



Agenda Date: 11/30/2011

Agenda Item: 2A

STATE OF NEW JERSEY
Board of Public Utilities
44 S. Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
www.nj.gov/bpu/

DIVISION OF ENERGY

IN THE MATTER OF THE PETITION OF ATLANTIC)
CITY ELECTRIC COMPANY FOR APPROVAL OF)
CERTAIN ENERGY INFRASTRUCTURE INVESTMENTS)
AND APPROVAL OF COST RECOVERY FOR SUCH)
PROJECTS AND RELATED TARIFF MODIFICATIONS)
ASSOCIATED THEREWITH PURSUANT TO)
N.J.S.A. 48:2-21 AND N.J.S.A. 48:2-21.1

ORDER DESIGNATING
COMMISSIONER, APPROVING
SCHEDULE AND SETTING
MANNER OF SERVICE

DOCKET NO. EO11100650

(NOTIFICATION LIST ATTACHED)

Philip Passanante, Attorney for the Petitioner, Atlantic City Electric Company
Stefanie A. Brand, Director, New Jersey Division of Rate Counsel

BY THE BOARD:

Background and Procedural History

By Order dated April 28, 2009¹, the New Jersey Board of Public Utilities ("Board" or "BPU") authorized Atlantic City Electric Company ("ACE" or "Company") to implement an Infrastructure Investment Program ("IIP") ("IIP Order"). Pursuant to the Order, ACE was to invest an estimated \$27.6 million over two years on sixteen (16) accelerated infrastructure projects. The projects were to include the installation of various feeder improvements and upgrades focusing on new conductor reclosures, tree wire and other equipment to improve overall reliability. At the time, it was estimated that IIP would create an estimated 92 direct jobs over the two year period.

The IIP was recently completed, and a petition seeking review and reconciliation of the IIP's projects and related actual costs has been submitted to the Board for final review, reconciliation, and approval.

October 2011 Filing

On October 19, 2011, ACE filed the instant petition with the Board. In the filing, the Company seeks approval to expand upon and increase the level of its reliability-related utility infrastructure improvements and additions. According to the petition, ACE has identified twelve (12) non-revenue generating categories of reliability-based capital infrastructure projects. The total proposed gross

¹ IMO the Proceeding for Infrastructure Investment and a Cost Recovery Mechanism for All Gas and Electric Utilities AND I/M/O the Petition of Atlantic City Electric Company for Approval of Certain Energy Infrastructure Investments and Approval of Cost Recovery for Such Projects and Related Tariff Modifications Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, BPU Docket Nos. EO09010049 and GO09010054, Order dated April 28, 2009.

investment for these programs is \$244.3 million over a period of three years (through 2014). ACE proposes to recover the costs through an IIP-2 surcharge in its current Rider IIS.

DISCUSSION

The Board has determined that the petition described above should be retained by the Board for hearing and, pursuant to N.J.S.A. 48:2-32, **HEREBY DESIGNATES** Commissioner Nicholas Asselta as the presiding officer who is 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, subject to ratification by the full Board, as necessary.

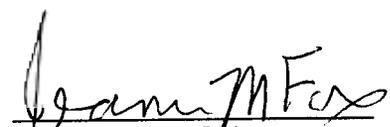
To expedite review of this matter while providing an opportunity for discovery and public comment, the Board **HEREBY ADOPTS** the schedule described on Attachment A which was developed after notice to the service list. This schedule is subject to modification by the Board or the designated presiding officer as necessary and appropriate in the interests of economy and justice.

Furthermore, all parties are **HEREBY DIRECTED** to both serve all documents electronically upon parties, while still providing hard copies to the Board for those documents which must be filed with the Board, and also providing 2 hard copies to each party, unless otherwise requested by the parties. Finally, the Board **HEREBY DIRECTS** Staff to post this Order on the Board's website.

