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January 11, 2024

VIA ELECTRONIC MAIL
sherri.golden@bpu.nj.gov
board.secretary@bpu.nj.gov

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

RE: In the Matter of the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 17 Electric and B.P.U.N.J. No. 17 Gas, and for Changes in Depreciation Rates, Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:221.1, and for Other Appropriate Relief BPU Docket Nos. ER23120924 and GR23120925

Dear Secretary Golden:

The undersigned serves as Assistant General Counsel on behalf of Atlantic City Electric Company (“ACE”). Enclosed for filing is a Motion to Participate in the above-referenced dockets.

Thank you for your consideration. Feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink that reads "Cynthia L.M. Holland". The signature is written in a cursive, flowing style.

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

Enclosure

cc: Service List

**IN THE MATTER OF THE PETITION
OF PUBLIC SERVICE ELECTRIC AND
GAS COMPANY FOR APPROVAL OF
AN INCREASE IN ELECTRIC AND GAS
RATES AND FOR CHANGES IN THE
TARIFFS FOR ELECTRIC AND GAS
SERVICE, B.P.U.N.J. NO. 17 ELECTRIC
AND B.P.U.N.J. NO. 17 GAS, AND FOR
CHANGES IN DEPRECIATION RATES,
PURSUANT TO N.J.S.A. 48:2-18, N.J.S.A.
48:2-21 AND N.J.S.A. 48:2-21.1, AND FOR
OTHER APPROPRIATE RELIEF**

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
BPU DOCKET NO. ER23120924
BPU DOCKET NO. GR23120925**

**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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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: January 11, 2024



CYNTHIA L.M. HOLLAND
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Atlantic City Electric Company – 92DC42
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Post Office Box 6066
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**IN THE MATTER OF THE PETITION
OF PUBLIC SERVICE ELECTRIC AND
GAS COMPANY FOR APPROVAL OF
AN INCREASE IN ELECTRIC AND GAS
RATES AND FOR CHANGES IN THE
TARIFFS FOR ELECTRIC AND GAS
SERVICE, B.P.U.N.J. NO. 17 ELECTRIC
AND B.P.U.N.J. NO. 17 GAS, AND FOR
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PURSUANT TO N.J.S.A. 48:2-18, N.J.S.A.
48:2-21 AND N.J.S.A. 48:2-21.1, AND FOR
OTHER APPROPRIATE RELIEF**

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
BPU DOCKET NO. ER23120924
BPU DOCKET NO. GR23120925
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 Public Service Electric & Gas (“PSE&G”) 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 PSE&G service 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 will represent their own interests.

10. The service territories, customers, and the operations of ACE are distinct from PSE&G. 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:

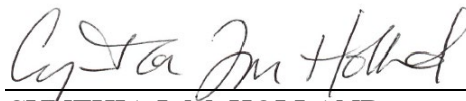
Cynthia L.M. Holland, Esquire
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17. ACE also requests that the above attorney be placed on the official service list compiled for purposes of this proceeding.

NOW WHEREFORE, 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,



CYNTHIA L.M. HOLLAND

Assistant General Counsel

Atlantic City Electric Company – 92DC42

500 North Wakefield Drive

Post Office Box 6066

Newark, Delaware 19714-6066

cynthia.holland@exeloncorp.com

Dated: January 11, 2024

**IN THE MATTER OF THE PETITION
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GAS COMPANY FOR APPROVAL OF
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RATES AND FOR CHANGES IN THE
TARIFFS FOR ELECTRIC AND GAS
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**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES
BPU DOCKET NO. ER23120924
BPU DOCKET NO. GR23120925**

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.

Dated: January 11, 2024



CYNTHIA L.M. HOLLAND

In the Matter of the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 17 Electric and B.P.U.N.J. No. 17 Gas, and for Changes in Depreciation Rates, Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:221.1, and for Other Appropriate Relief
BPU Docket Nos. ER23120924 and GR23120925

Service List

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