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July 14, 2020

Client/Matter No. 22427-2

## VIA FIRST CLASS REGULAR MAIL

Honorable Irene Jones  
Office of Administrative Law  
33 Washington Street  
Newark, NJ 07102

**Re: In the Matter of the Verified Petition of Jersey Central Power & Light Company for review and approval of increases in and other adjustments to its rates and charges for electric service, and for approval of other proposed tariff revisions in connection therewith ("2020 Base Rate Filing") BPU Docket No. ER20020146 and OAL Docket No. PUC 04343-20**

Dear Judge Jones:

Enclosed for filing are an original and three (3) copies of motions of The New Jersey Large Energy Users Coalition ("NJLEUC") to intervene in these proceedings and for the *pro hac vice* admission of Paul F. Forshay, Esq. of the Washington DC Bar to appear.

The parties on the distribution list have received copies of this motion via electronic mail this date, hard copies of the motions are being forwarded this date via regular mail to the Clerk, Office of Administrative Law and Aida Camacho-Welch, Secretary of the Board of Public utilities.

Thank you for your anticipated courtesies in this matter.

Respectfully yours,

STEVEN S. GOLDENBERG

SSG/rad

Encls.

cc: Clerk, Office of Administrative Law  
Distribution List

Docs #4489940-v1

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July 14, 2020

Client/Matter No. 21561/2

Aida Camacho-Welch, Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue  
3<sup>rd</sup> Floor, Suite 314  
PO Box 350  
Trenton, New Jersey 08625-0350

Re: **In the Matter of the Verified Petition of Jersey Central Power & Light Company for review and approval of increases in and other adjustments to its rates and charges for electric service, and for approval of other proposed tariff revisions in connection therewith ("2020 Base Rate Filing") BPU Docket No. ER20020146 and OAL Docket No. PUC 04343-20**

Dear Secretary Camacho-Welch:

Enclosed for filing are an original and three (3) copies of motions of New Jersey Large Energy Users Coalition to intervene in these proceedings and for the *pro hac vice* Admission of Paul F. Forshay to appear.

The parties on the distribution list have received copies of these motions via electronic mail this date.

Thank you for your anticipated courtesies in this matter.

Respectfully yours,

STEVEN S. GOLDENBERG

SSG/rad  
Encls.

cc: Honorable Irene Jones  
Clerk, Office of Administrative Law  
Distribution List

Docs #4488399-v1

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

In the Matter of the Verified Petition of Jersey Central     ) BPU Docket No. ER20020146  
Power & Light Company For Review and Approval of     ) OAL Docket No. PUC 04343-20  
Increases in and Other Adjustments to Its Rates and     )  
Charges For Electric Service, and For Approval of Other     )  
Proposed Tariff Revisions in Connection Therewith     )  
("2020 Base Rate Filing")     )

**MOTION TO INTERVENE OF  
NEW JERSEY LARGE ENERGY USERS COALITION**

The New Jersey Large Energy Users Coalition ("NJLEUC"), an association whose members include large volume electric customers serviced by Jersey Central Power & Light Company ("JCP&L"), hereby moves to intervene in the above-captioned proceeding. In support of its motion, NJLEUC states as follows:

1. All communications and correspondence concerning this proceeding should be directed to:

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125 Half Mile Rd, Suite 300  
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Phone: 732-224-6530  
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[sgoldenberg@ghclaw.com](mailto:sgoldenberg@ghclaw.com)

Paul F. Forshay, Esq.  
Eversheds Sutherland (US) LLP  
700 Sixth Street, N.W., Suite 700  
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Phone: 202-383-0100  
Fax: 202-637-3593  
[paulforshay@eversheds-sutherland.us](mailto:paulforshay@eversheds-sutherland.us)

2. By Petition dated February 18, 2020, JCP&L seeks the Board's approval of certain increases in JCP&L's rates and charges for electric service and for related relief. Specifically, JCP&L seeks, among other things, an increase in its annual operating revenues for electric service in the sum of \$186.9 million over current delivery rates, representing an overall average increase in JCP&L rates of 7.8%. JCP&L further proposes to roll into base rates all capital investments under the JCP&L Reliability Plus program that will be placed into service by December 31, 2020.

