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November 12, 2018

Via NJ Lawyers Service

Aida Camacho-Welch, Secretary of the Board
New Jersey Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
Trenton, New Jersey 08625

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Re: **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
DOCKET NO. EO18101111**

Dear Secretary Camacho-Welch:

On behalf of Climate Change Mitigation Technologies LLC, enclosed for filing please find the original and eleven copies of:

- (i) Motion to Intervene;
- (ii) Certification of James Sherman; and
- (iii) Certificate of Service.

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Please stamp “filed” one copy of the motion papers and return to us in the postage-paid envelope provided. Our check for \$50.00 payable to Treasurer, State of New Jersey is also enclosed for the filing fee. Thank you for your attention to this matter.

Very truly yours,

SLOWINSKI ATKINS, LLP

Matthew S. Slowinski

MSS/af
Enclosures

cc: All Counsel and Parties

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BOARD OF PUBLIC UTILITIES
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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 ITS CLEAN ENERGY FUTURE –)
ELECTRIC VEHICLE AND ENERGY STORAGE (“CEF-)
EVES”) PROGRAM ON A REGULATED BASIS)

DOCKET NO. EO18101111

MOTION TO INTERVENE BY

CLIMATE CHANGE MITIGATION TECHNOLOGIES LLC

PLEASE TAKE NOTICE that Climate Change Mitigation Technologies LLC (“CCMT”) hereby files this motion to intervene pursuant to the sections 1:1-1.1 and 1:1-16.1 of the Uniform Administrative Procedure Rules and section 14:1-1.1 of the Rules of the Board of Public Utilities. This motion to intervene is supported by the Certification of Mr. James Sherman, Vice-President and Chief Operating Officer of CCMT.

1. N.J.A.C. 1:1-16.1 provides that “[a]ny person or entity not initially a party [to an administrative proceeding] who has a statutory right to intervene or will be substantially, specifically, and directly affected by the outcome of a contested case may on motion, seek leave to intervene (emphasis added).
2. As the Certification of Mr. James Sherman, Vice-President and Chief Operating Officer of CCMT attests, CCMT is one of the only, if not the only, New Jersey-based private developers of medium and heavy-duty battery electric truck projects that is focused on the delivery of these trucks in the State of New Jersey in 2019 and

beyond. As such, CCMT has a unique, direct, and substantial economic stake in the outcome of this proceeding.

3. N.J.A.C. 1:1-16-3 describes the “Standards for Intervention” and provides that the judge or, in this case, the Board’s designated hearing officer “shall take into consideration (1) the nature and extent of the movant’s interest in the outcome of the case; (2) 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; (3) the prospect for confusion or undue delay arising from the movant’s inclusion; and (4) other important factors.

4. Nature and Extent of CCMT’s Interest

CCMT is one of the only, if not the only, New Jersey-based private developer of medium and heavy-duty battery electric truck projects in the State of New Jersey. In anticipation of the start-up of the New Jersey Department of Environmental Protection’s (“NJDEP”) Volkswagen “VW-Consent Order” Program in 2019, CCMT has spent the better part of the last two years arranging for: (i) a supply of original equipment manufacturer (“OEM”) medium and heavy-duty battery duty electric trucks; (ii) maintenance and repair services; (iii) the design and installation of the necessary electrical infrastructure and charging equipment; (iv) project financing; and (v) project management services. Under the NJDEP VW Consent Order Program, private commercial fleet owners will have to contribute 25% or more of the cost of a battery electric truck and virtually all of the cost of the necessary electrical infrastructure upgrading and charging equipment. These costs could run into the

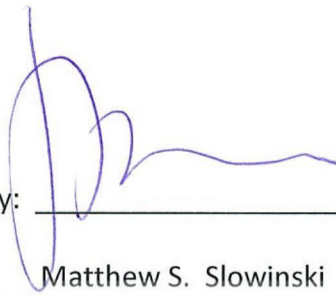
hundreds of thousands of dollars. While many commercial fleet owners would like to acquire battery electric trucks and are willing to contribute 25% of the cost of a battery electric truck, they are unable to afford the additional costs of upgrading the electrical infrastructure at their facilities. The result will be that the entire project is scuttled. If CCMT is allowed to intervene, it will help PSE&G, the Board, and other parties synchronize the CEF-EVES Program with the NJDEP VW Consent Order Program, ensuring that the two programs work in tandem and that CCMT's projects and other battery electric truck projects are successful. As such, CCMT's economic interests are specific and substantial and the success of its projects will be directly impacted by the outcome of this proceeding.

