

MURRAY E. BEVAN
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May 14, 2021

VIA E-FILING & E-MAIL

Aida Camacho-Welch, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, NJ 08625-0350
board.secretary@bpu.nj.gov
aida.camacho@bpu.nj.gov

Re: IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS COMPANY FOR THE APPROVAL OF AN INCREASE IN GAS BASE RATES AND FOR CHANGES IN ITS TARIFF FOR GAS SERVICE, PURSUANT TO N.J.S.A. 48:2-21 AND N.J.S.A. 48:2-21.1; AND FOR CHANGES TO DEPRECIATION RATES FOR GAS PROPERTY PURSUANT TO N.J.S.A. 48:2-18 (BPU Docket. No.: GR21030679)

Dear Secretary Camacho-Welch:

On behalf of NRG Energy, Inc., and its affiliates Reliant Energy Northeast, LLC, D/B/A NRG Home/NRG Business; Energy Plus Natural Gas LP ; Xoom Energy New Jersey, LLC; Stream Energy New Jersey, LLC; Direct Energy Services, LLC; Direct Energy Business, LLC; Direct Energy Business Marketing, LLC; And Gateway Energy Services Corporation (“NRG”), enclosed please find the NRG’s Motion to Intervene in the above docket.

Consistent with the Board’s Order of March 19, 2020 (BPU Docket No. EO20030254), we have filed and served this motion via electronic mail only.

Feel free to contact the undersigned with any questions.

Respectfully submitted,



Murray E. Bevan

Enclosures

cc: Service List

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF :
NEW JERSEY NATURAL GAS COMPANY :
FOR THE APPROVAL OF AN INCREASE :
IN GAS BASE RATES AND FOR :
CHANGES IN ITS TARIFF FOR GAS : BPU DOCKET NO. GR21030679
SERVICE, PURSUANT TO N.J.S.A. 48:2-21 :
AND N.J.S.A. 48:2-21.1; AND FOR :
CHANGES TO DEPRECIATION RATES :
FOR GAS PROPERTY PURSUANT TO :
N.J.S.A. 48:2-18 :

**MOTION TO INTERVENE OF NRG ENERGY, INC., AND ITS AFFILIATES
RELIANT ENERGY NORTHEAST, LLC, D/B/A NRG HOME/NRG BUSINESS;
ENERGY PLUS NATURAL GAS LP ; XOOM ENERGY NEW JERSEY, LLC; STREAM
ENERGY NEW JERSEY, LLC; DIRECT ENERGY SERVICES, LLC; DIRECT
ENERGY BUSINESS, LLC; DIRECT ENERGY BUSINESS MARKETING, LLC; AND
GATEWAY ENERGY SERVICES CORPORATION**

NRG Energy, Inc. and its gas supply affiliates (“NRG”), hereby move before the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.A.C. § 1:1-16.1 *et seq.*, to permit NRG to intervene as a party in the above-captioned proceeding with all of those rights and obligations typically afforded to an intervener in such proceedings. In support of its motion, NRG states as follows:

1. On March 30, 2021, New Jersey Natural Gas Company ("NJNG" or "Company") filed a petition pursuant to N.J.S.A. 48:2-21, N.J.S.A. 48:2-21.1, and N.J.S.A. 48:2-18 to: (i) increase its current base rates for natural gas service by approximately \$165.67 million (excluding Sales and Use Tax); (ii) implement certain rate and tariff revisions; and (iii) revise its existing depreciation rates.

2. With a regional office in Princeton, New Jersey, NRG is a leading integrated power company in the U.S. As a Fortune 500 company, NRG creates value through best-in-class operations, reliable and efficient electric generation, and a retail platform serving residential, commercial, and industrial customers. NRG's retail energy providers serve more than six million customers across North America. NRG has numerous licensed Third Party Suppliers (TPSs) that are actively serving natural gas customers in NJNG's service territory, including: Reliant Energy Northeast LLC d/b/a NRG Home/NRG Business GSL-0176; Energy Plus Natural Gas LP GSL-0100; XOOM Energy New Jersey, LLC GSL-0112; Stream Energy New Jersey, LLC GSL-0120; Direct Energy Services, LLC GSL-0088; Direct Energy Business, LLC GSL-0145; Direct Energy Business Marketing, LLC GSL-0128; and Gateway Energy Services Corporation GSL-0146. NRG's retail companies have an extensive combined natural gas portfolio amounting to one of the top movers of natural gas in the country.

3. N.J.A.C. 1:1-16.1(a) provides the standard for intervention in a proceeding before this Board. The party seeking to intervene must show that it will be substantially, specifically, and directly affected by the proceeding in question. In granting a motion to intervene, the Board must consider the nature and extent of the movant's interest in the outcome of the case; whether the movant's interest is sufficiently different from that of any party so as to add constructively to the scope of the case; and whether there is the prospect of confusion or undue delay arising from the movant's inclusion. *See* N.J.A.C. 1:1-16.3(a).

