



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF ATLANTIC)
CITY ELECTRIC COMPANY FOR APPROVAL OF A)
VOLUNTARY PROGRAM FOR PLUG-IN VEHICLE)
CHARGING) DOCKET NO. EO18020190

Parties of Record:

Philip J. Passanante, Esq., Atlantic City Electric Company
Stefanie Brand, Esq., Director, NJ Division of Rate Counsel
Murray E. Bevan, Esq., Bevan, Mosca & Giuditta P.C. on behalf of ChargePoint, Inc.
William Bittinger, Esq., Eastern Environmental Law Center on behalf of Environmental Movants
Kevin Auerbacher, Esq., Tesla, Inc.
Martin C. Rothfelder, Esq., EVGO Services LLC

BY COMMISSIONER UPENDRA J. CHIVUKULA:

By this Order, the Presiding Officer, Commissioner Chivukula amends the procedural schedule originally issued April 9, 2020.

I. BACKGROUND

On February 23, 2018, Atlantic City Electric Company (“ACE” or “Company”) filed a petition (“PIV Petition”) with the New Jersey Board of Public Utilities (“Board” or “BPU”) for approval of a Voluntary Program for Plug-In Vehicle (“PIV”) Charging (“PIV Program”). By Board Order dated March 26, 2018, the Board retained jurisdiction over the original matter, and designated myself as the presiding officer and authorized me 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.¹

On or about December 17, 2019, ACE filed an amended petition (“Amended Petition”), proposing 13 offerings designed to accelerate PIV adoption in New Jersey.

¹ In re the Petition of Atlantic City Electric Company for Approval of a Voluntary Program for Plug-In Vehicle Charging, BPU Docket No. EO18020190, Order dated March 26, 2018 (“March 2018 Order”).

On April 9, 2020, as Presiding Officer, Commissioner Chivukula issued a prehearing order with procedural schedule and order on motions to intervene or participate and motion to stay (“April 9 Order”).

On or about April 13, 2020 Rate Counsel filed a motion to dismiss a portion of ACE’s Amended Petition. On or about May 4, 2020 ACE filed an opposition to Rate Counsel’s motion which was joined by interveners, Zeco Systems, Inc., d/b/a Greenlots (“Greenlots”) and the National Resource Defense Council (“NRDC”). On or about May 18, 2020 Rate Counsel filed a reply to ACE’s opposition.

II. **DISCUSSION & FINDINGS**

Board Staff requires additional time to provide a recommendation on the motions currently outstanding in this proceeding.

Having been granted the authority to amend the schedules within this proceeding by the Board, I **HEREBY AMEND** the procedural schedule originally set forth in the April 9 Order and **HEREBY ISSUE** the following amended procedural schedule (Exhibit A). I **HEREBY DIRECT** all parties to comply with its terms.

DATED: June 10, 2020

BY:



UPENDRA J. CHIVUKULA
COMMISSIONER

IN THE MATTER OF THE PETITION OF ATLANTIC CITY ELECTRIC COMPANY FOR
APPROVAL OF A VOLUNTARY PROGRAM FOR PLUG-IN VEHICLE CHARGING
BPU DOCKET NO. EO18020190

SERVICE LIST

<p>Division of Rate Counsel 140 East Front Street, 4th Floor Trenton, NJ 08625-0003</p> <p>Stefanie A. Brand, Esq., Director sbrand@rpa.nj.gov</p> <p>Brian O. Lipman, Esq. Litigation Manager blipman@rpa.nj.gov</p> <p>Felicia Thomas-Friel, Esq. ftomas@rpa.nj.gov</p> <p>Ami Morita, Esq. amorita@rpa.nj.gov</p> <p>Brian Weeks, Esq. bweeks@rpa.nj.gov</p> <p>Kurt Lewandowski, Esq. klewando@rpa.nj.gov</p> <p>Shelly Massey, Paralegal smassey@rpa.nj.gov</p> <p>Karen Forbes, Secretary kforbes@rpa.nj.gov</p> <p><u>Rate Counsel Consultants</u></p> <p>Ezra D. Hausman, Ph.D. 77 Kaposia Street Newton, MA 02466 ezra@ezrahausman.com</p> <p>Brian Kalcic Excel Consulting 225 S. Meramec Avenue, Suite 720T St. Louis, MO 63105 excel.consulting@sbcglobal.net</p>	<p>Department of Law and Public Safety Richard J. Hughes Justice Complex Public Utilities Section 25 Market Street, P.O. Box 112 Trenton, NJ 08625</p> <p>Brandon Simmons, DAG brandon.simmons@law.njoag.gov</p> <p>Alex Moreau, DAG alex.moreau@law.njoag.gov</p> <p>Michael Beck, DAG michael.beck@law.njoag.gov</p> <p>Pamela Owen, DAG pamela.owen@law.njoag.gov</p> <p>Board of Public Utilities 44 South Clinton Avenue, 9th Floor Post Office Box 350 Trenton, NJ 08625-0350</p> <p>Paul Flanagan, Esq. Executive Director paul.flanagan@bpu.nj.gov</p> <p>Grace S. Power Esq. Chief of Staff grace.power@bpu.nj.gov</p> <p>Aida Camacho-Welch Board Secretary board.secretary@bpu.nj.gov</p> <p>Christine Sadovy Deputy Chief of Staff Christine.sadovy@bpu.nj.gov</p> <p><u>Office of the Economist</u></p> <p>Benjamin Witherell, Chief Economist Benjamin.witherell@bpu.nj.gov</p>
--	--

