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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

November 13, 2018

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

via overnight mail and email
Aida Camacho-Welch
Secretary of the Board
44 South Clinton Avenue, 3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Re: **Motion to Intervene:** I/M/O 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
Presiding Officer: Commissioner Chivukula
BPU Docket # EO18101111

Dear Secretary Camacho-Welch:

We represent Environment New Jersey ("ENJ"), Sierra Club, Environmental Defense Fund ("EDF"), and Natural Resources Defense Council ("NRDC") in this matter. Attached please find:

- Motion For Intervention
- Certifications of Thomas Schuster, Sierra Club; Dale Bryk, NRDC; Mary Barber, EDF and Doug O'Malley, ENJ.
- Motion for Admission Pro Hac Vice of Diana Csank and Nathaniel Shoaff
- Affidavits in Support of Request to Appear Pro Hac Vice for Diana Csank and Nathaniel Shoaff

We will send one original and six copies by overnight mail and serve all parties on the Service List electronically.

Sincerely yours,

Aaron Kleinbaum, Esq.
Daniel Greenhouse, Esq.
Eastern Environmental Law Center

Case Mgmt

c: *via* email, with attachments
Service List ✓

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Attorneys for Movants,

Environment New Jersey, Environmental Defense Fund, Sierra Club and Natural
Resources Defense Council

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.

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

OFFICE OF CLEAN ENERGY
COMMISSIONER CHIVUKULA

BPU DOCKET NO. EO18101111

MOTION TO INTERVENE OF ENVIRONMENT NEW JERSEY, ENVIRONMENTAL
DEFENSE FUND, NATURAL RESOURCES DEFENSE COUNCIL, AND SIERRA CLUB

Environment New Jersey ("ENJ"), Environmental Defense Fund ("EDF"), Natural
Resources Defense Council ("NRDC"), and Sierra Club (collectively "Movants") seek leave
under New Jersey Administrative Code ("N.J.A.C.") 1:1-16.1 *et seq.*, to intervene as parties
substantially, specifically and directly affected by the outcome of this case.

BACKGROUND

Movants ENJ, EDF, NRDC, and Sierra Club

1. ENJ is one of the State's largest nonprofit, citizen-based advocacy organizations with more
than 20,000 dues-paying citizen members. A majority of its members are in the service area

of PSEG. The above referenced PSE&G Petition directly impacts the economic, safety and environmental interests of ENJ and its members. ENJ has intervened in prior Board of Public Utility ("BPU") proceedings, including the PSE&G petition that proposed construction of the Roseland Susquehanna transmission lines. ENJ has a documented record of advocating on behalf of low emission and zero emission vehicles throughout the last three decades. ENJ supported efforts for the state to approve California Clean Car LEV (Low Emission Vehicle) II standards, to build public support and educate decision-makers and the public on the impact of air pollution from our cars and trucks, and worked to successfully pass the Clean Cars legislation. ENJ has defended the Clean Cars program from potential rollbacks and been a proponent of expanding electric vehicle infrastructure around the state and advocated for reduction of carbon pollution from our transportation sector both through the Jersey Renews coalition, as well as the ChargeEVC business coalition.

2. EDF is a national non-profit membership organization, which links science, economics, and law to create innovative, equitable, and cost-effective solutions to society's most urgent environmental problems. EDF has more than 360,000 dues-paying members nationwide, over 11,000 in New Jersey, and over 1,000 in Public Service Electric & Gas Company's ("PSE&G") service territory. The PSE&G Petition directly impacts the economic, safety and environmental interests of EDF and its members. EDF has previously intervened in cases involving New Jersey utilities. For instance, as demonstrated in a recent final order by the BPU, *In the Matter of Public Service Electric and Gas Company for Approval of a Gas System Modernization Program and Associated Cost Recovery Mechanism* ("PSE&G Gas Case"), EDF was granted intervention and provided material and unique contributions to the matters at issue in such proceedings.

3. NRDC is a global nonprofit membership organization that combines the power of more than three million members and online activists with the expertise of some 500 scientists, lawyers, and policy advocates across the globe to ensure the rights of all people to the air, the water, and the wild. NRDC has more than 410,000 dues-paying members globally, including more than 12,000 in New Jersey and many in PSE&G's New Jersey service territory.
4. Sierra Club is the nation's oldest and largest grassroots environmental organization, with more than 20,000 members in New Jersey. Sierra Club is dedicated to exploring, enjoying, and protecting the wild places of the Earth; to practicing and promoting the responsible use of the Earth's resources and ecosystems; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives.
5. As discussed further below, Movants are substantially, specifically and directly affected by the outcome of this case concerning PSE&G's Clean Energy Future – Electric Vehicle and Energy Storage ("CEF-EVES") Program, because Movants themselves have long-standing initiatives—on behalf of their members, locally in New Jersey and across the country—to promote the adoption of electric vehicles ("EV") and energy storage.
6. If allowed to intervene, Movants will provide expert testimony and other evidence to ensure that the CEF-EVES Program would promote the adoption of electric vehicles and energy storage consistent with applicable standards and, ultimately, the interests of the public, including their members.

