve a variety of end-use EV charging needs.
- **Public DC Fast Charging** – PSE&G proposes to deploy electrical infrastructure and either own or provide financial incentives towards the upfront cost of direct

current (“DC”) Fast Charging equipment and installation. PSE&G also seeks to provide financial incentives to offset electricity costs.

- **Vehicle Innovation** – PSE&G seeks to provide incentives towards electric school buses and EV charging infrastructure that will serve school districts in the PSE&G territory, as well as establish an open bidding process to fund high-impact, customized electrification projects for customers with non-standard medium and heavy-duty vehicle electrification needs.

Attachment 1 at 3.

13. The Direct Testimony of Jorge Cardenas describes the five CEF-ES subprograms proposed by PSE&G. The subprograms reflect that PSE&G seeks funding to: (1) develop and construct energy storage systems for solar smoothing; (2) develop and construct energy storage systems to defer distribution upgrades; (3) utilize mobile energy storage systems for outage management solutions; (4) develop, install and operate microgrids; and (5) locate energy storage systems at public sector facilities to reduce peak demand. Attachment 2 at 5-21.

14. The Direct Testimony of Stephen Swetz focuses on the proposed methodology for recovery of the costs related to PSE&G’s proposed CEF-EVES Program and the projected bill impacts.

15. By Order adopted on October 29, 2018, the Board determined that the Petition should be retained by the Board for hearing and designated Commissioner Chivukula as the presiding officer. The Board further established November 13, 2018 as the date by which entities seeking to intervene or participate must file the appropriate application. The Order went into effect on November 5, 2018.

16. Pursuant to the Board's Order, Direct Energy and Centrica Business Solutions file this Motion to Intervene, seeking to be granted full party status in this proceeding.

### **III. APPLICABLE LEGAL STANDARDS**

17. Under N.J.A.C. 1:1-16.1, any person or entity who will be substantially and directly affected by the outcome of a contested case, may on motion, seek leave to intervene.

18. In ruling on a motion to intervene, the presiding officer "shall take into consideration 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 undue delay arising from the movant's inclusion, and other appropriate matters." N.J.A.C. 1:1-16.3. See e.g. In the Matter of the Petition of Public Service Electric and Gas Company Offering an Energy Stimulus Program, Docket No. EO09010058 (Order Granting Intervention and Admission Pro Hac Vice dated March 27, 2009).

### **IV. ARGUMENT**

19. It is critical that Direct Energy and Centrica Business Solutions be granted party status in this proceeding so that they can adequately guard against being placed at a competitive disadvantage relative to the regulated public utility in the provision of products and services to customers. This is especially true given PSE&G's stated intent to seek permission to offer products and/or services that it has not received approval to do in the past which are offered by competitive marketplace participants.

20. Innovative energy solutions such as vehicle electrification and energy storage systems are best delivered by the competitive marketplace rather through regulated electric distribution companies.

21. Direct Marketing and Centrica Business Solutions are better positioned than utilities to promote electric vehicle adoption because as vehicle electrification accelerates in the coming years, there will be significant grid challenges that will require a diverse set of supply based and demand-side management solutions to help account for the major increase in load requirements. For example, an electric sedan approximately doubles the load requirements for an average household in the United States. The increase in load requirements will be compounded by the electrification of larger fleet-based vehicles. Solution-focused retailers will serve an important role in managing grid challenges and are better positioned than utilities to encourage the adoption of electric vehicles.

22. PSE&G's planned investment threatens to stymie the investment of private investment dollars into New Jersey to develop new technologies like microgrids and electric vehicle charging stations. Innovation is largely driven by competitive companies investing shareholder dollars and putting their own capital at risk. PSE&G's proposal threatens to negatively impact this potential because private companies cannot compete with a traditional utility that is guaranteed cost recovery for programs that deploy these new technologies.

23. Allowing PSE&G to recover costs from all ratepayers to deploy electric vehicle charging stations, microgrids and energy storage systems will push private investment in the energy storage and electric vehicle fields out of the market and hinder the development of electric vehicle and energy storage solutions in New Jersey over the long run. Further, electric vehicle charging stations, energy storage systems and similar technologies, are not a natural monopoly function. There are many private non-utility companies participating in the electric vehicle charging infrastructure and energy storage markets. To the extent that the Board wishes to incent investment in electric vehicles, microgrids and other energy storage solutions, it should do so

through competitively neutral incentives, rather than favoring one market participant (the utility) over all others. The approval of PSE&G's proposed CEF-EVES would contravene New Jersey's longstanding policy of unbundling electric distribution and generation service. Moreover, Direct Energy has concerns that the sale of output from PSE&G's proposed microgrid facilities into the market may impact the price of electricity that will inure to the detriment of suppliers. Direct Energy and Centrica Business Solutions also have concerns regarding equal access to customer data and the ability of third party suppliers and other market participants to provide competitive service to customers that would be served by the proposed microgrid projects.

