

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

IN THE MATTER OF THE PETITION OF)
COMMERCIAL METALS COMPANY)
FOR A DECLARATORY RULING)
_____)

Docket No. EO20050352

Commercial Metals Company’s Response to JCP&L’s Motion to Intervene and Comments

Commercial Metals Company (“CMC”) does not oppose the motion for intervention filed by Jersey Central Power & Light Company (“JCP&L”) on July 14, 2020. However, CMC respectfully requests that the Board strike the “comments” portion of JCP&L’s motion that asserts arguments for denial of CMC’s petition. JCP&L’s “comments” are essentially a motion to dismiss that is procedurally inappropriate and premature since the Board has not yet granted intervenor status to JCP&L in this proceeding. Since JCP&L is not currently a party to this proceeding, it has no right yet to file any motions other than a motion to intervene or participate. *See* N.J.A.C. § 1:1-16.1(b) (“Persons or entities permitted to intervene shall have all the rights and obligations of a party to the proceeding.”). If the Board decides to deny CMC’s request to strike JCP&L’s “comments”, CMC respectfully requests that it be granted an opportunity at that time to submit arguments in opposition to JCP&L’s request for denial of CMC’s petition.

Respectfully submitted,

By:



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Dated: July 24, 2020