



Nathan Howe  
Associate  
T. 973-639-2053  
F. 973-297-3975  
nhowe@mccarter.com

McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102-4056  
www.mccarter.com

May 4, 2020

**VIA EMAIL**

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

**Re: In re Petition of Atlantic City Electric Company for Approval of a  
Voluntary Program for Plug-In Vehicle Charging  
BPU Docket No. EO18020190**

Dear Secretary Camacho-Welch:

On behalf of Zeco Systems, Inc. d/b/a/ Greenlots ("Greenlots"), please find enclosed Greenlots' opposition to Rate Counsel's motion to dismiss filed on April 13, 2020 in the above-referenced matter. Copies have been provided via electronic mail to all parties and individuals as set forth in the official service list in this matter.

Respectfully submitted,

*/s/Nathan C. Howe*

Nathan C. Howe

Enclosures

STATE OF NEW JERSEY  
BEFORE THE BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of	)	BPU Docket No.
Atlantic City Electric Company for	)	EO18020190
Approval of a Voluntary Program	)	
For Plug-In Vehicle Charging	)	

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**GREENLOTS' OPPOSITION TO MOTION TO DISMISS**

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Zeco Systems, Inc. d/b/a Greenlots ("Greenlots"), by counsel, respectfully requests that the New Jersey Board of Public Utilities ("Board") deny the Motion to Dismiss filed by the Division of Rate Counsel on April 13, 2020. In support of this request, Greenlots submits the following.

1. A motion to dismiss is premature. The program for plug-in vehicle charging ("PIV Program") proposed by Atlantic City Electric ("ACE") should be addressed on its merits, within the established protocol of a docketed proceeding before this Board. The PIV Program includes a multi-faceted portfolio of offerings, many of which implicate different regulatory considerations as to the appropriate role for the utility, appropriate treatment of cost recovery, and other important matters. To summarily dismiss the entire petition would do a disservice not only to the matters at hand in this instant proceeding, but also work against the State's broader public policy goals relating to transportation electrification.

2. The PIV Program is directly relevant to New Jersey's statutory electrification commitments. The Plug-in Vehicle Act ("PIV Act"), P.L. 2019, c. 362 (Jan. 17, 2020), *N.J.S.A.* 48:25-1, *et seq.*, enacted by the legislature and signed into law by the Governor earlier this year,

establishes bold, urgent and clearly defined requirements for transportation electrification, and moreover, identifies critical roles for both the Board and the state's electric public utilities in meeting those commitments. The PIV Program proposed by ACE is an important step towards achieving the State's goals. Greenlots respectfully submits that the Board has an obligation to the citizens of New Jersey to afford ACE's petition full and fair consideration on the merits, and only after receiving substantial stakeholder input from which the Board may pragmatically weight the pros and cons of ACE's proposed programs.

3. Greenlots and other parties in this proceeding have direct and material interests in its outcome. The Board, in granting Greenlots' and other parties' motions to intervene, has already acknowledged that Greenlots and the other intervenors "will be directly affected by the outcome of this proceeding and will measurably and constructively contribute to the scope of the case."<sup>1</sup> Greenlots' and others' contributions to this proceeding are critical to the Board's informed consideration and judgment as to how this proceeding can further the state's goals.

For the above reasons, Greenlots respectfully requests that the Board deny the Division of Rate Counsel's motion to dismiss.

Dated: May 4, 2020

Respectfully submitted,

/s/Nathan C. Howe  
Nathan C. Howe, Esq.  
Guillermo C. Artiles, Esq.  
McCarter & English LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102-4056  
Phone: 973-639-2053  
Fax: 973-297-3975  
nhowe@mccarter.com  
gartiles@mccarter.com

Attorneys for Zeco Systems, Inc.  
d/b/a Greenlots

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<sup>1</sup> Prehearing Order, *In re Petition of Atlantic City Electric Company for Approval of a Voluntary Program for Plug-In Vehicle Charging*, BPU Docket No. EO18020190, at p. 6 (Apr. 9, 2020)