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12/20/18

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DEC 19 2018
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

PSEG
Services Corporation

December 17, 2018

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

BPU Docket No. EO18101111

VIA E-MAIL AND OVERNIGHT DELIVERY

RECEIVED
CASE MANAGEMENT
DEC 19 2018
BOARD OF PUBLIC UTILITIES
TRENTON, NJ

Aida Camacho-Welch, Secretary
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Trenton, New Jersey 08625

Dear Secretary Camacho-Welch:

In accordance with *N.J.A.C.* 1:1-12.2(b), Public Service Electric and Gas Company ("PSE&G" or the "Company") hereby submits this letter in opposition to the Motion to Stay the above-captioned matter that the New Jersey Division of Rate Counsel ("Rate Counsel") filed with the Board of Public Utilities (the "Board" or "BPU") on December 7, 2018. Kindly stamp one of the copies of these opposition papers with your filing stamp, and return it in the enclosed, self-addressed stamped envelope. Copies of this filing are being served on the attached service list by electronic mail.

Rate Counsel seeks a stay of the Company's Clean Energy Future – Electric Vehicle and Energy Storage Program ("EVES Program" or "Program") on the grounds that several BPU-led initiatives addressing electric vehicles and energy storage have yet to reach completion. None of Rate Counsel's arguments in support of delay have merit. For example, the Electric Vehicle

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Stakeholder Group ("EVSG") that the previous Administration formed and on which Rate Counsel relies heavily appears to be defunct and, therefore, cannot be grounds to delay realization of the benefits that the EVES Program will provide. The new Energy Master Plan ("EMP"), on which Rate Counsel also relies, is scheduled to be released in June 2019, likely *before* the Board rules on the EVES Program. Thus, the EVES Program proceeding on the merits at this time would not conflict with or hinder the Board's EMP activities. Lastly, the Clean Energy Act (the "Act") codifies aggressive energy storage targets that the State must meet by January 1, 2021. The EVES Program represents an important first step toward the State achieving those targets. For the BPU to delay the Program for more than a year until the conclusion of the energy storage analysis to be conducted under the Act would place the State at risk of not meeting the initial energy storage target that is just two years away. Delay would also deprive the BPU of the opportunity to capitalize on information developed through prompt consideration of the EVES filing, and to use practical, New Jersey-based experience gleaned from implementation of the EVES Program itself, to help shape the analysis of energy storage that the Act requires the Board to conduct.

The Administration has made electrifying the transportation sector and advancing energy storage a priority. This is evident from, *inter alia*, the Act, the new EMP, and Executive Order No. 28. The Administration is wise to make the proliferation of electric vehicles and energy storage a priority. The former would help mitigate the impacts of climate change and reduce harmful greenhouse gas emissions ("GHG"). The latter can help facilitate the State's conversion to 100 percent clean energy by 2050 and make the grid more resilient. PSE&G's EVES Program is a response to the State's call to action on electric vehicles and energy storage. To suspend the filing, as Rate Counsel suggests the BPU should do, would be contrary to the Administration's goals and the best interests of the State and its residents. Rate Counsel's motion should be denied, and the EVES Program should proceed on the merits at this time.

Background

As a candidate for office, Governor Murphy took the position that climate change is real; that the transportation sector is a significant contributor to New Jersey's GHGs; that the electrification of the transportation sector must be a priority for the State if it is to reduce harmful GHGs; and that the state should become "a leader in clean energy storage[.]"[1] Since taking office, Governor Murphy has taken a number of steps to act on those campaign positions, including:

- directing the Board and the Department of Environmental Protection to rejoin the Regional Greenhouse Gas Initiative "in an expeditious manner";[2]

- directing the Board to develop a new EMP by June 2019 that will "explore methods to incentivize the use of clean, efficient energy and electric technology alternatives in New Jersey's transportation sector and at New Jersey's ports";[3]

- directing the Board to include in the new EMP: (1) "recommendations to position New Jersey as a leader in clean energy storage, including the establishment of goals of 600 MW of energy storage by January 1, 2021 and 2000 MW of storage by January 1, 2030", and (2) "provide specific proposals to be implemented over the next ten (10) years in order to achieve the January 1, 2030 [energy storage] goal";[4]

- signing the Act into law, which, *inter alia*, (1) codifies the energy storage goals set forth above; (2) directs the Board to consider whether energy storage systems "would promote the use of electric vehicles in the State"; and (3) directs the BPU to consider "the growth in the use of electric vehicles" when developing targets for energy use and peak demand

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1 *See, e.g.*, https://www.murphy4nj.com/issue/building-a-clean-energy-economy/.

