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Assistant General Counsel



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atlanticcityelectric.com

*Sup*  
*11/23/18*

RECEIVED  
CASE MANAGEMENT

November 15, 2018

VIA FEDERAL EXPRESS and  
ELECTRONIC MAIL

[aida.camacho@bpu.nj.gov](mailto:aida.camacho@bpu.nj.gov)  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

NOV 16 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

RECEIVED  
MAIL ROOM

NOV 16 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

Aida Camacho-Welch  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, Suite 314  
P.O. Box 350  
Trenton, New Jersey 08625

**RE:** In the Matter of the Petition of Public Service Electric & Gas Company for Approval of Its Clean Energy Future-Energy Cloud (“CEF-EC”) Program on a Regulated Basis  
BPU Docket No. EO18101115

Dear Secretary Camacho-Welch:

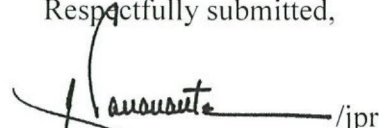
On behalf of Atlantic City Electric Company, enclosed please find for filing an original and ten copies of the Company’s Motion to Participate in the above docket.

Pursuant to the Order Designating a Commissioner, Setting a Bar Date and Manner of Service, dated October 29, 2018, this matter has been retained by the Board and has been assigned to the Honorable Mary-Anna Holden as the Presiding Officer. We are the copying Commissioner Holden on this letter and are enclosing a copy of the Motion to Participate.

Kindly return one date and time-stamped “filed” copy of this cover letter and its attachment in the self-addressed, postage-prepaid envelope provided.

Feel free to contact the undersigned with any questions.

Respectfully submitted,

  
Philip J. Passanante /jpr  
An Attorney at Law of the  
State of New Jersey

*CMS*

Enclosure

cc: Honorable Mary-Anna Holden, Commissioner  
Service List

RECEIVED  
CASE MANAGEMENT

NOV 16 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

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

RECEIVED  
MAIL ROOM

NOV 16 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

BPU DOCKET NO. EO18101115

**NOTICE OF MOTION**  
**TO PARTICIPATE**

**TO:** Aida Camacho-Welch  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
P.O. Box 350  
Trenton, New Jersey 08625

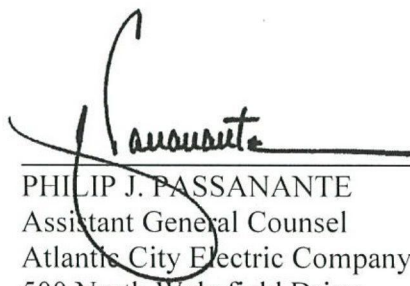
and

All Parties on the Attached Service List

**PLEASE TAKE NOTICE** that, pursuant to *N.J.A.C. 1:1-16.6*, Atlantic City Electric Company ("ACE"), by its undersigned counsel, hereby moves to participate in the above-titled proceeding.

**PLEASE TAKE FURTHER NOTICE** that, in support of this Motion to Participate, ACE submits the annexed Certification of Philip J. Passanante, Esquire, dated November 15, 2018.

Dated: November 15, 2018

  
\_\_\_\_\_/jpr  
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NOV 16 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

IN THE MATTER OF THE PETITION OF  
PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY FOR APPROVAL OF ITS CLEAN  
ENERGY FUTURE-ENERGY CLOUD (“CE-  
EC”) PROGRAM ON A REGULATED BASIS

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

BPU DOCKET NO. EO18101115

MOTION TO PARTICIPATE

I, Philip J. Passanante, of full age, do hereby certify as follows:

1. I am Assistant General Counsel for Atlantic City Electric Company (“ACE” or the “Company”), and an attorney at law of the State of New Jersey. As such, I am familiar with the facts and circumstances concerning this matter, and I make this Certification in support of ACE’s Motion to Participate.

2. On or about October 11, 2018, Public Service Electric and Gas Company (“PSE&G” or the “Petitioner”) filed a petition (the “Petition”) with the New Jersey Board of Public Utilities (the “Board”) for approval of its Clean Energy Future-Energy Cloud Program (the “Program”). The Petitioner has requested that the Board approve a five-year, \$7.3 billion Program designed to implement an Advanced Metering Infrastructure program within PSE&G’s service territory.

3. ACE is a New Jersey public utility incorporated in the State of New Jersey and maintains a regional office at 5100 Harding Highway, Mays Landing, New Jersey 08330. ACE is engaged in the transmission, distribution, and sale of electric energy for residential, commercial, and industrial purposes within New Jersey. The Company’s service territory comprises eight counties located in southern New Jersey and includes approximately 553,000 customers.

4. *N.J.A.C. 1:1-16.6(a)* sets forth the criteria for participation:

Any person or entity with a significant interest in the outcome of a case may move for permission to participate.

