

November 9, 2023

VIA E-MAIL (BOARD.SECRETARY@BPU.NJ.GOV)

Gregory Eisenstark

Direct Phone 973-200-7411

Direct Fax 973-200-7465

geisenstark@cozen.com

Ms. Sherri L. Golden, Board Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625

**Re: In the Matter of the Verified Petition of Jersey Central Power & Light Company for
Approval of an Infrastructure Investment Program II ("EnergizeNJ")
BPU Docket No. _____**

Dear Secretary Golden:

On behalf of the Petitioner, Jersey Central Power & Light Company ("JCP&L"), attached for filing with the New Jersey Board of Public Utilities ("Board") are copies of JCP&L's Verified Petition and direct testimony, schedules and exhibits thereto, in its above-captioned JCP&L Infrastructure Investment Program II ("EnergizeNJ").

As explained in the Petition, JCP&L seeks Board approval of its proposal to undertake JCP&L's second Infrastructure Investment Program pursuant to the Board's Infrastructure Investment and Recovery Rules, codified at N.J.A.C. 14:3-2A.1 et seq. JCP&L's EnergizeNJ program would result in the investment of approximately \$934.8 million over five years that will enable JCP&L to enhance the safety, reliability and resiliency of its electric distribution system. JCP&L respectfully requests that the Board issue a final decision and order: (a) finding that EnergizeNJ satisfies the requirements of N.J.A.C. 14:3-2A.1 et seq., and is in the public interest; (b) finding that EnergizeNJ as described in the Petition is reasonable and prudent; (c) authorizing JCP&L to implement the EnergizeNJ program starting June 1, 2024, under the terms set forth in the Petition; (d) determining that the cost recovery mechanism set forth in this Petition will provide for just and reasonable rates and is approved; (e) authorizing JCP&L to recover EnergizeNJ costs, on a full and timely basis, under the cost recovery mechanism set forth in this Petition; and (f) granting such other and further relief as the Board shall deem just, lawful and proper.

Please note that certain attachments¹ to the Engineering Evaluation and Report (attached as Appendix A to the Direct Testimony of Dana I. Gibellino) contain confidential information. Accordingly, JCP&L is requesting confidential treatment of such information and has included herewith an Affidavit of Confidentiality in support of this request. JCP&L is filing both Confidential and Redacted (Public) versions of these schedules to the Engineering Evaluation and Report with the Board. A copy of the Confidential version of these schedules to the

¹ Attachment 4 to the Engineering Evaluation and Report will be produced in CD format only due to the large file size. The CD with Attachment 4 will be transmitted separately. This confidential attachment will be provided to the Board, and copies of the confidential attachment in CD format will be provided to the parties upon execution of an Agreement of Non-disclosure of Confidential Information for this matter.

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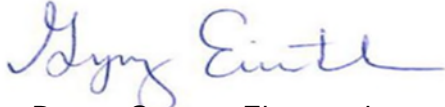
Engineering Evaluation and Report will be provided to the parties upon the execution of the standard form of an Agreement of Non-disclosure of Confidential Information for this matter.

These documents are being filed with the Board Secretary electronically only, consistent with the Board's Order dated March 19, 2020 (Docket No. EO20030254) directing that all submissions to the Board, of any kind, be submitted electronically. I hereby confirm that copies each of this letter and the enclosed Verified Petition and supporting documents are on this day being duly served via electronic mail upon the Director, Division of Rate Counsel, and upon the Department of Law & Public Safety, Division of Law. We would appreciate if the Board Secretary's office would please acknowledge receipt of this filing.

Your anticipated courtesies and cooperation are deeply appreciated.

Respectfully submitted,

COZEN O'CONNOR



By: Gregory Eisenstark

Enclosures

cc: Service List via electronic mail (*via E-mail*)

SERVICE LIST

In the Matter of the Verified Petition of Jersey Central Power & Light Company for Approval of an Infrastructure Investment Program II (“EnergizeNJ”) BPU Docket No.

