



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF PUBLIC)	MOTION FOR
SERVICE ELECTRIC AND GAS COMPANY FOR)	RECONSIDERATION
APPROVAL OF ITS CLEAN ENERGY FUTURE –)	
ELECTRIC VEHICLE AND ENERGY STORAGE (“CEF-)	
EVES”) PROGRAM ON A REGULATED BASIS)	DOCKET NO. EO18101111

Parties of Record:

Stefanie Brand, Esq., Director, NJ Division of Rate Counsel
Matthew M. Weissman, Esq., General Regulatory Counsel, PSEG Services Company
Matthew S. Slowinski, Esq., Counsel for CCMT and MSEIA
Murray E. Bevan, Esq., Counsel for ChargePoint, Inc.
Christopher E. Torkelson, Esq., Counsel for Direct Energy Business, LLC, et al.
Steven G. Goldenberg, Esq., Counsel for NJLEUC
William Harla, Esq., Counsel for Enel X North America, Inc.
Daniel Greenhouse, Esq., Counsel for ENF, EDF, and NRDC
James H. Laskey, Esq., Counsel for Burns & McDonnell Engineering Company, LLC
Lauri A. Mazzuchetti, Esq., Counsel for Sunrun, Inc.
Martin C. Rothfelder, Esq., Counsel for EVgo Services, LLC
Nathan Howe, Esq., Counsel for Greenlots
Kevin Auerbacher, Esq., Counsel for Tesla
Paul Yousif, Esq., Counsel for Blue Bird Body Company
Umar A. Sheikh, Esq., Counsel for Power Edison

BY COMMISSIONER UPENDRA J. CHIVUKULA:

On October 11, 2018, Public Service Electric and Gas Company (“PSE&G” or “Company”) filed a petition (“Petition”) with the New Jersey Board of Public Utilities (“Board”) requesting approval of its Clean Energy Future – Electric Vehicle and Energy Storage Program (“CEF-EVES Program” or “Program”). The proposed Program would consist of up to \$261 million of investment over a period of six (6) years and approximately \$103 million in expenses. PSE&G claims that the proposed Program will support the widespread adoption of electric vehicles (“EV”), including multi-family and low income customers. Additionally, the petition maintains that the EV program will have extensive societal benefits including environmental benefits, job creation, supporting schools, mitigation of EV market barriers, and increased knowledge of how to optimize the distribution system through smart chargers with two-way communication.

By an Order dated October 29, 2018, the Board determined that the petition described above should be retained by the Board for hearing and, pursuant to N.J.S.A. 48:2-32, designated myself as the presiding officer authorized to rule on all motions that arise during the pendency of these proceedings and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues. Further, the October 29, 2018 Order directed that any entities seeking to intervene or participate in this matter file the appropriate application with the Board by November 13, 2018.

On April 22, 2020, a prehearing order was issued wherein a procedural schedule was set and motions for intervention and participation status were ruled upon.

THE MOTIONS

Motion for Reconsideration and Intervene

Power Edison, LLC

Power Edison, LLC ("Power Edison") submitted a Motion to Intervene with the Board on November 13, 2018. Power Edison's motion was filed by its President and CEO, Shihab Kuran, Ph.D. Dr. Kuran is not an attorney authorized to practice in New Jersey and therefore may not represent Power Edison before the Board. Because Power Edison was not represented by counsel, its motion to intervene was not considered in the April 9, 2020 prehearing order. Thereafter, on April 23, 2020, the Board was contacted by Umar A. Sheikh, Esq. stating that Power Edison had retained counsel and is requesting the Board to reconsider its motion for intervenor status. On that same date, Mr. Sheikh entered his appearance on behalf of Power Edison.

Power Edison is a New Jersey based privately held, utility-scale energy storage system developer and supplier. Power Edison asserts that it is in a unique position to provide the Board with insight, including energy markets, storage technologies and the costs and feasibility related to the proposed program.

Power Edison maintains it will be directly impacted by the outcome of the proceeding because if energy storage programs are approved by the Board, it is important to Power Edison to plan accordingly with investments in staff, R&D, materials and manufacturing equipment. Power Edison asserts it will add measurably and constructively to the scope of the docket because of its successful history with other New Jersey energy initiatives. Power Edison states its interests are not adequately represented as no other parties have identical interests. Lastly, Power Edison vouches that it will not cause undue delay or confusion.

RESPONSES

The Board has not received any response to the motion for reconsideration.

FINDINGS

After consideration of the papers and given the lack of any objection, I **HEREBY FIND**, that Power Edison is represented by counsel and pursuant to N.J.A.C. 1:1-16.3 that Power Edison will be directly affected by the outcome of this proceeding and will measurably and constructively contribute to the scope of the case. Power Edison has a sufficient interest in this proceeding and

has met the standards for intervention. Accordingly, having received no objection, I **HEREBY GRANT** Power Edison's motion for intervention pursuant to the authority granted to me by the Board under the March 2018 Order.

