

SZAFERMAN LAKIND

Szaferman, Lakind, Blumstein & Blader, P.C.
Attorneys at Law

101 Grovers Mill Road, Suite 200
Lawrenceville, NJ 08648
P: 609.275.0400
F: 609.275.4511

120 Sanhican Drive
Trenton, NJ 08618
P: 609.771.8611
F: 609.771.8612

The Atrium at 47 Maple Street
3rd Floor
Summit, NJ 07901
P: 908.219.4219
F: 908.219.4561
www.szaferman.com

Arnold C. Lakind
Barry D. Szaferman
Brian G. Paul+
Craig J. Hubert++
Michael R. Paglione*
Lionel J. Frank**
Jeffrey K. Epstein+
Stuart A. Tucker
Scott P. Borsack***
Daniel S. Sweetser*
Janine G. Bauer***
Bruce M. Sattin***
Jonathan I. Epstein
Samuel M. Gaylord****

*NJ & PA Bars
**NJ & NY Bars
***NJ, NY & PA Bars

Brian M. Schwartz**
Edward S. Kahn
Robert P. Panzer
Benjamin T. Branche*
Michael D. Brottman**
Janine Danks Fox*
Thomas J. Manzo**
Brian A. Heyesey
Lindsey Moskowitz Medvin**
Janis A. Eisl*
Jayde Divito**
Marc A. Brotman**
Max H. Steinberg
Alexandrea M. Jacinto

+Certified Matrimonial Attorney
++Certified Civil Trial Attorney
+++Certified Workers Comp Attorney
++++Certified Workers Comp & Civil
Trial Attorney

Of Counsel
Stephen L. Skillman
Anthony J. Parrillo
Jeffrey M. Hall
Bryce S. Chase++++
Kim A. Otis
Kristine Dress Brown**

Counsel
Huff, Moran & Orron, LLC
1246 South River Road
Cranbury, NJ 08512
P: 609.655.3600

Retired:
Jeffrey P. Blumstein
Steven Blader
Linda R. Feinberg

March 12, 2024

E-Filing

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

**RE: AARP Motion to Intervene
OAL Docket No. PUC 00926-24
Agency Ref. No. ERE23120924 and GR23120925**

Dear Secretary Golden:

Enclosed are an original and ten copies of the Motion of AARP to Intervene in the above-referenced Proceeding. Please file same and list the Motion on the Board's docket for action.

By copy of this letter, copies of the AARP Motion are being forwarded this date via electronic mail to the attached service list.

Thank you for your anticipated cooperation in this important matter.

Respectfully submitted,



Janine G. Bauer

JGB/ac

Enclosure
cc. Service List (via email)

STATE OF NEW JERSEY

BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of Public)
Service Electric and Gas Company for) BPU Docket NOS. ER23120924
Approval of an Increase in Electric Gas) GR23120925
Rates and for Changes in the Tariffs for)
Electric and B.P.U.N.J. No. 17 Gas, and for) OAL DOCKET NO.
Changes in Depreciation Rates, Pursuant) PUC 00926-24
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 Appropriate Relief)

MOTION TO INTERVENE OF AARP

AARP, a nonprofit nonpartisan social welfare organization with a membership base including more than 1.3 million members residing throughout New Jersey, hereby moves to intervene in the above-captioned Proceeding, to wit, the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in Tariffs, BPU No. 17 Electric and BPU No. 17 Gas and for Changes in Depreciation Rate, 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 Appropriate Relief.

1. All communications and correspondence concerning this Proceeding should be directed to:

Janine G. Bauer, Esq.
Szaferman, Lakind, Blumstein & Blader
101 Grovers Mill Road, Suite 200
Lawrenceville, NJ 08648
Tel: 609-275-0400 (office)
917-916-8972 (cell)
Fax: 609-779-6066

Evelyn Liebman, State Director for Advocacy
AARP
303 George Street, Suite 505
New Brunswick, N.J. 08901
Tel.: 202-664-6984 (cell)

