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December 14, 2020

Via Electronic Mail¹

Hon. Joseph L. Fiordaliso, President
New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

Re: I/M/O The Application of PSEG Nuclear, LLC and Exelon Generation Company, LLC for the Zero Emission Certificate Program - Salem Unit 1 Docket No. ER20080557

I/M/O The Application of PSEG Nuclear, LLC and Exelon Generation Company, LLC for the Zero Emission Certificate Program - Salem Unit 2 Docket No. ER20080558

Comments in Support of Request for Prehearing Conference

Dear President Fiordaliso:

Exelon Generation Company, LLC (“Exelon Generation”) hereby submits for filing these comments in support of the New Jersey Division of Rate Counsel’s (“Rate Counsel”) December 7, 2020 Request for Prehearing Conference in the above-captioned matters.² Exelon Generation agrees that a prehearing conference would be helpful in these proceedings as it would provide an appropriate forum in which parties can raise logistical and procedural issues that need to be resolved in a manner that meets the expectations and needs of the Board of Public Utilities (“Board”).

Issues which can be addressed at a prehearing conference include, but are not limited to (i) the scheduling and conduct of evidentiary hearing(s); (ii) filing of direct testimony and procedures for

¹ Pursuant to the Order issued by the Board of Public Utilities dated March 19, 2020, in Docket No. EO20030254, service of these documents is in electronic format only.

² Rate Counsel’s request also includes Docket No. ER20080559 relating to the Hope Creek unit; however, Exelon Generation is not a party to that docket.

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cross-examination; (iii) additional filings such as witness lists, exhibits, comments and briefs; and (iv) procedures for handling confidential information. With respect to confidential information submitted by Exelon Generation and PSEG Nuclear, LLC (“PSEG Nuclear”) with the Applications and in the discovery process, it will be particularly important to clarify how the different categories of confidential information will be handled. While some of the confidential information submitted with the Applications may be viewed by both companies, certain confidential information of one company may not be shared with the other. For example, the Applications for the ZEC program required each company to submit historic PJM capacity market bidding information.³ However, as explained in Paragraphs 4, 5 and 6 of the Affidavit of Kevin Garrido in Support of the Request of Exelon Generation Company, LLC Regarding Confidential Treatment of Information Submitted in Support of Zero Emission Certificate Application, the companies cannot and do not share this type of information with each other. Thus, there are 3 categories of confidential information in these dockets: (1) confidential information that may be viewed by both Exelon Generation and PSEG Nuclear; (2) confidential information of PSEG Nuclear that Exelon Generation may not view; and (3) confidential information of Exelon Generation that PSEG Nuclear may not view. A prehearing conference would provide an appropriate forum for the Board and the parties to address the handling of such information.

³ See Application, ZECJ-FIN-11.
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If you have any questions about the foregoing, please do not hesitate to contact Jeanne J. Dworetzky at jeanne.dworetzky@exeloncorp.com or (202) 637-0346.

Respectfully submitted,

/s/ Naju R. Lathia

Naju R. Lathia
Counsel to Exelon Generation
Company, LLC

Cc: The Hon. Aida Camacho-Welch
Service List

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served via email the foregoing document upon each person designated on the official service lists compiled by the Secretary in these proceedings. I hereby certify that the foregoing statement made by me is true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated this 14th day of December, 2020.

By: /s/ Naju R. Lathia
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