2 Executive Order No. 7.

3 Executive Order No. 28.

4 *Id.*

reductions that electric distribution companies must meet pursuant to the Act;[5] and

- signing the State Zero-Emission Vehicles Program's Memorandum of Understanding, in which the initial signatory states agree to a collective target of having at least 3.3 million zero-emission vehicles on the road in their states by 2025, and to work collaboratively to establish a fueling infrastructure that will adequately support this number of vehicles.[6]

Implicit in the Administration's actions to combat the harmful effects of climate change is that New Jersey has work to do if it wants to reduce GHGs by electrifying its transportation sector. At the end of 2017, there were approximately 15,700 light-duty plug-in electric vehicles registered in the state of New Jersey.[7] Compared to other states, New Jersey lags in both electric vehicle penetration per capita and electric vehicle charging infrastructure density. For example, New Jersey has just one-sixth of the electric vehicle penetration per capita of California, and less than half the level achieved by other states such as Oregon, Vermont, Washington, and Georgia.[8] Additionally, the density of public chargers relative to the population in New Jersey is by far the lowest of the states that, like ours, participate in California's Zero Emission Vehicle ("ZEV") Program.[9]

In response to the call to action by the Administration to increase electric vehicle and energy storage technologies in the state, on October 11, 2018, PSE&G filed a Petition seeking

5 *N.J.S.A.* 48:3-87.8(a)(2) and (d), *N.J.S.A.* 48:3-87.9(c).

6 https://nj.gov/governor/news/news/562018/approved/20180403b_emissions_standards.shtml

7 State of New Jersey Department of Environmental Protection, Bureau of Mobile Sources, Electric Vehicle Basics: http://www.drivegreen.nj.gov/electric.html

8 ChargEVC, Electric Vehicles in New Jersey: Costs and Benefits, 23 (Jan. 26, 2018), available at http://www.chargevc.org/documents/electric-vehicles-in-new-jersey-costs-and-benefits/.

9 Data obtained February 1, 2018 from United States Department of Energy, Alternative Fuels Data Center, available at https://www.afdc.energy.gov/data_download and United States Census Bureau, National Population Totals and Components of Change: 2010-2017, available at https://www.census.gov/data/datasets/2017/demo/popest/nation-total.html

Board approval to implement the EVES Program. The electric vehicle component of the Program consists of four sub-programs that, in the aggregate, will support the installation of approximately 40,000 electric vehicle charging stations. Those installations will help reduce customer concern regarding lack of electric vehicle charging options in the state (known as "range anxiety"), thereby supporting increased electric vehicle adoption while also promoting efficient grid operations. The Program also supports electric school buses for school districts in New Jersey, and vehicle electrification in ports and other environmental justice regions.

The benefits associated with PSE&G's electric vehicle proposals cannot be understated, and their realization should not be delayed in the manner that Rate Counsel's motion requests. More specifically, a recent study estimated that every electrically-fueled mile driven in New Jersey is at least 70% cleaner than an average mile that is fueled by gasoline.[10] The increased electric vehicle adoption resulting from the EVES Program would remove approximately 16 million net tons of CO_2 emissions through the period 2035. Those emissions savings are equivalent to removing up to 65,000 cars from New Jersey roads for one year, making the Program consistent with the goals of the New Jersey Global Warming Reduction Act, the new EMP, the ZEV Program, and the Act.[11] The EV subprograms will also support the clean energy economy by creating approximately 3,900 direct, indirect and induced job-years.[12]

With respect to PSE&G's energy storage proposals: the four sub-programs set forth in the petition support the deployment of 35 MW of energy storage projects, which will help the state

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[10] ChargeEVC, A Roadmap for Vehicle Electrification in New Jersey: Market Development Strategy and High Impact Initiatives, 5 (Sept. 13, 2017) ("2017 ChargEVC Roadmap"), available at http://www.chargevc.org/documents/chargevc-roadmap/.