732-509-2117 (office)
Fax: 732-509-2150

2. On December 29, 2023, Public Service Electric and Gas Company (“PSE&G”) filed a Petition with the Board of Public Utilities (“BPU” or Board) seeking to increase PSE&G’s base rates for both electric and gas and for changes in depreciation rates and other changes in its tariffs (“Base Rate Proceeding”).
3. Thereafter, the Base Rate Proceeding was transferred to the Office of Administrative Law (“OAL”), and the Honorable Irene Jones, A.L.J. (retired, on recall) was assigned to preside over the matter. A prehearing conference was held on March 6, 2024, at which time it was determined that March 13, 2024 was the deadline to file all motions to intervene or to participate in the Base Rate Proceeding. This motion to intervene is timely filed by AARP.
4. The issue to be resolved is whether the proposed increases are just and reasonable.

WHEREFORE, in support of its Motion to Intervene in PSE&G’s Base Rate Proceeding, AARP states the following facts and respectfully submits that all factors for intervention set forth in N.J.A.C. 1:1-16 are met here, and respectfully requests that the motion to intervene should be granted:

1. AARP has more than one million members aged 50 or more in New Jersey, including hundreds of thousands of members residing within PSE&G’s service territory who purchase gas and electric from PSE&G and who will be substantially and specifically affected by the outcome of the above-captioned Base Rate Proceeding.
2. Older adults are especially vulnerable to high utility prices, in part because they spend a far greater proportion of their income on home energy costs than younger households, most of whom are not on fixed incomes.

3. In 2022, AARP commissioned a survey designed to gather information on the needs, interests and concerns of New Jerseyans aged 50+ and determined that 28% of New Jersey adults aged 50+ find their utility bills the most difficult household expense to afford each month.
4. Older adults limit or do without food (15%), medical services (11%), and prescription medicines (11%) to pay for higher energy bills.
5. AARP is moving to intervene in this Base Rate Proceeding on behalf of and to represent the interest of its members who purchase electric and gas service from PSE&G, and who stand to be directly affected by gas and electric service rates, in order to ensure just and reasonable rates for this aged segment of the public.
6. AARP's members' interests-- like those of AARP itself --are unique from and not adequately represented by the Division of Rate Counsel which represents all consumers of electric and gas service, regardless of age or income status, or any other party seeking participation or intervention, only one of which has intervened thus far without opposition (N.J. Large Energy Users Coalition). See N.J.A.C. 1:1-16.1(A).
7. AARP is a non-governmental, non-profit, and non-partisan organization whose interest is to protect the affordability, reliability, efficiency, and safety of utility services for its members who are concurrently residential ratepayers including in PSE&G's service territory.
8. AARP has representative and associational standing to intervene in this matter pursuant to case law cited in Pressler & Verniero, Current N.J. COURT RULES (Gann 2024 ed.), Comments 2.2 and 3, Rule 4:26-1 (pp. 1391-1392).

9. AARP's motion to intervene is timely and its intervention in the Base Rate Proceeding will not delay or otherwise disrupt the prosecution of this Base Rate Proceeding. N.J.A.C. 1:1-16.2.
10. Fundamental fairness and due process considerations militate in favor of AARP being afforded an opportunity to fully intervene in the Base Rate Proceeding, the outcome of which will have a significant impact on the cost of utility service and poses significant and imminent risks to utility customers including the potential for irreparable harm to AARP's members/ratepayers' quality of life.
11. Accordingly, the issues to be decided in this Base Rate Proceeding "substantially, specifically and directly affect" AARP members and ratepayers of PSE&G within the meaning of these terms in the governing Rule, thereby making it appropriate that AARP be permitted to intervene here.
12. AARP's entry as an intervener would "measurably and constructively" advance this Base Rate Proceeding (N.J.A.C. 1:1-16.3(a)), because of the unique status of AARP members as New Jersey and PSE&G residential ratepayers and their view of what is necessary and prudent. AARP's entry as an intervener would promote an informed and balanced presentation of the issues.
13. AARP will work cooperatively with PSE&G and the other parties to the Base Rate Proceeding, as it always has in the matters recited below in which it has intervened and/or participated, in the interests of efficiency and economy.
14. AARP brings the following experience, history, expertise, and interest to this PSE&G Base Rate Proceeding on behalf of its members:

