



**VIA EMAIL**

**aida.camacho@bpu.nj.gov**

**board.secretary@bpu.nj.gov**

Aida Camacho-Welch  
Secretary of the Board  
New Jersey Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, New Jersey 08625-0350

**RE: In the Matter of the Petition of Rockland Electric Company for Approval of Its Energy Efficiency and Peak Demand Reduction Programs.  
BPU Docket No. EO20090623**

**In the Matter of the Implementation of PL. 2018, c. Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs.  
BPU Docket No. QO10010040**

Dear Secretary Camacho-Welch:

On behalf of the Energy Efficiency Alliance of New Jersey (“EEA-NJ”), please accept for filing the attached Motion to Intervene in the above-captioned matter. Please do not hesitate to contact us with questions or comments.

Consistent with the Order issued by the Board in connection with In the Matter of the New Jersey Board of Public Utilities’ Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254, Order dated March 19, 2020, this Motion is being electronically filed with the Secretary of the Board. No paper copies will follow.

Respectfully Submitted,

Erin Cosgrove  
Director of Regulatory Affairs  
New Jersey Energy Efficiency Alliance

Cc: See attached service list

**State of New Jersey  
Board of Public Utilities**

**IN THE MATTER OF THE PETITION  
OF ROCKLAND ELECTRIC COMPANY  
FOR APPROVAL OF ITS ENERGY  
EFFICIENCY AND PEAK DEMAND  
REDUCTION PROGRAMS.**

**Docket Nos.: EO20090623 &  
QO10010040**

**MOTION TO INTERVENE**

The Energy Efficiency Alliance of New Jersey (“EEA-NJ”) respectfully requests the New Jersey Board of Public Utilities (“Board” or “BPU”), pursuant to N.J.A.C. § 1:1-16.1, et seq., grant its motion for intervention in the above-captioned matter. All communications and correspondence concerning this proceeding should be directed to:

Erin Cosgrove  
Energy Efficiency Alliance of New Jersey  
701 E Gate Dr.  
Mt. Laurel, NJ 08054  
(609) 710 - 0177  
ecosgrove@eeaofnj.org

**A. Introduction**

1. EEA-NJ is a 501(c)(6) trade association that, together with its sister organization the Keystone Energy Efficiency Alliance (“KEEA”), represents 75 business members. These members manufacture, design, and implement energy efficiency improvements in buildings across Pennsylvania and New Jersey on behalf of regulated utilities, the state, and ratepayers.<sup>1</sup>

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<sup>1</sup> EEA-NJ is a non-profit tax-exempt 501(c)(6) corporation and is comprised of the following members in New Jersey: American Efficient, Applied Energy Group, Attics and More, Bright Power, CHP Alliance, CLEAResult, CMC Energy Services, C Power, Embertec, EMC Electric Market, Energy Analysis Group, ERS, Franklin Energy, Google/Nest, Green Energy Economics, Inc., Greenlife Energy Solutions, Honeywell Utility Solutions, Hutchinson, ICF International,

2. In 2008, the RGGI Act, 2008, L. 2007, c. 340, was signed into law based on the finding that energy efficiency and conservation measures must be essential elements of the state’s energy future. The legislation further found that public utility involvement in the energy efficiency industry is essential to maximize efficiency.

3. On May 23, 2018, Governor Murphy signed into law the Clean Energy Act of 2018, L. 2018, c. 17 (“CEA”).<sup>2</sup> The CEA supports and expands upon the RGGI Act and establishes aggressive energy reduction targets and other clean energy strategies.

Specifically, the CEA states that “each electric public utility shall be required to achieve annual reductions in the use of electricity of two percent of the average annual usage in the prior three years within five years of implementation of its electric energy efficiency program.”<sup>3</sup> Additionally, “[e]ach natural gas public utility shall be required to achieve annual reductions in the use of natural gas of 0.75 percent of the average annual usage in the prior three years within five years of implementation of its gas energy efficiency program.”<sup>4</sup>

4. On June 10, 2020, the New Jersey Board of Public Utilities (“Board” or “BPU”) issued an Order directing the New Jersey public utilities to file petitions to implement three-year energy efficiency and peak demand response programs (“EE Order”).<sup>5</sup> The EE Order included a comprehensive strategy to achieve the targets established by the CEA for the state

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Lime Energy, MaGrann Associates, National Energy Improvement Fund (NEIF), Oracle (OPower), Performance Systems Development, Rexel, SAW Associates LLC, Sealed EE, ThinkEco, Threshold, Uplight, Warren Energy Engineering.

