

January 16, 2024

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: In the Matter of the Verified Petition of Jersey Central Power & Light Company For Review and Approval of an Infrastructure Investment Program II -"EnergizeNJ" (BPU Docket No. EO23110793)

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.)

In the Matter of the Verified Petition of Jersey Central Power & Light Company For Review and Approval of an Infrastructure Investment Program II ("EnergizeNJ")))))))	BPU Docket No. EO23110793
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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 service from JCP&L at transmission level

voltage. The Sayreville Steel Mill's recent annual bills from JCP&L are more than \$1,000,000, making it one of JCP&L's largest industrial customers.

3. On November 9, 2023, JCP&L filed a petition with the Board seeking approval of an infrastructure investment program ("IIP") entitled "EnergizeNJ".
4. JCP&L proposes to allocate at least \$229,625 of the IIP revenue requirement to the GT rate class. *See* JCP&L EnergizeNJ petition at Schedule CAP-3. Since CMC takes service from JCP&L under the GT-D rate class, CMC will be directly and specifically affected by JCP&L's requested rate relief.
5. Moreover, as a large volume purchaser of services from JCP&L at transmission level voltage, CMC's interests are clearly distinct from other customers of JCP&L and no other party to this proceeding can adequately represent CMC's interests.
6. The Board previously granted full intervenor status to CMC and its predecessor Gerdau in prior rate cases of JCP&L, including the 2020 JCP&L base rate case and the pending 2023 JCP&L base rate case.
7. According to the testimony of Carol Pittavino in support of JCP&L's EnergizeNJ petition, the revenue requirements of this IIP case and other calculations are dependent on what is decided in JCP&L's pending 2023 base rate case. *See, e.g.*, Pittavino testimony at pages 4-5 ("Any change in the WACC authorized by the Board following this filing, including the 2023 distribution base rate case pending in BPU Docket No. ER23030144, will be reflected in the subsequent revenue requirement calculations and subsequent base rate adjustment filings for EnergizeNJ". Since CMC is already an intervenor in the pending 2023 base rate case, it should also be granted intervenor status in this related IIP proceeding to ensure that CMC participates in the decisions affecting its future rates.

8. Furthermore, according to JCP&L's witness Dana Gibellino, the grid modernization, system resiliency, and substation modernization projects proposed in the EnergizeNJ program petition are focused on the distribution system rather than the transmission system. She further testifies that these projects will set the foundation for JCP&L's "Distribution Circuit of the Future vision". *See* Gibellino testimony at pages 6 - 7. CMC takes service from JCP&L at transmission voltage and therefore has a strong interest in ensuring that these proposed distribution system upgrades are not allocated to CMC's rate class in a manner that does not comport with the cost of serving CMC's rate class.
9. CMC will work with the parties to establish a procedural schedule in this case.
10. 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.
11. 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.
12. Correspondence concerning this Motion and this proceeding should be sent to:

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13. 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: 

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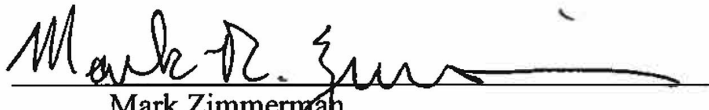
Counsel for Commercial Metals Company

Dated: January 16, 2024

VERIFICATION

STATE OF New Jersey :
:
CITY OF Sayreville :

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 Zimmerman
Energy Manager
Commercial Metals Company

SWORN TO AND SUBSCRIBED before me on the 15 day of January, 2024.


Notary Public

My commission expires: 1/15/2025



SERVICE LIST

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