WHEREFORE, in support of its application for intervention in this proceeding, and as further summarized below, NJLEUC respectfully submits that all factors for intervention set forth in N.J.A.C. 1:1-16 weigh in favor of the granting of NJLEUC's motion to intervene in the above-captioned proceeding:

1. NJLEUC formed, in part, to monitor regulatory proceedings involving the State's electric and natural gas utilities, including JCP&L, and participate or intervene in regulatory and rate proceedings to the extent necessary to represent its members' common interests. Members of NJLEUC purchase electric distribution service from JCP&L and, therefore, will be substantially and specifically affected by the outcome of the proceeding;

2. Given its capacity as an association of large end-use customers on the JCP&L system that will be directly and immediately affected by the rate relief sought by JCP&L in this proceeding, NJLEUC's interests are unique from and not adequately represented by any other party.

3. NJLEUC has a unique perspective and insight regarding the potential impact, on JCP&L's large consumers, of the rate relief and charges that have been sought, and will be sought, by JCP&L in this proceeding.

4. NJLEUC's motion is timely and will not delay or otherwise disrupt the prosecution of this proceeding;

5. Fundamental fairness and due process considerations require that NJLEUC be afforded an opportunity to fully participate as an Intervenor in this proceeding, the outcome of which will have a significant impact on the cost of electric service received from JCP&L by the members of NJLEUC;

6. NJLEUC was granted Intervenor status in, among others, prior JCP&L base rate cases, the GPU/FirstEnergy merger proceeding and other regulatory proceedings involving JCP&L.

7. Accordingly, the issues to be decided in this proceeding "substantially, specifically

and directly affect” NJLEUC within the meaning of these terms as used in the Uniform Rules, thereby making it appropriate for NJLEUC to intervene as a party;

8. Furthermore, the interests of NJLEUC’s members as large end-use customers of JCP&L, and as active intervenors in matters involving JCP&L, are substantially different from those of any other party seeking intervention. Therefore, NJLEUC’s interests in this proceeding are unique on both a quantitative and qualitative basis;

9. NJLEUC’s entry as a party would “measurably and constructively” advance this proceeding (N.J.A.C. 1:1-16.3(a)) because of the unique status of its members as large end-use customers on the JCP&L system. NJLEUC’s entry as a party would promote an informed and balanced presentation of the issues;

10. Notwithstanding its unique interests, where it is possible and practical for it to do so, NJLEUC will endeavor to work cooperatively with other parties in this proceeding in the interests of administrative efficiency and economy.

11. For the foregoing reasons, and because the cost of electric service to NJLEUC’s members will be directly and substantially affected by the issues to be determined in this proceeding, NJLEUC has a direct and immediate interest in the outcome of this proceeding that cannot adequately be represented by any other party.

WHEREFORE, pursuant to N.J.A.C. 1:1-16.1, *et seq.*, NJLEUC respectfully requests that it be permitted to intervene, with full procedural and substantive rights, in the above-captioned proceeding.

Respectfully submitted,



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Steven S. Goldenberg, Esq.  
GIORDANO, HALLERAN & CIESLA, P.C.  
125 Half Mile Rd, Suite 300  
Red Bank, NJ 07701-6777  
Phone: 732-224-6530  
Attorneys for New Jersey Large Energy  
Users Coalition

Dated: July 14, 2020

### **CERTIFICATION OF SERVICE**

I hereby certify that I have this day served via electronic mail copies of the foregoing Motion to Intervene to the parties identified on the service list. Hard copies of the motion have been forwarded this day via first class mail to Aida Camacho-Welch, Secretary, Board of Public Utilities and to the Clerk, Office of Administrative Law.

Dated at Red Bank, New Jersey this 14<sup>th</sup> day of July, 2020.



---

Steven S. Goldenberg

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

In the Matter of the Verified Petition of Jersey Central        ) BPU Docket No. ER20020146  
Power & Light Company For Review and Approval of        ) OAL Docket No. PUC 04343-20  
Increases in and Other Adjustments to Its Rates and        )  
Charges For Electric Service, and For Approval of Other    )  
Proposed Tariff Revisions in Connection Therewith        )  
("2020 Base Rate Filing")                                        )

**MOTION FOR ADMISSION FOR *PRO HAC VICE***

The undersigned counsel, a member in good standing of the bar of the State of New Jersey and willing to serve as attorney of record in this proceeding, hereby moves for the admission *pro hac vice* of Paul F. Forshay, Esq. Mr. Forshay is a member in good standing of the bar of the District of Columbia. There is good cause for Mr. Forshay to be admitted *pro hac vice* because he has had significant experience representing the interests of large end-use customers, he has an attorney-client relationship with the New Jersey Large Energy Users Coalition, and this proceeding involves a complex field of law in which he is a specialist. Mr. Forshay has been admitted *pro hac vice* in prior Jersey Central Power and Light Company rate and regulatory proceedings. As evidenced by his affidavit attached hereto, Mr. Forshay has paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1 :20-1 (b ).

