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February 17, 2022

**VIA ELECTRONIC MAIL**

[aida.camacho@bpu.nj.gov](mailto:aida.camacho@bpu.nj.gov)  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Aida Camacho-Welch  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
P.O. Box 350  
Trenton, New Jersey 08625-0350

**RE:** In the Matter of the Petition of Cumberland County Improvement Authority for the Approval of the Extension of Electric Public Utility Facilities of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-27  
BPU Docket No. EO22020043

Dear Secretary Camacho-Welch:

The undersigned serves as Assistant General Counsel on behalf of Atlantic City Electric Company (“ACE”). Attached for filing is a Motion to Intervene in the above-referenced docket. As a courtesy, ACE also attaches a service list for use in the docket.

Consistent with the Order issued by the Board in connection with *In the Matter of the New Jersey Board of Public Utilities’ Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations*, BPU Docket No. EO20030254, Order dated March 19, 2020, these documents are being electronically filed with the Secretary of the Board and the service list. No paper copies will follow.

Thank you for your consideration. Feel free to contact me with any questions.

Respectfully submitted,



Cynthia L.M. Holland  
An Attorney at Law of the  
State of New Jersey

Enclosure  
cc: Service List

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**IN THE MATTER OF THE PETITION  
OF CUMBERLAND COUNTY  
IMPROVEMENT AUTHORITY FOR  
THE APPROVAL OF THE EXTENSION  
OF ELECTRIC PUBLIC UTILITY  
FACILITIES OF ATLANTIC CITY  
ELECTRIC COMPANY PURSUANT TO  
N.J.S.A. 48:2-27**

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
BPU DOCKET NO. EO22020043  
MOTION TO INTERVENE**

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Pursuant to N.J.A.C. 1:1-16.1, Atlantic City Electric Company (“ACE,” the “Company,” or the “Movant”), hereby moves to intervene in the above- captioned proceeding. In support of this Motion, ACE respectfully submits the following:

1. ACE, a New Jersey corporation, is a New Jersey public utility, as defined by N.J.S.A. 48:2-13.

2. ACE is engaged in the transmission, distribution, and sale of electric energy to approximately 560,000 residential, commercial, and industrial customers located in the State of New Jersey. ACE’s service territory is comprised of eight counties in southern New Jersey, including Cumberland County.

3. On or about February 4, 2022, Petitioner, Cumberland County Improvement Authority (the “Authority”) filed a petition pursuant to N.J.S.A. 48:2-27. The Authority seeks determination that sufficient business exists to justify the construction of, maintenance of, and investment in electric utility infrastructure in the County; and that such investment will serve the public good. The Authority seeks further determination that the financial condition of the electric public utility reasonably warrants the original expenditure required to make and operate the extension. Finally, the Authority asks that the Board require that ACE establish, construct,

maintain, and operate the extension of the Company's existing facilities to provide necessary electric capacity required to execute and implement the Authority's redevelopment plan.

4. The Uniform Administrative Procedure Rules state the standard for intervention in a proceeding before an administrative agency, such as the Board. Notably, at N.J.A.C. 1:1-16.1(a), the regulations require that the party seeking to intervene must show that it will be substantially, specifically, and directly affected by the outcome of the proceeding in question. The matter must be raised by motion, which, pursuant to N.J.A.C. 1:1-16.2(a), may be filed at any time. In granting the motion to intervene, under N.J.A.C. 1:1-16.3(a), 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 other 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.

5. ACE has a substantial, specific, and direct interest in this proceeding and its outcome, the nature of which is as follows. ACE serves Cumberland County, in the redevelopment areas identified by the Authority. The Authority also acknowledges that the infrastructure in question is owned by ACE and would be constructed and maintained by the Company, not the Authority. The Authority seeks findings directly about ACE's financial condition and its ability to extend, maintain, and operate its infrastructure. Moreover, the Board's decision on the Authority's request could have precedential effect that may substantially and specifically impact the Company now and into the future.

6. Because the Petition was only recently filed, ACE contends that its motion is timely and appropriate. The Company submits that ACE's inclusion as a party will enable the proceeding to move forward more efficiently. Granting intervention will avoid undue delay.

7. Moreover, the inclusion of ACE in this proceeding will add constructively to the scope of the case, which is conceded by the Authority in its Petition. No other entity is qualified to speak to the infrastructure in question or financial conditions of the Company. The Company can also constructively add to the Board's review of the petition. Accordingly, the Company submits that the inclusion of ACE as a party will avoid confusion in this proceeding.

8. Notwithstanding its unique interests, where it is possible and practical for it to do so, ACE will work cooperatively with the other parties to this proceeding.

9. The Certification of Marissa E. Humphrey is attached hereto, affirming that the facts and statements herein are true and accurate to the best of her knowledge, information, and belief.