I **HEREBY DIRECT** that this Order be posted on the Board's website.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: May 14, 2020

BY:

A handwritten signature in dark ink, appearing to read "Upendra Chivukula", is written over a horizontal line.

UPENDRA J. CHIVUKULA
COMMISSIONER

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR
APPROVAL OF ITS CLEANENERGY FUTURE – ELECTRIC VEHICLE AND ENERGY STORAGE
("CEF-EVES") PROGRAM ON A REGULATED BASIS
BPU DOCKET NO. EO18101111

SERVICE LIST

PSE&G

PSEG Services Corporation
80 Park Plaza, T5G
Post Office Box 570
Newark NJ 07102

Joseph F. Accardo, Jr., Esq.
joseph.accardojr@pseg.com

Joseph A. Shea Esq.
joseph.shea@pseg.com

Bernard Smalls
bernard.smalls@pseg.com

Matthew M. Weissman Esq.
matthew.weissman@pseg.com

Caitlyn White
caitlyn.white@pseg.com

Michele Falcao
michele.falcao@pseg.com

Danielle Lopez, Esq.
danielle.lopez@pseg.com

Katherine E. Smith, Esq.
katherine.smith@pseg.com

Board of Public Utilities

44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch, Secretary
aida.camacho@bpu.nj.gov

Paul E. Flanagan, Esq. Executive Director
paul.flanagan@bpu.nj.gov

Robert Brabston, Esq., Deputy Executive
Director
robert.brabston@bpu.nj.gov

Grace Strom Power, Esq. Chief of Staff
grace.power@bpu.nj.gov

Christine Sadovy, Deputy Chief of Staff
christine.sadovy@bpu.nj.gov

Division of Clean Energy

Kelly Mooij, Director
kelly.mooij@bpu.nj.gov

Sherri Jones. Assistant Director
sherri.jones@bpu.nj.gov

Cathleen Lewis
cathleen.lewis@bpu.nj.gov

Division of Energy

Stacy Peterson, Director
stacy.peterson@bpu.nj.gov

Ryan Moran
ryan.moran@bpu.nj.gov

John Zarzycki
john.zarzycki@bpu.nj.gov

Counsel's Office

Abe Silverman, Esq., General Counsel
abe.silverman@bpu.nj.gov

Andrea Hart, Esq.
andrea.hart@bpu.nj.gov

Ilene Lampitt, Esq.
ilene.lampitt@bpu.nj.gov

Rate Counsel

140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-0003

Stefanie A. Brand, Esq., Director
sbrand@rpa.nj.gov

Brian O. Lipman, Esq., Litigation Manager
blipman@rpa.nj.gov

Henry Ogden, Esq.
hogden@rpa.nj.gov

Felicia Thomas-Friel, Esq.
ftthomas@rpa.nj.gov

Kurt Lewandowski, Esq.
klewando@rpa.nj.gov

Brian Weeks, Esq.
bweeks@rpa.nj.gov

Shelly Massey, Paralegal
smassey@rpa.nj.gov

Division of Law

25 Market Street
P.O. Box 112
Trenton, NJ 08625

Matko Ilic, DAG
matko.ilic@law.njoag.gov

Alex Moreau, DAG
alex.moreau@law.njoag.gov

Michael Beck, DAG
michael.beck@law.njoag.gov

Pamela Owen, DAG
pamela.owen@law.njoag.gov

Bluebird Body Corporation

James H. Laskey
Norris Mcaughlin, P.A.
400 Crosing Blvd, 8th Floor
Bridgewater, New Jersey 08807
jhlaskey@nmmlaw.com

Kevin L. Matthews
NSI, LLC
1990 Kst. NW Suite 320
Washington, DC 20005
kmatthews@nationalstrategies.com

Paul Yousif, Esq.
VP, General Counsel & Corporate
Treasurer
Blue Bird Body Corporation
402 Blue Bird Blvd
Fort Valley, Georgia 31030
paul.yousif@blue-bird.com

**Burns & McDonnell Engineering
Company**

Lindsay Grise
Legal Counsel
9400 Ward Parkway
Kansas City, MO 64112
lgrise@bmnsacd.com

Direct Energy

Christopher E. Torkelson, Esq.
Eckert Seamans Cherin & Mellott, LLC
P.O. Box 5404
Princeton, NJ 08543
ctorkelson@eckertseamans.com

Karen O. Moury, Esq.
Sarah C. Stoner, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
kmoury@eckertseamans.com
sstoner@eckertseamans.com

ENJ, EDF, NRDC

William Bittinger, Esq.
Daniel Greenhouse, Esq.
Eastern Environmental Law Center
50 Park Place
Suite 1025
Newark, New Jersey 0710
wbittinger@easternenvironmental.org
dgreenhouse@easternenvironmental.org