a) AARP has been granted intervener or participant status in numerous rate proceedings and other significant matters over the last several decades, and has also participated in numerous legislative, administrative, and planning processes, including but not limited to:

i) AARP's work to establish the Universal Service Fund (USF), a program that helps make energy bills more affordable for low income customers, capping at six percent of their annual income, what they pay for gas and electric service combined, if they are income eligible;

ii) legislative proceedings leading to and following the adoption of the Electric Discount and Energy Competition Act of 1999 (EDECA), N.J.S.A. 48:3-49, requiring that each electricity supplier serving retail customers in the state procure 35% the electricity it sells in New Jersey from qualified renewable energy resources by 2025 and 50% by 2030;

iii) the 2011 and 2015 Energy Master Plan processes, during which time the Board also established the Temporary Relief for Utility Expenses ("TRUE"), and Payment Assistance for Gas and Electric ("PAGE") programs to assist low and moderate income New Jersey households experiencing a temporary financial crisis, as well as the Winter Termination Program ("WTP"), which protects specific categories of customers from having their gas or electric service shut off between Nov. 15th and March 15th;

iv) the 2012 rate proceeding filed by Jersey Central Power & Light Company ("JCP&L"), BPU Docket No. ER12111052/OAL Docket No. PUC 16310-2012N;

v) all three of PSE&G's Gas Service Modernization Program ("GSMP") proceedings and associated cost recovery mechanisms (BPU Docket Nos. GR15030272, 2015 GSMP

I Proceeding) authorizing PSE&G to spend \$1.594 billion over five years; BPU Docket No. GR17070776, 2017 GSMP II Proceeding) authorizing PSE&G to spend \$2.68 billion over a five year period ending 2023 and which required the filing of this base rate petition; and GSMP III (BPU Docket No. GR23030102, 2023 GSMP III Proceeding) authorizing up to \$ 2.54 billion over three years;

vi) IMO Board of Public Utilities' Response to COVID-19 Pandemic Proceeding, Docket No. AO20060471 and GR23070448;

vii) PSE&G's Energy Strong I (2014) and Energy Strong II (2023) proceedings (BPU Docket Nos. GR23030102 and ER23110784, and E013020155 and G013020156);

viii) IMO Verified Petition of Jersey Central Power & Light Company for review and Approval of Increases in Rates and Other Adjustments, (2012 Base Rate Filing) NJBPU Docket No. ER 12111052 and OAL Docket No PUC-16310-2012N

ix) IMO Verified Petition of New Jersey Natural Gas Company for Approval of an Increase in Gas Base Rates and Tariff Changes, NJBPU Docket No. GR 15111304, OAL Docket No. 00738-16, and numerous other proceedings.

15. AARP thus holds a unique perspective and insight regarding the impact of unaffordable and unreasonable rates and the prudence of investments, which perspective will be helpful in deciding the issues presented by the Petition.

WHEREFORE, pursuant to N.J.A.C. 1:1-16.6, AARP respectfully requests that it be granted permission to intervene with full procedural and substantive rights in the above-captioned Proceeding arising from PSE&G's Petition filed on December 29, 2023.

Respectfully submitted,



Janine G. Bauer, Esq.
Szaferman Lakind Blumstein & Blader, P.C.
101 Grovers Mill Road, Suite 200
Lawrenceville, N.J. 08648
Tel. (609) 275-0400 x 249
Facsimile: (609) 275-4511
Email: jbauer@szaferman.com

Dated: March 11, 2024
cc.: Service List

STATE OF NEW JERSEY

BOARD OF PUBLIC UTILITIES

In the Matter of the Petition of Public)
 Service Electric and Gas Company for) BPU Docket NOS. ER23120924
 Approval of an Increase in Electric Gas) GR23120925
 Rates and for Changes in the Tariffs for)
 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 Appropriate Relief)

CERTIFICATON OF SERVICE

I hereby certify that I have this day served by electronic mail a copy of the foregoing Motion to Intervene on all parties set forth on the attached service list.

Dated at Princeton, New Jersey on the 12th day of March 2024.