[11] Based upon the Greenhouse Gas Equivalencies Calculator developed by the U.S. Environmental Protection Agency (https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator), using program year 2025 emissions data

[12] Direct Testimony of Karen Reif, page 5, lines 11-12.

begin to reach the aggressive energy storage goals set forth in the Act. Likewise, energy storage will be an important resource New Jersey can use to accommodate low carbon, intermittent generation like offshore wind, solar, and distributed generation, thereby assisting the Administration in meeting its goal of 100 percent clean energy by 2050. Beyond environmental benefits, the energy storage subprograms are expected to increase employment through the creation of approximately 1,930 direct, indirect, and induced clean energy job-years.[13]

By Order dated October 29, 2018, the Board, *inter alia*, decided to retain jurisdiction over this filing and designated Commissioner Upendra Chivukula as the presiding officer. Rate Counsel filed the instant motion for a stay on December 7, 2018.

I. The Electric Vehicle Component of the CEF-EVES Program Should Not Be Delayed

A. The BPU's EV Stakeholder Group, Formed Under the Previous Administration, Has Stalled and Therefore Should Not be Grounds for a Delay of this Proceeding

Rate Counsel contends that the Board should stay the EVES filing in part because the EVSG -- which the BPU formed nearly a year-and-a-half ago under the previous Administration -- has not issued its findings to the Board.[14] Rate Counsel's argument is misguided. The EVSG has stalled, and there is no indication that it will recommence its efforts at any point, let alone in the near future.

At the Board's August 23, 2017 agenda meeting, Staff recommended that the BPU establish a stakeholder group that would review various policy issues related to electric vehicles.[15] Staff further recommended that it provide the BPU with a report listing the EVSG's

[13] Direct Testimony of Jorge L. Cardenas, p. 3, lines 1-12.

[14] Rate Counsel brief, p. 11.

[15] 8/23/17 agenda meeting transcript, p. 11, lines 16-22.

findings within 180 days of that agenda meeting, or by late February 2018.[16] The BPU accepted Staff's recommendations, including the 180-day timetable for Staff to provide a report of the EVSG's findings.[17]

Subsequent to the August 2017 agenda meeting, the EVSG -- of which PSE&G was a part -- met on four occasions: (1) September 15, 2017; (2) October 16, 2017; (3) November 27, 2017; and (4) January 22, 2018. Board Staff also solicited input from stakeholders through three sets of questions.

However, there have been no EVSG meetings in the nearly 11 months since the last meeting in January 2018, nor to PSE&G's knowledge are there any meetings scheduled for a future date. Stakeholders have not submitted written comments to Staff in connection with the EVSG since February 2018. PSE&G is not aware of any report being provided to the BPU detailing the EVSG's findings, whether by February 2018 or otherwise; no report has been shared with PSE&G as a member of the EVSG; and no report is available online. PSE&G is also not aware of *any* EVSG activity that has taken place in at least the past six months, nor is it aware of any planned activity in the future. From PSE&G's perspective, the EVSG appears to have been disbanded under the current Administration.

Given that the EVSG appears to have been discontinued, it obviously should not be the grounds for a stay of the EVES Program. To rule otherwise would be to place the Program -- and the benefits it can provide the state and its residents -- in a state of perpetual abeyance. Rate

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[16] *Id.*

[17] *Id.* at page 13, line 25 to page 14, line 23.

Counsel's motion should be denied.[18]

B. The Program Can Be Complimentary of the New Energy Master Plan

Rate Counsel also argues that a stay is warranted because the development of the new EMP, with its call "to incentivize the use of clean, efficient energy and electric technology alternatives in New Jersey's transportation sector and at New Jersey's ports", has not concluded.[19] This argument is also baseless. The new EMP is expected to be released by June 2019.[20] It is therefore reasonably likely that the new EMP will be released prior to the Board ruling on the EVES Program. In fact, significant work has already been completed on the new EMP, including seven total stakeholder meetings in September and October 2018, and the submission of stakeholder written comments in October 2018. A draft version of the new EMP is expected as soon as the 2018-19 winter season according to the BPU's website, which begins just nine days from the date of this submission.[21] Thus, the EVES Program proceeding on the merits at this time poses no conflict with -- indeed, it should support -- the development of the new EMP.

