

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

In the Matter of the Application of PSEG) **Docket No. ER20080557**
NUCLEAR, LLC and EXELON)
GENERATION COMPANY, LLC for the)
Zero Emission Certificate Program – Salem)
Unit 1)

In the Matter of the Application of PSEG) **Docket No. ER20080558**
NUCLEAR, LLC and EXELON)
GENERATION COMPANY, LLC for the)
Zero Emission Certificate Program – Salem)
Unit 2)

In the Matter of the Application of PSEG) **Docket No. ER20080559**
NUCLEAR, LLC for the Zero Emission)
Certificate Program – Hope Creek)

MOTION FOR ADMISSION *PRO HAC VICE*

The undersigned counsel, a member in good standing of the bar of the State of New Jersey and serving as attorney of record in these proceedings, hereby moves for the admission *pro hac vice* of Jeffrey W. Mayes, Esq. Mr. Mayes is a member in good standing admitted to practice in the Commonwealth of Pennsylvania, the Commonwealth of Virginia and the District of Columbia. There is good cause for Mr. Mayes to be admitted *pro hac vice* because he has special expertise developed through his association with Monitoring Analytics, LLC on issues relating to its obligations as the Independent Market Monitor for PJM Interconnection, LLC. As evidenced by his affidavit attached hereto, Mr. Mayes has paid to the New Jersey Lawyers’ Fund for Client Protection the fees required by R. 1:20-1(b). The Board has previously granted the admission of Jeffrey W. Mayes, Esq., *pro hac vice*, on November 19, 2018 in Docket No. EO 18080899, Agenda Item 9A.

Respectfully submitted,

Michael J. Ash
Michael J. Ash, Esq.

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**CERTIFICATION OF JEFFREY W. MAYES, ESQ.
IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

1. I am an attorney in good standing admitted to practice law in the Commonwealth of Pennsylvania, the Commonwealth of Virginia and the District of Columbia. I am not admitted to practice law in the State of New Jersey. My office address is 2621 Van Buren Avenue, St. 160, Eagleville, Pennsylvania 19403. My telephone number is (610) 271-8053. I am making this Certification in support of a Motion for Admission *Pro Hac Vice*.
2. I am associated in these matters with New Jersey counsel of record, Michael J. Ash, who is qualified to practice law in this State, pursuant to R. 1:21-1.
3. I am General Counsel for Monitoring Analytics, LLC and will represent Monitoring Analytics, LLC in these matters.

4. I am not now the subject of any pending disciplinary proceedings in any jurisdiction nor have I been disciplined in any jurisdiction.
5. There is good cause for my admission *pro hac vice* in that I have special expertise developed through by association with Monitoring Analytics, LLC on issues relating to its obligations as the Independent Market Monitor for PJM Interconnection, LLC.
6. I have paid to the New Jersey Lawyer's Fund for Client Protection and Ethics Financial Committee the fees required by R. 1:28-2 and R. 1:20-1(b).
7. If this application to appear *pro hac vice* is granted, I agree to:
 - a. Abide by the rules and regulations of the New Jersey Board of Public Utilities ("Board"), the Office of Administrative Law and the New Jersey courts, 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 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 signed by the attorney of record.
8. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Jeffrey W. Mayes

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**MOTION TO INTERVENE OF THE
INDEPENDENT MARKET MONITOR FOR PJM**

Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM¹ (“Market Monitor”), hereby moves pursuant to N.J.A.C. 1:1-16.1 et seq., to intervene in the above-captioned matters before the New Jersey Board of Public Utilities, to the extent necessary. In support of its petition for leave to intervene, the Market Monitor states the following:

1. The Market Monitor is an organization created to objectively monitor the competitiveness of PLM markets, funded by the members of PJM Interconnection, LLC.²

¹ PJM Interconnection, LLC (“PJM”) is a Commission-approved Regional Transmission Organization. Capitalized terms used herein and not otherwise defined have the meaning used in the PJM Open Access Transmission Tariff (“OATT”) or the PJM (“OA”).

² OATT Schedule 9-MMU.

2. The Open Access Transmission Tariff (“OATT”) of PJM Interconnection, LLC (“PJM”) requires that the Market Monitor, among other things, monitor “Compliance with the PJM Market Rules,” “Actual or potential design flaws in the PJM Market Rules,” “Structural problems in the PJM Market that may inhibit a robust and competitive market,” and “The potential for a Market Participant to exercise market power or violate any of the PJM Rules.”³
3. As these proceedings involve reviews of the establishment of Zero Emission Certificate Programs and approval of associated charges for eligible nuclear power plants operating in the PJM competitive markets, it implicates matters within the Market Monitor’s purview.
4. If approved, these proposals could have a substantial impact on competition in the competitive wholesale, electric markets administered by PJM Interconnection, LLC, which may, in turn, have a substantial impact on competition and rates in the retail markets subject to the jurisdiction of this Board.
5. The Market Monitor’s interest in the outcome of these proceedings is in protecting the public interest in PJM markets regulated through competition.
6. The Market Monitor has a substantial interest in these proceedings because it has the exclusive duty to perform the market monitoring function for PJM in accordance with the duties required by the PJM Tariff. No other party can adequately represent the Market Monitor’s interests.
7. The Market Monitor requests that it be added to the official service lists and that all paper, pleadings, and notice be served on the undersigned counsel, Jeffrey W. Mayes.
8. The Board has previously granted the intervention of the Market Monitor, on November 19, 2018 in Docket No. EO 18080899, Agenda Item 9A.
9. If granted continued status as an Intervenor in this matter, the Market Monitor will enter into agreements to protect the confidential nature of information submitted by the parties.

³ OATT Attachment M §§ II & IV.B 1-4

For the foregoing reasons, the Market Monitor respectfully requests that it be granted leave to intervene in these proceedings as a party for all purposes and receive confidential information.

Respectfully submitted,



Jeffrey W. Mayes

General Counsel

Monitoring Analytics, LLC

2621 Van Buren Avenue, Suite 160

Eagleview, Pennsylvania 19403

(610) 271-8053

Jeffrey.mayes@monitoringanalytics.com

Dated: September 15, 2020

CERTIFICATION OF SERVICE

I hereby state that I have this day served the foregoing document by hard and electronic copy upon each of the Board, Rate Counsel and Division of Law, and by electronic copy on the filing companies and other interested parties.



Jeffrey W. Mayes

General Counsel

Monitoring Analytics, LLC

2621 Van Buren Avenue, Suite 160

Eagleville, Pennsylvania 19403

(610) 271-8053

Jeffrey.mayes@monitoringanalytics.com

Dated: September 15, 2020