ACE

500 N. Wakefield Drive
P.O. Box 6066
Newark DE 19714-6066

Philip J. Passanante, Esq.
philip.passanante@pepcoholdings.com

Clark M. Stalker, Esq.
clark.stalker@exeloncorp.com

Heather Hall, Manager
heather.hall@pepcoholdings.com

Michael Normand
michael.normand@delmarva.com

Jennifer Grisham
Pepco Holdings LLC- EP3624
701 Ninth Street, NW
Washington DC 20068-0001
jmgrisham@pepcoholdings.com

PSE&G

PSEG Services Corporation
80 Park Plaza-T5
Newark NJ 07102-4194

Justin B. Incardone, Esq.
Justin.incardone@pseg.com

Bernard Smalls
bernard.smalls@pseg.com

Michele Falcao
michele.falcao@pseg.com

JCP&L

Lauren M. Lepkoski, Esq.
FirstEnergy Service Company
Legal Department
2800 Pottsville Pike
Reading, PA 19612-6001
llepkoski@firstenergycorp.com

Board of Public Utilities (continued)

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

Counsel's Office

Abe Silverman, Esq.
General Counsel
abe.silverman@bpu.nj.gov

Andrea Hart, Esq.
andrea.hart@bpu.nj.gov

Carol Artale, Esq.
Deputy General Counsel
Carol.Artale@bpu.nj.gov

Division of Clean Energy

Kelly Mooij, Director
Kelly.mooij@bpu.nj.gov

Sherri Jones
sherri.jones@bpu.nj.gov

Cathleen Lewis
Cathleen.lewis@bpu.nj.gov

Division of Energy

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

Scott Sumliner
scott.sumliner@bpu.nj.gov

Christopher Oprysk
Christopher.oprysk@bpu.nj.gov

NRDC

William Bittinger, Esq.
Eastern Environmental Law Center
50 Park Place, Suite 1025
Newark, NJ 07102
wbittinger@easternenvironmental.org

CHARGEPOINT, INC.

Bevan, Mosca & Guiditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920

Murray E. Bevan, Esquire
mbevan@bmg.law

William K. Mosca, Jr. Esq.
wmosca@bmg.law

Jennifer McCave, Esq.
jmccave@bmg.law
Katherine M. Dailey, Paralegal
kdailey@bmg.law

GREENLOTS

925 N. La Brea Avenue, 6th Floor
Los Angeles, CA 90038

Thomas Ashley
Vice President, Policy
tom@greenlots.com

Joshua Cohen
jcohen@greenlots.com

McCarter & English
100 Mulberry Street
Newark, NJ 07102-4056

Nathan Howe, Esq.
nhowe@mccarter.com

Guillermo Artiles
gartiles@mccarter.com

Daniel Greenhouse, Esq.
Eastern Environmental Law Center
50 Park Place, Suite 1025
Newark, NJ 07102
dgreenhouse@easternenvironmental.org

TESLA

Kevin Auerbacher
Managing Counsel
Tesla, Inc.
1333 H Street, NW, Floor 11
Washington, DC 20005
kauerbacher@tesla.com

Patrick Bean
Global Charging Policy Lead
Tesla, Inc.
1333 H Street, NW, Floor 11
Washington, DC 20005
pbean@tesla.com

Bill Ehrlich
Senior Policy Advisor
Tesla, Inc.
3500 Deer Creek
Palo Alto, CA 94304
wehrlich@tesla.com

EVgo

Martin C. Rothfelder, Esq.
Bradford M Stern, Esq.
Rothfelder Stern, L.L.C.
Greenwood Avenue, Unit #301
Trenton, NJ 08609
mrothfelder@rothfelderstern.com
bstern@rothfelderstern.com

Sara Rafalson
Director of Market Development
EVgo Services LLC
11835 West Olympic Boulevard, Suite 900
Los Angeles, CA 90064
sara.rafalson@evgo.com

EXHIBIT A

**IN THE MATTER OF THE PETITION OF ATLANTIC CITY ELECTRIC COMPANY FOR
APPROVAL OF A VOLUNTARY PROGRAM FOR PLUG-IN VEHICLE CHARGING DOCKET
NO. EO18020190**

Amended Procedural Schedule

Bar Date – Pending Motions to Intervene	March 13, 2020
Motion for Interventions Decision	March 20, 2020
Motions Filed by any Party	April 13, 2020
Opposition to Motions filed	May 4, 2020
Reply to Opposition Motions Filed	May 18, 2020
First round discovery requests propounded	June 24, 2020
Decision on Motions	June 26, 2020
First round discovery responses	July 9, 2020
Discovery Settlement Conference	Week of July 20, 2020
Second round discovery requests propounded	July 27, 2020
Second Round responses	August 11, 2020
Discovery/Settlement Conference	August 17, 2020
Rate Counsel/Intervenor Direct Testimony Due	September 2, 2020
Discovery propounded on Rate Counsel/Intervenors Direct Testimony	September 10, 2020
Responses to Discovery on Testimony	September 25, 2020
Rebuttal Testimony filed by parties as appropriate	October 2, 2020
Discovery Requests propounded on Rebuttal Testimony	October 14, 2020
Public Hearing	TBA
Responses to discovery requests on Rebuttal Testimony	October 29, 2020
Settlement conference, if necessary	Week of November 2, 2020
Evidentiary Hearings, with oral surrebuttal	Week of November 9, 2020*
Initial Briefs Due	TBD by Commissioner at evidentiary hearings