BPU		
<p>Sherri Golden, Board Secretary NJ Board of Public Utilities 44 South Clinton Avenue, 3rd Fl. P.O. Box 350 Trenton, NJ 08625-0350 board_secretary@bpu.nj.gov</p>	<p>Robert Brabston, Executive Director NJ Board of Public Utilities 44 South Clinton Avenue, 9th Fl. P.O. Box 350 Trenton, NJ 08625 Robert.Brabston@bpu.nj.gov</p>	<p>Michael Beck, Esq. Chief Counsel N.J. Board of Public Utilities 44 South Clinton Avenue, 10th Floor P.O. Box 350 Trenton, NJ 08625-0350 michael.beck@bpu.nj.gov</p>
<p>Carol Artale, Esq. Deputy Chief Counsel NJ Board of Public Utilities 44 South Clinton Avenue, 9th Floor Trenton, NJ 08625-0350 Carol.Artale@bpu.nj.gov</p>	<p>Benjamin Witherell, Chief Economist NJ Board of Public Utilities 44 South Clinton Avenue, 9th Fl. P.O. Box 350 Trenton, NJ 08625 Ben.Witherell@bpu.nj.gov</p>	<p>Stacy Peterson Deputy Executive Director NJ Board of Public Utilities 44 South Clinton Avenue, 9th Fl. P.O. Box 350 Trenton, NJ 08625 Stacy.Peterson@bpu.nj.gov</p>
<p>Michael Kammer NJ Board of Public Utilities 44 South Clinton Ave., 9th Floor P.O. Box 350 Trenton, NJ 08625 Mike.kammer@bpu.nj.gov</p>	<p>Malike Cummings Legal Specialist NJ Board of Public Utilities 44 South Clinton Avenue, 9th Fl. P.O. Box 350 Trenton, NJ 08625 Malike.Cummings@bpu.nj.gov</p>	
DAG		
<p>Daren Eppley, DAG Department of Law & Public Safety Division of Law 25 Market Street P.O. Box 112 Trenton, NJ 08625 Daren.eppley@law.njoag.gov</p>	<p>Terel Klein, DAG Department of Law & Public Safety Division of Law 25 Market Street P.O. Box 112 Trenton, NJ 08625 Terel.Klein@law.njoag.gov</p>	
RATE COUNSEL		
<p>Brian Lipman, Director NJ Division of Rate Counsel 140 E. Front Street, 4th Floor P.O. Box 003 Trenton, NJ 08625 blipman@rpa.nj.gov</p>	<p>David Wand, Esq. NJ Division of Rate Counsel 140 East Front Street, 4th Floor P.O. Box 003 Trenton, N.J. 08625-0003 dwand@rpa.nj.gov</p>	

JCP&L		
<p>Tori Giesler FirstEnergy Service Company Legal Department 2800 Pottsville Pike Reading, PA 19612-6001 tgiesler@firstenergycorp.com</p>	<p>Mark Mader Jersey Central Power & Light Company 300 Madison Avenue P.O. Box 1911 Morristown, NJ 07960-1911 mamader@firstenergycorp.com</p>	<p>James A. Meehan, Esq. FirstEnergy Service Company Legal Dept. 2800 Pottsville Pike Reading, PA 19612-6001 jameehan@firstenergycorp.com</p>
<p>James E. O'Toole Jersey Central Power & Light Co. 300 Madison Avenue PO Box 1911 Morristown, NJ 07962-1911 jotoole@firstenergycorp.com</p>	<p>Carol A. Pittavino Jersey Central Power & Light Co. 800 Cabin Hill Drive Greensburg, PA 15601 cpittavino@firstenergycorp.com</p>	<p>Gregory Eisenstark, Esq. Cozen O'Connor 1010 Kings Highway South Cherry Hill, NJ 08034 geisenstark@cozen.com</p>
<p>Michael J. Connolly, Esq. Cozen O'Connor 1010 Kings Highway South Cherry Hill, NJ 08034 MConnolly@cozen.com</p>	<p>William Lesser, Esq. 3 WTC, 175 Greenwich Street 55th Floor New York, NY 10007 WLesser@cozen.com</p>	