Procedural Background

7. PSE&G petitioned BPU for approval of the CEF-EVES Program on October 11, 2018.

PSE&G's petition states that the program's rate impact for a typical residential ratepayer will

include an initial increase in their annual bill of \$1.24, or approximately 0.10%, with the expected maximum increase of approximately \$10.60, or 0.86%.

8. In the EV portion, PSE&G proposes to invest up to \$261 million over a period of six years. PSE&G claims that this investment would support the widespread adoption of EVs, including adoption by multi-family and low-income customers. Additionally, PSE&G claims that the EV program would have extensive societal benefits including environmental benefits, job creation, supporting schools, mitigation of EV market barriers and increased knowledge of how to optimize the distribution system through smart chargers with two-way communication.
9. In the energy storage portion, PSE&G proposes to invest up to \$109 million over a period of six years. This investment would cover the installation of 35 MW of energy storage capacity across the company's distribution system. PSE&G claims that this investment would optimize electricity costs, support grid operations, and facilitate the integration of renewables.

Movants' Expertise in Electric Vehicles and Storage

10. Movants have extensive expertise and experience in engaging state utility commissions as they structure statewide programs and policies, and evaluate utility-specific proposals, regarding EVs, EV charging infrastructure, and energy storage.
11. With respect to EVs and EV charging infrastructure, Movants have participated in matters across the country, including California, Connecticut, Colorado, Florida, Illinois, Kentucky, Massachusetts, Maryland, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Pennsylvania, Nevada, Rhode Island, Utah, Vermont, and the District of Columbia.
12. Sierra Club and NRDC are also members of the Transportation Electrification Accord, which

establishes a set of guiding principles on EV regulatory issues, and which has been joined by over 120 signatories representing labor, environmental, consumer, low-income, vehicle manufacturer, and EV technology company interests, among others.

13. With respect to energy storage, Movants are likewise engaged in matters across the country.

Notably, Movants have participated in various proceedings in California to implement the state's energy storage standard (the first state to implement such a standard), and have considerable expertise from those proceedings in developing and evaluating cost-effective storage portfolios that meet state-specific standards.

14. Thus, Movants, if allowed to intervene, would draw on their relevant experience and expertise to help evaluate the CEF-EVES Program and, specifically, its cost-effectiveness and ability to meet New Jersey's standards.

LEGAL GROUNDS FOR INTERVENTION

15. Under New Jersey law, any person or entity "who will be substantially, specifically, and directly affected by the outcome of a contested case" may seek leave to intervene and become a party to an administrative case such as this case.¹

16. When ruling on a motion to intervene, the presiding officer shall take into consideration the following factors: (1) the nature and extent of the moving party's interest in the outcome of the case; (2) whether that interest is sufficiently different from that of any other party so as to add measurably and constructively to the scope of the case, (3) the prospect for confusion or undue delay arising from including of the party, and (4) other appropriate matters.²

¹ N.J.A.C. 1:1-16.1.

² N.J.A.C. 1:1-16.3(a).

ARGUMENT

Movants will be Substantially, Specifically, and Directly Affected by the Outcome of this Case.

17. Fundamentally, PSE&G seeks public money to fund the CEF-EVES Program. Therefore, the outcome of this case will substantially, specifically, and directly affect Movants' members who are PSE&G customers, because these members will bear approved program costs that could add up to hundreds of millions of dollars. Collectively, Movants have more than 43,000 members in New Jersey, and Movants and their members have a material interest in ensuring that the proposed investments are beneficial and cost-effective, and that the CEF-EVES Program, specifically, operates efficiently in advancing EV ownership, the buildout of EV infrastructure, and energy storage.
18. The outcome of this case: (1) has significant implications for the provision of utility service and the functioning of the electric grid as it relates to safety, modernization, and economic welfare, and (2) goes to the heart of Movants' mission with regard to ensuring optimal planning and support for the emerging EV market and critical deployment of energy storage to facilitate the integration of renewables into the grid in a manner that is as robust and efficient as possible. These issues are of the utmost importance to Movants and their membership, including their members in New Jersey.
19. The PSE&G Petition, if structured to maximize the full range of environmental and consumer benefits, will further Movants' mission by implementing grid modernization in an optimal manner.

Movants' Interest is Sufficiently Different from Any Other Party so as to Add Measurably and Constructively to the Case.

20. Movants' unique expertise will measurably and constructively advance this proceeding in accordance with N.J.A.C. 1:1-16.3(a). In its filing, PSE&G proposes measures to institute the

CEF-EVES Program in ways that promotes integration of renewable resources onto the grid, protects ratepayers, and makes the grid more resilient. Movants will add substantive value to this proceeding by bringing to bear unique expertise and analyses on nationwide grid modernization, energy storage efforts, and extensive experience with a wide range of EV-related utility policies, thus enabling a full development of the record.