24. With regard to electric vehicle charging infrastructure, utilities are not as well-positioned as competitive market participants to provide products and services beyond the infrastructure itself. These products and services include customer power supply agreements, demand side management, onsite generation, smart charging, etc. These products and services are critical in ensuring the success of electric vehicle adoption.

25. If an electric distribution utility is allowed to recover costs associated with energy solutions that will only be used to serve a subset of customers, it can essentially deploy new technologies with very limited risk to its shareholders. Utility-led energy storage and electric vehicle projects lead to inefficient costs and risk allocation which leads to inefficient investment decisions. Moreover, PSE&G makes no commitment that the proposed CEF-EVES program will reduce the overall cost of service to customers in the long run.

26. PSE&G will seek cost recovery of its proposed new electric vehicle and energy storage programs plus a rate of return on its capital deployed for the project. Conversely, private developers of energy storage systems such as microgrids must work with the utility before and during construction to ensure interconnection into the electric grid. Often the utility plays a



prominent role in determining the costs to interconnect into the distribution system and these costs can be substantial. When a utility is acting as a competitor of private developers, as well as the gatekeeper to interconnection, it has an incentive to make it more difficult for private developers (i.e. competitors) to move forward with projects. Conversely, the utility would have incentive to favor its own projects. It would be unwise, and put the utility in an unfair competitive advantage, if PSE&G were allowed to serve as both the gate-keeper and competitor in a market for energy storage solutions such as microgrids.

27. PSE&G's Petition raises concerns regarding cross-subsidization because it proposes to utilize ratepayers dollars to benefit certain customer classes. For example, ratepayers will subsidize electric vehicle chargers through their PSE&G bill regardless of whether they benefit or not.

28. PSE&G's proposal to construct, own and operate electric vehicle charging infrastructure and energy storage solutions such as microgrids presents many legal, technical and economic challenges that directly impact competitive market participants such as Direct Energy and Centrica Business Solutions.

29. Direct Energy and Centrica Business Solutions submit that PSE&G's proposed energy storage programs are premature given that New Jersey's Clean Energy Law calls for the Board to conduct a study on energy storage that should include various stakeholders, including third party suppliers such as Direct Energy, as well as providers of energy storage services in the private market such as Centrica Business Solutions. N.J.S.A. 48:3-87.8. For PSE&G to propose numerous energy storage initiatives in advance of the study contemplated in the Clean Energy Law reflects that its proposal is inappropriate at this time.

30. Direct Energy and Centrica Business Solutions oppose PSE&G's request to have this Petition reviewed on an expedited basis, on the same schedule as the CEF-EE Program. The CEF-EE Program was filed pursuant to N.J.S. § 48:3-98.1, which establishes a 180-day review period. An expedited review period of 180-days for the proposed CEF-EVES Program is not warranted and would not serve the public interest due to the novel and complex issues raised in PSE&G's Petition. Indeed, with an expedited review period, Direct Energy and Centrica Business Solutions would be deprived of due process in that they would have insufficient opportunity to be heard on these novel and complex issues.

31. Direct Energy's status as a competitive supplier and Centrica Business Solutions' status as a provider of distributed energy solutions in the private market give them a unique perspective that is likely to benefit the Board as it reviews PSE&G's petition. To the best of Direct Energy's and Centrica Business Solutions' knowledge, no other parties to this case will adequately represent its interest in this proceeding. Direct Energy and Centrica Business Solutions have unique business models and their interests and perspective are unique, such that their appearance as parties would "measurably and constructively" advance this proceeding. See N.J.A.C. 1:1-16.3(a).

32. Moreover, intervention by Direct Energy and Centrica Business Solutions in this proceeding will not result in a delay in having the matter timely adjudicated.

33. Fundamental fairness and due process considerations require that Direct Energy and Centrica Business Solutions be afforded an opportunity to fully participate as an intervenor in this proceeding, due to its substantial and direct interests in the outcome of this proceeding.