Respectfully submitted,



Steven S. Goldenberg, Esq.  
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125 Half Mile Rd, Suite 300  
Red Bank, NJ 07701-6777  
Phone: 732-224-6530

Attorneys for New Jersey Large Energy  
Users Coalition

Dated: July 14, 2020



## CERTIFICATION OF SERVICE

I hereby certify that I have this day served via electronic mail copies of the foregoing Motion for Admission *Pro Hac Vice* to the parties identified on the service list. Copies of the motion have been forwarded this date via first class mail to Aida Camacho-Welch, Secretary, Board of Public Utilities and to the Clerk, Office of Administrative Law.

Dated at Red Bank, New Jersey this 14<sup>th</sup> day of July, 2020.



---

Steven S. Goldenberg

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

In the Matter of the Verified Petition of Jersey Central ) BPU Docket No. ER20020146  
Power & Light Company For Review and Approval of ) OAL Docket No. PUC 04343-20  
Increases in and Other Adjustments to Its Rates and )  
Charges For Electric Service, and For Approval of Other )  
Proposed Tariff Revisions in Connection Therewith )  
("2012 Base Rate Filing") )

**AFFIDAVIT IN SUPPORT OF REQUEST  
TO APPEAR *PRO HAC VICE***

Washington )  
 ) ss.  
District of Columbia )

I, Paul F. Forshay, duly sworn according to law, depose and say:

1. I am an attorney in good standing admitted to practice in the District of Columbia. I am not admitted to practice in New Jersey. I have no disciplinary proceedings pending against me in any jurisdiction and no discipline has been previously imposed on me in any jurisdiction.

2. I am associated in this matter with New Jersey counsel of record, Steven S. Goldenberg, Esq. of the firm of Giordano, Halleran & Ciesla PC who is qualified to practice law in this State pursuant to R. 1:21-1.

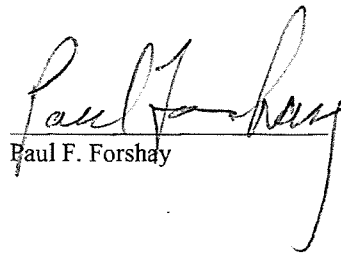
3. The New Jersey Large Energy Users Coalition ("NJLEUC") has requested my representation in this matter.

4. There is good cause for my admission *pro hac vice* in that I have had considerable experience representing marketers and large end-use customers in various proceedings before the Federal Energy Regulatory Commission and Board of Public Utilities and I have an attorney-client relationship with NJLEUC. The proceeding in which I seek admission involves a complex field of


law in which I am a specialist. I have been admitted pro hac vice in prior Jersey Central Power and Light Company rate and regulatory proceedings.

5. I have paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. I :20-1 (b) and 1 :28-2.

6. If this application to appear *pro hac vice* is granted, I agree to:
- a. abide by the New Jersey Court Rules, including all disciplinary rules;
  - b. consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against me or my firm that may arise out of my participation in this matter;
  - c. notify the Board of Public Utilities and Office of Administrative Law immediately of any matter affecting my standing at the bar of any court; and
  - d. have all pleadings, briefs and other papers filed with the Board of Public Utilities and Office of Administrative Law signed by the attorney of record.

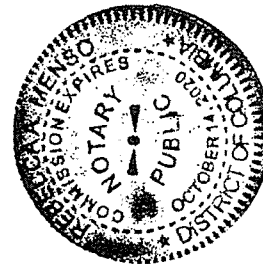
  
Paul F. Forshay

SUBSCRIBED AND SWORN to before  
me this 13th day of July, 2020

  
\_\_\_\_\_  
Notary Public

Docs #4487241-v1

**REBECCA A. MENSO**  
Notary Public, District of Columbia  
My Comm. Exp. October 14, 2020



**IMO the Verified Petition of Jersey  
Central Power & Light Company for  
Review and Approval of Increases in and  
Other Adjustments to its Rates and  
Charges for Electric Service  
("2020 Base Rate Filing")  
BPU Docket No. ER20020146  
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