



October 2, 2020

***VIA ELECTRONIC MAIL***

Honorable Upendra J. Chivukula  
Commissioner  
New Jersey Board of Public Utilities  
44 South Clinton Avenue, 9th Fl  
P.O. Box 350  
Trenton, New Jersey 08625-0350

Re: In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs And Associated Cost Recovery Pursuant To The Clean Energy Act  
BPU Dkt No. GR20090618

Dear President Fiordaliso:

Enclosed is New Jersey Natural Gas Company's ("NJNG") Motion to Intervene ("Motion") in the above referenced proceeding.

By copy of this letter, copies of the Motion are being forwarded this date via electronic mail to all persons whose name appear on the attached distribution list.

Please do not hesitate to contact me (732) 938-1073 if you have any questions.

Respectfully submitted,

NEW JERSEY NATURAL GAS COMPANY

A handwritten signature in blue ink that reads 'Andrew K. Dembia'.

Andrew K. Dembia  
Regulatory Affairs Counsel

AKD:sf  
Enclosures

C: Service list –electronic service only

In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs And Associated Cost Recovery Pursuant To The Clean Energy Act and the Establishment of a Conservation Incentive Program  
BPU DOCKET NO. GR20090618  
**SERVICE LIST**

NJNG

Mark G. Kahrer  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

James Corcoran  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Marianne Harrell  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Tina Trebino  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Andrew Dembia  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Judy DeSalvatore  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Anne-Marie Peracchio  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Susan Fastuca  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Christopher Micak  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P.O. Box 1464  
Wall, NJ 07719

Isaac Gabel-Frank  
Gabel Associates, Inc.  
417 Denison Street  
Highland Park, NJ 08904

Brendon Baatz  
Gabel Associates, Inc.  
417 Denison Street  
Highland Park, NJ 08904

NJ BOARD OF PUBLIC UTILITIES

Stacy Peterson  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Bart Kilar  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Paul Lupo  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs And Associated Cost Recovery Pursuant To The Clean Energy Act and the Establishment of a Conservation Incentive Program  
BPU DOCKET NO. GR20090618  
**SERVICE LIST**

Lahni Saldana  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Paul Flanagan  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Robert Brabston  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Stacy Richardson  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Sherri Jones  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Mahogany Hall  
N.J. Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

DIVISION OF RATE COUNSEL

Stefanie A. Brand, Director  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Bo 003  
Trenton, NJ 08625

Felicia Thomas-Friel, Esq.  
Division of Rate Counsel  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Brian O. Lipman, Esq.  
Litigation Manager  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Henry Ogden, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Maura Caroselli, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

Kurt Lewandowski, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625

In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs And Associated Cost Recovery Pursuant To The Clean Energy Act and the Establishment of a Conservation Incentive Program  
BPU DOCKET NO. GR20090618  
**SERVICE LIST**

DEPT. OF LAW & PUBLIC SAFETY –  
DIVISION OF LAW

Terel Klein, DAG  
Department of Law & Public Safety  
Division of Law  
R.J. Hughes Justice Complex, 7<sup>th</sup> Fl West  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625

Pamela Owen, ASC, DAG  
Department of Law & Public Safety  
Division of Law  
R.J. Hughes Justice Complex, 7<sup>th</sup> Fl West  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625

SOUTH JERSEY GAS COMPANY

Deborah M. Franco, Esq.  
VP, Clean Energy & Sustainability  
SJI Utilities, Inc.  
520 Green Lane  
Union, NJ 07083

Dominick DiRocco  
VP, Rates & Regulatory Affairs  
SJI Utilities, Inc.  
One South Jersey Place  
Atlantic City, NJ 08401

Stefany M. Graham  
Director, Rates & Regulatory Affairs  
SJI Utilities, Inc.  
One South Jersey Place  
Atlantic City, NJ 08401

Carolyn A. Jacobs  
Regulatory Compliance Specialist  
SJI Utilities, Inc.  
One South Jersey Place  
Atlantic City, NJ 08401

Maureen Minkel  
Director, Energy Efficiency  
and Conservation  
South Jersey Gas Company  
One South Jersey Place  
Atlantic City, NJ 08401

W. Peter Druckenmiller  
Program Manager,  
Residential Energy Efficiency  
South Jersey Gas Company  
One South Jersey Place  
Atlantic City, NJ 08401

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of	)	
South Jersey Gas Company	)	MOTION TO
for Approval of New Energy	)	INTERVENE
Efficiency Programs And Associated Cost	)	
Recovery Pursuant To The Clean Energy Act	)	BPU Dkt No. GR20090618

On September 29, 2020, the New Jersey Board of Public Utilities (“Board” or “BPU”) issued an Order designating Commissioner Chivukula as the presiding officer for the gas distribution companies Energy Efficiency filings and President Fiordaliso as the presiding officer for the electric distribution companies’ Energy Efficiency filings.<sup>1</sup> The Board further directed that any applicant seeking to intervene in any of the filings must submit its application by October 2, 2020.

