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May 25, 2016

Irene Kim Asbury, Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Avenue  
P.O. Box 350  
Trenton, New Jersey 08625-0350

Re: Public Service Electric & Gas Company/Solar4All Extension II  
BPU Docket No.

Dear Secretary Asbury:

Enclosed are an original and ten copies of the motion of the New Jersey Large Energy Users Coalition to intervene in the above proceeding along with a motion for Admission Pro Hac Vice of Paul F. Forshay, Esq. By copy of this letter, copies of the motions are being forwarded this date via email to all persons whose names appear on the attached distribution list.

Thank you for your anticipated courtesies.

Respectfully submitted,

Steven S. Goldenberg

SSG:jfp

Encl.

cc: Attached Distribution List

**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

In the Matter of the Petition of Public Service )  
Electric and Gas Company for Approval of a )  
Second Extension of a Solar Generation ) BPU Docket No.  
Investment Program and Associated Cost )  
Recovery Mechanism and for Changes in the )  
Tariff for Electric Service B.P.U.N.J. No. 15 )  
Electric Pursuant to N.J.S.A. 48:2-21, N.J.S.A. )  
48:2-21.1 and N.J.S.A. 48:3-98.1 )

**MOTION TO INTERVENE OF  
NEW JERSEY LARGE ENERGY USERS COALITION**

The New Jersey Large Energy Users Coalition (“NJLEUC”), an association whose members include large volume electric customers served by the Public Service Electric and Gas Company (“PSE&G” or the “Company”), hereby moves to intervene in the above-captioned proceeding. In support of its motion, NJLEUC states as follows:

1. All communications and correspondence concerning this proceeding should be directed to:

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2. On May 10, 2016, PSE&G filed a Petition for expedited approval of a proposed Solar 4 All Extension II program (the “Program”). The Program would extend the Company’s current Solar Generation Investment Programs by developing an additional 100MW-dc solar

generation over a four year investment period. The Company proposes to invest in, own and operate grid supply solar systems on otherwise non-productive properties, purportedly in furtherance of the State's current energy policies. Specifically, the Company states that it has identified additional New Jersey landfill and brownfield sites that are suitable for solar development and the potential for solar development on these additional sites provides the rationale for the expanded Program. The Program would be structured in a manner similar to the Company's underlying solar programs.

3. The Program would involve the expenditure of approximately \$296 million, which will be devoted solely to the development of grid supply solar installations on landfills and brownfields. The Company seeks to recover these program costs from ratepayers through the Solar Generation Investment Extension II Program component of the Green Program Recovery Charge, which was previously approved by the Board for the Solar 4 All Program. The Company requests a 9.75% return on equity and the use of an expedited cost recovery mechanism similar to the mechanism authorized for the Company's Solar Extension Program.

WHEREFORE, in support of its application for intervention in this proceeding, and as further summarized below, NJLEUC respectfully submits that all factors for intervention set forth in N.J.A.C. 1:1-16 weigh in favor of the granting of NJLEUC's motion to intervene in the above-captioned proceeding:

1. NJLEUC formed, in part, to monitor regulatory proceedings involving the State's electric and natural gas utilities, including PSE&G, and to participate or intervene in regulatory, infrastructure and rate proceedings to the extent necessary to represent its members' common interests. Members of NJLEUC purchase electric service from PSE&G and, therefore, will be substantially and specifically affected by the outcome of the proceeding.

2. Given its capacity as an association of PSE&G's large end-use customers that would pay a significant portion of the costs associated with the proposed solar investments, NJLEUC's interests are unique from and not adequately represented by any other party.

3. NJLEUC has a unique perspective and insight regarding the potential impact, on PSE&G's large electric customers, of the rate relief that will be sought by the Company as well as the business and policy implications of the Petition.

4. NJLEUC's motion is timely and will not delay or otherwise disrupt the prosecution of this proceeding.

5. Fundamental fairness and due process considerations require that NJLEUC be afforded an opportunity to fully participate as an Intervenor in this proceeding, the outcome of which will have a significant impact on the cost of the electric service provided by PSE&G to the members of NJLEUC and the effectuation of the State's energy policies.

6. NJLEUC has consistently been granted Intervenor status in all rate cases and infrastructure-related proceedings involving PSE&G, including the underlying Solar 4 All and Solar Extension proceedings, as well as the Energy Strong and Gas System Modernization proceedings.

7. Accordingly, the issues to be decided in this proceeding "substantially, specifically and directly affect" NJLEUC within the meaning of these terms as used in the Uniform Rules, thereby making it appropriate for NJLEUC to intervene as a party.

8. Furthermore, the interests of NJLEUC members as large end-use customers of PSE&G, and as continuing Intervenor in numerous matters involving PSE&G, are substantially different from those of any other party seeking intervention. Therefore, NJLEUC's interests in this proceeding are unique on both a quantitative and qualitative basis.

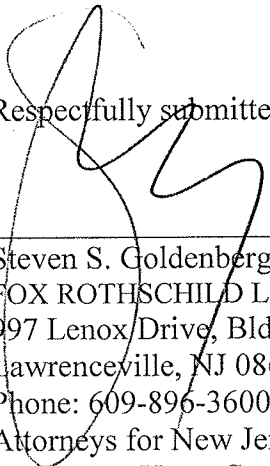
9. NJLEUC's entry as a party would "measurably and constructively" advance this proceeding (N.J.A.C. 1:1-16.3(a)) because of the unique status of its members as large end-use customers on the PSE&G electric distribution system. NJLEUC's entry as a party would promote an informed and balanced presentation of the issues.

10. Notwithstanding its unique interests, where it is possible and practical for it to do so, NJLEUC will endeavor to work cooperatively with other parties in this proceeding in the interests of administrative efficiency and economy.

