

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of Elizabethtown)
Gas Company To Implement An Infrastructure)
Investment Program (“IIP”) And Associated) Docket No. GR23120882
Recovery Mechanism Pursuant to N.J.S.A.)
48:2-21 and N.J.A.C. 14:3-2A)

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

The New Jersey Large Energy Users Coalition (“NJLEUC”), an association whose members include large natural gas distribution customers served by Elizabethtown Gas Company (“Elizabethtown” 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

2. On December 11, 2023, Elizabethtown filed a petition with the Board, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:3-2A, seeking authorization to implement an Infrastructure Investment Program (“IIP”) and associated cost recovery mechanism. The petition proposes a five-year investment program commencing in July 2024 that would involve the expenditure of approximately \$625 million.

3. Elizabethtown proposes to build upon its prior IIP investments and (1) install approximately 250 miles of new main and retire approximately 274 miles of at-risk cast iron,

vintage steel and vintage plastic mains and associated services, (2) continue to upgrade the Company's legacy low pressure system to elevated pressure, and (3) install approximately 35,000 excess flow valves where appropriate on services on the upgraded system. The Company would also relocate inside location meter sets to outside where appropriate. The Company states that the benefits associated with these investments include a reduction in methane gas emissions, reduced energy costs over time, enhanced safety, reliability and resiliency of the Company's gas pipeline distribution system, and an expanded ability for customers to utilize higher efficiency appliances. The Company proposes a cost recovery mechanism through its existing Rider F, which is consistent with the mechanism prescribed by N.J.A.C. 14:3-2A.6(a).

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 Elizabethtown, and has consistently been granted intervenor status in Elizabethtown's regulatory, merger, rate and infrastructure proceedings. Members of NJLEUC purchase natural gas distribution service from Elizabethtown on a usage basis and, therefore, will be substantially and specifically affected by the outcome of this proceeding, which would increase the Company's distribution rates;

2. Given its capacity as an association of large end-use customers of Elizabethtown that will be directly affected by the rate increases that will result from 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 costs that are at issue in this proceeding and other pending

proceedings. 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 and develop new product lines 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 gas distribution rates charged by Elizabethtown;

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 Elizabethtown 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, which are among the largest customers on Elizabethtown's natural gas 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 natural gas distribution 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: February 6, 2024

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 6th day of February, 2024.

A handwritten signature in blue ink, consisting of stylized initials 'SG' followed by a flourish.

Steven S. Goldenberg

IN THE MATTER OF THE PETITION OF ELIZABETHTOWN GAS COMPANY TO IMPLEMENT
AN INFRASTRUCTURE INVESTMENT PROGRAM ("IIP") AND ASSOCIATED RECOVERY
MECHANISM PURSUANT TO N.J.S.A. 48:2-21 AND N.J.A.C. 14:3-2A

DOCKET NO. GR23120882

SERVICE LIST

New Jersey Board of Public Utilities

44 South Clinton Avenue, 1st Floor
Trenton, NJ 08625-0350

Sherri Golden, Board Secretary
board.secretary@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Counsel's Office

Michael Beck, General Counsel
michael.beck@bpu.nj.gov

Carol Artale, Deputy General Counsel
carol.artale@bpu.nj.gov

Heather Weisband, Senior Counsel
heather.weisband@bpu.nj.gov

Division of Engineering

Dean Taklif
dean.taklif@bpu.nj.gov

David Brown
david.brown@bpu.nj.gov

Nisa Rizvi
nisa.rizvi@bpu.nj.gov

Division of Revenue and Rates

Justin Cederberg
justin.cederberg@bpu.nj.gov

Cindy Bianco
cindy.bianco@bpu.nj.gov

Elizabethtown Gas Company

520 Green Lane
Union, NJ 07083

Thomas Kaufmann
tkaufmann@sjindustries.com

Michael Scacifero
msscifero@sjindustries.com

Susan Potanovich
spotanovich@sjindustries.com

Andrew McNally
amcnally@sjindustries.com

Sheree Kelly
skelly@sjindustries.com

Jennifer Weitz
jweitz@sjindustries.com

SJI Utilities, Inc.
1 South Jersey Place
Atlantic City, NJ 08401

Gary Akmentins
gakmentins@sjindustries.com

Cindy Capozzoli
ccapazzoli@sjindustries.com

Carolyn A. Jacobs
cjacobs@sjindustries.com

Dominick DiRocco
SJI Utilities, Inc.
One South Jersey Plaza
Folsom, NJ 08037
ddirocco@sjindustries.com

New Jersey Division of Rate Counsel

140 East Front Street, 4th Floor
Trenton, NJ 08625-0003

Brian O. Lipman, Esq., Director
blipman@rpa.nj.gov

Maura Caroselli, Esq., Managing Attorney
mcaroselli@rpa.nj.gov

Megan Lupo, Esq.
mlupo@rpa.nj.gov

Mamie Purnell, Esq.
mpurnell@rpa.nj.gov

Sarah Steindel, Esq.
ssteinde@rpa.nj.gov

Carlena Morrison
cmorrison@rpa.nj.gov

New Jersey Division of Law

NJ Department of Law and Public Safety
Richard J. Hughes Justice Complex
Public Utilities Section
25 Market Street, P.O. Box 112
Trenton, NJ 08625

Pamela Owen, ASC, DAG
pamela.owen@law.njoag.gov

Terel Klein, DAG
terel.klein@law.njoag.gov

Matko Ilic, DAG
matko.ilic@law.njoag.gov

Daren Eppley, SC, DAG
daren.eppley@law.njoag.gov