

April 27, 2023

VIA E-FILING & E-MAIL

Sherri L. Golden, Board Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

Re: I/M/O the Verified Petition of Jersey Central Power & Light Company for Review and Approval of Increases in, and Other Adjustments to, its Rates and Charges for Electric Service, and for Approval of Other Proposed Tariff Revisions in Connections Therewith (“JCP&L 2023 Base Rate Filing”) BPU Docket No. ER23030144

Dear Secretary Golden,

On behalf of our client, Commercial Metals Company (“CMC”), enclosed please find CMC’s Motion to Intervene in the above docket.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



Murray E. Bevan

Enclosures

cc: Service List (via e-mail w/ enc.)
Mark Zimmerman, CMC (via e-mail w/ enc.)

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

In the Matter of the Verified Petition of Jersey)
Central Power & Light Company For Review)
and Approval of Increases in, and Other)
Adjustments to, Its Rates and Charges For)
Electric Service, and For Approval of Other)
Proposed Tariff Revisions in Connection)
Therewith ("2023 Base Rate Filing"))
_____)

BPU Docket No. ER23030144

MOTION TO INTERVENE

Commercial Metals Company (“CMC”) hereby moves for an order of the Board of Public Utilities (“Board”) granting it intervention in the above referenced matter. This motion is filed pursuant to N.J.A.C. 1:1-16.1(a), which provides that any person or entity not initially a party who will be “substantially, specifically and directly affected by the outcome of a contested case, may on motion, seek leave to intervene.” Under N.J.A.C. 1:1-16.3(a), “[i]n ruling upon a motion to intervene, the judge shall take into consideration the nature and extent of the movant's interest in the outcome of the case, whether or not the movant's interest is sufficiently different from that of any party so as to add measurably and constructively to the scope of the case, the prospect of confusion or undue delay arising from the movant's inclusion, and other appropriate matters.” CMC respectfully requests the Board to (1) grant it full rights as an intervenor in this matter pursuant to N.J.A.C. 1:1-16.1, and (2) order such further relief in connection therewith as the Board deems reasonable and just.

In support of this motion, CMC states:

1. CMC together with its subsidiaries manufactures, recycles, and markets steel and metal products, related materials and services through a network of facilities, including a steel mill with an electric arc furnace in Sayreville, New Jersey (the “Sayreville Steel Mill”).

2. The Sayreville Steel Mill is within the service territory of Jersey Central Power & Light Company (“JCP&L”), and it receives electric distribution service from JCP&L at transmission level voltage. The Sayreville Steel Mill’s recent annual bills from JCP&L are in excess of \$1,000,000, making it one of JCP&L’s largest industrial customers.
3. On March 16, 2023, JCP&L filed a petition seeking a substantial increase in its base rates, including a 29.8% increase for CMC’s rate class GT special provision D (otherwise known as “GT-D” or “General Service Transmission Provision D”). CMC will therefore be directly and specifically affected by JCP&L’s requested rate relief.
4. Moreover, as a large volume purchaser of services from JCP&L at transmission level voltage and the only member of the GT-D rate class, CMC’s interests are clearly distinct from other customers of JCP&L and no other party to this proceeding can adequately represent CMC’s interest.
5. Other than stating that JCP&L is proposing a 29.8% increase in rates for CMC’s rate class GT-D, the remaining information on the GT-D rate class in JCP&L’s petition is redacted because it is individual customer proprietary information per JCP&L’s confidentiality affidavit.
6. Therefore, it is necessary for CMC to intervene so that they can be provided with the unredacted numbers and understand the basis for JCP&L’s proposed rate increase of 29.8% for CMC’s rate class.
7. CMC will work with the parties to establish a procedural schedule in this case.
8. Granting CMC intervention at this early stage of the proceeding will not cause undue delay or confusion, nor impose an undue burden on any party to this proceeding.

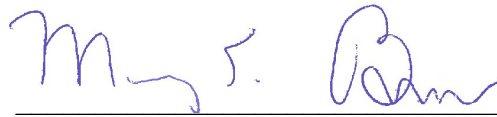
9. CMC and its predecessor Gerdau were granted full intervenor status in prior rate cases of JCP&L, including the 2020 JCP&L base rate case.
10. The Verification of Mark Zimmerman is attached hereto stating that the facts stated in this motion are true and accurate to the best of his knowledge and belief.
11. Correspondence concerning this Motion and this proceeding should be sent to:

Murray E. Bevan, Esq.
Jennifer McCave, Esq.
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12. In addition to the foregoing, CMC 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.

WHEREFORE, CMC respectfully requests the Board to (1) grant it full procedural and substantive rights as an intervenor in this matter pursuant to N.J.A.C. 1:1-16.1 et seq., and (2) order such further relief in connection therewith as the Board deems reasonable and just.

By:



Murray E. Bevan
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Counsel for Commercial Metals Company

Dated: April 27, 2023

VERIFICATION

STATE OF New Jersey :
:
CITY OF Monmouth :

I, Mark Zimmerman, hereby state that I am the Energy Manager for Commercial Metals Company, the Petitioner in the foregoing Petition; that I am authorized to make this Verification on behalf of Commercial Metals Company, that the foregoing Petition was prepared under my direction and supervision; and that the statements in the foregoing Petition are true and correct to the best of my knowledge, information, and belief.

Mark R. Zimmerman
Mark Zimmerman
Energy Manager
Commercial Metals Company

SWORN TO AND SUBSCRIBED before me on the 27 day of April, 2023.

Notary Public

Ralph Cicchetti Jr.

My commission expires: 1/28/2027

RALPH CICHETTI JR.
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 1/28/27



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