21. Expertise and Analysis. Movants will review and analyze PSE&G's petition, CEF-EVSE Program proposal, and filings. Drawing on their expertise and experience in cost-effectively improving electric modernization while promoting EVs and energy storage, Movants will provide solutions and recommendations to improve Program effectiveness while minimizing costs to ratepayers. Movants additionally plan to review and comment on comments, proposals, and other information brought throughout the course of this proceeding to help ensure that customer, safety, cost, and environmental implications of the PSE&G Petition are optimized. This contemplated analysis will help assure that the PSE&G Petition and CEF-EVES Program achieves the greatest result possible.
22. Full Development of the Record. Movants' intervention can assist with the development of a full record, through testimony, cross-examination, and briefing, in areas where other intervenors do not share Movants' particular expertise. If Movants are not permitted to intervene in this instant proceeding, evidence that they intend to present regarding vital ways to improve the PSE&G Petition for greater consumer, grid, and environmental benefits will not be available. In addition, receiving a different status would deny Movants access to the discovery process, which would preclude them from further developing and refining its position and arguments as the proceeding progresses, in a manner that is maximally beneficial for proceeding as a whole.

23. Intervention by Movants will not Cause Confusion or Result in Undue Delay.

24. Movants will work with other parties to ensure that they avoid duplicating efforts and so as to prevent confusion and undue delay. In addition, Movants will strictly abide by the schedule and other rulings made herein.

CONCLUSION

Movants have met the criteria for intervention in the PSE&G Petition and respectfully requests that an Order be issued granting them intervenor status.

DATED: November 13, 2018

Respectfully Submitted,

/s/ Aaron Kleinbaum

Aaron Kleinbaum, Esq.
Id# 002681991
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Attorney for Environment New Jersey,
Environmental Defense Fund, Sierra Club
and Natural Resources Defense Council

CERTIFICATION OF SERVICE

I hereby certify that I have this day served by electronic mail a copy of the foregoing Motion for Intervention on all parties who have entered an appearance or are otherwise entitled to service in this proceeding.

Dated this 13th day of November 2018.

Respectfully Submitted,

/s/ Aaron Kleinbaum

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Attorneys for Movants,

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Resources Defense Council

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR THE APPROVAL OF ITS CLEAN ENERGY FUTURE – ELECTRIC VEHICLE AND ENERGY STORAGE ("CEF-EVES") PROGRAM ON A REGULATED BASIS	STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES OFFICE OF CLEAN ENERGY COMMISSIONER CHIVUKULA BPU DOCKET NO. EO18101111
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CERTIFICATION OF THOMAS SCHUSTER IN SUPPORT OF
MOTION TO INTERVENE BY ENVIRONMENT NEW JERSEY, ENVIRONMENTAL
DEFENSE FUND, NATURAL RESOURCES DEFENSE COUNCIL, AND SIERRA CLUB

I, Thomas Schuster, certify as follows:

1. I am of legal age and competent to give this declaration. The following
information is within my personal knowledge.
2. I am a Sierra Club employee. I serve as a Senior Campaign Representative for
Sierra Club's Beyond Coal Campaign in New Jersey. I am responsible for ensuring that Sierra
Club successfully executes the campaign's goals in the state. As part of my responsibilities, I

regularly interact with employees and volunteers, and track relevant state legislation and regulatory developments.

3. Sierra Club is the nation's oldest and largest grassroots environmental nonprofit.

4. Sierra Club's mission is to explore, enjoy and protect the wild places of the Earth; to practice and promote the responsible use of the ecosystems Earth's and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

5. In New Jersey, Sierra Club has more than 22,000 members and maintains twelve local groups that meet monthly with members throughout the state.

6. On behalf of its members, and as relevant in these proceedings, Sierra Club advocates for a just transition to a clean energy economy. To achieve this transition, Sierra Club champions policies and regulations that break our reliance on fossil fuels, and that spur a rapid transition to clean energy solutions such as energy efficiency, distributed solar, electric vehicles and energy storage. Sierra Club champions such policies and regulations in New Jersey and the rest of the country by: intervening, submitting comments, providing testimony, and presenting experts in energy- and transportation-related proceedings; participating in public hearings and workshops; speaking to students, civic organizations, and other stakeholders; and holding trainings and symposia—all to ensure that clean energy solutions reach every community.

7. I understand that in this case Public Service Electric & Gas Company ("PSE&G") seeks approval of its Clean Energy Future – Electric Vehicle and Energy Storage ("CEF-EVES") Program.

8. Sierra Club and its members' interest in this case include but are not limited to incorporating best practices into the program to achieve maximal environmental benefits at the

lowest possible cost, and distributing program benefits equitably.

9. Sierra Club's interests are therefore directly germane to this proceeding and its participation will not delay the disposition of this matter, create any additional burdens for the BPU, or otherwise burden or prejudice any of the existing parties to this litigation.

