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BOARD OF PUBLIC UTILITIES December 17, 2018
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

BPU Docket No. EO18101115

VIA E-MAIL AND OVERNIGHT DELIVERY

RECEIVED
CASE MANAGEMENT

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

DEC 19 2018

BOARD OF PUBLIC UTILITIES
TRENTON, NJ

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 December 6, 2018 Supplemental Motion to Intervene of Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Gateway Energy Services Corporation, NRG Energy, Inc. (“NRG”), Just Energy Group Inc. (“Just Energy”), and Centrica Business Solutions (collectively, “Movants”). Kindly stamp one of the copies of these opposition papers with your filing stamp, and return it in the enclosed, self-addressed envelope. Copies of this filing are being served on the attached service list by electronic mail.

PSE&G submitted opposition to the initial Movants’ motion to intervene on November 26, 2018, and it incorporates herein the arguments set forth in those papers with respect to NRG’s and Just Energy’s request for intervenor status.

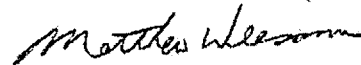
CMS
A. Ford, Esq.
P. Krogman, Esq.
E. Xiab, Esq.
P. Van Brunt, Esq.
S. Peterson

PSE&G also objects to the addition of NRG and Just Energy as intervenors on the grounds that their motion is untimely. The deadline the Board set in its October 29, 2018 Order for the filing of intervention and participation motions was November 16, 2018. Ten parties filed for intervention or participation, demonstrating that there was no inherent difficulty with meeting the Board's deadline. The supplemental motion is devoid of any explanation for why NRG and Just Energy missed the BPU's filing deadline by nearly three weeks. The supplemental motion should be denied.

Finally, the Board should deny the supplemental motion on the grounds that intervenor status for NRG and Just Energy would cause -- and already has caused -- confusion and undue delay. *R.* 1:1-16.3(a). It is entirely unclear from reading the supplemental motion the relationship of NRG and Just Energy to the initial Movants, and whose positions would be presented to the Board if they are collectively granted intervenor status. On the one hand, the Movants claim that their "interests in this proceeding are aligned" and they will "jointly litigate this case." Movants' brief, p. 1, fn. 1. However, on the other hand, the Movants argue that they have "sufficiently different" interests in this proceeding, and granting intervention to NRG and Just Energy would add "the perspectives of additional companies in the energy market with unique business models, product and service offerings and experiences." Movants brief, pp. 15-16, ¶43). Moreover, the supplemental motion has already caused delay in this proceeding, as the Board undoubtedly has already begun the process of analyzing the timely motions to intervene and participate -- including the Movants' initial motion -- and now must assess two additional entities' "sufficiently different" interests in this proceeding.

For the foregoing reasons, PSE&G requests that the Board deny both the initial and supplemental motions to intervene. PSE&G does not object to the Movants being granted participant status. If intervenor status is granted to the Movants, PSE&G requests that they be held to their representation to “jointly litigate this case”, and not be permitted to serve or have separate discovery requests, testimonies, briefs, evidentiary hearing witnesses, or other elements of their case.

Respectfully submitted,



By: _____

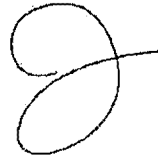
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Dated: December 17, 2018.

cc: Commissioner Mary-Anna Holden (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