<sup>2</sup> P.L. 2018, c. 17 (N.J.S.A. 48:3-87.8 et seq.).

<sup>3</sup> N.J.S.A. 48:3-87.9 3(a).

<sup>4</sup> N.J.S.A. 48:3-87.9 3(b).

<sup>5</sup> See, In The Matter Of The Implementation of P.L. 2018, c. 17 Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs, BPU Docket Nos. QO19010040, QO19060748, QO17091004, Order Directing the Utilities to Establish Energy Efficiency and Peak Demand Reduction Programs (dated June 10, 2020), at 38.

and public utilities and a path for the transition to more extensive investment in energy efficiency by the state and public utilities. The EE Order directed that all public utilities file energy efficiency and peak demand reduction plans by September 25, 2020.

5. On September 25, 2020, Rockland Electric Company (“RECO”) filed a petition with the Board seeking approval of their energy efficiency and peak demand reduction programs (“EE Programs”) and associated cost recovery mechanism. The petition seeks approval of five core programs and two pilot programs.

**B. Motion to Intervene**

6. Pursuant to N.J.A.C. § 1:1-16.1(a) a party may intervene in a matter where that party “will be substantially, specifically and directly affected by the outcome” of those proceedings. N.J.A.C. § 1: 1-16.3(a) further provides that, in ruling on a motion to intervene, the Board is directed to consider four factors:

- a. The nature and extent of the movant's interest in the outcome of the case,
- b. 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,
- c. The prospect of confusion or undue delay arising from the movant's inclusion, and
- d. Other appropriate matters.

7. EEA-NJ’s members will be substantially, specifically, and directly affected by the outcome of this proceeding. EEA-NJ’s interest in this case differs from that of any other party and will add measurably and constructively to the scope of the case. Finally, inclusion of EEA-NJ as an intervenor will not cause confusion or delay.

8. EEA-NJ has a direct and substantial interest in ensuring cost-effective and successful energy efficiency and peak demand reduction programs in New Jersey because our business members are directly impacted by the success of these programs. EEA-NJ is a 501(c)(6) trade association that represents the energy efficiency industry. EEA-NJ represents over 30 New Jersey businesses that manufacture, design, and implement energy efficiency improvements in buildings across New Jersey on behalf of regulated utilities, the BPU, and ratepayers. EEA-NJ's business members have a direct and substantial financial interest in this proceeding as the continuation and growth of their business is closely tied to the successful implementation of energy efficiency programs that will be created through this proceeding. Therefore, energy efficiency and peak demand reduction plans approved by the Board will have a direct and substantial impact on EEA-NJ.

9. EEA-NJ's interest in this case differs from that of any other party, and EEA-NJ's interest will add measurably and constructively to the scope of the case. EEA-NJ is a well-established energy efficiency organization in New Jersey and offers a unique perspective of the business experience. EEA-NJ and its business members have extensive knowledge in the establishment and execution of utility- and state- run energy efficiency programs within the state and across the country. EEA-NJ has been a constructive and unique presence in the Board's numerous stakeholder meetings often offering comments. Therefore, EEA-NJ can add measurably and constructively to the case by offering its perspective and expertise about how RECO's proposal will impact the success of energy efficiency programs in RECO's territory and statewide.

10. Finally, EEA-NJ's intervention in this action will not cause any confusion or undue delay. EEA-NJ will aim to play a constructive role throughout this proceeding by

coordinating its efforts in this proceeding with other parties and abiding by the schedule set forth by the Board.

11. For the foregoing reasons, EEA-NJ respectfully requests that the Board grant this motion, and grant EEA-NJ intervenor status in this proceeding.

**WHEREFORE**, because EEA-NJ has a special interest in this case that is not otherwise adequately represented and because it is likely to provide informed input that will assist the Board in fully considering the matter without unduly complicating or disrupting the proceedings, EEA-NJ respectfully requests intervention in this proceeding.