**In the Matter of the Verified Petition of Jersey Central Power & Light
Company for Approval of an Infrastructure Investment Program II
("EnergizeNJ")**

BPU Docket No. _____

**AFFIDAVIT
OF
CONFIDENTIALITY**

Dana I. Gibellino, of full age, being duly sworn upon her oath, deposes and says:

1. I am employed by FirstEnergy Service Company as the Director of Engineering Services for Jersey Central Power & Light Company ("JCP&L" or the "Company"). In this role, I am responsible for the JCP&L distribution engineering organization, which includes distribution design, planning, protection, reliability, asset management and capital portfolio management. I am duly authorized to make this Affidavit of Confidentiality on behalf of JCP&L in connection with the above-referenced proceeding.

2. On November 9, 2023, JCP&L filed a Verified Petition, including direct testimony, exhibits and schedules thereto.

3. In connection with the above-captioned matter, I filed Direct Testimony, Exhibit JC-2 to the Verified Petition, and I filed the Engineering Evaluation and Report as Appendix A to my Direct Testimony. Attachments 2 and 4 to the Engineering Evaluation and Report contain confidential information. Accordingly, the confidential versions of the attachments have been marked "Confidential" (and are referred to in this affidavit as the "Confidential Attachments"). In addition, redacted (or "Preliminary Public") copies of the Confidential Attachments are also included with the Verified Petition that was filed in this

matter. The information that has been redacted from the Confidential Attachments, in the course of preparing the Preliminary Public version, is referenced herein as the “Confidential Information.”

4. Attachment 2 contains specific circuit numbers, pole locations, and sensitive cost estimates associated with individual municipalities and the potential benefits from aspects of the EnergizeNJ program. This information could provide a competitive advantage and undermine the Company’s business position, thereby implicating the Company’s ability to ensure fair negotiations with respect to suppliers and other vendors. Attachment 4 contains specific information concerning JCP&L’s circuit details and outage history, along with engineering assumptions related to the Company’s benefit calculations, and if explored, specific circuit level benefits arising from potential implementation of the EnergizeNJ program. This information has been compiled and prepared by JCP&L in connection with this filing in a manner that is not available publicly and could provide competitors or potential vendors with an unfair business advantage in negotiations or discussions. Ensuring confidential treatment of such trade secret and proprietary information that could provide the public with a competitive advantage benefits both the Company and ratepayers.

5. Moreover, I have been advised that, under New Jersey law, specific information including circuit ID, substation information, circuit type and location, and number of customers on the circuit have been designated as “security sensitive” and “confidential information” when submitted by electric distribution companies in quarterly reports and are therefore properly redacted in public filings. See N.J.A.C. 14:5-8.7.

6. By way of substantiating the claim of confidentiality, I hereby verify that:

- a. JCP&L has taken measures to prevent the disclosure of the Confidential Information to others, by restricting its dissemination even within the Company, and among JCP&L's counsel, on a "need to know" basis.
- b. The Confidential Information is not contained in materials which are routinely made available to the general public, such as Initial and Final Orders in contested case adjudications, press releases, speeches, pamphlets and educational materials.
- c. The Confidential Information has not been disclosed to others except pursuant to confidentiality agreements or as set forth in paragraph (a) above on a strict need-to-know basis, in which case the recipients of such need-to-know disclosures are professionally obliged to refrain from making further disclosure.
- d. No relevant confidentiality determinations have previously been made by the Board, the Board's custodian of records, or any other state or federal agency or court of competent jurisdiction regarding the Confidential Information.
- e. Public disclosure or release of the Confidential Information would have a harmful effect on JCP&L and JCP&L's customer because of the reasons set forth hereinabove.

7. I 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.



Dana I Gibellino

Dated: November 9, 2023

Sworn to and subscribed
electronically this 9th day
of November, 2023



Gregory Eisenstark
Attorney-at-Law,
State of New Jersey

The undersigned attorney, Gregory Eisenstark, certifies that the affiant electronically acknowledged the genuineness of the signature.



Gregory Eisenstark, Esquire