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May 21, 2020

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 ELECTRONIC MAIL

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

RE: PSEG's Opposition to AARP's Request to Intervene

Dear Secretary Camacho-Welch:

On May 13, 2020, AARP filed in the above-captioned proceeding a document titled "Motion to Participate" (Motion). Despite the title of the Motion, the relief AARP requests is intervention status in this matter pursuant to *N.J.A.C.*, 1:1-16.3, and not "participant" status pursuant to *N.J.A.C.* 1:1-16.6. Public Service Gas and Electric Company ("PSE&G" or "Company") opposes AARP's request for intervention, but does not object to AARP's inclusion in the proceeding as a participant.

AARP does not have a direct interest that is "sufficiently different from other parties in the case so as to add measurably and constructively to the scope of the case." *N.J.A.C.* 1:1-16.3. The interests of AARP's members (adults over the age of 50) are not unique among PSE&G's customers. The interests of AARP members, a subset of whom are presumably PSE&G customers, will be adequately represented by the Division of Rate Counsel, and Board Staff will surely protect those interests as well. Moreover, AARP missed *two* opportunities to file a timely motion to intervene in this case. First, the Board's October 29, 2018 Order retaining jurisdiction in this matter set a bar date of November 16, 2018 for motions to intervene or participate in this proceeding. Second, the Presiding Officer's April 1, 2020 Prehearing Order included a procedural schedule for the fair and orderly administration of this matter that set May 4, 2020 as a deadline for any further motions in this proceeding. Considering that over 18 months has passed since the initial filing and that discovery has already commenced, allowing additional intervenors at this late stage could cause unnecessary confusion and, as noted above, is unnecessary.

Therefore, PSE&G respectfully requests that, to the extent the Presiding Officer deems AARP to have a sufficient interest in the outcome of this case, AARP should be limited to participant status pursuant to *N.J.A.C. 1:1-16.6*.

Very truly yours,

A handwritten signature in blue ink that reads "Katherine E. Smith" followed by a stylized flourish.

Katherine E. Smith

Attachment

Cc: Attached Service List