

June 22, 2021

**VIA E-FILING AND E-MAIL**

Aida Camacho-Welch  
Secretary, New Jersey Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> floor  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Board.Secretary@bpu.nj.gov](mailto:Board.Secretary@bpu.nj.gov)

**RE: IN THE MATTER OF THE PETITION OF ELIZABETHTOWN GAS COMPANY  
TO REVIEW ITS PERIODIC BASIC GAS SUPPLY SERVICE RATE  
BPU DOCKET NO. GR21060876**

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.

Very truly yours,



Murray E. Bevan

Enclosure

cc: Service List (via electronic mail, w/ enclosure)

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

**IN THE MATTER OF THE PETITION :  
OF ELIZABETHTOWN GAS COMPANY : BPU DOCKET NO. GR21060876  
TO REVIEW ITS PERIODIC BASIC GAS :  
SUPPLY SERVICE RATE :**

**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 June 1, 2021, Elizabethtown Gas Company ("ETG" or "Company") filed a Petition to Review its Basic Gas Supply Service Rate that 1) proposes to increase the BGSS-P rate from \$0.3783 per therm to \$0.4367 per therm, inclusive of applicable taxes, and 2) seeks cost recovery for renewable natural gas (“RNG”) purchases from RevLNG, another South Jersey Industries affiliate, starting on March 1, 2022. ETG plans to inject the compressed RNG into its distribution system.

2. With a regional office in Princeton, New Jersey, NRG is a leading integrated power company in the U.S. With over six million customers NRG is nationally the third largest provider

of residential natural gas services. [See page 12 June 17, 2021, NRG Investor Day Presentation]

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 the provision in ETG's Petition which allows the gas utilities to decrease their BGSS Commodity Charges at any time, upon five (5) days' notices to the Board and Rate Counsel. NRG has long been frustrated by this provision's lack of transparency which contains no notice to competitive suppliers. These decreases are often implemented by the state's

gas utilities in the form of bill credits during the winter heating months when the most gas commodity is sold which frustrate retail suppliers like NRG to price their products.

5. NRG and its customers also have a substantial and direct interest in ETG's plans regarding renewable natural gas. As retail gas suppliers, NRG and its affiliates are considering offering innovative gas commodity products to their customers, including carbon offsets, that would provide environmental benefits similar to renewable natural gas. Also, the gas commodity products that NRG and its affiliates currently offer will be affected by ETG's plans to inject renewable natural gas into the gas distribution system.

6. NRG intends to intervene in these proceedings to the extent necessary to ensure that ETG's plans regarding renewable natural gas and the winter bill credits typically offered by ETG do not adversely affect the competitive market for NRG's TPS gas supply companies and their customers.

7. 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 ETG's service territory.

8. 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).

9. NRG's intervention in this proceeding will not unduly broaden the issues in the proceeding, create confusion, or result in undue delay.

10. 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.

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

Murray E. Bevan, Esq.  
Bevan, Mosca & Giuditta P.C.  
222 Mount Airy Road, Suite 200  
Basking Ridge, NJ 07920  
Phone: (908) 753-8300  
Fax: (908) 753-8301  
Email: [mbevan@bmg.law](mailto:mbevan@bmg.law)

Angela Schorr  
Director of Regulatory Affairs  
NRG Energy, Inc.  
804 Carnegie Center  
Princeton, NJ 08540  
Email: [angela.schorr@nrg.com](mailto:angela.schorr@nrg.com)

Jennifer McCave, Esq.  
Bevan, Mosca & Giuditta P.C.  
222 Mount Airy Road, Suite 200  
Basking Ridge, NJ 07920  
Phone: (908) 753-8300  
Fax: (908) 753-8301  
Email: [jmccave@bmg.law](mailto:jmccave@bmg.law)

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,



---

Murray E. Bevan, Esq.  
Bevan, Mosca & Giuditta P.C.  
222 Mount Airy Road, Suite 200  
Basking Ridge, NJ 07920  
Phone: (908) 753-8300  
Fax: (908) 753-8301  
Email: [mbevan@bmg.law](mailto:mbevan@bmg.law)

Counsel for NRG Energy, Inc.