EVgo

Martin C. Rothfelder, Esq.
Bradford M Stern, Esq.
Rothfelder Stern, L.L.C.
Greenwood Avenue, Unit #301
Trenton, NJ 08609
mrothfelder@rothfelderstern.com
bstern@rothfelderstern.com

Sara Rafalson
Director of Market Development
EVgo Services LLC
11835 West Olympic Boulevard, Suite 900
Los Angeles, CA 90064
sara.rafalson@evgo.com

SunRun

Lauri A. Mazzuchetti
Glenn T. Graham
Kelley Drye & Warren LLP
One Jefferson Road, 2nd Floor
Parsippany, New Jersey 07054
lmazzuchetti@kelleydrye.com
ggraham@kelleydrye.com

Tesla

Kevin Auerbacher
Senior Counsel
Tesla, Inc.
1050 K St, NW, Ste 101
Washington, DC 20001
Kauerbacher@tesla.com

Climate Change Mitigation Technologies, LLC

James Sherman
Matthew S. Slowinski
Slowinski Atkins, LLP
Eisenhower Corporate Campus
290 West Mt. Pleasant Avenue, Suite 2310
Livingston, NJ 07039-2729
jsherman@slowinskiatkins.com
mss@slowinskiatkins.com

Enel X

William Harla, Esq.
Decotiis, Fitzpatrick, Cole & Giblin, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard
Teaneck, New Jersey 07666
wharla@decotiislaw.com

Greenlots

Thomas Ashley
Vice President, Policy
Greenlots
767 S. Alameda Street, Suite 200
Los Angeles, CA 90021
tom@greenlots.com

Joshua J. Cohen
Director, Policy
Greenlots
1910 Towne Centre Blvd., Ste. 250
Annapolis, MD 21401
jcohen@greenlots.com

Guillermo C. Artiles
Nathan C. Howe
McCarter & English LLP
Four Gateway Center
100 Mulberry Street Newark, NJ 07102-4056
gaitiles@mccarter.com
nhowe@mccarter.com

MSEIA

Matthew S. Slowinski
Slowinski Atkins, LLP
Eisenhower Corporate Campus
290 West Mt. Pleasant Avenue, Suite 2310
Livingston, NJ 07039-2729
mss@slowinskiatkins.com

NJLEUC

Steven S. Goldenberg, Esq.
Giordano, Halleran & Ciesla, P.C.
125 Half Mile Road, Suite 300
Red Bank, NJ 07701-6777
sgoldenberg@ghclaw.com

Paul F. Forshay, Esq.
Eversheds Sutherland (US), LLP
700 Sixth Street, N.W., Suite 700
Washington, D.C. 20001-3980
paulforshay@eversheds-sutherland.com

Power Edison

Shihab Kuran, Ph.D.
Power Edison, LLC
166 Deer Run
Watchung, NJ 07069
salkuran@poweredison.com

Umar A. Sheikh, Esq.
Offit Kurman
10 East 40th Street
Suite 3500
New York, NY 10016
usheikh@offitkurman.com

ChargePoint

Murray E. Bevan, Esq.
William K. Mosca, Jr., Esq.
Jennifer McCave, Esq.
Katherine M. Dailey, paralegal
Bevan, Mosca & Giuditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920
mbevan@bmg.law
wmosca@bmg.law
jmccave@bmg.law
kdailey@bmg.law

ACE

Philip J. Passanante, Esq.
Assistant General Counsel
92DC42
500 North Wakefield Drive
Newark, DE 19702
philip.passanante@pepcoholdings.com

JCP&L

Lauren M. Lepkoski, Esq.
FirstEnergy Service Company
Legal Department
2800 Pottsville Pike
Reading, PA 19612-6001
llepkoski@firstenergycorp.com

Alliance

Michael I. K. rauthamer
Alliance for Transportation Electrification
michael@evTransportationAlliance.org

Barbara Koonz
Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Center Drive, Suite 900
Woodbridge, New Jersey 07095
bkoonz@wilentz.com

RECO

Margaret Comes, Esq.
Associate Counsel
Rockland Electric Company
4 Irving Place Suite 1815-S
New York, New York 10003
comesm@coned.com

Jack Carley, Esq.
Assistant General Counsel
Consolidated Edison
Company of New York, Inc.
4 Irving Place Suite 1815-S
New York, New York 10003
carleyj@coned.com

James C. Meyer
Riker Danzig Scherer
Hyland & Perretti LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
JMEYER@RIKER.com

Sema Connect

Josh Cohen
Director of Policy and Utility Programs
SemaConnect Inc.
4961 Tesla Drive
Bowie, Maryland 20715
josh.cohen@semaconnect.com

Barbara Koonz
Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Center Drive, Suite 900
Woodbridge, New Jersey 07095
bkoonz@wilentz.com