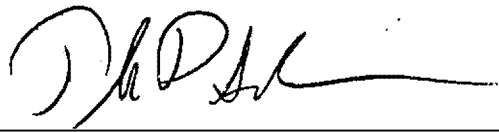
10. Sierra Club will strictly abide by the schedules and other rulings made in this proceeding.

11. Sierra Club will limit its submissions and testimony to the relevant topics regarding electric vehicles and energy storage.

12. Sierra Club will work with all parties to ensure an efficient hearing process, and avoid duplicate of efforts, confusion or any delays.

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

Dated: November 13, 2018

A handwritten signature in black ink, appearing to read 'T. Schuster', written over a horizontal line.

Thomas Schuster
Sierra Club

NOV 14 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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Resources Defense Council

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR THE APPROVAL OF ITS CLEAN ENERGY FUTURE – ELECTRIC VEHICLE AND ENERGY STORAGE (“CEF-EVES”) PROGRAM ON A REGULATED BASIS	STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES OFFICE OF CLEAN ENERGY COMMISSIONER CHIVUKULA BPU DOCKET NO. EO18101111
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CERTIFICATION OF DALE BRYK IN SUPPORT OF MOTION FOR INTERVENTION
BY ENVIRONMENT NEW JERSEY, ENVIRONMENTAL DEFENSE FUND, SIERRA
CLUB AND NATURAL RESOURCES DEFENSE COUNCIL

I, Dale Bryk, certify as follows:

1. I have been employed at the Natural Defense Resources Council (“NRDC”) since 1997.
2. NRDC is a global nonprofit membership organization that combines the power of more than three million members and online activists with the expertise of some 500 scientists, lawyers, and policy advocates across the globe to ensure the rights of all people to the air, the water, and the wild. NRDC has more than 410,000 dues-paying members globally, including more than 12,000 in New Jersey and many in PSE&G’s New Jersey service

territory.

3. My current position at NRDC is Senior Strategic Director. I was previously director of NRDC's Energy and Transportation Program, with particular focus on utility regulation and state energy efficiency, renewable energy and climate policy. In this position, I am personally familiar with NRDC's efforts on grid modernization, AMI meters, energy efficiency, energy storage and electric vehicles around the country. These are key issues in NRDC's energy platform.

4. The economic interests, environmental interests, and health of NRDC and its members (especially those within New Jersey) will be substantially, specifically and directly affected by the outcome of this case.

5. NRDC shares the goals of the Board of Public Utilities ("BPU") to "ensure the provision of safe, adequate and proper utility at reasonable, non-discriminatory rates," and to develop an energy policy that "promotes responsible growth and clean renewable energy sources while maintaining a high quality of life in New Jersey."

6. BPU has granted intervenor status to NRDC in several matters involving clean energy programs, because of NRDC's expertise in this field. For example:

- South Jersey Gas Company, Docket # GO1110651.
- Elizabethtown Gas Company, GO10070446 and GO10100735
- 2011: South Jersey Gas Company, GO10110861
- 2009: Rockland Electric Company, EO09010056 and EO09010061
- 2009: New Jersey Natural Gas, EO09010057
- Public Service Electric and Gas Company, EO09010058
- Public Service Electric and Gas Company, ER1800029 and GR 180030

7. NRDC's goal in this case is to assist the parties in ensuring that PSE&G's proposed grid modernization, energy storage and electric vehicle programs, if approved, will be

implemented in the method most beneficial to customers. NRDC would provide material and unique contributions to the design and implementation of these proposals, based on our previous experience with similar programs advanced by other utilities in other states around the country.

8. NRDC has intervened in many utility regulatory proceedings in states across the nation to advance grid modernization, energy storage and electric vehicles, including cases related to the New York Reforming Energy Vision initiative and the Ohio Power Forward initiative.

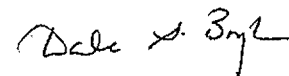
9. NRDC, as it has in previous cases, will strictly abide by the schedules and other rulings made by this Board.

11. NRDC will limit its submissions and testimony in the appropriate Clean Energy Future – related proceeding to the topics relevant (as determined by this Board) to grid modernization, energy storage and electric vehicles.

12. NRDC will work with all parties to ensure an efficient hearing process, and avoid duplicate of efforts, confusion or any delays.

I certify that the above statements are true. I understand that if the above statements are willfully false, I am subject to punishment.

