



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF THE PETITION OF ATLANTIC
CITY ELECTRIC COMPANY FOR APPROVAL OF ITS
PROGRAM TO DEVELOP A BATTERY ENERGY
STORAGE SYSTEM, TO AUTHORIZE A RELATED
COST RECOVERY MECHANISM, AND OTHER
RELATED APPROVALS

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ORDER SETTING BAR
DATE TO FILE MOTIONS TO
INTERVENE AND
PARTICIPATE

DOCKET NO. EO26070402

Parties of Record:

Anne Bancroft, Vice President & General Counsel, Atlantic City Electric
Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel

BY COMMISSIONER EMMA REBHORN

BACKGROUND AND PROCEDURAL HISTORY

On July 23, 2026, Atlantic City Electric ("ACE" or the "Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board"), pursuant to N.J.S.A. 48:2-23, N.J.S.A. 48:3-98.1, and N.J.A.C. 14:1-5.12, and such other related and relevant statutes and regulations, seeking approval of a proposed battery energy storage system ("BESS") project ("Project"). ACE asserts that the Project is designed to support affordability, strengthen grid reliability, and help address the regional energy supply challenges driving higher electricity costs for customers.

On September 4, 2026, Board Staff ("Staff") issued a letter finding that ACE's Petition was administratively deficient.

On September 9, 2026, the Board designated me, Commissioner Emma Rebhorn, as Presiding Commissioner with the authority to rule on all motions that arise during the pendency of the proceedings, and to modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues.¹

¹ In re the Petition of Atlantic City Electric Company for Approval of Its Program to Develop a Battery

On September 25, 2026, ACE filed additional information and materials to remedy the deficiencies Staff identified with its Petition.

Following a review of ACE's September 25, 2026 filing, Staff issued a letter on October 13, 2026 finding that ACE's Petition was administratively complete, rendering the effective date of the Petition September 25, 2026.

A bar date to file Motions to Intervene, Participate, and for admission of counsel *pro hac vice* remains outstanding.

DISCUSSION AND FINDINGS

I **HEREBY DIRECT** that entities seeking to intervene or participate must file the appropriate application by October 27, 2026, and any party wishing to file a motion for admission of counsel *pro hac vice* should do so concurrently with any motion to intervene or participate. Any response to motions should be filed no later than November 6, 2026.

I **FURTHER 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: October 13, 2026



EMMA REBHORN
COMMISSIONER

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Docket No. EO26070402

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