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February 20, 2024

VIA ELECTRONIC FILING

Honorable Irene Jones
Office of Administrative Law
33 Washington St.
Newark, NJ 07102

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. 48:2-21.1, and for Other Appropriate Relief; BPU Docket Nos. ER23120924 and GR23120925; PUC 926-24

Dear Judge Jones:

Attached is the Motion to Participate of the National Railroad Passenger Corporation (“Amtrak”) in the above-referenced proceeding.

As shown by the attached Service List, all parties to this proceeding are being served with a copy of this document via e-mail.

Please contact me if you have any questions concerning this matter. Thank you.

Very truly yours,

A handwritten signature in blue ink that reads 'Kenneth R. Stark'.

Kenneth R. Stark
MCNEES WALLACE & NURICK LLC

Counsel to the National Railroad Passenger Corporation

KRS/leh
Enclosure

c: Service List

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

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)	BPU Docket Nos. ER23120924 and
Service, B.P.U.N.J. No. 17 Electric and)	GR23120925
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)	

**MOTION TO PARTICIPATE OF THE
NATIONAL RAILROAD PASSENGER CORPORATION**

The National Railroad Passenger Corporation (“Amtrak”) hereby files this Motion to Participate with the New Jersey Board of Public Utilities (“NJ BPU” or “Board”), in the above-captioned proceeding. In support thereof, Amtrak states as follows:

1. Amtrak provides passenger rail service across the continental United States. Amtrak is partially funded by the United States Government and other state and local governmental entities. Congress created Amtrak through the Rail Passenger Service Act of 1970 to assume the common carrier obligations of private railroads in exchange for the right to priority access of their tracks for incremental cost. Amtrak receives electric service from Public Service Electric and Gas Company (“PSE&G”) through Rate Schedule HTS-High Voltage.
2. Amtrak requests that the following individual be placed on the official service list, and that he receive all pleadings, communications, correspondence, orders, and other documentation related to this proceeding:

Kenneth R. Stark
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000

Fax: (717) 237-5300
E-mail: kstark@mcneeslaw.com

3. *N.J.A.C.* 1:1-16.6(a) sets forth the criteria for participation:

Any person or entity with a significant interest in this outcome of a case may move for permission to participate.

4. *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.

5. Amtrak consumes substantial amounts of electricity in its operations in the PSE&G service territory, and any modification to PSE&G's electric rates resulting from the above-referenced case will impact Amtrak's costs of operations. As such, Amtrak has a significant, material, and relevant interest in this proceeding that cannot be adequately represented by any other party.

6. Amtrak's interests in this proceeding are materially different from the Petitioner and from the intervenors and participants to this proceeding, all of whom represent their own interests. Amtrak's interests will contribute constructively to the development of a complete record for consideration by the Board without causing any undue delay or confusion. *See N.J.A.C.* 1:1-16.6(b); *see also N.J.A.C.* 1:1-16.2(a).

7. Amtrak seeks to participate in this proceeding by, for example, presenting testimony, conducting discovery, participating in the evidentiary hearing, and filing briefs, as appropriate. *See N.J.A.C.* 1:1-16.6(c). Amtrak reserves the right to seek full party intervenor status in this proceeding in accordance with *N.J.A.C.* 1:1-16.1 – 1:1-16.5.

8. Amtrak agrees to accept the current record and any procedural schedule that has been established to date in this proceeding.

WHEREFORE, the National Railroad Passenger Corporation respectfully requests that: (1) the Board grant this Motion to Participate; and (2) Amtrak be afforded all other relief deemed appropriate by the Board.

Respectfully submitted,

MCNEES WALLACE & NURICK LLC



By: _____

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Counsel to the National Railroad Passenger Corporation

Dated this 20th day of February, 2024, at Harrisburg, PA

CERTIFICATE OF SERVICE

I hereby certify on this 20th day of February, 2024, that I served a copy of the foregoing *Motion to Participate of the National Railroad Passenger Corporation*, via electronic mail, upon each person designated on the official service list compiled by the Secretary in this proceeding.



By: _____

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BPU Docket Nos. ER23120924 and GR23120925

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