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P.O. Box 6066  
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atlanticcityelectric.com

October 13, 2022

**VIA ELECTRONIC MAIL**  
**VIA ELECTRONIC MAIL**  
[carmen.diaz@bpu.nj.gov](mailto:carmen.diaz@bpu.nj.gov)  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Carmen D. Diaz  
Acting 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 Public Service Electric and Gas Company's Request for an Accounting Order Authorizing the Company to Modify Its Pension Accounting for Ratemaking Purposes  
BPU Docket No. ER22090549  
**Atlantic City Electric Company - Motion to Participate**

Dear Acting Secretary Diaz:

On behalf of Atlantic City Electric Company, attached please find ACE's Motion to Participate in the above 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 Acting Secretary of the Board, the Division of Law, and the New Jersey Division of Rate Counsel. No paper copies will follow.

Carmen D. Diaz  
October 13, 2022  
Page 2

Thank you for your consideration and courtesies. Feel free to contact the undersigned with any questions or if I can be of further assistance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cynthia L.M. Holland".

Cynthia L.M. Holland

Enclosure

cc: Service List

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**IN THE MATTER OF PUBLIC SERVICE  
ELECTRIC AND GAS COMPANY'S  
REQUEST FOR AN ACCOUNTING  
ORDER AUTHORIZING THE COMPANY  
TO MODIFY ITS PENSION ACCOUNTING  
FOR RATEMAKING PURPOSES**

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

**BPU DOCKET NO. ER22090549**

**NOTICE OF  
MOTION TO PARTICIPATE**

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**TO:** Carmen D. Diaz  
Acting 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

and

All Parties on the Attached Service List

**PLEASE TAKE NOTICE** that, pursuant to *N.J.A.C.* 1:1-16.6, Atlantic City Electric Company ("ACE"), by its undersigned counsel, hereby moves to participate in the above-captioned proceeding.

Dated: October 13, 2022



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**CYNTHIA L. M. HOLLAND**

An Attorney at Law of the  
State of New Jersey

Atlantic City Electric Company – 92DC42  
500 N. Wakefield Drive  
P.O. Box 6066  
Newark, DE 19714-6066  
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**IN THE MATTER OF PUBLIC SERVICE  
ELECTRIC AND GAS COMPANY'S  
REQUEST FOR AN ACCOUNTING ORDER  
AUTHORIZING THE COMPANY TO  
MODIFY ITS PENSION ACCOUNTING FOR  
RATEMAKING PURPOSES**

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES  
BPU DOCKET NO. ER22090549  
MOTION TO PARTICIPATE**

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Atlantic City Electric Company (“ACE” or the “Company”), through Assistant General Counsel, Cynthia L.M. Holland, an attorney at law of the State of New Jersey, hereby files this Motion to Participate before the Board of Public Utilities (“Board”).

ACE provides the following in support of its Motion:

1. On September 1, 2022, Public Service Electric and Gas Company (PSE&G) filed a Petition seeking an Accounting Order authorizing a change to the methodology currently used for determining the market-related value of assets for purposes of calculating pension expense. Specifically, PSE&G seeks the authority to use a calculated value that recognizes changes in fair value in a systematic and rational manner, to “smooth” returns on assets in the Company’s pension trust for purposes of calculating the amortization of net gain or loss component of pension expense, using the methodology outlined in 1985 by the Financial Accounting Standards Board (“FASB”). PSE&G represents that this methodology change results in a timing difference between PSE&G’s recognition of the impact of changes in the market-related value of assets in calculating its pension expense for ratemaking purposes as compared to its current methodology. PSE&G indicates that it will record a regulatory asset or regulatory liability to account for the difference between its current methodology and the requested methodology.

2. ACE is a New Jersey electric public utility incorporated in the State of New Jersey and maintains a regional office at 5100 Harding Highway, Mays Landing, New Jersey 08330. ACE is engaged in the transmission, distribution, and sale of electric energy for residential,

commercial, and industrial purposes within New Jersey. The Company's service territory comprises eight counties located in southern New Jersey and includes approximately 560,000 customers.

