



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) ORDER MODIFYING
THE SMART ENERGY NETWORK PROGRAM AND) PROCEDURAL SCHEDULE
COST RECOVERY MECHANISM AND OTHER)
RELATED RELIEF) DOCKET NO. EO20080541

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Philip J. Passanante, Esq., on behalf of Atlantic City Electric Company
Christopher E. Torkelson, Esq., Karen O. Moury, Esq., Sarah C. Stoner, Esq., Eckert
Seamans Cherin & Mellott, LLC on behalf of the Market Participants
William Harla, Esq., Alice M. Bergen, Esq., DeCotiis, FitzPatrick, Cole & Giblin, LLP on behalf
of Utilidata

BY COMMISSIONER UPENDRA J. CHIVUKULA:

I. BACKGROUND

On February 19, 2020, the New Jersey Board of Public Utilities (“Board”) ordered three (3) of New Jersey’s electric distribution companies to file, or update a previously filed, petitions for Advanced Metering Infrastructure (“AMI”) programs by August 27, 2020.¹ In compliance with the AMI Order, on August 26, 2020, Atlantic City Electric Company (“ACE” or “Company”) filed a petition seeking approval of the Company’s plan to deploy an AMI system program throughout its service territory, the Smart Energy Network (“SEN”), including an associated cost recovery mechanism pursuant to N.J.S.A. 48:2-21, N.J.S.A. 48:2-21.1, and N.J.A.C. 14:3-2A.1, et seq. (“Petition”).

By Order dated September 23, 2020, the Board determined that the Petition should be retained by the Board for hearing, and pursuant to N.J.S.A. 48:2-32, designated myself, Commissioner Upendra Chivukula, as the Presiding Commissioner with authority 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.²

¹In re the Petition of Rockland Electric Company for Approval of an Advanced Metering Program; and for Other Relief, BPU Docket No. ER16060524, Order dated February 19, 2020 (“AMI Order”).

² In re the Petition of Atlantic City Electric for Approval of the Smart Energy Network Program and Cost Recovery Mechanism and for Other Related Relief, Order Designating a Commissioner, Setting A Bar Date and Manner of Service, BPU Docket No. EO20080541, Order dated September 23, 2020.

On January 13, 2021, I issued a Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate and for Admission Pro Hac Vice ("January 2021 Order"). Throughout February 2021, the parties engaged in multiple settlement discussions. As a result, on March 9, 2021, ACE filed a letter in lieu of a formal motion seeking an extension of the due date for Rate Counsel/Intervenor Direct Testimony from March 10, 2021 to March 17, 2021 in order to continue settlement discussions. The Company indicated that it has the consent of the parties to file this request. Additionally, ACE noted that the other dates in the Procedural Order would need to be modified to accommodate the extension, and as such, ACE would follow-up with the parties to proposed mutually acceptable dates for my consideration.

II. DISCUSSION AND FINDINGS

I reviewed ACE's March 9, 2021 communication, and with the consent of the parties, I **HEREBY GRANT** ACE's request to extend the due date of Rate Counsel's/Intervenors' Direct Testimony from March 10, 2021 to March 17, 2021.

I **HEREBY ORDER** that the Parties provide a proposed mutually acceptable amended Procedural Schedule for my review and consideration.

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: March 10, 2021

BY:



UPENDRA J. CHIVUKULA
COMMISSIONER

**IN THE MATTER OF THE PETITION OF ATLANTIC CITY ELECTRIC COMPANY FOR
APPROVAL OF THE SMART ENERGY NETWORK PROGRAM AND COST RECOVERY
MECHANISM AND OTHER RELATED RELIEF**

BPU DOCKET NO. EO20080541

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