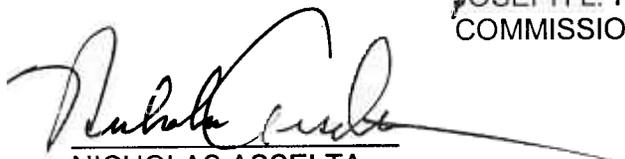
DATED: 11/30/11

BOARD OF PUBLIC UTILITIES
BY:


LEE A. SOLOMON
PRESIDENT

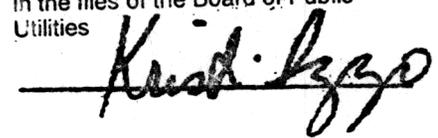

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities


In the Matter of the Petition of Atlantic City Electric Company for Approval of Certain Energy Infrastructure Investments and Approval of Cost Recovery for Such Projects and Related Tariff Modifications Associated Therewith Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1
 BPU Docket No. EO11100650

NOTIFICATION LIST

BOARD OF PUBLIC UTILITIES		
<p>Jerome May Board of Public Utilities 44 S. Clinton Avenue, 9th Floor P.O. Box 350 Trenton, NJ 08625-0350</p>	<p>Stacy Peterson Board of Public Utilities 44 S. Clinton Avenue, 9th Floor P.O. Box 350 Trenton, NJ 08625-0350</p>	<p>Nanik Aswani Board of Public Utilities 44 S. Clinton Avenue, 9th Floor P.O. Box 350 Trenton, NJ 08625-0350</p>
<p>Kristi Izzo, Secretary Board of Public Utilities 44 S. Clinton Avenue, 9th Floor P.O. Box 350 Trenton, NJ 08625-0350</p>		
DIVISION OF RATE COUNSEL		
<p>Stefanie A. Brand, Esq. Division of Rate Counsel 31 Clinton Street, 11th Floor P.O. Box 46005 Newark, NJ 07101</p>	<p>Paul Flanagan, Esq. Division of Rate Counsel 31 Clinton Street, 11th Floor P.O. Box 46005 Newark, NJ 07101</p>	<p>Ami Morita, Esq. Division of Rate Counsel 31 Clinton Street, 11th Floor P.O. Box 46005 Newark, NJ 07101</p>
<p>Diane Schulze, Esq. Division of Rate Counsel 31 Clinton Street, 11th Floor P.O. Box 46005 Newark, NJ 07101</p>		
DEPARTMENT OF LAW & PUBLIC SAFETY		
<p>Caroline Vachier, DAG Division of Law 124 Halsey Street, 5th Floor P.O. Box 45029 Newark, NJ 07101</p>	<p>Babette Tenzer, DAG Division of Law 124 Halsey Street, 5th Floor P.O. Box 45029 Newark, NJ 07101</p>	<p>Alex Moreau, DAG Division of Law 124 Halsey Street, 5th Floor P.O. Box 45029 Newark, NJ 07101</p>
ACE		
<p>Philip J. Passanante, Esq. Associate General Counsel ACE- 92DC42 500 North Wakefield Drive P.O. Box 6066 Newark, DE 19714-6066</p>	<p>Roger E. Pedersen Manager, NJ Regulatory Affairs, External Issues and Compliance ACE- 63ML38 5100 Harding Highway Mays Landing, NJ 08330</p>	<p>Nicholas W. Mattia, Jr., Esq. Dickstein Shapiro LLP 1825 Eye Street, NW Washington, DC 20006-5304</p>

Discovery Requests on Initial Testimony*	November 30, 2011
Board designated a Presiding Commissioner for Filing	November 30, 2011
Responses to Discovery on Initial Testimony	December 14, 2011
Motions to Intervene/Participate Due	December 14, 2011
Opposition to Intervention/Participation Motions due	December 21, 2011
Discovery conference	Week of January 2, 2012
Second Round of Discovery Requests Due	January 10, 2012
Responses to Second Round of Discovery Due	January 23, 2012
Intervener/ Respondent Testimony Due	February 10, 2012
Discovery on Intervener/Respondent Testimony	February 24, 2012
Responses to Discovery on Intervener/Respondent Testimony	March 12, 2012
Rebuttal Testimony	March 30, 2012
Discovery on Rebuttal Testimony	April 6, 2012
Responses to Discovery on Rebuttal Testimony	April 13, 2012
Evidentiary Hearings (with live surrebuttal if necessary) +	April 18, 2012
Briefs	May, 2012

*- Discovery is ongoing.

+ - subject to the Presiding Commissioner's availability