34. Direct Energy and Centrica Business Solutions are continuing to review PSE&G's filing and testimony and reserves the right to raise other issues that, in their judgment, may affect their interests.

## **V. CONCLUSION**

On the basis of the foregoing, Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Gateway Energy Services Corporation, and Centrica Business Solutions respectfully request that the Office of Administrative Law grant this Motion to Intervene so that Direct Energy and Centrica Business Solutions may have full party status as an intervenor in this proceeding. Direct Energy and Centrica Business Solutions have interests in this proceeding that will be substantially and directed affected by the outcome of this proceeding, their interests are sufficiently different from that of any party so as to add measurably and constructively to the scope of the case, and this Motion is timely and will not delay or otherwise disrupt the adjudication of this proceeding.

Respectfully Submitted,

*Christopher E. Torkelson /ld*

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Attorneys for Direct Energy Business, LLC, Direct  
Energy Business Marketing, LLC, Direct Energy  
Services, LLC and Centrica Business Solutions

Dated: November 13, 2018

**CERTIFICATION OF FILING AND SERVICE**

The undersigned hereby certifies that on the date set forth below an original and ten copies of the within Motion to Intervene was sent for filing via hand delivery to the State of New Jersey, Board of Public Utilities as follows:

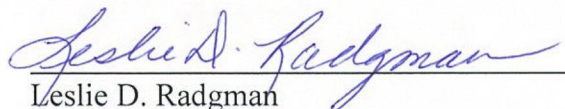
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Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
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Trenton, New Jersey 08625-0350

and that two copies of each of the aforementioned documents were served via email and FedEx upon counsel of record as follows:

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The Division of Rate Counsel  
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Matthew M. Weissman, Esq.  
Gen. Regulatory Counsel – Rates  
PSEG Service Co.  
80 Park Plaza T5  
Newark, New Jersey 07102

and that copies of each of the aforementioned documents were served via electronic mail to the parties identified on the attached service list.



Leslie D. Radgman  
Legal Assistant to Christopher E. Torkelson, Esquire

Dated: November 13, 2018



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CASE MANAGEMENT

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BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

STATE OF NEW JERSEY  
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BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

PUBLIC SERVICE ELECTRIC AND GAS :  
COMPANY – IN THE MATTER OF THE :  
PETITION OF PUBLIC SERVICE ELECTRIC :  
AND GAS COMPANY FOR APPROVAL OF : BPU Docket No. EO18101111  
ITS CLEAN ENERGY FUTURE-ELECTRIC :  
VEHICLE AND ENERGY STORAGE (“CEF- :  
EVES”) PROGRAM ON A REGULATED :  
BASIS :

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**MOTION FOR ADMISSION *PRO HAC VICE***

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Intervenors, Direct Energy Business, LLC (“Direct Business”), Direct Energy Business Marketing, LLC (“Direct Marketing”), Direct Energy Services, LLC (“Direct Services”), and Gateway Energy Services Corporation (“Gateway”), (collectively, “Direct Energy”) and Centrica Business Solutions, respectfully files this Motion for Admission *Pro Hac Vice* of Karen O. Moury, Esq. and Sarah C. Stoner, Esq. with the New Jersey Board of Public Utilities (“Board” or “BPU”). In support of its motion, Direct Energy shall rely upon the Certification of Christopher E. Torkelson, Esq., and the Affidavits of Karen O. Moury, Esq. and Sarah C. Stoner, Esq., filed and served herewith.

**ECKERT SEAMANS CHERIN &  
MELLOTT, LLC**

*Attorneys for Intervenors Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Gateway Energy Services Corporation, and Centrica Business Solutions*

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*Legal*  
*P. Krogman, Esq.*  
*P. Van Duren, Esq.*  
*E. Xiao, Esq.*  
*S. Peterson*

By: \_\_\_\_\_

*Christopher E. Torkelson*  
Christopher E. Torkelson

Dated: November 13, 2018

**CERTIFICATION OF FILING AND SERVICE**

The undersigned hereby certifies that on the date set forth below an original and ten copies of the within Motion for Admission *Pro Hac Vice*, Certification of Christopher E. Torkelson, Esq. and Affidavits of Karen O. Moury, Esq. and Sarah C. Stoner, Esq. were sent for filing via hand delivery to the State of New Jersey, Board of Public Utilities as follows:

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44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
P. O. Box 350  
Trenton, New Jersey 08625-0350

and that two copies of each of the aforementioned documents were served via email and FedEx upon counsel of record as follows:

Stephanie A. Brand, Esq.  
The Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, New Jersey 08625

Matthew M. Weissman, Esq.  
Gen. Regulatory Counsel – Rates  
PSEG Service Co.  
80 Park Plaza T5  
Newark, New Jersey 07102

and that copies of each of the aforementioned documents were served via electronic mail to the parties identified on the attached service list.



