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December 07, 2020

Via Electronic Mail

Hon. Joseph L. Fiordaliso, President
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350

**Re: In the Matter of the Application of PSEG Nuclear LLC and
Exelon Generation Company, LLC for the Zero Emission
Certificate - Salem Unit 1, Salem Unit 2 and Hope Creek Unit
BPU Docket Nos. ER20080557, ER20080558, ER20080559**

Rate Counsel Request for Prehearing Conference

Dear President Fiordaliso:

Please accept for filing this request on behalf of the New Jersey Division of Rate Counsel ("Rate Counsel") that a prehearing conference be convened in the above-referenced matter. In accordance with the order issued by the Board of Public Utilities ("Board") on March 19, 2020 in its COVID-19 proceeding, BPU Docket No. EO20030254, this letter is being submitted by electronic mail only.

Rate Counsel is requesting a prehearing conference in this matter to provide the parties with clarification concerning the procedural orders issued by Your Honor in these matters on September 10, 2020. The orders included a procedural schedule, identical for each of the three matters. However, Rate Counsel believes it would be helpful to convene a prehearing conference to assure that all parties understand the Board's expectations with regard to the materials they are

required to file, and to address logistical issues relating to the required filings and the evidentiary hearings to be scheduled in February, 2021.

Most urgently, the schedule includes a deadline of January 6, 2020 for comments on Staff's preliminary findings. However, the schedule does not specify when Staff's preliminary findings will be provided to the other parties, and does not address the analyses and supporting materials that Staff is expected to provide. It would also be useful to clarify what the parties are expected to submit as part of their preliminary and final comments, as opposed to their initial and reply briefs. Rate Counsel surmises that the Board may want the parties to submit certifications and other evidential materials in their comments, and arguments in their briefs, but this is not clear from the schedule attached to the September 10, 2020 procedural orders. Finally, a prehearing conference would be useful to address issues such as the specific dates for the evidentiary hearings, issues to be addressed, identification of witnesses, including those appearing for the Petitioners and Staff, order of proofs, submission of exhibits, and other logistical matters. See, N.J.A.C. 1:1-13.2.

These proceedings are being conducted on an expedited schedule, which is complicated by the need to work remotely. A prehearing conference would assist the parties in meeting the

The Honorable Joseph L. Fiordaliso, President
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schedule while also addressing Your Honor's and the Board's expectations as to the record they are creating for consideration.. Rate Counsel appreciates your consideration and attention to this matter.

Respectfully submitted,

By: /s/ Stefanie A. Brand
Stefanie A. Brand
Director, Division of Rate Counsel

cc: Aida Camacho-Welch, Secretary
Samuel Kaplan, Aide to the President
Service List (via electronic mail)

In the Matter of the Application of
PSEG Nuclear, LLC and Exelon
Generation Company, LLC for the
Zero Emission Certificate (ZEC) II
Program

Docket Nos. ER20080557,
ER20080558, ER20080559

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