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November 12, 2018

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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

RECEIVED
CASE MANAGEMENT

7 and 11/14/18
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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 Mid-Atlantic Solar Energy Industries Association, enclosed for filing please find the original and eleven copies of:

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

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

s/Matthew S. Slowinski

Matthew S. Slowinski

MSS/af
Enclosures

cc: All Counsel and Parties

CMS legal P. Krugman, DAG
ENERGY DAG E. Xiou, DAG P. van Braunt, DAG

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Page 1 of 3
STATE OF NEW JERSEY
Board of Public Utilities

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

PUBLIC SERVICE ELECTRIC AND GAS
COMPANY – IN THE MATTER 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

BPU Docket No. EO18101111

Certification of Lyle Rawlings

I, LYLE RAWLINGS, do affirm and state as follows:

1. My full name and business address are Lyle Rawlings, Advanced Solar Products, Inc., 270 S. Main Street, Flemington, NJ 08822.
2. Since 2000 I have been the president and CEO of Advanced Solar Products, Inc., and since 1999 I have been the President of the Mid-Atlantic Solar Energy Industry Association ("MSEIA"), though subject to a hiatus here and there.
3. As the Board of course is aware, MSEIA is the formal association of solar energy developers, installers, investors and consultants doing business in New Jersey.
4. As the Board also knows, MSEIA has been very active in the many Board workshops, public hearings, proceedings and discussions concerning energy policy formulation and the future of renewable energy in general and of solar energy in New Jersey and the Mid Atlantic area in particular.
5. Also, prior to being elected president of MSEIA, I personally have been involved in solar energy development in New Jersey since 1986 and policy formulation

since approximately 1997. I am a licensed professional engineer practicing solar energy design and have installed or worked on a variety of solar PV systems for numerous homes, businesses, schools and other public facilities and buildings.

6. MSEIA seeks to intervene in this CEF-EVES proceeding because (1) no other party “speaks” for MSEIA and its membership, (2) no other party represents or represents adequately the interests of MSEIA, (3) no other party has equivalent expertise or experience in clean energy, electric vehicle, and energy storage matters, and (4) the outcome of these dockets will substantially, specifically and directly affect both the current and future solar development opportunities of the membership of MSEIA for several years. Thus, MSEIA has a powerful economic “stake” in how these dockets are resolved.

7. If granted the right to intervene, MSEIA will not seek to unduly delay the proceedings but will work quickly and constructively with the petitioners, the Board and with other parties in fashioning a prompt and fair outcome on all relevant issues of concern.

8. For example, to the extent necessary or helpful, MSEIA will offer expert testimony, factual materials, comments and policy suggestions; MSEIA will also engage in any settlement discussions authorized by the Board, seeking compromise solutions to any matters of concern.

9. Participant status will not be sufficient to permit MSEIA adequately to

represent its interests, inasmuch as only intervenor status will give MSEIA legal “standing” to participate fully in any hearings that may be called, and in any settlement negotiations.

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.

Dated: November 12, 2018.


Lyle Rawlings

STATE OF NEW JERSEY
Board of Public Utilities

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PUBLIC SERVICE ELECTRIC AND GAS
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TRENTON, NJ

BPU Docket No. EO18101111

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BOARD OF PUBLIC UTILITIES
TRENTON, NJ

MOTION TO INTERVENE

**BY THE MID-ATLANTIC SOLAR ENERGY INDUSTRIES
ASSOCIATION**

Please take notice that the Mid-Atlantic Solar Energy Industries Association ("MSEIA") hereby files this motion to be admitted as an intervener, pursuant to the terms of the Uniform Administrative Procedure Rules ("UAPR"), N.J.A.C. 1:1-1.1, et seq. This Motion is supported by the Certification of Mr. Lyle Rawlings, President of MSEIA.

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 who 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. Rawlings attests, the membership of MSEIA -which includes numerous clean energy, energy storage, and electric vehicle developers and installers active in the PSE&G service area -- have a direct and substantial economic stake in the outcome of this docket.

3. N.J.A.C. 1:1-16.3 which describes the "Standards for Intervention," provides that the 'judge' -in this case, the Board or whomever the Board designates to hear this matter directly -"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 of confusion or undue delay arising from the movant's inclusion, and [4.] other important factors."

4. The nature and extent of MSEIA's interest:

As the Board well knows from several years of MSEIA member's active engagement in and constructive support for the "Clean Energy Program," MSEIA and its membership have a unique interest in the development of renewable energy policies that will promote the development of solar power, reduce dependence on fossil fuels, decrease pollution and increase opportunities for "green" economic development in New Jersey. The Board also knows that MSEIA has shown an unwavering commitment to advancing this clean energy agenda at the lowest possible cost to ratepayers, while delivering the greatest possible value as a public good, as reflected in MSEIA's fundamental policy principles, as published on its website.