Dated: November 13, 2018



Dale Bryk
Senior Strategic Director
Natural Resources Defense Council

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TRENTON, NJ

Environment New Jersey, Environmental Defense Fund, Sierra Club and Natural
Resources Defense Council

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR THE APPROVAL OF ITS CLEAN ENERGY FUTURE – ELECTRIC VEHICLE AND ENERGY STORAGE ("CEF-EVES") PROGRAM ON A REGULATED BASIS	STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES OFFICE OF CLEAN ENERGY COMMISSIONER CHIVUKULA BPU DOCKET NO. EO18101111
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CERTIFICATION OF MARY BARBER IN SUPPORT OF MOTION FOR
INTERVENTION BY ENVIRONMENT NEW JERSEY, ENVIRONMENTAL
DEFENSE FUND, SIERRA CLUB AND NATURAL RESOURCES DEFENSE
COUNCIL

I, Mary Barber, certify as follows:

1. I am employed at the Environmental Defense Fund ("EDF").
2. EDF is a national nonprofit membership organization that links science, economics, and law to create innovative, equitable, and cost-effective solutions to society's most urgent environmental problems.¹ EDF has more than 439,000 dues-paying members nationwide,

¹ February 18, 2016 BPU Order on Motions to Participate or Intervene And For Admission Pro Hac Vice and Prehearing Order with Procedural Schedule, Doc. GR15091090, pp. 3-4.

including more than 14,000 in New Jersey and many in PSE&G's New Jersey service territory.

3. My current position at EDF is Director, New Jersey Clean Energy. In this position, I am personally familiar with EDF's efforts on grid modernization, AMI meter deployment, electric vehicle, energy storage and energy efficiency around the country. EDF has been involved in numerous proceedings involving these issue and these are key issues in EDF's energy platform.
4. The economic interests, environmental interests, and health of EDF and its members (especially those within New Jersey) will be substantially, specifically and directly affected by the outcome of this case.
5. EDF shares the goals of the Board of Public Utilities ("BPU") to "ensure the provision of safe, adequate and proper utility at reasonable, non-discriminatory rates," and to develop an energy policy that "promotes responsible growth and clean renewable energy sources while maintaining a high quality of life in New Jersey."²
6. EDF has made material and unique contributions in several BPU proceedings:
 - In September 2016, EDF was granted status as an intervenor in I/M/O Rockland Electric Company – Request for Approval of an Advanced Metering Program; and for other relief.³ EDF supported

²<http://www.bpu.state.nj.us/bpu/about/mission/>, see also N.J.S.A. 48:2-23.

³ Docket # ER16060524

Petitioner's Advanced Metering Program, on the condition that Petitioner incorporate several performance metrics and a data sharing policy. Ultimately, BPU approved the Program, and incorporated the performance metrics and data sharing policy recommended by EDF.⁴

- In September 30, 2013, in I/M/O the Petition of Public Service Electric and Gas Company for Approval of the Energy Strong Program, EDF was granted status as a participant, and the BPU recognized EDF's "extensive interest and knowledge and its involvement in multiple national research projects."⁵
- In June 2015, BPU noted its appreciation for EDF's participation in I/M/O Comprehensive Energy Efficiency and Renewable Energy Resource Analysis For the Fiscal Year 2016 Clean Energy Program.⁶ In this matter, BPU "worked with EDF's Investor Confidence Project to develop a straw proposal for the integration of [the Investor Confidence Project] into [the commercial and industrial programs before BPU.]"⁷ EDF's Investor Confidence Project lowers the transaction costs for energy efficiency projects, by assembling existing standards and practices into a consistent and transparent

⁴ August 23, 2017 Order and Decision P.22, 24.

⁵ October 16, 2013 BPU Order on Interlocutory Appeal, BPU Docket Numbers EO13020155 and GO13020156, p. 3.

⁶ June 17, 2015 Order, Docket Num. QO15040476, pp. 6-7.

⁷ Id. at p. 40.

process that promotes efficient markets by increasing confidence in energy efficiency as a demand-side resource.⁸ year

- In 2018, EDF was granted intervenor status in I/M/O the Petition of Public Service Electric and Gas Company for Approval of Rate Increase, BPU Docket Nos. ER18010029 & GR18010030.
 - EDF has been granted intervenor status in several other BPU proceedings as well.⁹
7. EDF's goal in this case is to assist the parties in ensuring that PSE&G's proposals for new electric vehicle, grid modernization and AMI programs, if approved, are implemented in the most cost-effective manner possible. As in the above noted BPU cases, EDF would provide material and unique contributions to this matter, particularly with respect to the potential for these proposals to enable PSE&G to achieve the optimal level of investments in these programs in a cost-effective manner and to ensure that customers receive all available benefits from new technologies.
8. EDF has intervened in several utility regulatory proceedings across the country to advance these types of programs. For example, EDF has addressed the same types of programs in New York State's REV (Reforming the Energy Vision) proceedings, and several Ohio cases, including Ohio's *Power Forward* initiative.
9. EDF, as it has in previous BPU proceedings, will strictly abide by the schedules and other rulings made by this Board.

⁸ <http://www.eepperformance.org>

⁹ E.g. Atlantic City Electric Company, Docket # ER16030252; Elizabethtown Gas, Docket # GR1509190; Public Service Electric and Gas Company, Docket # GR15030272

10. EDF will limit its submissions and testimony in this proceeding to the topics relevant (as determined by this Board) to grid modernization, electric vehicle, and energy storage.
11. EDF will work with all parties to ensure an efficient hearing process, and avoid duplicate of efforts, confusion or any delays.