4. NRG and its customers are directly affected by this proceeding and have a substantial and direct interest in aspects of NJNG's petition. Specifically, NJNG proposes the following changes to its tariff and rates that will affect NRG's TPS affiliates' costs and methods of doing business in New Jersey: modifications to the determination of the deposit amount a TPS

is required to post to serve customers on the utility's system; incorporating the more expensive Transco pricing; changes to the underlying information included in the calculation of the Balancing Charge rate; clarifications that suppliers agree to deliver gas to the utility's designated delivery meters for their customers; and language that NJNG may offer a supplier the option to deliver a specified volume to a Transco meter and if the supplier accepts and then fails to deliver, the supplier will be subject to a penalty for the amount not delivered.

5. NRG intends to intervene in these proceedings to the extent necessary to ensure that NJNG's proposed changes to its tariff language and rates do not adversely affect the competitive market for NRG's TPS gas supply companies and their customers.

6. NRG will be substantially, specifically, and directly affected by the outcome of this proceeding as the parent company of numerous licensed TPSs that are actively serving natural gas customers in NJNG's service territory.

7. NRG's interests would not be adequately represented by other potential parties to the proceeding. NRG has a unique business model and its interests and perspective are unique, such that their appearance as a party would "measurably and constructively" advance this proceeding. *See* N.J.A.C. 1:1-16.3(a).

8. As NRG has already demonstrated through its intervention in several recent utility AMI meter and energy efficiency proceedings before the Board and through the comments NRG has submitted in multiple Board stakeholder proceedings, NRG's intervention in this proceeding will not unduly broaden the issues in the proceeding, create confusion, or result in undue delay.

9. The Certification of Angela Schorr is attached hereto certifying that the facts and statements herein are true and accurate to the best of her knowledge and belief.

10. NRG requests that all pleadings, correspondence, discovery, and other documents be served on NRG at the following addresses (electronic service preferred):

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Angela Schorr
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NRG Energy, Inc.
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In addition to the foregoing, NRG submits that fundamental fairness and due process require that the Board grant its Motion to Intervene as a party in the above matter and to grant such further relief as it deems is just, reasonable, and proper.

Pursuant to N.J.A.C. 1:1-16.1 et seq., NRG respectfully requests that it be permitted to intervene, with full procedural and substantive rights, in this proceeding.

Respectfully submitted,



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Counsel for NRG Energy, Inc.

Dated: May 14, 2021

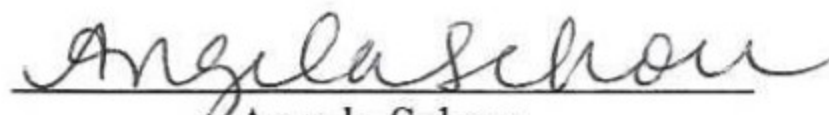
STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF :
NEW JERSEY NATURAL GAS :
COMPANY FOR THE APPROVAL OF AN :
INCREASE IN GAS BASE RATES AND : BPU Docket No. GR21030679
FOR CHANGES IN ITS TARIFF FOR GAS :
SERVICE, PURSUANT TO N.J.S.A. :
48:2-21 AND N.J.S.A. 48:2-21.1; AND FOR :
CHANGES TO DEPRECIATION RATES :
FOR GAS PROPERTY PURSUANT TO :
N.J.S.A. 48:2-18 :

CERTIFICATION OF ANGELA SCHORR

Angela Schorr, of full age and upon my oath, deposes and says:

1. I am Angela Schorr, Director of Regulatory Affairs at NRG Energy, Inc.
2. I am authorized to make this statement on behalf of NRG Energy, Inc.
3. I have received the attached Motion to Intervene and certify that the facts set forth therein are true and accurate to the best of my knowledge and belief.


Angela Schorr

Dated: May 13, 2021

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF :
NEW JERSEY NATURAL GAS COMPANY :
FOR THE APPROVAL OF AN INCREASE :
IN GAS BASE RATES AND FOR :
CHANGES IN ITS TARIFF FOR GAS : BPU DOCKET NO. GR21030679
SERVICE, PURSUANT TO N.J.S.A. 48:2-21 :
AND N.J.S.A. 48:2-21.1; AND FOR :
CHANGES TO DEPRECIATION RATES :
FOR GAS PROPERTY PURSUANT TO :
N.J.S.A. 48:2-18 :

CERTIFICATION OF SERVICE

I certify that on this 14th day of May 2021, I caused NRG's Motion to Intervene to be served by electronic mail upon the following individuals:

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Dated: May 14, 2021