5. *N.J.A.C. 1:1-16.6(b)* sets forth the standard that must be weighed when considering a motion to participate:

In deciding whether to permit participation, the judge shall consider whether the participant's interest is likely to add constructively to the case without causing undue delay or confusion.

6. ACE is entitled to participate because, as one of only four investor-owned electric utilities in New Jersey serving retail customers, it has a significant interest in the above-captioned proceeding, *N.J.A.C. 1:1-16.1(a)*, and its interests and the experience of its affiliates in other Pepco Holdings service territories, will add constructively to this proceeding without causing any delay or confusion, *N.J.A.C. 1:1-16.3(a)*. ACE's significant interest in the outcome of the proceeding is rooted in the fact that substantive policy and/or procedural requirements established in this proceeding can significantly influence, if not have a precedential effect on, the positions taken by parties in, and the outcome of, proceedings involving ACE. Therefore, it is important that ACE be permitted Participant status in this proceeding so that it may monitor developments and be apprised of potential policy developments, both substantive and procedural, on these important issues in a timely manner.

7. As an investor-owned electric utility serving retail customers, the Company's interests in this proceeding are materially different from Petitioner, who represents its own interests, and from the other parties (*i.e.*, Board Staff and the Division of Rate Counsel), who represent primarily consumer interests.



8. Moreover, ACE's interests will contribute to the development of a complete record for consideration by the Board without causing any delay or confusion, as the proceeding has just commenced. *N.J.A.C. 1:1-16.3(a)*. In this matter, ACE intends to participate only in order to receive copies of testimony, briefs, and other materials; to monitor the proceedings; and possibly to file briefs and/or exceptions. ACE will abide by the procedural schedule(s) set in this matter.

9. At this time, ACE seeks only Participant status and does not foresee expanding that role. ACE must, however, reserve its right to seek full party intervenor status if the relevant circumstances underlying this proceeding change, and if it can establish that it satisfies regulatory requirements for such status.

10. The Company requests that all communications, correspondence, orders, and other documentation relating to this proceeding be directed to the following:

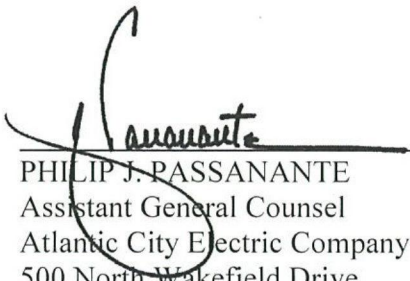
Philip J. Passanante, Esquire  
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[philip.passanante@pepcoholdings.com](mailto:philip.passanante@pepcoholdings.com)

ACE also respectfully requests that the above attorney be placed on the official service list compiled for purposes of this proceeding.

11. Accordingly, ACE respectfully requests that the Board grant its Motion to Participate in this proceeding, with the rights to argue orally, file briefs or statements, and file exceptions.

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 willfully false, I am subject to punishment.

Dated: November 15, 2018

  
\_\_\_\_\_/jpr  
PHILIP J. PASSANANTE  
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**IN THE MATTER OF THE PETITION OF  
PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY FOR APPROVAL OF ITS CLEAN  
ENERGY FUTURE-ENERGY CLOUD (“CEF-  
EC”) PROGRAM ON A REGULATED BASIS**

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

**BPU DOCKET NO. EO18101115**

**CERTIFICATION OF SERVICE**

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I, Philip J. Passanante, of full age, hereby certify as follows:

1. I am an attorney at law in the State of New Jersey and Assistant General Counsel to Atlantic City Electric Company (“ACE”) in the above referenced matter, with which I am familiar.

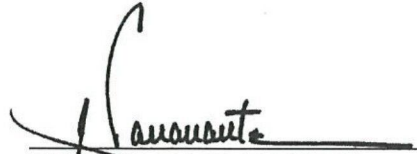
2. On this day, I caused ACE’s Motion to Participate and Certification of Philip J. Passanante, Esquire to be delivered via Federal Express to Aida Camacho-Welch, Secretary of the Board, Board of Public Utilities, 44 South Clinton Avenue, Suite 314, Trenton, New Jersey 08625.

3. On this day, I further caused copies of ACE's Motion to Participate and Certification of Philip J. Passanante to be served by Federal Express to Hon. Mary-Anna Holden, Commissioner, Board of Public Utilities, 44 South Clinton Avenue, Suite 314, Trenton, New Jersey 08625.

4. On this day, I further caused copies of ACE’s Motion to Participate and Certification of Philip J. Passanante to be served by electronic mail to the entities on the Service List, except that any copies that were directed to the Division of Rate Counsel were sent by electronic mail and First Class Mail.

5. I further and finally 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.

Dated: November 15, 2018

 /jpr  
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In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Its Clean  
Energy Future-Energy Cloud ("CEF-EC") Program on a Regulated Basis  
BPU Docket No. EO18101115

Service List

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