Date: October 2, 2020

Respectfully submitted,



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Erin Cosgrove, Esq.  
Director of Regulatory Affairs  
Energy Efficiency Alliance of New Jersey  
701 E Gate Dr.  
Mt. Laurel, NJ 08054  
(609) 710 - 0177  
ecosgrove@eeaofnj.org

**VERIFICATION**

I hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter.

A handwritten signature in black ink that reads "Matt Elliott". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Date: October 2, 2020

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Matt Elliott  
Executive Director  
Energy Efficiency Alliance of New Jersey

**State of New Jersey  
Board of Public Utilities**

**IN THE MATTER OF THE PETITION  
OF ROCKLAND ELECTRIC COMPANY  
FOR APPROVAL OF ITS ENERGY  
EFFICIENCY AND PEAK DEMAND  
REDUCTION PROGRAMS.**

**Docket Nos.: EO20090623 &  
QO10010040**

**CERTIFICATION OF SERVICE**

I, **ERIN COSGROVE**, of full age, certifies as follows:

1. I am an attorney of the State of New Jersey and serve as Director of Regulatory Affairs to the Energy Efficiency Alliance of New Jersey, the Intervenor in the matter.
2. I hereby certify, on the date below, I caused the within Motion to Intervene to be filed with the New Jersey Board of Public Utilities through sending an electronic copy to the Board Secretary's office at [aida.camacho@bpu.nj.gov](mailto:aida.camacho@bpu.nj.gov) and [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov).
3. I further certify that, on the date below, I caused a complete copy of the Motion to Intervene to be sent by electronic mail to each of the parties listed in the attached Service List.
4. Consistent with the Order issued by the Board in connection with In the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254, Order dated March 19, 2020, this Motion is being electronically filed and no paper copies will follow.
5. I further and finally 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.

Dated: October 2, 2020



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Erin Cosgrove, Esq.  
Director of Regulatory Affairs  
Energy Efficiency Alliance of New Jersey  
701 E Gate Dr.  
Mt. Laurel, NJ 08054  
(609) 710 - 0177  
ecosgrove@eeaofnj.org

In the Matter of the Petition of Rockland Electric Company for Approval of Its Energy Efficiency and  
Peak Demand Reduction Programs  
BPU Docket No. EO20090623

SERVICE LIST

**New Jersey Division of Rate Counsel**

140 East Front Street, 4<sup>th</sup> Floor  
P.O. Box 003  
Trenton, NJ 08625-0003

Stefanie A. Brand, Esq., Director

[sbrand@rpa.nj.gov](mailto:sbrand@rpa.nj.gov)

Brian O. Lipman, Esq., Litigation Manager

[blipman@rpa.nj.gov](mailto:blipman@rpa.nj.gov)

Felicia Thomas-Friel, Esq.  
Managing Attorney – Gas

[ftthomas@rpa.nj.gov](mailto:ftthomas@rpa.nj.gov)

Kurt Lewandowski, Esq.  
Assistant Deputy Rate Counsel

[klewando@rpa.nj.gov](mailto:klewando@rpa.nj.gov)

Maura Caroselli, Esq.  
Assistant Deputy Rate Counsel

[maura.caroselli@rpa.nj.gov](mailto:maura.caroselli@rpa.nj.gov)

**Rate Counsel Consultants**

Robert J. Henkes  
Henkes Consulting  
7 Sunset Road  
Old Greenwich, CT 06870  
[rhenkes@optonline.net](mailto:rhenkes@optonline.net)

Ezra Hausman  
77 Kaposia St.  
Auburndale, MA 02466  
[ezra@ezrahausman.com](mailto:ezra@ezrahausman.com)

**New Jersey Board of Public Utilities**

44 South Clinton Avenue, 9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

Aida Camacho-Welch

Secretary of the Board

[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Paul Flanagan, Esq., Executive Director

[paul.flanagan@bpu.nj.gov](mailto:paul.flanagan@bpu.nj.gov)

Bob Brabston, Esq., Deputy Executive  
Director

[robert.brabston@bpu.nj.gov](mailto:robert.brabston@bpu.nj.gov)

**Counsel's Office**

Abe Silverman, Esq., General Counsel

[abe.silverman@bpu.nj.gov](mailto:abe.silverman@bpu.nj.gov)

Carol Artale, Esq.  
Deputy Chief Counsel

[carol.artale@bpu.nj.gov](mailto:carol.artale@bpu.nj.gov)

Rachel Boylan, Esq.