5. CCMT's Interest is Substantially Different than the Other Parties

CCMT's interests are unique and substantially and sufficiently different from the other parties to this proceeding because CCMT is the only entity that is actually in the business of developing medium and heavy-duty battery electric truck projects in the State of New Jersey. No other party possesses the same or similar level of experience and expertise in solving the multiple complexities necessary to ensure the successful roll-out of medium and heavy-duty battery electric truck project starting in 2019 and therefore cannot adequately represent CCMT's interests. The success of this proceeding and PSE&G's CEF-EVES Program will measurably and constructively benefit from CCMT's intervention because of CCMT's expertise and experience with medium and heavy-duty battery electric trucks.

Respectfully Submitted,

Slowinski Atkins LLP

By:  _____
Matthew S. Slowinski

Dated: November 12, 2018

6. There is no prospect for confusion or delay because CCMT is equally or more concerned about the expeditious roll-out of PSE&G's CEF-EVES Program because the success of several of CCMT's NJDEP VW Consent Order Program projects depends on the prompt outcome of this proceeding so as to ensure that PSE&G's CEF-EVES program works in tandem with NJDEP's VW Consent Order Program. CCMT pledges to abide by the approved schedule and not to delay the proceedings.
7. There is no cognizable benefit in denying CCMT full intervention. If not granted full intervenor status, CCMT's economic interests will be damaged and the Board, PSE&G, and the ratepayers of the State of New Jersey will also lose out on the immense profit CCMT's experience and expertise will confer on this proceeding.
8. While N.J.A.C. 1:1-16-5 allows for motions to intervene to be treated in the alternative as motions to participate, "participation status" alone will not protect CCMT's interests and will not assist the Board and other parties in arriving at a fully informed outcome that ensures the success of the PSE&G CEF-EVES filing.
9. It is submitted that CCMT meets all of the elements and standard for intervention and that CCMT's intervention will directly contribute to the need and desire for a full and complete record, which requires a diversity of interests, without impeding the prompt and expeditious conclusion of the proceeding to which CCMT is committed.

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DOCKET NO. EO18101111

CERTIFICATION OF JAMES SHERMAN

I, James Sherman, do affirm and state as follows:

1. My full name and business address are James Sherman, Climate Change Mitigation Technologies LLC, 92 Park Street, Montclair, NJ 07042.
2. I have been the Vice-President and Chief Operating Officer of Climate Change Mitigation Technologies LLC (CCMT), since it was formed as a New Jersey limited liability company in 2013.
3. Prior to the formation of CCMT in 2013, my partner Raymond J. Kenard and I were personally involved with heavy-duty battery electric trucks and buses dating back over a decade, starting with the Proterra electric bus company of Golden, Colorado and TransPower Inc. of San Diego, California, the first company in the United States to build battery electric yard tractors and drayage trucks that have been deployed at the Ports of Los Angeles and Long Beach. TransPower now supplies electric drive train systems to multiple battery electric original equipment manufacturers (“OEMs”).