Rate Counsel's motion in essence argues that the Board should not consider complementary proposals -- like the EVES Program -- that would gather New Jersey-tailored information regarding electric vehicles and assist the Board's ongoing policy efforts, whether through the development of the new EMP or otherwise. Instead, Rate Counsel would have the Board make policy decisions regarding electric vehicles in a vacuum based on conjecture and

[18] Even if the Board has plans to reinitiate the EVSG on some future date, PSE&G submits that its reemergence should not result in a stay given the alacrity with which the State must act to reduce harmful greenhouse gas emissions.

[19] Rate Counsel brief, p. 11.

[20] Executive Order No. 28.

[21] https://www.nj.gov/emp/energy/

other jurisdictions' experiences with electric vehicles, not real, practical initiatives that are specific to New Jersey. Rate Counsel also appears to suggest that the EMP --- which does not have the force of law -- will be a prescriptive set of rules regarding electric vehicles that will be rigidly applied to all electric distribution companies ("EDCs"). As it embarks on fulfilling the Governor's mission of combating climate change and reducing harmful GHGs by electrifying the state's transportation sector, the Board should not limit itself in the manner Rate Counsel suggests by delaying consideration of the EVES Program.

Instead, the BPU should recognize that electric vehicles are a rapidly evolving technology that will require periodic reexamination to ensure New Jersey is experiencing a proliferation of electric vehicles consistent with the State's goals in the most cost-effective manner. Stated differently, electric vehicles and their associated infrastructure require nimble and adaptive policy directives that are developed with the benefit of actual program experience in New Jersey. The EVES Program can provide the Board with the information and data it needs to set practical policy directives with respect to electric vehicles and associated charging infrastructure. Thus, consideration of the EVES Program should not be delayed, and Rate Counsel's motion should be denied.

C. <u>The Clean Energy Act Does Not Require a Stay of the EVES Program</u>

Rate Counsel also argues that the Act requires that the EVES Program be stayed. Specifically, Rate Counsel notes the Act's requirement that the Board adopt by May 2019 quantitative performance indicators ("QPI") for each EDC, which "shall establish reasonably achievable targets for energy use reductions and peak demand reductions. . . ."[22] Pursuant to the Act, the Board must consider when developing the QPIs, *inter alia*, "the growth in the use of

[22] *N.J.S.A.* 48:3-87.9(c).

electric vehicles[.]"[23] According to Rate Counsel, because the Board has not yet adopted the QPIs, the EVES Program must be suspended until the BPU's work is complete.[24]

Rate Counsel's reliance on the Act is misplaced. The Act neither expressly states nor suggests that EDC electric vehicle filings cannot proceed until the Board adopts the QPIs. Rather, the Act's plain language suggests that the Legislature is anticipating a "growth" in EVs in New Jersey, which is the objective of the Program and the State.[25] Moreover, with the Board required to adopt QPIs by May 2019, it is reasonably likely that those QPIs will be in place prior to the BPU ruling on the EVES Program. Thus, the EVES Program proceeding on the merits at this time poses no conflict with the BPU's development of the QPIs. In fact, consideration of the Program can assist the Board in developing the QPIs, as it can provide the BPU with an indication of how the electric vehicle industry may grow in New Jersey over the next five years, and how that "growth" should impact the QPIs. Rate Counsel's motion should be denied.

D. Rate Counsel's Policy Arguments Do Not Warrant a Suspension of the Electric Vehicle Portion of the EVES Filing.

In support of its request for delay, Rate Counsel's motion also makes various policy arguments regarding electric vehicles that extend beyond any specific BPU initiative like the EVSG, the new EMP, or the Act. None of those policy arguments warrants a stay. For example, Rate Counsel argues that the "Board must decide who will pay the cost of providing the infrastructure for the EV segment of the transportation industry."[26] However, to whittle down the issues involving electric vehicles to just "who pays" ignores the harmful impact climate

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[23] *Id.*

[24] Rate Counsel brief, p. 16.

[25] *N.J.S.A.* 48:3-87.9(c).

[26] Rate Counsel's brief, p. 17.

change and GHGs are having on the state -- especially in low income communities -- and the need for the State to act swiftly and prudently to mitigate those harmful effects. Moreover, there is no reason why the question of "who pays" needs to be answered on some date in the distant future, as Rate Counsel's motion infers.