[rachel.boylan@bpu.nj.gov](mailto:rachel.boylan@bpu.nj.gov)

**Office of the Economist**

Dr. Ben Witherell, Director

[benjamin.witherell@bpu.nj.gov](mailto:benjamin.witherell@bpu.nj.gov)

**Division of Clean Energy**

Kelly Mooij, Director

[kelly.mooij@bpu.nj.gov](mailto:kelly.mooij@bpu.nj.gov)

Stacy Ho Richardson, Esq.  
Deputy Director

[stacy.richardson@bpu.nj.gov](mailto:stacy.richardson@bpu.nj.gov)

### **New Jersey Division of Law**

Department of Law & Public Safety  
Division of Law  
R.J. Hughes Justice Complex, 7<sup>th</sup> Floor West  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625-0112

David Apy, Assistant Attorney General  
[david.apy@law.njoag.gov](mailto:david.apy@law.njoag.gov)

Daren Eppley, Section Chief, DAG  
[daren.eppley@law.njoag.gov](mailto:daren.eppley@law.njoag.gov)

Pamela Owen, Assistant Section Chief, DAG  
[pamela.owen@law.njoag.gov](mailto:pamela.owen@law.njoag.gov)

Michael Beck, DAG  
[michael.beck@law.njoag.gov](mailto:michael.beck@law.njoag.gov)

Matko Ilic, DAG  
[matko.ilic@law.njoag.gov](mailto:matko.ilic@law.njoag.gov)

Terel Klein, DAG  
[terel.klein@law.njoag.gov](mailto:terel.klein@law.njoag.gov)

### **Butler Power and Light Company**

Robert H. Oostdyk, Jr., Esq.  
Murphy McKeon P.C.  
51 Route 23 South  
P.O. Box 70  
Riverdale, NJ 07456  
[admin@butlerborough.com](mailto:admin@butlerborough.com)

Jim Lampmann  
Borough Administrator  
[jlampmann@butlerborough.com](mailto:jlampmann@butlerborough.com)

### **Elizabethtown Gas Company and South Jersey Gas Company**

Deborah M. Franco, Esq.  
Regulatory Affairs Counsel  
SJI Utilities  
520 Green Lane  
Union, NJ 07083  
[dfranco@sjindustries.com](mailto:dfranco@sjindustries.com)

Chris Colacello, Analyst I  
[chris.colacello@bpu.nj.gov](mailto:chris.colacello@bpu.nj.gov)

Benjamin Goldstein, Program Specialist  
[benjamin.goldstein@bpu.nj.gov](mailto:benjamin.goldstein@bpu.nj.gov)

Mahogany A. Hall, Program Specialist 2  
[mahogany.hall@bpu.nj.gov](mailto:mahogany.hall@bpu.nj.gov)

### **Division of Energy**

Stacy Peterson, Director  
[stacy.peterson@bpu.nj.gov](mailto:stacy.peterson@bpu.nj.gov)

Paul Lupo, Bureau Chief  
[paul.lupo@bpu.nj.gov](mailto:paul.lupo@bpu.nj.gov)

Bart Kilar  
[bart.kilar@bpu.nj.gov](mailto:bart.kilar@bpu.nj.gov)

### **Atlantic City Electric Company**

Philip J. Passanante, Esq.  
Assistant General Counsel  
92DC42  
P.O. Box 6066  
Newark, DE 19714-6066  
[andrew.mcnally@exeloncorp.com](mailto:andrew.mcnally@exeloncorp.com)

Susan Marinelli  
[smarinelli@pepcoholdings.com](mailto:smarinelli@pepcoholdings.com)

Wayne Hudders  
Manager, Demand Response and Energy  
Efficiency Evaluation  
701 9<sup>th</sup> St NW  
Washington, DC 20068  
(202) 872-2140  
[wayne.hudders@pepcoholdings.com](mailto:wayne.hudders@pepcoholdings.com)