3. *N.J.A.C. 1:1-16.6* (a) sets forth the criteria for participation:

Any person or entity with a significant interest in the outcome of a case may move for permission to participate.

4. *N.J.A.C. 1:1-16.6* (b) sets forth the standard that must be weighed when considering a Motion to Participate:

In deciding whether to permit participation, the judge shall consider whether the participant's interest is likely to add constructively to the case without causing undue delay or confusion.

5. As a regulated electric public utility in the State, with pension expenses, ACE is entitled to participate because it has a significant interest in this matter. ACE's significant interest in the outcome of the proceeding is further rooted in the fact that substantive policy and/or procedural requirements established in this proceeding can significantly influence, if not have a precedential effect on, the positions taken by parties in, and the outcome of, proceedings involving ACE. Therefore, it is important that ACE be permitted Participant status in this proceeding so that it may monitor developments and be apprised of potential policy developments, both substantive and procedural, on these important issues in a timely manner.

6. As an investor-owned electric utility serving retail customers in South Jersey, the Company's interests in this proceeding are materially different from Petitioner, who represents its own interests, and from the other parties (*i.e.*, Board Staff and the Division of Rate Counsel), who represent primarily consumer interests.

7. ACE's interests will contribute to the development of a complete record for consideration by the Board without causing any delay or confusion, as the proceeding has just commenced and this Motion is timely filed. *N.J.A.C. 1:1-16.3 (a)*. The Company seeks Participant status so that it may receive copies of non-confidential discovery, testimony, briefs, and other materials; to actively monitor the proceedings; and possibly to file briefs and/or exceptions, as appropriate. ACE intends to abide by the procedural schedule(s) established in this docket.

8. Currently, ACE does not anticipate expanding its role beyond Participant status. However, the Company must reserve the right to seek full party intervenor status, in accordance with the applicable regulations, if the relevant circumstances underlying this proceeding change, and if ACE can establish that it satisfies regulatory requirements for such status.

9. The Company requests that all communications, correspondence, orders, and other documentation relating to this proceeding be directed to the following:

Cynthia L.M. Holland, Esq.  
Assistant General Counsel  
Atlantic City Electric Company  
92DC42  
500 North Wakefield Drive  
Newark, DE 19702  
(267) 533-1671 – Telephone (Mobile)  
[cynthia.holland@exeloncorp.com](mailto:cynthia.holland@exeloncorp.com)

ACE also requests that the above attorney be placed on the official service list compiled for purposes of this proceeding.

NOW WHEREFORE, the ACE respectfully requests that the Board, or Presiding Commissioner, issue an Order as follows:

- A. granting the Company rights as a Participant in this matter pursuant to *N.J.A.C. 1:1-16.6*, with the rights to argue orally, file briefs or statements, and file exceptions; and
- B. granting such further relief as may be appropriate.

Respectfully Submitted,

Dated: October 13, 2022



**CYNTHIA L. M. HOLLAND**

An Attorney at Law of the

State of New Jersey

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**IN THE MATTER OF PUBLIC SERVICE  
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**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

**BPU DOCKET NO. ER22090549**


**CERTIFICATION**

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I, Cynthia L.M. Holland, of full age, hereby certify as follows:

1. I am an attorney at law in the State of New Jersey and am Assistant General Counsel to Atlantic City Electric Company ("ACE") in the above referenced matter, with which I am familiar.
2. I hereby certify that the statements made in the Motion to Participate are true and accurate to the best of my knowledge.
3. I further certify that, on this day, I caused ACE's Notice of Motion and Motion to Participate to be filed by electronic mail with the New Jersey Board of Public Utilities at [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov).
4. I further certify that, on this day, I caused copies of ACE's Motion to Participate to be served by electronic mail to the parties listed on the attached 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: October 13, 2022

  
**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 Public Service Electric and Gas Company's Request for an Accounting Order Authorizing the Company to Modify Its Pension Accounting for Ratemaking Purposes

BPU Docket No. ER22090549

**Service List**

**BPU**

Carmen D. Diaz  
Acting Secretary of the Board  
Board of Public Utilities  
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**DIVISION OF LAW**

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**ACE**

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