This energy storage and electric vehicle investment proceeding is the latest in a long line of dockets and proceedings, both formal and informal, in which MSEIA and its diverse membership have taken an active role.

5. MSEIA's interest is sufficiently different:

As the leading association of private companies active in developing solar energy and, increasingly, storage and electric vehicle projects in New Jersey, MSEIA can safely state that no other current or prospective party to this proceeding can purport to adequately represent the interest of MSEIA and its membership; nor does any other party have the same or even similar level of experience and expertise in these issues and the ways they interrelate. As such, MSEIA's intervention will add "measurably and constructively" to the prompt outcome of these proceedings, whether through hearings and testimony or "on the papers" or through negotiations and informal discussions with PSE&G, Board staff and other interested parties.

6. There is no prospect for confusion or undue delay:

MSEIA's intervention will not cause confusion nor lead to undue delay in reaching a prompt resolution of the issues in these dockets. MSEIA seeks a prompt outcome and has no interest whatever in delay which would only serve to hamper the development of clean energy, storage, and electric vehicle projects in New Jersey. Nor will MSEIA's participation "confuse" any party or the Board.

7. Other important factors support intervention:

At this time of economic and climate stress, MSEIA and its members fully recognize the importance of advancing the State's twin policy goals which strongly favor the enhanced development of clean energy, storage, and electric vehicles and at the lowest

feasible cost. Such projects are labor intensive. They employ highly educated professionals in several fields, skilled installers, and the like. Member companies train professionals and technicians for careers in "green energy" business that are vital to achieving the State's twin economic and environmental goals. Having MSEIA "at the table" for any negotiations will serve only to advance the public interest.

8. If this motion were to be denied, the Board, PSE&G and other parties would be denied the benefit of MSEIA's expertise, experience and assistance when it is perhaps most needed. Put simply, there are no countervailing "benefits" to a denial of full intervention which, in effect, would leave MSEIA "on the outside looking in" at a time when MSEIA needs to be a full party to these dockets that will directly affect the future of development opportunities for its members. Similarly, the Board would be in the untenable position of rendering policy judgments on the future of clean energy, storage, and electric vehicles without hearing the evidence and argument by MSEIA which is a veritable repository of expertise and real world experience in these and related matters.

8. Why "participant" status is not sufficient:

The UAPR provides that "[e]very motion for leave to intervene shall be treated, in the alternative, as a motion for permission to participate." N.J.A.C. 1:1-16.5. For the reasons expressed above, "participant status" will not protect MSEIA's interest and will not assist the Board and other parties in fashioning a just and fully informed outcome.

As the Board well knows, "participant status," limits a party to only certain very limited forms of "participation," all largely derivative and lacking in evidentiary impact. For

example, at the discretion of the "judge" (i.e., the Board, we presume), a "participant" may have one or more of the following rights: "1. The right to argue orally; or 2. The right to file a statement or brief; or 3. The right to file exceptions to the initial decision with the agency head; or 4. All of the above." N.J.A.C. 1:1-16c.

Conspicuously omitted from this list are the important rights of full parties and intervenors to present evidence, to file motions, to rebut evidence and, perhaps most importantly, to be a party "at the table" for any settlement negotiations or ultimate settlement. Thus, a participant is greatly constricted in what it can do, and the Board is equally constricted in what information it will be able to receive from a "participant." In short, "participant" status well serves no one's interest in this case, especially the public interest in obtaining a fully informed outcome that justly balances the interests of all relevant parties and perspectives in a prompt and efficient manner.

Respectfully Submitted,

Slowinski Atkins LLP

By


Matthew S. Slowinski

Dated:

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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

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 Mid-Atlantic Solar Energy Industries Association, 270 S. Main Street, Flemington, New Jersey 08822.

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

Stephanie A. Brand, Esq.
Director, Division of Rate Counsel
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Matthew M. Weissman, Esq.
PSEG Services Corporation
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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. Lyle Rawlings and (iii) Certificate of Service to be served by e-mail upon:

PSEG

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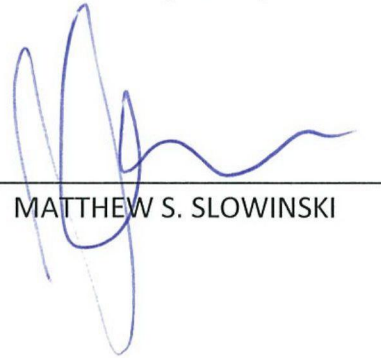
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5. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



MATTHEW S. SLOWINSKI

DATED: November 12, 2018