



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

**State of New Jersey**  
**BOARD OF PUBLIC UTILITIES**  
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NEWARK, NEW JERSEY 07102

Kristi Izzo  
Secretary of the Board  
Tel. # (973) 648-3426

January 19, 2011

Murray E. Bevan, Esq.  
Bevan, Mosca, Giuditta & Zarillo, P.C.  
222 Mount Airy Road  
Suite 200  
Basking Ridge, New Jersey 07920

Re: In the Matter of the Board's Review of the Retail Margin and the  
Commercial and Industrial Energy Pricing ("CIEP") – Petition for Reconsideration  
Docket No. EO10050338

Dear Mr. Bevan:

On December 9, 2010, you filed a letter brief which you asked be treated as a "petition" for reconsideration of a portion of the Board's November 22, 2010 Order in the above referenced matter on behalf of your client, the Retail Energy Supply Association. N.J.A.C. 14:1-8.7 (c) provides with respect to motions for rehearing or reconsideration that "[a]ny motion hereunder which is not granted or otherwise expressly acted upon by the Board within 60 days after the filing thereof, shall be deemed denied." Due to the timing of the Board's agenda meetings as well as the pending review of the "petition" and the opposition filed by the Electric Distribution Companies and the Division of Rate Counsel, a decision cannot be issued within the 60 day time period.

Therefore, pursuant to the Board's decision on January 19, 2010, please be advised that the Board intends to continue its review of the above-referenced request for reconsideration. Having taken such action, the Board notes that accordingly, the petition for reconsideration shall not be deemed denied under N.J.A.C. 14:1-8.7(c), and shall remain open pending the Board's issuance of a final decision upon the completion of its review.

Sincerely,

  
Kristi Izzo  
Secretary of the Board

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