Dated: June 22, 2021

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

**IN THE MATTER OF THE PETITION                   :**  
**OF ELIZABETHTOWN GAS                        :** **BPU DOCKET NO. GR21060876**  
**COMPANY TO REVIEW ITS                       :**  
**PERIODIC BASIC GAS SUPPLY                   :**  
**SERVICE RATE**

**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.

/s/ Angela Schorr

Angela Schorr

Dated: June 21, 2021

**IN THE MATTER OF THE PETITION OF ELIZABETHTOWN GAS COMPANY  
TO REVIEW ITS PERIODIC BASIC GAS SUPPLY SERVICE RATE**

**BPU DOCKET NO. GR21060876**

<b>IN THE MATTER OF THE PETITION OF ELIZABETHTOWN GAS COMPANY TO REVIEW ITS PERIODIC BASIC GAS SUPPLY SERVICE RATE</b>	: : : : :	<b>BPU DOCKET NO. GR21060876</b>
--	-----------------------	----------------------------------

**CERTIFICATION OF SERVICE**

I certify that on this 22nd day of June 2021, I caused NRG's Motion to Intervene to be served by electronic mail upon the following individuals:

**Elizabethtown Gas Company**  
520 Green Lane  
Union, NJ 07083

Thomas Kaufmann  
[tkaufmann@sjindustries.com](mailto:tkaufmann@sjindustries.com)

Susan Potanovich  
[spotanovich@sjindustries.com](mailto:spotanovich@sjindustries.com)

Leonard J. Willey  
[lwilley@sjindustries.com](mailto:lwilley@sjindustries.com)

**SJI Utilities, Inc.**  
520 Green Lane  
Union, NJ 07083

Deborah M. Franco, Esq.  
[dfranco@sjindustries.com](mailto:dfranco@sjindustries.com)

Cindy Capozzoli  
[ccapozzoli@sjindustries.com](mailto:ccapozzoli@sjindustries.com)

**Board of Public Utilities**  
44 South Clinton Avenue  
Post Office Box 350  
Trenton, NJ 08625-0350

Stacy Peterson  
[Stacy.Peterson@bpu.nj.gov](mailto:Stacy.Peterson@bpu.nj.gov)  
Beverly Tyndell  
[Beverly.Tyndell@bpu.nj.gov](mailto:Beverly.Tyndell@bpu.nj.gov)

Heather Weisband  
[Heather.Weisband@bpu.nj.gov](mailto:Heather.Weisband@bpu.nj.gov)

**Division of Rate Counsel**  
140 East Front Street, 4th Floor  
P.O. Box 003  
Trenton, NJ 08625  
Stefanie A. Brand, Director  
[sbrand@rpa.nj.gov](mailto:sbrand@rpa.nj.gov)

Kurt S. Lewandowski, Esq.  
[klewando@rpa.nj.gov](mailto:klewando@rpa.nj.gov)

**IN THE MATTER OF THE PETITION OF ELIZABETHTOWN GAS COMPANY  
TO REVIEW ITS PERIODIC BASIC GAS SUPPLY SERVICE RATE**

**BPU DOCKET NO. GR21060876**

Brian O. Lipman, Litigation Manager  
[blipman@rpa.nj.gov](mailto:blipman@rpa.nj.gov)

Shelly Massey  
[smassey@rpa.nj.gov](mailto:smassey@rpa.nj.gov)

**Dept. of Law & Public Safety**  
Richard J. Hughes Justice Complex  
Public Utilities Section  
25 Market Street, P.O. Box 112  
Trenton, NJ 08625

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

By:   
Ralph Cicchetti, Jr., Paralegal  
Bevan, Mosca & Giuditta, P.C.  
222 Mount Airy Road, Suite 200  
Basking Ridge, NJ 07920  
Phone: (908) 753-8300  
Fax: (908) 753-8301  
[rcicchetti@bmg.law](mailto:rcicchetti@bmg.law)