I certify that the above statements are true. I understand that if the above statements are willfully false, I am subject to punishment.

Dated: November 13, 2018

A handwritten signature in black ink that reads "Mary Barber". The signature is written in a cursive style with a horizontal line underneath it.

Mary Barber
Director, New Jersey Clean Energy
Environmental Defense Fund

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CERTIFICATION OF DOUG O’MALLEY IN SUPPORT OF MOTION FOR
INTERVENTION BY ENVIRONMENT NEW JERSEY, ENVIRONMENTAL DEFENSE
FUND, SIERRA CLUB AND NATURAL RESOURCES DEFENSE COUNCIL

1. Founded in 2006, Environment New Jersey and Environment New Jersey Research and Policy Center is one of the State’s largest nonprofit, citizen-based advocacy organizations. It succeeds its sister organizations, including New Jersey Public Interest Research Group Law & Policy Center and New Jersey Public Interest Research Group Citizen Lobby whose work spans the past four plus decades. The state offices are in Trenton and New Brunswick.
2. The organization’s political arm is a project of Environment America, Inc. which is a national network of state based environmental advocacy organizations, representing more than a million citizen activists and members across the country. In New Jersey, there are more than

20,000 dues-paying citizen members of Environment New Jersey, primarily in North and Central Jersey, a majority of them in the service area of PSEG across the counties of Bergen, Hudson, Passaic, Essex, Union, Middlesex, Mercer, Somerset, Burlington and Camden.

3. Environment New Jersey is committed to preserving New Jersey's environment for this and future generations by protecting our land, air, and water and promoting a clean, renewable energy future. The organization, and our predecessors, has a had a rich and detailed history in engaging in advocacy and environmental organizing on a broad set of issues, and especially on energy issues, including energy efficiency and clean energy as well as cleaner vehicles, including low emission and zero emission vehicles.

4. Our work on energy goes back to the 1970s through our advocacy for the preservation of the Delaware Water Gap from the Tocks Island dam (which would have produced hydropower) to the preservation of the New Jersey Pine Barrens through the New Jersey Pinelands Act, which was spurred by the attempts to construct oil pipelines through the region to the work to expand solar power.

5. In more recent history, the organization has focused its clean energy advocacy on the work of the Board of Public Utilities, including the work in the early 2000s to establish a clean renewable energy portfolio standards for the state of 22.5% clean, renewable energy by 2021, as well as work to establish energy efficiency appliance standards. The work of the organization to oppose the energy market deregulatory process in 1999 led to the creation of the state Clean Energy Fund, which the organization has worked to defend from initial attempts to raids by the Legislature and subsequent Governors, which have intensified in the last decade. The program is run by the Board of Public Utilities' Office of Clean Energy.

6. The organization has a record of intervening in key energy issues that are in front of the Board of Public Utilities to represent the public interest and advocate for the environment. This has included the highly contested attempted merger of Exelon Inc. and PSEG, which we successfully intervened in the BPU proceedings to raise consumer concerns with the proposed merger, which was ultimately denied.

7. The organization has also a record of legally challenging energy projects proposed by the state of New Jersey and reviewed by the Board of Public Utilities and other state entities. The organization legally opposed the proposed construction of PSEG Roseland Susquehanna fossil-fueled power transmission lines that bisected the Delaware Water Gap and ran through multiple North Jersey communities, as well as the current litigation against the construction of the South Jersey Gas gas power line through the heart of the New Jersey Pinelands and our most recent work to oppose the Zero Emissions Credits program for PSEG's currently profitable nuclear power plants in South Jersey which was debated in both houses of the New Jersey Legislature.

8. The organization has a documented record of advocating for improved air quality and reduced air pollution from fossil fuels. The most recent example is the release of Environment New Jersey's Trouble in the Air report in July 2018 which documented that the average number of unhealthy air days across the New Jersey metropolitan regions averaged more than 90 days. We have a record of challenging air permit and advocating for reduced emissions from fossil fuel power plants, stronger filter technology and the reduced use of fossil fuel generation, including increased investments in energy efficiency and we have advocated for an Energy Efficiency Resource Standard.

9. The organization has a demonstrably clear record of supporting additional actions to reduce global warming pollution and played a leading role in building up political and public support for the ultimate passage of the Global Warming Solutions Act of 2006 to reduce carbon pollution by 20% by 2020 and 80% by 2050 from 2006 emission levels. The organization has been an early champion of the Regional Greenhouse Gas Initiative (RGGI) and its investments in energy efficiency and filed successful litigation against the Christie Administration for the procedural nature of their removal of New Jersey from the program. The organization has had a record of providing public comment and stakeholder engagement with the BPU Energy Master Plan process, with the four most recent examples being the Corzine Administration process from 2007 through 2008 as well as the Christie Administration revisions of the Energy Master Plan in 2010 and 2011 as well as the revision in 2015, and the current ongoing update of the Energy Master Plan by the Murphy Administration this fall. As part of our joint testimony this fall, we were strongly supportive of moving forward with energy storage strategies at the NJBPU, in line with Governor Murphy's energy storage commitments made during the campaign.

