

FLORIO PERRUCCI STEINHARDT CAPPELLI & TIPTON, LLC

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Attorneys for UTCANJ

**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 PARTICIPATE OF

**The UTILITY AND TRANSPORTATION CONTRACTORS ASSOCIATION OF NEW
JERSEY**

The Utility and Transportation Contractors Association of New Jersey hereby moves for an Order granting their status as Participants in the above-referenced matter pursuant to N.J.A.C.

1:1-16.6. In support of this motion, UTCANJ respectfully submits:

1. The Utility and Transportation Contractors Association of New Jersey (“UTCANJ”) is a non-profit trade association headquartered in Wall Township, New Jersey.
2. UTCANJ represents approximately 1,000 member firms in the public and private sectors, active in all phases of heavy, highway, utility, and marine construction, as well as site work including remediation of brownfields and contaminated sites. As such, UTCANJ has an interest in the Elizabeth Town Gas Company’s Infrastructure Investment Program (IIP) seeking to proceed

with the accelerated replacement of its highest risk pipeline facilities.

3. Copies of all correspondence and other communications relating to this proceeding should be addressed to:

David Rible, Executive Director Labor Relations
P.O. Box 728
Allenwood, New Jersey 08720
Phone: (732) 292-4300
Email: dave@utcانج.org

4. The New Jersey Administrative Code states: “Any person or entity with a significant interest in the outcome of a case may move for permission to participate.” N.J.A.C. 14:1-16.6(a). When considering motions to participate, the New Jersey Board of Public Utilities (“Board” or “BPU”) “shall consider whether the participant’s interest is likely to add constructively to the case without causing undue delay or confusion.” N.J.A.C. 14:1-16.6(b).

5. The issues that will be addressed in Petitioner’s request for approval in this proceeding will substantially, specifically, and directly impact UTCANJ. As the Board’s decision in this proceeding will have precedential effect, it will impact not only the Petitioner herein and its customers, but also may impact New Jersey’s other utilities—including SJG and ETG.

6. No other party or participant will represent the interests of UTCANJ in this case. UTCANJ will coordinate their representation with other similarly situated parties or participants in this docket to the extent appropriate. Accordingly, there is no prospect for confusion and delay arising from the inclusion of UTCANJ in this proceeding.

7. UTCANJ’s participation in this proceeding is likely to add constructively to the proceeding.

8. UTCANJ abides by the schedule set for this proceeding, to the extent one has been entered, and therefore the participation of UTCANJ will not result in delay.

9. The granting of this Motion will not cause undue delay or confusion.

WHEREFORE, it is respectfully requested that an Order be entered: (1) granting UTCANJ's rights as a Participant in this matter pursuant to N.J.A.C. 1:1-16.6, and (2) providing such further relief in connection therewith as is deemed reasonable, just, and consistent with the foregoing.

Respectfully submitted,

By: /s/ Louis Cappelli Jr., Esquire
Louis Cappelli Jr., Esquire
Attorney for UTCANJ

**FLORIO PERRUCCI STEINHARDT
TIPTON & CAPPELLI, LLC**

Dated: February 27, 2024