

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

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

**MOTION TO INTERVENE OF  
NEW JERSEY LARGE ENERGY USERS COALITION**

The New Jersey Large Energy Users Coalition (“NJLEUC”), an association whose members include large electric distribution customers served by Jersey Central Power & Light Company (“JCP&L” or the “Company”), hereby moves to intervene in the above-captioned proceeding. In support of its motion, NJLEUC states as follows:

1. All communications and correspondence concerning this proceeding should be directed to:

Steven S. Goldenberg  
Giordano, Halleran & Ciesla, P.C.  
125 Half Mile Road, Suite 300  
Red Bank, NJ 07701-6777  
Phone: 732-741-3900  
Fax: 732-224-6599  
[sgoldenberg@ghclaw.com](mailto:sgoldenberg@ghclaw.com)

2. On November 9, 2023, JCP&L filed a petition with the Board, pursuant to N.J.A.C. 14:3-2A *et seq.*, seeking approval to implement its proposed Infrastructure Investment Program II “EnergizeNJ”, and for an associated rate recovery mechanism. The Company states that the proposed five-year, \$934.8 million infrastructure capital spending program will expand upon the Company’s previous Reliability Plus Infrastructure Program as part of a continuing effort to modernize and enhance the safety, reliability and resiliency of the JCP&L electric distribution system. The accelerated investment would be in addition to the Company’s proposed baseline spend of \$147 million during the same period, which would be recoverable in future base rate

proceedings.

3. EnergizeNJ would increase the Company's accelerated investments in its distribution system to improve reliability and lay the foundation for JCP&L's "Circuit of the Future" approach. The EnergizeNJ program is comprised of three main initiatives that are in turn comprised of fourteen component sub-projects.

4. The three main EnergizeNJ initiatives are denominated Grid Modernization, System Resiliency and Substation Modernization, which together are intended to enhance the safety, reliability and resiliency of the Company's electric distribution system. The sub-projects would, among other things, incorporate advanced equipment and technology into the distribution system including smart devices such as TripSaver and SCADA reclosers, standardize voltage levels throughout the JCP&L distribution system, target prioritized cable segments for replacement, and upgrade substations through the addition of new switchgear, circuit breakers and transformers, and increase the number of mobile substations.

5. JCP&L seeks to recover the revenue requirements associated with the EnergizeNJ II Program initiative through base rates via annual and semi-annual base rate adjustment filings. JCP&L seeks a waiver of the provision of the IIP rule that requires recovery of IIP-related expenditures through a separate clause in the utility's tariff.

WHEREFORE, in support of its application for intervention, NJLEUC respectfully submits that all factors for intervention set forth in N.J.A.C. 1:1-16 weigh in favor of the granting of NJLEUC's motion in this proceeding:

1. NJLEUC formed, in part, to monitor regulatory and rate proceedings involving the State's electric and natural gas utilities, including JCP&L, and has consistently been granted intervenor status in JCP&L's regulatory, merger, rate and infrastructure proceedings, including the

pending base rate case and the prior Reliability Plus proceeding. Members of NJLEUC purchase electric distribution service from JCP&L on a usage basis and, therefore, will be substantially and specifically affected by the outcome of this proceeding;

2. Given its capacity as an association of large end-use customers of JCP&L that will be directly affected by the significant infrastructure upgrades proposed in this proceeding, NJLEUC's interests are unique from, and not adequately represented by any other party;

3. NJLEUC has a unique perspective and insight regarding the potential impact, on large usage-based customers, of the significant costs that are at issue in this proceeding. NJLEUC's members employ thousands of New Jersey residents, are a bedrock of the State's business community and economy and pay substantial state taxes. Its members, particularly those businesses that are national in focus, continually assess the competitiveness of their New Jersey operations, which has a direct influence on their managements' willingness to invest additional capital in them. These assessments consider the outcome of regulatory proceedings like these, which have significantly increased large businesses' already-high energy costs, often by tens of thousands of dollars each month. No other party to this proceeding is similarly situated with NJLEUC in this regard;

4. NJLEUC's motion is timely and will not delay or otherwise disrupt the prosecution of the proceeding;

5. Fundamental fairness and due process considerations require that NJLEUC be afforded an opportunity to fully participate as an Intervenor in this proceeding, the outcome of which will result in an increase in the rates charged by JCP&L;

6. The issues to be decided in this proceeding "substantially, specifically and directly affect" NJLEUC within the meaning of these terms as used in the Uniform Rules, thereby making

it appropriate for NJLEUC to intervene as a party;

7. The interests of NJLEUC's members as large distribution customers of JCP&L are substantially different from those of any other party seeking intervention. Therefore, NJLEUC's interests in this proceeding are unique on both a quantitative and qualitative basis;

8. NJLEUC's entry as a party would "measurably and constructively" advance this proceeding (N.J.A.C. 1:1-16.3(a)) because of the unique, well-informed status of its members that are among the largest customers on JCP&L's electric distribution system. NJLEUC's entry as a party would therefore contribute to an informed and balanced presentation of the issues;

9. Notwithstanding its unique interests, where it is possible and practical for it to do so, NJLEUC will endeavor to work cooperatively with other parties in this proceeding in the interests of administrative efficiency and economy.

10. For the foregoing reasons, and because the cost of electric service to NJLEUC's members will be directly and substantially affected by the issues to be determined in this proceeding, NJLEUC has a direct and immediate interest in the outcome of this proceeding that cannot adequately be represented by any other party.

WHEREFORE, pursuant to N.J.A.C. 1:1-16.1, *et seq.*, NJLEUC respectfully requests that it be permitted to intervene in this proceeding with full procedural and substantive rights.

Respectfully submitted,



Steven S. Goldenberg

Dated: November 27, 2023

### **CERTIFICATION OF SERVICE**

I hereby certify that I have this day served via electronic mail copies of the foregoing Motion to Intervene to the parties identified on the service list in this proceeding.

Dated at Red Bank, New Jersey, this 27th day of November, 2023.



Steven S. Goldenberg

#10347836

## 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.**

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

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