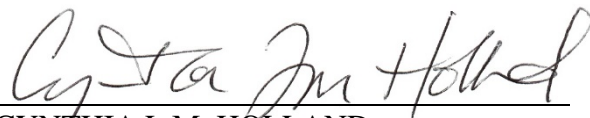
10. Copies of all correspondence and communications relating to this proceeding should be addressed to:

Cynthia L. M. Holland, Esq.  
Assistant General Counsel  
Atlantic City Electric Company  
150 West State Street  
Trenton, New Jersey 08608  
(609) 909-7033 – Trenton Telephone  
[cynthia.holland@exeloncorp.com](mailto:cynthia.holland@exeloncorp.com)

**WHEREFORE**, the Movant, ATLANTIC CITY ELECTRIC COMPANY, respectfully requests that the Board of Public Utilities issue an Order as follows:

- A. granting intervention to ACE, with the attendant full procedural and substantive rights of a Party to this proceeding, pursuant to N.J.A.C. 1:1-16.1 *et seq.*; and
- B. granting such other or further relief as may be necessary to implement the purposes stated herein.

Respectfully submitted,  
ATLANTIC CITY ELECTRIC COMPANY



CYNTHIA L.M. HOLLAND  
Assistant General Counsel  
Atlantic City Electric Company  
150 West Stat Street  
Trenton, New Jersey 08608  
[cynthia.holland@exeloncorp.com](mailto:cynthia.holland@exeloncorp.com)

Dated: February 17, 2022

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**IN THE MATTER OF THE PETITION  
OF CUMBERLAND COUNTY  
IMPROVEMENT AUTHORITY FOR  
THE APPROVAL OF THE EXTENSION  
OF ELECTRIC PUBLIC UTILITY  
FACILITIES OF ATLANTIC CITY  
ELECTRIC COMPANY PURSUANT TO  
N.J.S.A. 48:2-27**

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
BPU DOCKET NO. EO22020043**

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**CERTIFICATION OF MARISSA E. HUMPHREY**

**MARISSA E. HUMPHREY**, of full age, certifies as follows:

1. I am the Vice President of Regulatory Policy and Strategy of and for Atlantic City Electric Company (“ACE”). In light of the constraints associated with the COVID-19 pandemic, I am submitting this Certification in lieu of Verification in support of ACE’s requests in the above-captioned docket.

2. I hereby certify that, as Vice President of Regulatory Policy and Strategy, I am duly authorized to make this Certification on ACE’s behalf.

3. I further certify that the information and data contained in the Motion to Intervene are true and correct to the best of my knowledge, information, and belief.

4. I further and finally certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 2/15/2022

  
**MARISSA E. HUMPHREY**

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**IN THE MATTER OF THE PETITION  
OF CUMBERLAND COUNTY  
IMPROVEMENT AUTHORITY FOR  
THE APPROVAL OF THE EXTENSION  
OF ELECTRIC PUBLIC UTILITY  
FACILITIES OF ATLANTIC CITY  
ELECTRIC COMPANY PURSUANT TO  
N.J.S.A. 48:2-27**

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

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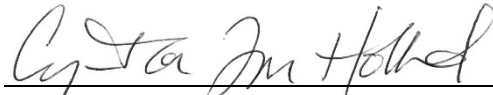
**CERTIFICATION OF SERVICE**

**CYNTHIA L.M. HOLLAND**, of full age, certifies as follows:

1. I am an attorney at law of the State of New Jersey and am Assistant General Counsel to Atlantic City Electric Company, the Petitioner in the within matter, with which I am familiar.
2. I hereby certify that, on February 17, 2022, I caused the within Motion to Intervene to be filed with the New Jersey Board of Public Utilities (the “Board” or “BPU”) by electronic mail to [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov) and [aida.camacho@bpu.nj.gov](mailto:aida.camacho@bpu.nj.gov).
3. I further certify that, on February 17, 2022, I caused a complete copy of the Motion to Intervene to be sent by electronic mail to each of the parties listed in the attached Service List.
4. Consistent with the Order issued by the Board in connection with *In the Matter of the New Jersey Board of Public Utilities’ Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations*, BPU Docket No. EO20030254, Order dated March 19, 2020, only electronic copies of this Petition have been served on persons on the Service List.

5. I further and finally certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: February 17, 2022



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**CYNTHIA L.M. HOLLAND**

An Attorney at Law of the  
State of New Jersey

Atlantic City Electric Company – 92DC42  
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In the Matter of the Petition of Cumberland County Improvement Authority for the Approval of the  
Extension of Electric Public Utility Facilities of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-27  
BPU Docket No. EO22020043

**Service List**

<b><u>BPU</u></b> Aida Camacho-Welch Secretary of the Board Board of Public Utilities 44 South Clinton Avenue, 1 <sup>st</sup> Floor P.O. Box 350 Trenton, NJ 08625-0350 <a href="mailto:aida.camacho@bpu.nj.gov">aida.camacho@bpu.nj.gov</a> <a href="mailto:board.secretary@bpu.nj.gov">board.secretary@bpu.nj.gov</a>	<b><u>RATE COUNSEL</u></b> Brian O. Lipman, Esq. Director Division of Rate Counsel 140 East Front Street, 4 <sup>th</sup> Floor P.O. Box 003 Trenton, NJ 08625-0003 <a href="mailto:blipman@rpa.nj.gov">blipman@rpa.nj.gov</a>	Marisa Slaten Director, Regulatory Strategy and Services <a href="mailto:marisa.slaten@exeloncorp.com">marisa.slaten@exeloncorp.com</a>
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