\_\_\_\_\_  
Christopher E. Torkelson, Esq.

Dated: November 13, 2018

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

PUBLIC SERVICE ELECTRIC AND GAS :  
COMPANY – IN THE MATTER OF THE :  
PETITION OF PUBLIC SERVICE ELECTRIC :  
AND GAS COMPANY FOR APPROVAL OF : BPU Docket No. EO18101111  
ITS CLEAN ENERGY FUTURE-ELECTRIC :  
VEHICLE AND ENERGY STORAGE (“CEF- :  
EVES”) PROGRAM ON A REGULATED :  
BASIS :

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**AFFIDAVIT OF SARAH C. STONER, ESQ. IN SUPPORT  
OF MOTION FOR ADMISSION *PRO HAC VICE***

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Harrisburg     )  
                      ) ss:  
Pennsylvania    )

I, **SARAH C. STONER**, duly sworn according to law, depose and say:

1. I am an attorney-at-law in the Commonwealth of Pennsylvania and a member in the Harrisburg, Pennsylvania office of Eckert Seamans Cherin & Mellott, LLC (“Eckert Seamans”), counsel for intervenors Direct Energy Business, LLC (“Direct Business”), Direct Energy Business Marketing, LLC (“Direct Marketing”), Direct Energy Services, LLC (“Direct Services”), and Gateway Energy Services Corporation (“Gateway”) (collectively, “Direct Energy”) and Centrica Business Solutions. I am personally familiar with the facts set forth herein and authorized to make this affidavit, pursuant to R. 1:21-2, in support of my application to be admitted *pro hac vice* before the New Jersey Board of Public Utilities (“Board” or “BPU”).

2. I am a member in good standing of the Bar of the Commonwealth of Pennsylvania, having been admitted to that bar in 2013. I am not now and have never been under any suspension or disbarment by the Bar of any Courts and there are no disciplinary proceedings pending against

me. During the pendency of this action, I will notify the Board of any change in standing with the Bar of any other court, and notify the Board immediately if any actions are instituted against me in affecting my standing with the Bar of any state. I am domiciled and principally practice law in the Commonwealth of Pennsylvania.

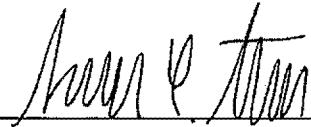
3. I am associated in this matter with New Jersey counsel of record, Christopher E. Torkelson, Esq., an attorney in the Princeton, New Jersey office of Eckert Seamans. I am advised that Mr. Torkelson is a member in good standing of the Bar of the State of New Jersey and is qualified to practice pursuant to R. 1:21-1.

4. I respectfully submit that good cause exists for my admission *pro hac vice*. I have been requested by Direct Energy and Centrica Business Solutions, with whom my firm has a long-standing attorney-client relationship, to represent them in this matter. I have a long-standing attorney-client relationship with Direct Energy and Centrica Business Solutions and have substantial experience representing the interests of retail energy providers and other market participants in regulatory and administrative proceedings. This proceeding, initiated by a Petition filed by Public Service Electric and Gas Company involves a complex field of law in which I am a specialist. Consequently, my participation in this litigation would substantially facilitate the representation of Direct Energy and Centrica Business Solutions. I am fully familiar with the facts and circumstances surrounding this case. My work in connection with this representation will assist in the handling of this matter.

5. As a condition of my admission, I agree to be bound by and comply with the requirements of all applicable rules, including the requirements of R. 1:20-1(b), R. 1:21-2 and R. 1:28-2, and to pay all fees as required by these rules. I will remain current as required by the within cited rules.

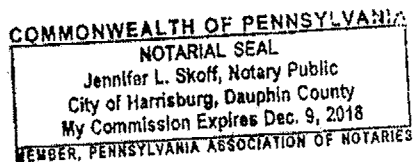
6. I shall make sure that all pleadings, briefs and other papers filed with the Board shall be signed and filed by an attorney of record who is authorized to practice before the Board.