10. The organization has a documented record of advocating on behalf of low emission and zero emission vehicles throughout the last three decades. We supported efforts for the state to approve California Clean Car LEV (Low Emission Vehicle) II standards in the early 1990s and worked tirelessly in the early 2000s to build public support and educate decision-makers and the public on the impact of air pollution from our cars and trucks, and worked to successfully pass the Clean Cars legislation of 2004. Over the last 15 years, we have worked to expand Clean Cars standards to neighboring states, and advocated for the adoption of these standards by the U.S. EPA as well as the increase in CAFE fuel efficiency standards. In state, we have defended the Clean Cars program from potential rollbacks and been a proponent of expanding electric vehicle

infrastructure around the state, working with a set of key allies. We have advocated for reduction of carbon pollution from our transportation sector both through the Jersey Renews coalition, as well as the ChargeEVC business coalition, and are fully supportive of electrification initiatives through the Volkswagen settlement as well as expansion of the Transportation & Climate Initiative.

11. The organization is represented by its director, Doug O'Malley, who has a 17 year history of working for the organization in Trenton and has led campaigns to promote clean, renewable energy in New Jersey, oppose new fossil fuel projects, build public support for solutions to our climate crisis and expand the hybrid, low-emission and electric vehicles across the state. Doug serves on the boards of the Work Environment Council, the Environmental Endowment of New Jersey, Environment America Inc. as well as serving as the president of the ChargeEVC electric vehicle coalition. He has now worked across the Administrations of six New Jersey governors.

12. The organization is represented by Rob Sargent, the energy program director for Environment America, who directs policy and strategy development for Environment America, who coordinates our clean energy program work. Rob has served as the senior policy advisor and strategist for countless campaign to promote state renewable standards, enact energy efficiency standards, convince states including New Jersey to adopt clean car standards, and shape state and regional commitments to reduce global warming pollution, including New Jersey's 2007 Global Warming Response Act and our initial participation in the Regional Greenhouse Gas Initiative.

13. The organization's prolific research reports on clean energy and energy efficiency have been represented by our research arm, the Frontier Group, represented by our senior researcher Tony Dutzik and deputy director. Tony has been the lead author of dozens of reports on a range of policy issues, focused primarily on climate, energy and transportation policy and their impacts

on New Jersey and has helped to articulate the organization's policy solutions to some of the state's most vexing energy dilemmas.

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

Dated: November 13, 2018

A handwritten signature in black ink, appearing to read "Doug", enclosed within a circular scribble.

Doug O'Malley
Director
Environment New Jersey & Environment
New Jersey Research & Policy Center

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CASE MANAGEMENT

NOV 14 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

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MAIL ROOM

NOV 14 2018

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)

Office of Clean Energy
Commissioner Chivukula
Docket No. EO18101111

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

**MOTION FOR ADMISSION *PRO HAC VICE* OF
DIANA CSANK AND NATHANIEL SHOAFF**

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 Nathaniel Shoaff and Diana Csank as attorneys for Sierra Club, Environmental Defense Fund, and National Resources Defense Council (NRDC) in this proceeding. Mr. Shoaff is a member in good standing of the bar of the State of California and Ms. Csank is a member in good standing of the Bar of the State of New York. There is good cause for Mr. Shoaff and Ms. Csank to be admitted *pro hac vice* because they each have significant experience in energy law and in representing the interests of environmental groups. The attached affidavits of Nathaniel Shoaff, "Exhibit A," and Diana Csank, "Exhibit B," state that both have paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1:20-1(b).

Respectfully submitted,

/s/ Aaron Kleinbaum

Aaron Kleinbaum, Esq.
Id# 002681991
Eastern Environmental Law Center
50 Park Place, Suite 1025
Newark, NJ 07102
Phone 973.424.1166
akleinbaum@easternenvironmental.org
Attorney for Environmental Defense Fund, Sierra
Club and Natural Resources Defense Council

RECEIVED
TUESDAY, JAN. 12, 1964

U.S. DEPARTMENT OF
THE ARMY
WASHINGTON, D.C.

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

In The Matter of the Petition of Public)	Office of Clean Energy
Service Electric & Gas Company for)	Commissioner Chivukula
Approval of Its Clean Energy Future-)	Docket No. EO18101111
Electric Vehicle and Energy Storage)	
("CEF-EVES") Program on a Regulated)	
Basis)	

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

I, Diana Agnes Csank, duly sworn according to law, depose and say:

1. I am an attorney in good standing admitted to practice in the New York Court of Appeals. My office address is 50 F Street NW, 8th Floor, Washington, DC 20001. My office phone number is 202-548-4595. I am not admitted to practice in New Jersey.

