

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

In the Matter of the Verified Petition of Jersey Central ) BPU Docket No. EO20090620  
Power & Light Company For Review and Approval of )  
JCP&L’s Energy Efficiency and Conservation Plan )  
Including Energy Efficiency and Peak Demand )  
Reduction Programs (JCP&L EE&C) )

**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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2. By Petition dated September 25, 2020, JCP&L seeks the Board’s approval of its proposed Energy Efficiency and Conservation Plan, which includes Energy Efficiency and Peak Demand Reduction Programs (“EE&C Plan”). Specifically, JCP&L seeks, among other things, a budget of \$230.1 million, consisting of \$187.5 million in investment and \$42.6 million in expenses for the EE&C Plan, as well as a cost recovery mechanism.

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 JCP&L's proposals 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 EE&C Plan programs and associated costs proposed 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 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-I6.3(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,

/s/ Steven S. Goldenberg

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Attorneys for New Jersey Large Energy  
Users Coalition

Dated: October 2, 2020

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**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,

/s/ Steven S. Goldenberg

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Phone: 732-741-3900

Attorneys for New Jersey Large Energy  
Users Coalition

Dated: October 2, 2020





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.

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Paul F. Forshay

SUBSCRIBED AND SWORN to before  
me this 2nd day of October, 2020

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Notary Public



## CERTIFICATION OF SERVICE

I hereby certify that I have this day served via electronic mail copies of the foregoing Motion to Intervene and Motion for Admission *Pro Hac Vice* to the parties identified on the service list.

Dated at Red Bank, New Jersey this 2<sup>nd</sup> day of October, 2020

/s/ Steven S. Goldenberg

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Steven S. Goldenberg, Esq.