4. CCMT is AECOM's consultant for New Jersey Transit's TransitGrid project where CCMT is responsible for the selection of non-revenue electric vehicles and electric vehicle charging equipment and siting at multiple New Jersey Transit facilities.
5. CCMT attended and testified before the Board during the September 20, 2018 hearing on the Clean and Reliable Transportation element of the State Energy Master Plan and submitted formal written comments hereafter.
6. CCMT has been actively engaged with the Governor's Office and the New Jersey Department of Environmental Protection (NJDEP) in crafting the contours of NJDEP's Volkswagen (VW) "Consent Order Program" for the funding of battery electric truck projects. In addition to the Governor's Office and NJDEP, CCMT has also worked closely with battery electric truck OEMs, truck dealers, commercial fleets owner-operators, and electric charging infrastructure experts, all with the tri-goals of: (i) helping to achieve New Jersey's Climate Alliance CO2e reduction goals; (ii) helping to ensure the success of NJDEP's VW Consent Order Program; and (iii) helping to make New Jersey the center of the electric truck industry in the eastern United States with the jobs that will create in the advanced energy economy.
7. CCMT has several VW Consent Order project applications on file with the NJDEP for a variety of medium and heavy-duty battery electric truck projects including: (i) ten (10) battery electric yard tractors for Red Hook Marine Terminal's Port Newark facility; (ii) five (5) battery electric garbage trucks each for Jersey City, Newark, and Regional Industries Inc., a private hauler with routes in Elizabeth, NJ among other places; and (iii) for one-hundred (100) battery electric drayage trucks for a variety of commercial fleets

and independent owners and operators to be rolled out over the three year period 2019, 2020, and 2021.

8. CCMT seeks to intervene in PSE&G's CEF-EVES proceeding because of the three goals identified above and because: (i) no other party represents or can adequately speak for CCMT's interests; (ii) no other party to the proceeding has the equivalent experience or expertise in the development of medium and heavy-duty battery electric truck projects; and (iii) the outcome of this proceeding will substantially, specifically, and directly affect the future of CCMT's interests and projects as well as the battery electric truck market in New Jersey for years to come.
9. If its motion to intervene is granted, CCMT pledges to abide by the schedule and not to delay the proceeding. CCMT pledges to work quickly and constructively with PSE&G, the Board, Rate Counsel, and other parties in arriving at an expeditious and fair outcome on all relevant issues of concern to CCMT.
10. Participant status alone will be insufficient to allow CCMT to adequately represent its interests. Only intervenor status will allow CCMT to represent its interests and help ensure that the outcome of the proceeding achieves the best possible results for PSE&G, the Board, and the ratepayers of the State of New Jersey.

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



James Sherman

Dated: Nov. 12, 2018

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CERTIFICATE OF SERVICE

MATTHEW S. SLOWINSKI, of full age, hereby certifies and says that:

1. I am an attorney at law of the State of New Jersey and I am a partner with the law firm of Slowinski Atkins, LLP, attorneys for Climate Change Mitigation Technologies LLC, 92 Park Street, Montclair, New Jersey 07042.

2. On November 12, 2018 I caused the original and eleven copies copy of: (i) Motion to Intervene; (ii) Certification of Mr. James Sherman and (iii) Certificate of Service to be served by e-mail and overnight courier upon:

Aida Camacho-Welch, Secretary of the Board of Public Utilities
New Jersey Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
Trenton, New Jersey 08625
Board.secretary@bpu.nj.gov

3. On November 12, 2018 I caused two copies copy of: (i) Motion to Intervene; (ii) Certification of Mr. James Sherman and (iii) Certificate of Service to be served by e-mail and overnight courier upon:

Stephanie A. Brand, Esq.
Director, Division of Rate Counsel
140 East Front Street, 4th Floor
Trenton, NJ 08625
sbrand@rpa.nj.gov

Matthew M. Weissman, Esq.
PSEG Services Corporation
80 Park Plaza, T5G
Newark, NJ 07102
Matthew.weissman@pseg.com

4. On November 12, 2018 I caused one copy of: (i) Motion to Intervene; (ii)

Certification of Mr. James Sherman and (iii) Certificate of Service to be served by e-mail upon:

PSEG

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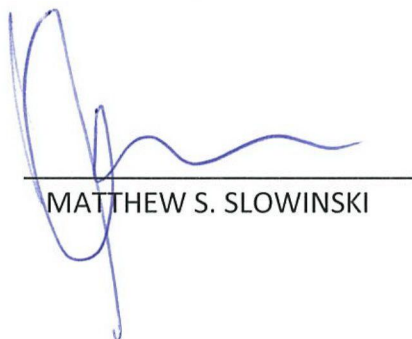
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MATTHEW S. SLOWINSKI

DATED: November 12, 2018