2. I am associated in this matter with New Jersey counsel of record, Aaron Kleinbaum, who is qualified to practice law in this state, pursuant to R.1:21-1. The address for New Jersey counsel is 50 Park Place, Suite 1025, Newark, NJ 07102; the phone number is 973-424-1166.

3. Sierra Club, Natural Resources Defense Council, and Environmental Defense Fund ("Clients") have requested my representation in this matter.

4. I am not now the subject of any pending disciplinary proceedings in any jurisdiction, nor have I been disciplined previously in any jurisdiction.

5. There is good cause for my admission *pro hac vice* in that the proceeding in which I seek admission involves energy law and policy, a field in which I have work and educational experience. I am familiar with the factual and legal issues involved in this proceeding. I have extensive experience in representing the interests of environmental groups in similar venues.

6. I have mailed a check for \$212.00 from my employer, Sierra Club, to the New Jersey Lawyers' Fund for Client Protection, as required by R. 1:20-1(b) and 1:28-2. I will mail a copy of the final, signed Order granting admission *pro hac vice* to this entity when it becomes available.

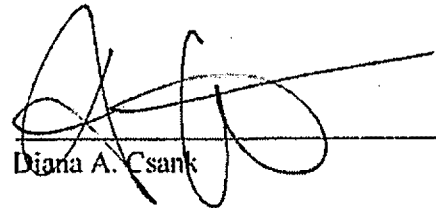
7. If this application to appear *pro hac vice* is granted, I agree to:

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 employer that may arise out of my participation in this matter;

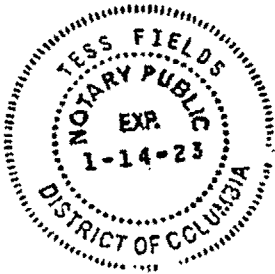
c. notify the Board of Public Utilities immediately of any matter affecting my standing at the bar of any court; and

d. have all pleadings, briefs, and other papers filed with the Board of Public Utilities signed by the attorney of record.



Diana A. Csank

DISTRICT OF COLUMBIA: SS

Subscribed and sworn before me, in my presence, this 9th day of November, 2018.



TESS FIELDS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 14, 2023


Notary Public

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

In The Matter of the Petition of Public)	Office of Clean Energy
Service Electric & Gas Company for)	Commissioner Chivukula
Approval of Its Clean Energy Future-)	Docket No. EO18101111
Electric Vehicle and Energy Storage)	
("CEF-EVES") Program on a Regulated)	
Basis)	

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

I, Nathaniel Shoaff, duly sworn according to law, depose and say:

1. I am an attorney in good standing admitted to practice in the Supreme Court of California. My employer, Sierra Club, is headquartered at 2101 Webster Street, Suite 1300, Oakland, CA 94612. My office phone number is 415-200-9778. I am not admitted to practice in New Jersey.

2. I am associated in this matter with New Jersey counsel of record, Aaron Kleinbaum, who is qualified to practice law in this state, pursuant to R.1:21-1. The address for New Jersey counsel is 50 Park Place, Suite 1025, Newark, NJ 07102; the phone number is 973-424-1166.

3. Sierra Club, Natural Resources Defense Council, and Environmental Defense Fund ("Clients") have requested my representation in this matter.

4. I am not now the subject of any pending disciplinary proceedings in any jurisdiction, nor have I been disciplined previously in any jurisdiction.

5. There is good cause for my admission *pro hac vice* in that the proceeding in which I seek admission involves energy law and policy, a field in which I have extensive work and educational experience. I am familiar with the factual and legal issues involved in this proceeding. I have extensive experience representing the interests of conservation organizations.

6. I have mailed a check for \$212.00 from my employer, Sierra Club, to the New Jersey Lawyers' Fund for Client Protection, as required by R. 1:20-1(b) and 1:28-2. I will mail a copy if the final, signed Order granting admission *pro hac vice* to this entity when it becomes available.


7. 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 employer that may arise out of my participation in this matter;

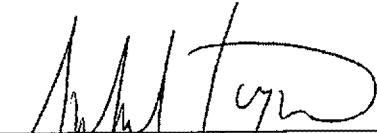
c. notify the Board of Public Utilities immediately of any matter affecting my standing at the bar of any court; and

d. have all pleadings, briefs, and other papers filed with the Board of Public Utilities signed by the attorney of record.


Nathaniel Shoaff

STATE OF: Vermont
COUNTY OF: Washington

Subscribed and sworn before me, in my presence, this 12th day of November, 2018.


Notary Public

ANNABELL CONWAY
NOTARY PUBLIC, VERMONT
MY COMMISSION EXPIRES FEB. 10, 2019

SERVICE LIST

I/M/O PETITION OF PSEG FOR APPROVAL OF ITS CLEAN ENERGY FUTURE – ELECTRIC
VEHICLE AND ENERGY STORAGE (“CEF-EVES”) PROGRAM ON A REGULATED BASIS
BPU DOCKET NO. EO18101111

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NOV 14 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

cc:

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