### **New Jersey Natural Gas Company**

1415 Wyckoff Road  
PO Box 1464  
Wall, NJ 07719

Andrew K. Dembia, Esq.  
Regulatory Affairs Counsel  
[adembia@njng.com](mailto:adembia@njng.com)

Maureen Minkel, General Manager  
Energy Efficiency & Conservation  
South Jersey Gas Company  
1 South Jersey Place  
Atlantic City, NJ 08401  
[mminkel@sjindustries.com](mailto:mminkel@sjindustries.com)

**Jersey Central Power and Light Company**

300 Madison Avenue  
Morristown, NJ 07962-1911

Joshua R. Eckert, Esq., Counsel  
[jeckert@firstenergycorp.com](mailto:jeckert@firstenergycorp.com)

Kurt Turosky  
[kturosky@firstenergycorp.com](mailto:kturosky@firstenergycorp.com)

Kent Hatt  
[khatt@firstenergycorp.com](mailto:khatt@firstenergycorp.com)

**Rockland Electric Company**

Margaret Comes, Esq.  
Associate Counsel  
4 Irving Place Room 1815-S  
New York, New York 10003  
[comesm@coned.com](mailto:comesm@coned.com)

John Carley, Esq.  
Associate General Counsel  
4 Irving Place Room 1815-S  
New York, New York 10003  
[carleyj@coned.com](mailto:carleyj@coned.com)

Charmaine Cigliano, Section Manager  
Customer Energy Services  
Orange & Rockland Utilities, Inc.  
390 West Route 59  
Spring Valley, NY 10977  
[ciglianoc@oru.com](mailto:ciglianoc@oru.com)

Donald Kennedy, Director  
Customer Energy Services  
Orange & Rockland Utilities, Inc.  
390 West Route 59  
Spring Valley, NY 10977  
[kennedyd@oru.com](mailto:kennedyd@oru.com)

Anne-Marie Peracchio  
Director, Conservation & Clean Energy Policy  
[aperacchio@njng.com](mailto:aperacchio@njng.com)

**Public Service Electric and Gas Company**

PSEG Services Corporation  
80 Park Plaza, T5  
P.O. Box 570  
Newark, NJ 07102

Matthew M. Weissman, Esq.  
General State Regulatory Counsel  
[matthew.weissman@pseg.com](mailto:matthew.weissman@pseg.com)

Joseph F. Accardo, Jr., Esq.  
Vice President – Regulatory & Deputy  
General Counsel  
[joseph.accardo@pseg.com](mailto:joseph.accardo@pseg.com)

Danielle Lopez, Esq.  
[danielle.lopez@pseg.com](mailto:danielle.lopez@pseg.com)

Tim Fagan  
Manager, Planning and Evaluation  
PSE&G – Renewables & Energy Solutions  
[tim.fagan@pseg.com](mailto:tim.fagan@pseg.com)

Karen Reif  
[karen.reif@pseg.com](mailto:karen.reif@pseg.com)

Todd Van Aken  
[todd.vanaken@pseg.com](mailto:todd.vanaken@pseg.com)

Caitlyn White  
Regulatory Case Coordinator  
[caitlyn.white@pseg.com](mailto:caitlyn.white@pseg.com)

**Chemistry Council of New Jersey**

Dennis Hart, Executive Director  
150 West State Street  
Trenton, NJ 08608  
[dhart@chemistrycouncilnj.org](mailto:dhart@chemistrycouncilnj.org)

**Environmental Defense Fund**

Mary Barber  
Director, Regulatory & Legislative Affairs  
[mbarber@edf.org](mailto:mbarber@edf.org)

**New Jersey Utilities Association**

Thomas R. Churchelow  
President  
154 West State Street, 1<sup>st</sup> Floor  
Trenton, NJ 08608  
[tchurchelow@njua.com](mailto:tchurchelow@njua.com)

**Urban League of Essex County**

Vivian Cox-Frasier  
President & CEO  
508 Central Avenue  
Newark, NJ 07107  
[vfrasier@ulec.org](mailto:vfrasier@ulec.org)