Rate Counsel also claims that waiting for the EMP and EVSG processes to conclude would avoid "duplicative appearances and interventions in any number of EV-related filings by individual electric utility companies that would place even greater demands on the Board's resources."[27] This argument is based on the erroneous assumption that EDCs will stop moving to participate in other EDCs' filings once the Board completes those processes. PSE&G strongly believes that Rate Counsel's speculation will prove to be erroneous, and the EDCs will continue to seek to participate in other EDCs' filings regardless of the output of the EMP and (if not defunct) EVSG processes. Case in point: all three EDCs, and one gas utility, moved to participate in PSE&G's Clean Energy Future – Energy Efficiency filing.[28] Yet, utility energy efficiency filings have been authorized by statute in New Jersey since 2008 and have received Board approval for the better part of the last decade.[29]

Rate Counsel further notes that 22 parties have moved to intervene or participate in the EVES filing, which Rate Counsel claims "is indicative of the many interested parties affected by the policy questions raised by PSE&G's Petition."[30] However, the great interest from other entities only demonstrates that the EVES Program is timely and important, not that it should be delayed. Interestingly, in a 1996 BPU proceeding in which PSE&G sought approval of its "New

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[27] Rate Counsel's brief, p. 17.

[28] BPU Docket Nos. G018101113 and E018101112.

[29] *N.J.S.A.* 48:3-98.1.

[30] Rate Counsel's brief, p. 4.

Jersey Partners in Power Plan" for an alternative form of regulation, 22 parties moved to intervene, the same number that seek intervention or participation in this matter.[31] Rate Counsel recommended that the BPU grant intervenor status to all 22 parties because the proceeding raised "many significant and complex issues which are at the core of the fundamental debate regarding electric utility restructuring[.]"[32] The BPU labeled the case as one that "raises important policy issues for the Board and the State[.]"[33] That case proceeded on the merits, irrespective of the number of parties who sought intervention, in light of the "important policy issues" that the filing raised. The same should occur here.

Lastly, Rate Counsel argues that the Program will "entangle" PSE&G in the EV automobile "business", and the proposals set forth in the filing "represent new ventures into services already provided in the competitive marketplace."[34] However, the EDCs have a strong role to play in the proliferation of electric vehicle charging infrastructure. The EDCs have sole jurisdiction over the electric distribution system and, therefore, they are responsible for ensuring that electric vehicle impacts on the distribution system are monitored, mitigated, and proactively addressed to the extent necessary and possible. PSE&G plans to use electric vehicle charging data to improve grid planning and operations, as well as to develop effective rate designs.

Furthermore, as the state's largest electric and gas delivery company, PSE&G is in a unique position to encourage Program participation because it has access to many potential participants through its monthly billing process, social media platforms, website, e-mail

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31 *I/M/O the Matter of the Petition of Public Service Electric and Gas Company for Approval of its New Jersey Partners in Power Plan for an Alternative Form of Regulation Pursuant to* N.J.S.A. *48:2-21.28(5)(A),* BPU Docket No. EO96010028 (April 24, 1996 Order), 1996 WL 264350, at *1.

32 *Id.* at *2-3.

33 *Id.* at *1.

34 Rate Counsel's brief, pp. 18-19.

distribution lists, and more. PSE&G also has experience and a successful track record with building electrical infrastructure and operating the distribution system, as well as experience with electric vehicles through: (1) its own employee incentive program (which is the largest in the state and features over 45 chargers at company locations); (2) a pilot program that provided 145 chargers to 23 New Jersey hospitals, colleges, and businesses; (3) a partnership with a third-party to deploy DC Fast Charging stations along corridor locations in New Jersey; and (4) partnerships with automobile manufacturers to provide PSE&G customers and employees with rebates on electric vehicles. The Company can also provide customers with on-bill repayments over an extended period of time at zero percent interest rates in a way that is accessible and easy for all customers, and which will also reduce the up-front cost burden of electric vehicle charging equipment installations.

In sum, the transportation sector is a significant contributor to the state's GHGs. If New Jersey is to combat climate change and reduce the harmful emissions that disproportionally impact low income areas, then the State should move swiftly and prudently to accelerate the proliferation of electric vehicles in New Jersey. The State should not halt the progress it has made in 2018 on this front. Rate Counsel's motion for a stay should be denied in order for the Administration to meet its transportation electrification objectives.

