



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY AND CLEAN ENERGY

IN THE MATTER OF THE PETITION OF ATLANTIC)
CITY ELECTRIC COMPANY FOR APPROVAL OF)
A VOLUNTARY PROGRAM FOR PLUG-IN)
VEHICLE CHARGING) DOCKET NO. EO18020190

Parties of Record:

Philip J. Passanante, Esq., Atlantic City Electric Company
Stefanie Brand, Esq., Director, NJ Division of Rate Counsel
Murray E. Bevan, Esq., Bevan, Mosca and Giuditta P.C. on behalf of ChargePoint, Inc.
William Bittinger, Esq., Eastern Environmental Law Center on behalf of Environmental Movants
Kevin Auerbacher, Esq., on behalf of Tesla, Inc.
Martin C. Rothfelder, Esq., on behalf of EVGO Services LLC
Nathan C. Howe, Esq., McCarter and English LLP on behalf of Greenlots
Ira G. Megdal, Esq., on behalf of Electrify America, LLC

BY COMMISSIONER UPENDRA J. CHIVUKULA:

I. BACKGROUND

On February 23, 2018, Atlantic City Electric Company ("ACE" or "Company") filed a petition ("PIV Petition") with the New Jersey Board of Public Utilities ("Board" or "BPU") for approval of a Voluntary Program for Plug-In Vehicle ("PIV") Charging ("PIV Program").

By Board Order dated March 26, 2018, the Board determined that the PIV Petition should be retained by the Board for hearing and, pursuant to N.J.S.A. 48:2-32, designated myself as the presiding officer authorized to rule on all motions that arise during the pendency of these proceedings and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues.

Throughout early November 2020, the parties engaged in multiple settlement discussions. In preparation for Evidentiary Hearings, on November 12, 2020, a Pre-Hearing Conference was held with the parties. On November 13, 2020, I issued a Pre-Hearing Order outlining various directions, procedures and deadlines pertaining to the Evidentiary Hearings ("November 13 Pre-Hearing Order").

On November 17, 19 and 20, 2020, the parties continued to engage in settlement negotiations. As a result, on November 23, 2020, ACE filed a letter with the Board, requesting the procedural schedule be suspended to permit the parties to focus on the drafting and execution of a mutually acceptable Stipulation of Settlement. The Company noted that if the parties are unable to negotiate a Stipulation of Settlement, the parties will advise the Board of Public Utilities and seek guidance regarding a revised procedural schedule.

II. DISCUSSION AND FINDINGS

I reviewed the letter submitted by ACE requesting suspension of the procedural schedule as the parties work towards an acceptable Stipulation of Settlement. I understand that after several days of detailed negotiations, the parties have made significant progress in resolving this matter. Having received the consent of all parties, I **HEREBY SUSPEND** the Evidentiary Hearings in this matter and the deadlines for the submission of documents as set forth in my November 13 Pre-Hearing Order. Additionally, I **HEREBY SUSPEND** the Procedural Schedule in this matter, attached hereto as Exhibit A, until otherwise instructed by Order.

I **HEREBY DIRECT** that this Order be posted on the Board's website.

This provisional ruling is subject to ratification or other alteration by the Board, as it deems appropriate during the proceedings in this matter.

DATED: November 23, 2020

BY:



UPENDRA J. CHIVUKULA
COMMISSIONER

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EXHIBIT A

IN THE MATTER OF THE PETITION OF ATLANTIC CITY ELECTRIC COMPANY FOR
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Amended Procedural Schedule

Settlement Conference	November 17, 2020 at 9 A.M.
Supplemental Information/Testimony by ACE	November 23, 2020
Discovery Requests on ACE Supplemental Information/Testimony propounded	December 1, 2020
Public Hearings	December 2, 2020 at 4:30 and 5:30 P.M.
Responses to Discovery on Supplemental Information/Testimony	December 8, 2020
Rebuttal Testimony filed by parties as appropriate	December 14, 2020
Evidentiary Hearings, with oral surrebuttal	TBD
Initial Briefs Due	TBD by Commissioner at evidentiary hearings