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December 13, 2023

VIA ELECTRONIC MAIL

sherri.golden@bpu.nj.gov
board.secretary@bpu.nj.gov

Sherri L. Golden, RMC
Secretary of the Board
Board of Public Utilities
44 S. Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

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. EO23110793

Dear Secretary Golden:

Please accept the within Motion to Participate on behalf of Atlantic City Electric Company filed in the above captioned proceeding.

If you have any questions or concerns, please contact the undersigned. Thank you for your consideration.

Respectfully submitted,



Cynthia L.M. Holland
An Attorney at Law of the
State of New Jersey

Enclosure

cc: Service List

**IN THE MATTER OF THE VERIFIED
PETITION OF JERSEY CENTRAL
POWER & LIGHT COMPANY FOR
APPROVAL OF AN INFRASTRUCTURE
INVESTMENT PROGRAM II
("ENERGIZENJ")**

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
BPU DOCKET NO. EO23110793**

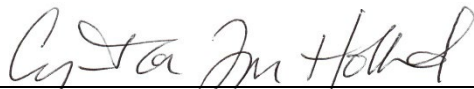
**NOTICE OF
MOTION TO PARTICIPATE**

TO: Sherri L. Golden, RMC
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, New Jersey 08625-0350
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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: December 13, 2023



Cynthia L.M. Holland
Assistant General Counsel
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**IN THE MATTER OF THE VERIFIED
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MOTION TO PARTICIPATE**

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.

ACE provides the following in support of its Motion:

1. 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.
2. ACE is engaged in the transmission, distribution, and sale of electric energy for residential, commercial, and industrial purposes within New Jersey.
3. The Company's service territory comprises eight counties located in southern New Jersey and includes approximately 565,000 customers.
4. ACE's service territory borders the Jersey Central Power & Light service territory.
5. *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.

6. *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.

7. ACE is entitled to participate because it has a significant interest in this matter. ACE's service territory borders the Jersey Central Power & Light territory. Both Companies are electric public utility companies regulated by the Board of Public Utilities.

8. 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.

9. ACE'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. Other interveners and/or participants represent their own interests.

10. The service territories, customers, and the operations of ACE are distinct from JCP&L. Thus, no other party will represent the interests of ACE in this case.

11. 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 recently commenced and this Motion is timely filed. *See N.J.A.C. 1:1-16.6(b); see also N.J.A.C. 1:1-16.2(a).*

12. The Company seeks Participant status so that it may receive copies of discovery, testimony, briefs, and other materials; to actively monitor the proceedings; and possibly to argue, file briefs and/or file exceptions, as appropriate. ACE will consent to the execution of a Non-Disclosure Agreement to further its goal of actively monitoring these proceedings.

13. ACE intends to abide by the procedural schedule(s) established in this docket and does not seek to delay any ongoing proceedings, accepting the record as currently established.

14. It is important that ACE be permitted Participant status in this proceeding so that it may be apprised of potential policy developments, both substantive and procedural, on these important issues in a timely manner.

15. Currently, ACE does not anticipate expanding its role beyond Participant status. However, the Company reserves 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.

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

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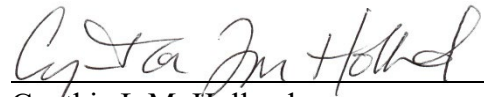
17. ACE also requests that the above attorneys be placed on the official service list compiled for purposes of this proceeding.

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*; and
- B. granting such further relief as may be appropriate.

Respectfully Submitted,

Dated: December 13, 2023



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BPU DOCKET NO. EO23110793
CERTIFICATION**

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 I 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 electronically in this docket and by electronic mail to the Secretary of the Board.
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.



CYNTHIA L.M. HOLLAND

I/M/O the Verified Petition of Jersey Central Power & Light Company for Approval of an
Infrastructure Investment Program II ("EnergizeNJ")
BPU Docket No. EO23110793

Service List

BPU

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