II. The Energy Storage Component of the CEF-EVES Program Should Not Be Delayed

Rate Counsel also moves to suspend the energy storage component of the EVES filing, relying on the fact that neither the Board's energy storage-related duties under the Act nor the development of the EMP is complete.[35] Rate Counsel's argument has no merit. With respect to the Act, while the BPU must conduct an analysis and submit a report regarding energy storage

[35] Rate Counsel's brief, pp. 20-22.

by May 2019, and six months after that work is complete "initiate a proceeding" to help achieve the energy storage targets set forth in the Act, nothing in the Act prohibits an EDC's energy storage filing to proceed concurrently with those activities.[36] In fact, PSE&G's energy storage subprograms can assist the Board with its analysis and report by providing it with real, New Jersey-specific information and data, as opposed to mere theory and the experiences of other jurisdictions.

Moreover, if New Jersey is to meet the aggressive energy storage goals set forth in the Act, it must act swiftly to advance the technology in the state. The first target in the Act requires 600 MW of energy storage by 2021, a date in the not-too-distant future.[37] Further demonstrating that it would be unwise to delay the Program in the manner Rate Counsel suggests is the requirement in Executive Order No. 28 that the first energy storage MW goal be achieved by January 1, 2021. Waiting, as Rate Counsel suggests, for the Board to complete the responsibilities set forth in the Act, which in all likelihood will not occur until some point in 2020, will put the State in a precarious situation with respect to the Act's energy storage targets. In fact, there may only be a matter of a few months before the Board completes its energy storage-related tasks under the Act, and when the first goal set forth in that law must be achieved. Needless delay is not an option.

Rather than wait, the State should proceed now with initiatives to help it reach the Act's energy storage targets. The EVES Program presents an opportunity for the State to commence those efforts. Furthermore, the overall energy storage project MWs associated with the EVES Program (35) represent a small percentage of the MW targets set forth in the Act (*i.e.*, less than six percent of the 2021 target, and less than two percent of the 2030 target). Thus, there can be

[36] *N.J.S.A.* 48:3-87.8(a) and (d).

[37] *N.J.S.A.* 48:3-87.8(d).

no rational argument that the EVES Program can conflict with -- or otherwise hamper -- the work that the Board needs to complete under the Act. A stay of the EVES Program is not necessary.

Rate Counsel's reliance on the development of the new EMP is also misplaced. Rate Counsel's motion identifies just one EMP stakeholder question in which energy storage is mentioned.[38] Clearly, the EVES Program proceeding concurrently with the development of the new EMP will neither hinder nor conflict with the Board's efforts with respect to the new EMP. Moreover, given the timetable for the completion of the new EMP (*i.e.*, June 2019), it is reasonably likely that it will be released before the Board rules on the EVES Program. Thus, there is no harm with the BPU permitting the EVES Program to proceed on the merits at this time. Lastly, Governor Murphy called for the new EMP to contain: (1) "recommendations to position New Jersey as a leader in clean energy storage, including the establishment of goals of 600 MW of energy storage by January 1, 2021 and 2000 MW of storage by January 1, 2030"; and (2) "specific proposals to be implemented over the next ten (10) years in order to achieve" the 2030 energy storage goal.[39] As set forth above, the Program's "specific proposals" represent an important first step in helping the State achieve those goals. Rate Counsel's motion should be denied.

[38] Rate Counsel's brief, p. 22.

[39] Executive Order No. 28.

Conclusion

The Administration has made it clear that the electrification of the transportation sector and advancing energy storage technology are key goals of the State that will help combat climate change, reduce harmful greenhouse gas emissions, and facilitate a transition to 100 percent clean energy. PSE&G's EVES filing is a response to the call to action from the Administration on electric vehicles and energy storage. Delaying the EVES filing would be antithetical to the Administration's goals. Rate Counsel's motion for a stay should be denied, and the EVES Program should proceed at this time on the merits so that the State can meet its clean energy and environmental goals.

Respectfully submitted,

Matthew Weissman

By: ______________________

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Dated: December 17, 2018

cc: Commissioner Upendra Chivukula (via overnight delivery)
Service List (via e-mail)

Certification of Service

I hereby certify that on this date a copy of the foregoing letter response was served by electronic service on all parties set forth on the attached service list, and two copies were filed with the BPU via overnight delivery.

Justin B. Incardone

Dated: December 17, 2018