New Jersey Natural Gas Company (“NJNG”) hereby moves for an Order granting it status as an Intervenor in the above referenced matter pursuant to N.J.A.C. 1:1-16.6. In support of this Motion, NJNG respectfully submits:

1. NJNG is a New Jersey public utility as defined by N.J.S.A. 48:2-13.
2. NJNG is engaged as a New Jersey public utility in the purchase, distribution, and sale of natural gas for more than 550,000 customers located within the State of New Jersey.
3. Copies of all correspondence and other communications relating to this proceeding should be addressed to:

Andrew K. Dembia, Esq.-Regulatory Affairs Counsel  
New Jersey Natural Gas Company  
1415 Wyckoff Road  
P. O. Box 1464  
Wall, New Jersey 07719  
Phone: (732) 938-1073  
Fax: (732) 938-2620  
[adembia@njng.com](mailto:adembia@njng.com)

Additional electronic copies should be addressed to Susan Fastuca at:

[Sfastuca@njng.com](mailto:Sfastuca@njng.com)

---

<sup>1</sup> In the Matter of the Implementation of P.L. 2018, c. 17 Regarding The Establishment of Energy Efficiency And Peak Demand Reduction Programs, Order Designating Commissioner, Setting Manner of Service And Bar Dates, BPU Docket No. QO19010040 (September 29, 2020) (“CEA Order”).

4. The criteria for intervention in a contested matter are set out in N.J.A.C. 1:1-16.1:

Any person or entity not initially a party, who has a statutory right to intervene or who will be substantially, specifically and directly affected by the outcome of a contested case, may on motion, seek leave to intervene.

5. The standards that must be taken into consideration when a motion to intervene is being considered are set out in N.J.A.C. 1: 1-16.3(a):

the nature and extent of the movant's interest in the outcome of the case, whether or not the movant's interest is sufficiently different from that of any party so as to add measurably and constructively to the scope of the case, the prospect of confusion or undue delay arising from the movant's inclusion and other appropriate matters.

6. NJNG respectfully submits that the above criteria and standards support the granting of NJNG's motion to intervene in the above-captioned proceeding.

7. The Board accepted Staff's recommendation to have the utilities collaborate with Board Staff to develop program design and requirements that are complimentary to, and not competitive or overlapping with, the designs and requirements of State-administered or co-managed programs.<sup>2</sup> Further, the Board accepted Staff's recommendation to have the utilities collaborate to consistently implement the utility core programs.<sup>3</sup>

8. In areas where gas and electric services territories overlap, in addition to establishing programs that include agreed-upon program design requirements, the utilities shall design a program structure that results in coordinated, consistent delivery of programs among all of the utilities and allocates costs and energy savings appropriately based on the fuel type(s) treated by EE measures. The utilities shall ensure that the customers do not face confusion as a result of overlapping territories and can access both electric and gas measures simultaneously, where appropriate.<sup>4</sup>

9. In the filing, South Jersey Gas is seeking, inter alia, approval of Energy Efficiency Programs that will directly affect NJNG. The two utilities will need to collaborate efforts to ensure consistency of their respective EE programs. Therefore, NJNG should be granted full intervenor status as to avoid customer confusion with program offerings.

---

<sup>2</sup> CEA Order at 11.

<sup>3</sup> Id. at 11.

<sup>4</sup> Id. at 12.

10. The Board's decision in this proceeding is likely to have precedential effect and impact not only on the Petitioner herein and its customers, but also New Jersey's other gas and electric utilities. A variety of issues that will be addressed in this case may have an impact on NJNG by establishing precedent. NJNG will therefore likely be directly and specifically affected by the relief provided herein.

11. The service territories, customers, and the operations of NJNG are distinct from those of other parties and participants in this case. Thus, no other party or participant will represent the interests of NJNG in this case.

12. NJNG has a history of coordinating its activities in dockets at the New Jersey Board of Public Utilities with those of other utilities where appropriate. NJNG will coordinate its representation with other similarly situated parties or participants in this docket to the extent appropriate.

13. Due to NJNG's experience in the gas industries, its intervention in this proceeding is likely to add constructively to the proceeding.

14. NJNG will abide by the schedule set for this proceeding. NJNG's motion is timely and will not delay or otherwise disrupt the prosecution of this proceeding N.J.A.C. 1:1-16.2.

15. The granting of this Motion will not cause undue delay or confusion.

16. In the alternative, should Your Honor believe that full Intervention is not warranted, NJNG respectfully requests that this Motion be treated as a Motion to Participate as permitted under N.J.A.C. 1:1-16.5. The standard to Participate is less stringent than that of intervention. N.J.A.C. 1:1-16.6(a) provides "Any person or entity with a significant interest in the outcome of a case may move for permission to participate."

**WHEREFORE**, NJNG respectfully requests an Order granting it full procedural and substantive rights as an Intervenor in this matter pursuant to N.J.A.C. 1:1-16.1 et seq. or, in the alternative, Participant status pursuant to N.J.A.C. 1:1-16.5 and providing such further relief in connection therewith as is deemed reasonable, just and consistent with the foregoing.

Respectfully submitted,

**NEW JERSEY NATURAL GAS COMPANY**



---

ANDREW K. DEMBIA

DATED: October 2, 2020