

Philip J. Passanante  
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atlanticcityelectric.com

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AUG 07 2019

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

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CASE MANAGEMENT

AUG 07 2019

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

July 25, 2019

**VIA FEDERAL EXPRESS and  
FACSIMILE TRANSMISSION  
(973) 648-3178**

Kurt Schwartz  
Deputy Clerk  
Office of Administrative Law  
33 Washington Street  
Newark, New Jersey 07102

**RE:** In the Matter of the Verified Petition of Rockland Electric Company for  
Approval of Changes in Electric Rates, Its Tariff for Electric Service, and Its  
Depreciation Rates; and for Other Relief  
BPU Docket No. ER19050552  
OAL Docket No. PUC 07548-2019N

Dear Mr. Schwartz:

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

It is our understanding that this matter has been assigned to Administrative Law Judge Irene Jones, and we are copying ALJ Jones on this letter and enclosing a copy of the Motion to Participate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Passanante', written over a horizontal line.

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

Enclosure

cc: Honorable Irene Jones, Administrative Law Judge  
Service List

*Case Mgmt*

*service list copies*

FORWARDED  
CASE MANAGEMENT  
2019 AUG-8 AM 11:51  
BOARD OF PUBLIC UTILITIES  
TRENTON, NJ

AUG 07 2019

AUG 07 2019

BOARD OF PUBLIC UTILITIES

MAIL RECEIVED

TRENTON, NJ

**IN THE MATTER OF THE VERIFIED  
PETITION OF ROCKLAND  
ELECTRIC COMPANY FOR  
APPROVAL OF CHANGES IN  
ELECTRIC RATES, ITS TARIFF FOR  
ELECTRIC SERVICE, AND ITS  
DEPRECIATION RATES; AND FOR  
OTHER RELIEF**

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

**BPU DOCKET NO. ER19050552**

**OAL DOCKET NO. PUC 07548-2019N**

**NOTICE OF MOTION TO  
PARTICIPATE**

**TO:** The Honorable Irene Jones  
Administrative Law Judge  
State of New Jersey  
Office of Administrative Law  
33 Washington Street  
Newark, New Jersey 07102

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 July 25, 2019.

Dated: July 25, 2019

  
\_\_\_\_\_  
PHILIP J. PASSANANTE  
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**IN THE MATTER OF THE VERIFIED  
PETITION OF ROCKLAND  
ELECTRIC COMPANY FOR  
APPROVAL OF CHANGES IN  
ELECTRIC RATES, ITS TARIFF FOR  
ELECTRIC SERVICE, AND ITS  
DEPRECIATION RATES; AND FOR  
OTHER RELIEF**

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

**BPU DOCKET NO. ER19050552**

**OAL DOCKET NO. PUC 07548-2019N**

**CERTIFICATION IN SUPPORT OF  
NOTICE OF MOTION TO  
PARTICIPATE**

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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. 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 May 3, 2019, Rockland Electric Company ("RECO" or the "Petitioner"), a public utility of the State of New Jersey, filed a petition (the "Petition") with the New Jersey Board of Public Utilities (the "Board") for approval of an increase in its operating revenues of approximately \$19.9 million, to be effective for electric service provided on or after June 2, 2019. RECO also seeks Board approval to implement new depreciation rates and certain other tariff changes.

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. The Company is engaged in the transmission, distribution, and sale of electric energy for residential, commercial, and industrial purposes within New Jersey. ACE's service territory comprises eight counties located in southern New Jersey and includes approximately 556,000 customers.

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

[A]ny 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 will add constructively to this proceeding without causing any delay or confusion, *N.J.A.C. 1:1-16.1(b)*. 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, ACE'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 Office of Administrative Law and the Board without causing any delay or confusion, as the proceeding has just commenced. *N.J.A.C. 1:1-16.1(b)*. 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:

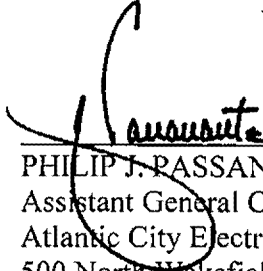
Philip J. Passanante, Esquire  
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[philip.passanante@pepcoholdings.com](mailto:philip.passanante@pepcoholdings.com)

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: July 25, 2019

  
PHILIP J. PASSANANTE  
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**IN THE MATTER OF THE VERIFIED  
PETITION OF ROCKLAND  
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APPROVAL OF CHANGES IN  
ELECTRIC RATES, ITS TARIFF FOR  
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OTHER RELIEF**

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
  
BPU DOCKET NO. ER19050552  
  
OAL DOCKET NO. PUC 07548-2019N  
  
CERTIFICATION OF SERVICE**

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 the Honorable Irene Jones, Administrative Law Clerk, Office of Administrative Law, 33 Washington Street, Newark, New Jersey 07102, with a copy via Federal Express to the Clerk of the Office of Administrative Law.
3. On this day, I further caused copies of ACE's Motion to Participate and Certification of Philip J. Passanante, Esquire to be served by electronic mail to the entities on the Service List.

In the Matter of the Verified Petition of Rockland Electric Company for Approval of Changes in Electric Rates,  
Its Tariff for Electric Service, and Its Depreciation Rates; and for Other Relief

BPU Docket No. ER19050552

OAL Docket No. PUC 07548-2019N

Service List

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Honorable Irene Jones  
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