 Janine G. Bauer, Esq.
 Members NY, NJ, PA and FL Bars
 Szaferman, Lakind, Blumstein, Blader, P.C.
 101 Grovers Mill Road, Suite 200
 Lawrenceville, NJ 08648
 Phone: 609-275-0400 x 249
 Fax: 609-275-4511
 Email: jbauer@szaferman.com

CERTIFICATION

1. I am the Director of Advocacy for AARP New Jersey.
2. I have read the contents of the foregoing Petition and Motion to Intervene and hereby certify that the statements therein contained are true and accurate to the best of my knowledge.



 Evelyn Liebman, New Jersey Directory of Advocacy
 For AARP New Jersey
 DATED: March 12, 2024

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

OAL Docket No. PUC 926-24

SERVICE LIST

BOARD OF PUBLIC UTILITIES

44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, NJ 08625-0350

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

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

Michael Beck, Esq., 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

Benjamin Witherell, Chief Economist
Benjamin.witherell@bpu.nj.gov

Jacqueline O'Grady
Jackie.ogrady@bpu.nj.gov

Bart Kilar
Bart.kilar@bpu.nj.gov

Jacqueline Galka
Jacqueline.galka@bpu.nj.gov

William Barkasy
William.barkasy@bpu.nj.gov

Anthony DeAnni
Anthony.deanni@bpu.nj.gov

Dari Urban
Dari.urban@bpu.nj.gov

Dean Taklif
Dean.taklif@bpu.nj.gov

Cindy Bianco
Cindy.bianco@bpu.nj.gov

David Brown
David.brown@bpu.nj.gov

Christopher Oprysk
Christopher.oprysk@bpu.nj.gov

Kyle Felton
Kyle.felton@bpu.nj.gov

Nisa Rizvi
Nisa.rizvi@bpu.nj.gov

Andrew Tuzzo
Andrew.tuzzo@bpu.nj.gov

Kofi Ocansey
Kofi.ocansey@bpu.nj.gov

Justin Cederberg
Justin.cederberg@bpu.nj.gov

Service List
Docket Nos. ER23120924 and GR23120925

Malike Cummings
Malike.cummings@bpu.nj.gov

Maura Caroselli
mcaroselli@rpa.nj.gov

Michael Hunter
Michael.hunter@bpu.nj.gov

Annette Cardec
acardec@rpa.nj.gov

Michael Kammer
Mike.kammer@bpu.nj.gov

Robert Glover
rglover@rpa.nj.gov

Yanina Lepore
Yanina.lepore@bpu.nj.gov

Christine M. Juarez
cjuarez@rpa.nj.gov

Farhana Rahman
Farhana.rahman@bpu.nj.gov

Debora Layugan
dlayugan@rpa.nj.gov

Scott Sumliner
Scott.sumliner@bpu.nj.gov

Megan Lupo
mlupo@rpa.nj.gov

DIVISION OF LAW
25 Market Street
P.O. Box 112
Trenton, NJ 08625

Mamie Purnell
mpurnell@rpa.nj.gov

Pamela Owen, Esq.
Pamela.own@law.njoag.gov

Bethany Rocque-Romaine
bromaine@rpa.nj.gov

Matko Ilic, Esq.
Matko.ilic@law.njoag.gov

Sarah Steindel
ssteindel@rpa.nj.gov

Steven Chaplar, Esq.
Steven.chaplar@law.njoag.gov

Emily Smithman
esmithman@rpa.nj.gov

Daren Eppley, Esq.
Daren.eppley@law.njoag.gov

Brian Weeks
bweeks@rpa.nj.gov

NEW JERSEY DIVISION OF RATE COUNSEL
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625

**PUBLIC SERVICE ELECTRIC & GAS
COMPANY**
80 Park Plaza, T10
P.O. Box 570
Newark, NJ 07102

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

Joseph F. Accardo
Joseph.accardo@pseg.com

T. David Wand, Esq.
dwand@rpa.nj.gov

Matthew W. Weissman
Matthew.weissman@pseg.com

Service List
Docket Nos. ER23120924 and GR23120925

Aaron I. Karp
Aaron.karp@pseg.com

Katherine E. Smith
Katherine.smith@pseg.com

Danielle Lopez
Danielle.Lopez@pseg.com

Stacey M. Mickles
Stacey.mickles@pseg.com

Caitlyn White
Caitlyn.white@pseg.com

Bernard Smalls
Bernard.smalls@pseg.com

**NEW JERSEY LARGE ENERGY USERS
COALITION**

Steven S. Goldenberg
Giordano, Halleran & Ciesla, P.C.
125 Half Mile Road, Suite 300
Red Bank, NJ 07701-6777
sgoldenberg@ghclaw.com