7. Based upon the foregoing, I respectfully request that I be admitted *pro hac vice* to participate in this action.

  
\_\_\_\_\_  
Sarah C. Stoner, Esq.

SUBSCRIBED AND SWORN before  
me this 12<sup>th</sup> day of November, 2018

  
\_\_\_\_\_  
Notary Public





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

PUBLIC SERVICE ELECTRIC AND GAS	:	
COMPANY – IN THE MATTER OF THE	:	
PETITION OF PUBLIC SERVICE ELECTRIC	:	
AND GAS COMPANY FOR APPROVAL OF	:	BPU Docket No. EO18101111
ITS CLEAN ENERGY FUTURE-ELECTRIC	:	
VEHICLE AND ENERGY STORAGE (“CEF-	:	
EVES”) PROGRAM ON A REGULATED	:	
BASIS	:	

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**AFFIDAVIT OF KAREN O. MOURY, ESQ. IN SUPPORT  
OF MOTION FOR ADMISSION *PRO HAC VICE***

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Harrisburg     )  
                      ) ss:  
Pennsylvania    )

I, **KAREN O. MOURY**, duly sworn according to law, depose and say:

1. I am an attorney-at-law in the Commonwealth of Pennsylvania and a member in the Harrisburg, Pennsylvania office of Eckert Seamans Cherin & Mellott, LLC (“Eckert Seamans”), counsel for intervenors Direct Energy Business, LLC (“Direct Business”), Direct Energy Business Marketing, LLC (“Direct Marketing”), Direct Energy Services, LLC (“Direct Services”), and Gateway Energy Services Corporation (“Gateway”) (collectively, “Direct Energy”) and Centrica Business Solutions. I am personally familiar with the facts set forth herein and authorized to make this affidavit, pursuant to R. 1:21-2, in support of my application to be admitted *pro hac vice* before the New Jersey Board of Public Utilities (“Board” or “BPU”).

2. I am a member in good standing of the Bar of the Commonwealth of Pennsylvania, having been admitted to that bar in 1982. I am not now and have never been under any suspension or disbarment by the Bar of any Courts and there are no disciplinary proceedings pending against

me. During the pendency of this action, I will notify the Board of any change in standing with the Bar of any other court, and notify the Board immediately if any actions are instituted against me in affecting my standing with the Bar of any state. I am domiciled and principally practice law in the Commonwealth of Pennsylvania.

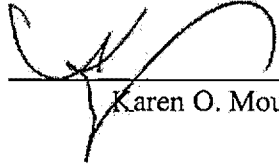
3. I am associated in this matter with New Jersey counsel of record, Christopher E. Torkelson, Esq., an attorney in the Princeton, New Jersey office of Eckert Seamans. I am advised that Mr. Torkelson is a member in good standing of the Bar of the State of New Jersey and is qualified to practice pursuant to R. 1:21-1.

4. I respectfully submit that good cause exists for my admission *pro hac vice*. I have been requested by Direct Energy and Centrica Business Solutions, with whom my firm has a long-standing attorney-client relationship, to represent them in this matter. I have a long-standing attorney-client relationship with Direct Energy and Centrica Business Solutions and have substantial experience representing the interests of retail energy providers and other market participants in regulatory and administrative proceedings. This proceeding, initiated by a Petition filed by Public Service Electric and Gas Company involves a complex field of law in which I am a specialist. Consequently, my participation in this litigation would substantially facilitate the representation of Direct Energy and Centrica Business Solutions. I am fully familiar with the facts and circumstances surrounding this case. My work in connection with this representation will assist in the handling of this matter.

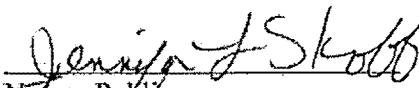
5. As a condition of my admission, I agree to be bound by and comply with the requirements of all applicable rules, including the requirements of R. 1:20-1(b), R. 1:21-2 and R. 1:28-2, and to pay all fees as required by these rules. I will remain current as required by the within cited rules.

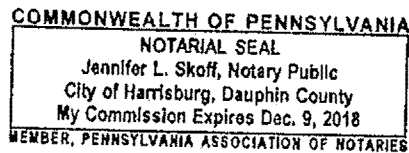
6. I shall make sure that all pleadings, briefs and other papers filed with the Board shall be signed and filed by an attorney of record who is authorized to practice before the Board.

