



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

ORDER ON MOTIONS TO
INTERVENE AND/OR PARTICIPATE

OAL DKT. NO. PUC 00872-22

AGENCY DKT. NO. GR2112154

**IN THE MATTER OF THE PETITION OF
ELIZABETHTOWN GAS COMPANY FOR
APPROVAL OF INCREASED BASE TARIFF
RATES AND CHARGES FOR GAS SERVICE,
CHANGES TO DEPRECIATION AND OTHER
TARIFF REVISIONS.**

Deborah M. Franco, Esq., V.P. Clean Energy & Sustainability, and **Sheree L. Kelly**, Esq., Regulatory Affairs Counsel, for petitioner, Elizabethtown Gas Company,

Kenneth T. Maloney, Esq. and **Terrence W. Regan**, Esq., for petitioner, Elizabethtown Gas Company (Cullen & Dykman, attorneys)

Terrel Klein, Deputy Attorney General, and **Michael Beck**, Deputy Attorney General, for Staff of the Board of Public Utilities (Paul Lupo, Acting Director, Division of Energy)

Maura Caroselli, Esq. Managing Partner, and **Sarah H. Steindel**, Esq., Assistant Deputy Rate Counsel, for Division of Rate Counsel (Brian O. Lipman, Director)

Steven S. Goldenberg, Esq., (Giordano, Halleran & Ciesla, P.C., attorneys) and
Paul F. Forshay, Esq. (Eversheds-Sutherland (US) LLP, attorneys), for
intervenor, New Jersey Large Energy User Coalition

Joseph Accardo, Esq., V.P. Regulatory , and Danielle Lopez, Esq., Associate
General Regulatory Counsel, for participant, Public Service & Gas
Company

Andrew K. Dembia, Esq., Regulatory Affairs Counsel, for participant, New Jersey
Natural Gas Company

BEFORE **JULIO C. MOREJON**, ALJ:

WHEREFORE, on December 28, 2021, Elizabethtown Gas Company (Elizabethtown or Company) filed a petition with the New Jersey Board of Public Utilities (Board or BPU) for approval of an overall increase in natural gas distribution revenues of approximately \$76.6 million or 19%, for changes in its tariff for gas service pursuant to N.J.S.A. 48:2-18 and N.J.S.A. 48:2-21.3 and for change to its current Board-approved depreciation rates pursuant to N.J.S.A. 48:2-18. The Company also proposed to change its depreciation rates. The Company further proposed to establish or continue regulatory assets to allow it to defer for future recovery the following costs to the extent not included in the Company's request for a base rate increase: (1) the costs of the Company's federally mandated gas transmission integrity management program, (2) costs associated with Transportation Security Administration ("TSA") security directives (3) the remaining undepreciated costs of non-operational liquefaction equipment at the Company's Erie Street liquefied natural gas ("LNG") facility, to the extent not reimbursed by the vendor/manufacturer, and (4) costs incurred to establish an in-house gas supply function; and

WHEREAS the matter was thereafter transmitted to the Office of Administrative Law on February 8, 2022, and the initial case management conference was held on March 23, 2022; and

WHEREAS on March 30, 2022, New Jersey Large Energy Users' Coalition (NJLEUC), filed a motion seeking leave to intervene as a party in the above-captioned, pursuant to N.J.A.C. 1:1-16.1 et seq., and which was amended the same date to reflect the transfer of the matter from the BPU to the OAL; and

WHEREAS on January 10, 2022, New Jersey Natural Gas (NJNG) filed a motion seeking leave to participate in the above-captioned case, pursuant to N.J.A.C. 1:1-16.1 et seq.; and

WHEREAS on February 16, 2022, PSE&G filed a motion seeking leave to intervene as a party or, in the alternative, to participate in the above-captioned case on March 8, 2018, pursuant to N.J.A.C. 1:1-16.1 et seq.; and

WHEREAS no party to this proceeding has set forth any opposition to these motions; and

WHEREAS I have reviewed the factors for intervention and participation set forth in N.J.A.C. 1:1-16.1 et seq., and finding that there is good cause for certain applicants to be granted intervention and certain other applicants to be granted participant status, including other public utility companies franchised in New Jersey, whose interests will be sufficiently represented by participation;

NOW THEREFORE, IT IS ORDERED that the following parties will be **GRANTED** intervenor status: NJLEUC; and

IT IS FURTHER ORDERED that the following parties will be **GRANTED** participant status: NJNG and PSE&G; such status to include the right to submit post-hearing briefs and post-decision exceptions; and

IT IS FURTHER ORDERED that intervenor NJLEUC shall furnish its membership list to Elizabethtown no later than April 21, 2022, on condition that petitioner enter into a non-disclosure agreement regarding same.

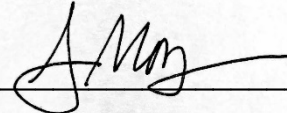
IT IS FURTHER ORDERED that this Order shall not serve or be used as a reason to delay the proceedings, nor shall duplicative testimony be permitted without leave of the undersigned at the plenary hearing.

This order may be reviewed by the **DIRECTOR OF BOARD OF PUBLIC UTILITIES**, either upon interlocutory review, pursuant to N.J.A.C. 1:1-14.10, or at the end of the contested case, pursuant to N.J.A.C. 1:1-18.6.

April 13, 2022

DATE

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A handwritten signature in black ink, appearing to read 'J. Morejon', is written over a horizontal line.

JULIO C. MOREJON, ALJ