**NRG ENERGY, INC. AND ITS AFFILIATES
RELIANT ENERGY NORTHEAST, LLC, D/B/A
NRG HOME/NRG BUSINESS; ENERGY
PLUS NATURAL GAS LP; XOOM ENERGY
NEW JERSEY, LLC; STREAM ENERGY NEW
JERSEY, LLC; DIRECT ENERGY SERVICES,
LLC; DIRECT ENERGY BUSINESS, LLC;
DIRECT ENERGY BUSINESS MARKET, LLC;
AND GATEWAY ENERGY SERVICES
CORPORATION**

Murray E. Bevan
Jennifer McCave
Bevan, Mosca & Giuditta P.C.
163 Madison Avenue
Suite # 220-8
Morristown, NJ 07960
mbevan@bmg.law
jmccave@bmg.law

Angela Schorr
Director of Regulatory Affairs
NRG Energy, Inc.
804 Carnegie Center
Princeton, NJ 08540
Angela.schorr@nrg.com

ATLANTIC CITY ELECTRIC COMPANY

Cynthia L.M. Holland
Atlantic City Electric Company – 92DC42
500 North Wakefield Drive
P.O. Box 6066
Newark, DE 19714-6066
Cynthia.holland@exeloncorp.com

NEW JERSEY NATURAL GAS COMPANY

Andrew K. Dembia
Susan Sette
New Jersey Natural Gas Company
1415 Wychkoff Road
P.O. Box 1464
Wall, NJ 07719
adembia@njng.com
ssette@njng.com

**SOUTH JERSEY GAS COMPANY AND
ELIZABETHTOWN GAS COMPANY**

Dominick DiRocco
Carolyn A. Jacobs
Cindy Capozzoli
SJI Utilities, Inc.
1 South Jersey Place
Atlantic City, NJ 08401
ddirocco@sjindustries.com
cjacobs@sjindustries.com
ccapozzoli@sjindustries.com

Sheree Kelly
Elizabethtown Gas Company
520 Green Lane
Union, NJ 07083
skelly@sjindustries.com

Service List
Docket Nos. ER23120924 and GR23120925

**NATIONAL RAILROAD PASSENGER
CORPORATION ("AMTRAK")**

Kenneth R. Stark
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
kstark@mcneeslaw.com

**JERSEY CENTRAL POWER & LIGHT
COMPANY**

Tori Giesler
Timothy K. McHugh
FirstEnergy Services Company
Legal Department
2800 Pottsville Pike
Reading, PA 19612-6001
tgiesler@firstenergycorp.com
tmchugh@firstenergycorp.com

Mark A. Madder
Jersey Central Power & Light Co.
300 Madison Avenue
P.O. Box 1911
Morristown, NJ 07962-1911
Mamader@firstenergycorp.com

Carol A. Pittavino
Jersey Central Power & Light Co.
800 Cabin-Hill Drive
Greensburg, PA 15601
cpittavino@firstenergycorp.com

ELECTRIFY AMERICA, LLC

William Lesser
Cozen O'Connor, P.C.
3 WTC
175 Greenwich Street, 55th Floor
New York, NY 10007
Wlesser@cozen.com

Steven Bright
Jigar Shah
Electrify America, LLC
1950 Opportunity Way, Suite 1500
Reston, VA 20190
Steve.bright@electrifyamerica.com
Jigar.shah@electrifyamerica.com

AARP

Janine G. Bauer, Esq.
Szaferman, Lakind, Blumstein & Blader
101 Grovers Mill Road, Suite 200
Lawrenceville, NJ 08648
jbauer@szaferman.com

Evelyn Liebman, State Director for Advocacy
AARP
303 George Street, Suite 505
New Brunswick, NJ 08901
ELiebman@aarp.org