7. Based upon the foregoing, I respectfully request that I be admitted *pro hac vice* to participate in this action.

  
\_\_\_\_\_  
Karen O. Moury, Esq.

SUBSCRIBED AND SWORN before  
me this 12<sup>th</sup> day of November, 2018

  
\_\_\_\_\_  
Notary Public



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

PUBLIC SERVICE ELECTRIC AND GAS	:	
COMPANY – IN THE MATTER OF THE	:	
PETITION OF PUBLIC SERVICE ELECTRIC	:	
AND GAS COMPANY FOR APPROVAL OF	:	BPU Docket No. EO18101111
ITS CLEAN ENERGY FUTURE-ELECTRIC	:	
VEHICLE AND ENERGY STORAGE (“CEF-	:	
EVES”) PROGRAM ON A REGULATED	:	
BASIS	:	

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**CERTIFICATION OF CHRISTOPHER E. TORKELSON, ESQ.  
IN SUPPORT OF MOTION FOR ADMISSION  
*PRO HAC VICE***

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I, **CHRISTOPHER E. TORKELSON**, of full age, certify as follows:

1. I am an attorney-at-law admitted to practice in the State of New Jersey and a member of the law firm of Eckert Seamans Cherin & Mellott, LLC (“Eckert Seamans”), attorneys for intervenor, Direct Energy Business, LLC (“Direct Business”), Direct Energy Business Marketing, LLC (“Direct Marketing”), Direct Energy Services, LLC (“Direct Services”), and Gateway Energy Services Corporation (“Gateway”), (collectively, “Direct Energy”) and Centrica Business Solutions. I am a member in good standing of the Bar of the State of New Jersey and qualified to practice pursuant to R. 1:21-1.

2. I am familiar with all of the facts and circumstances herein. I make this Certification in support of the applications of the following attorneys of the law firm of Eckert Seamans Cherin & Mellott, LLC to appear *pro hac vice* on behalf of Direct Energy: Karen O. Moury, Esq., a member, and Sarah C. Stoner, Esq., an associate. I will be associated with these attorneys in the handling of this matter in accordance with R. 1:21-2(a)(1)(B).

3. Ms. Moury and Ms. Stoner are attorneys practicing with the law firm of Eckert Seamans Cherin & Mellott, LLC in its Harrisburg office, located at 213 Market Street, 8<sup>th</sup> Floor, Harrisburg, PA 17101.

4. Ms. Moury is a member in good standing of the Bar of the Commonwealth of Pennsylvania, having been admitted there in 1982. Ms. Stoner is a member in good standing of the Bar of the Commonwealth of Pennsylvania, having been admitted there in 2013. Ms. Moury and Ms. Stoner are not now and have never been under any suspension or disbarment by the bar of any Court, and there are no disciplinary proceedings pending against them.

5. For purposes of this litigation, Ms. Moury and Ms. Stoner will be associated with me, New Jersey counsel of record for Direct Energy, in accordance with R. 1:21-1. I will continue to serve as counsel of record for Direct Energy and will ensure that Ms. Moury and Ms. Stoner comply with the New Jersey Rules of Court regarding *pro hac vice* admission, including the requirements of R. 1:20-1(b), 1:21-2(b) and 1:28-2.

6. Ms. Moury and Ms. Stoner have a long-standing attorney-client relationship with Direct Energy and have substantial experience representing the interests of retail energy providers in regulatory and administrative proceedings. This proceeding, initiated by a Petition filed by Public Service Electric and Gas Company (PSE&G) involves a complex field of law in which Ms. Moury and Ms. Stoner are specialists. Consequently, the participation of Ms. Moury and Ms. Stoner in this litigation would substantially facilitate the representation of Direct Energy.

7. There is good cause for the *pro hac vice* admission of Ms. Moury and Ms. Stoner as they are fully familiar with the facts, issues and pleadings in this action and no delay in the



conduct of the proceedings would be occasioned by their acting as attorneys for Direct Energy in this matter.

8. In further support of this application, Direct Energy will rely upon the Affidavits of Karen O. Moury, Esq. and Sarah C. Stoner, Esq., submitted herewith.

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 wilfully false, I am subject to punishment.



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Christopher E. Torkelson, Esq.

Dated: November 13, 2018