



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
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[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

DIVISIONS OF CLEAN ENERGY  
AND ENERGY

IN THE MATTER OF THE VERIFIED PETITION OF )  
JERSEY CENTRAL POWER AND LIGHT COMPANY )  
FOR APPROVAL OF AN ELECTRIC VEHICLE )  
PROGRAM AND AN ASSOCIATED COST )  
RECOVERY MECHANISM ) DOCKET NO. EO21030630

**Parties of Record:**

**Stefanie A. Brand, Esq., Director**, New Jersey Division of Rate Counsel  
**Gregory Eisenstark, Esq.**, Cozen O'Connor, P.C., on behalf of Jersey Central Power and Light Company  
**Murray E. Bevan, Esq. and Jennifer McCave, Esq.**, on behalf of ChargePoint, Inc.  
**Kevin Auerbacher, Esq.**, Tesla, Inc.  
**Stephen J. Humes, Esq.**, on behalf of NJR Clean Energy Ventures Corporation  
**Nathan C. Howe, Esq.**, on behalf of Zeco Systems, Inc. d/b/a Greenlots

**BY COMMISSIONER ROBERT M. GORDON:**

**BACKGROUND**

On March 1, 2021, Jersey Central Power and Light Company ("JCP&L" or "Company") filed with the New Jersey Board of Public Utilities ("Board") a petition ("Petition") seeking approval to invest approximately \$49.924 million (\$16.242 million as capital expenditures and \$33.682 million for operations and maintenance expenses) over a four (4) year period commencing January 1, 2022, for an electric vehicle ("EV") program ("EV Driven Program"). As proposed in the Petition, the EV Driven Program would consist of five (5) sub-programs applicable to light-duty vehicles and one (1) sub-program related to consumer education and outreach initiatives.<sup>1</sup>

According to JCP&L, the proposed EV Driven Program was designed to be responsive to its customers' needs, support the attainment of the State's goals for EV deployment and the reduction of greenhouse gas emissions, address critical adoption barriers for EV transportation

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<sup>1</sup> Light-duty, or passenger, vehicles are any two-axle, four-wheel vehicle, primarily designed for passenger travel or light-duty commercial use. N.J.S.A. 48:25-2.

by providing education and outreach, and provide EV infrastructure solutions to reduce range anxiety. JCP&L also proposed a last resort offering, wherein it would install, own and operate approximately 20 Direct Current Fast Charger (“DCFC”) charging ports at appropriate locations within its service territory. If the Petition is approved as proposed, JCP&L estimates that the revenue requirement for the initial program year would be \$2,852,556. JCP&L proposed to implement a new tariff offering, “Rider EV,” to recover the costs associated with the EV Driven Program. Additionally, JCP&L proposed to implement the Rider EV rate effective January 1, 2022.

On March 24, 2021, the Board retained the Petition for hearing. Pursuant to N.J.S.A. 48:2-32, the Board designated me as the presiding officer authorized to rule on all motions that arise during the pendency of these proceedings and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues (the “March 24, 2021 Order”). Further, the March 24, 2021 Order directs that any entities seeking to intervene or participate in this matter file the appropriate application with the Board by April 26, 2021.

On May 26, 2021, I issued a Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate (the “Prehearing Order”).<sup>2</sup> In the Prehearing Order, intervenor status was granted to ChargePoint, Inc.; Tesla, Inc.; NJR Clean Energy Ventures Corporation; and Zeco Systems, Inc. d/b/a Greenlots.

On July 16, 2021, I issued an Order granting JCP&L’s request to implement a 30-day extension for all deadlines and hearing dates in the Procedural Schedule.

Via correspondence dated August 13, 2021, JCP&L requested that the Procedural Schedule be further extended by approximately 90 days (“August 13, 2021 Correspondence”) to allow sufficient time to explore settlement issues (the “90-day Proposed Modification”). The 90-day Proposed Modification takes into account Martin Luther King, Jr. Day, a federal holiday, and was sent to all parties for approval. The Company represents that no party has objected to the 90-day Proposed Modification.

## **DISCUSSIONS AND FINDINGS**

I reviewed the Company’s August 13, 2021 Correspondence requesting the 90-day Proposed Modification extending all deadlines and hearing dates in the Procedural Schedule by approximately 90 days. I note that in my view, the parties need to make diligent efforts to reach an agreement, or be prepared to proceed with litigation. The fact that a party obtains the consent of his or her adversary will not always result in the granting of an adjournment request. The parties are reminded of the importance of timely prosecuting this matter. Notwithstanding the foregoing, to allow for further settlement discussions, and having received no objections from any party, I **HEREBY GRANT** Company’s second request to extend the Procedural Schedule. The modified Procedural Schedule is attached hereto as Exhibit A.

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<sup>2</sup> In re the Verified Petition of Jersey Central Power and Light Company for Approval of an Electric Vehicle Program and an Associated Cost Recovery Mechanism, Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate, BPU Docket No. EO21030630, Order dated May 26, 2021.

I **HEREBY DIRECT** that this Order be posted on the Board's website.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: August 19, 2021

BY:

A handwritten signature in black ink, appearing to read "Robert M. Gordon", written over a horizontal line.

ROBERT M. GORDON  
COMMISSIONER

**IN THE MATTER OF THE VERIFIED PETITION OF JERSEY CENTRAL POWER AND LIGHT  
COMPANY FOR APPROVAL OF AN ELECTRIC VEHICLE PROGRAM AND AN  
ASSOCIATED COST RECOVERY MECHANISM**

**BPU DOCKET NO. EO21030630**

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**EXHIBIT A  
Procedural Schedule**

**IN THE MATTER OF THE VERIFIED PETITION OF JERSEY CENTRAL POWER AND  
LIGHT COMPANY FOR APPROVAL OF AN ELECTRIC VEHICLE PROGRAM AND  
AN ASSOCIATED COST RECOVERY MECHANISM**

**BPU Docket No. EO21030630**

Motions Filed by any Parties	March 1, 2021
Discovery requests served+	May 7, 2021
Company responses to discovery due	May 21, 2021
Second Round of Discovery Requests	May 28, 2021
Responses due on Second Round of Discovery Requests	June 11, 2021
Discovery conference	Week of June 14, 2021
Discovery/Settlement Conference	Weeks of June 21, 2021 and June 28, 2021
Intervenor/respondent testimony due	November 16, 2021
Discovery requests on intervenor/respondent testimony	December 3, 2021
Responses to discovery on intervenor/respondent testimony	December 15, 2021
Rebuttal testimony	December 30, 2021
Discovery requests on rebuttal testimony	January 18, 2022
Company responses to discovery on rebuttal testimony	January 31, 2022
Public Hearings	TBD
Settlement conferences	Week of January 31, 2022
Evidentiary hearings (with Oral Surrebuttal/Rejoinder)*	Week of February 7, 2022**
Initial and Reply briefs	TBD by Presiding Commissioner after hearings

+Petitioner agrees that discovery is ongoing and will endeavor to answer all discovery within 15 days of service.

\*Evidentiary hearing dates subject to Presiding Commissioner's availability. Petitioner requests evidentiary hearings with oral surrebuttal and rejoinder. The Presiding Commissioner will consider this request prior to the evidentiary hearings.

\*\*Evidentiary hearing dates will not be scheduled on either Thursday, February 10, 2022 or Friday, February 11, 2022 as the Presiding Commissioner will be unavailable on those days.