11. For the foregoing reasons, and because the cost of electric service to NJLEUC's members will be directly and substantially affected by the issues to be determined in this proceeding, NJLEUC has a direct and immediate interest in the outcome of this proceeding that cannot adequately be represented by any other party.

WHEREFORE, pursuant to N.J.A.C. 1:1-16.1, *et seq.*, NJLEUC respectfully requests that it be permitted to intervene, with full procedural and substantive rights, in the above-captioned proceeding.

Respectfully submitted,



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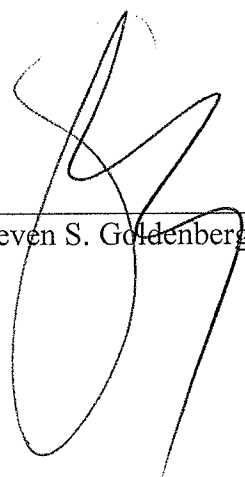
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Attorneys for New Jersey Large  
Energy Users Coalition

Dated: May 25, 2016

**CERTIFICATION OF SERVICE**

I hereby certify that I have this day served via electronic mail copies of the foregoing Motion to Intervene to the parties identified on the service list. An original and 10 copies have this day been forwarded via first class mail to Irene Kim Asbury, Secretary, Board of Public Utilities.

Dated at Lawrenceville, New Jersey, this 25<sup>th</sup> day of May, 2016.



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Steven S. Goldenberg

Public Service Electric and Gas Company  
Solar4All Extension II  
BPU Docket No. \_\_\_\_\_

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Public Service Electric and Gas Company  
Solar4All Extension II  
BPU Docket No. \_\_\_\_\_

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**STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

In the Matter of the Petition of Public Service     )  
Electric and Gas Company for Approval of a     )  
Second Extension of a Solar Generation     ) BPU Docket No.  
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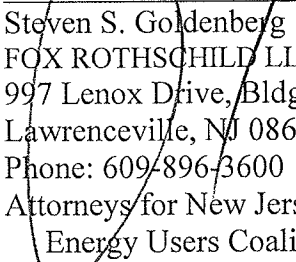
**MOTION FOR ADMISSION *PRO HAC VICE***

The undersigned counsel, a member in good standing of the bar of the State of New Jersey and willing to serve as attorney of record in this proceeding, hereby moves for the admission *pro hac vice* of Paul F. Forshay, Esq. Mr. Forshay is a member in good standing of the bar of the District of Columbia.

There is good cause for Mr. Forshay to be admitted *pro hac vice* because he has had significant experience representing the interests of large end-use customers before the Federal Energy Regulatory Commission and Board of Public Utilities and this proceeding involves a complex field of law in which he is a specialist. Mr. Forshay has an attorney-client relationship with the New Jersey Large Energy Users Coalition, which he represented in the underlying Solar 4 All and Extension Proceedings, as well as in a succession of PSE&G infrastructure and rate-related proceedings. Mr. Forshay has had significant prior experience with both commercial and regulatory issues related to the development of solar projects in New Jersey.

As evidenced by his affidavit attached hereto, Mr. Forshay has paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1:20-1(b).

Respectfully submitted,



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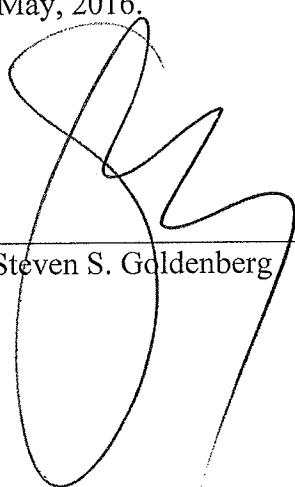
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Dated: May 25, 2016

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Dated at Lawrenceville, New Jersey, this 25<sup>th</sup> day of May, 2016.



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Steven S. Goldenberg

Public Service Electric and Gas Company  
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Electric Pursuant to J.J.S.A. 48:2-21, N.J.S.A. )  
48:2-21.1 and N.J.S.A. 48:3-98.1 )

**AFFIDAVIT IN SUPPORT OF REQUEST  
TO APPEAR *PRO HAC VICE***

Washington )  
 ) ss.  
District of Columbia )

I, Paul F. Forshay, duly sworn according to law, depose and say:

1. I am an attorney in good standing admitted to practice in the District of Columbia. I am not admitted to practice in New Jersey. I have no disciplinary proceedings pending against me in any jurisdiction and no discipline has been previously imposed on me in any jurisdiction.

2. I am associated in this matter with New Jersey counsel of record, Steven S. Goldenberg, Esq. of the firm of Fox Rothschild LLP, who is qualified to practice law in this State pursuant to R. 1:21-1.

3. The New Jersey Large Energy Users Coalition (“NJLEUC”) has requested my representation in this matter.

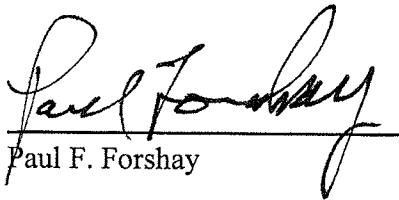
4. There is good cause for my admission *pro hac vice* in that I have had considerable experience representing large end-use customers in various proceedings before the Federal Energy Regulatory Commission and Board of Public Utilities and I have an attorney-client

relationship with NJLEUC. The proceeding in which I seek admission involves a complex field of law in which I am a specialist. I was admitted to represent NJLEUC in the underlying Solar 4 All Proceeding, as well as PSE&G's various infrastructure and rate-related filings. In addition, I have significant prior experience with both commercial and regulatory issues related to the development of solar projects in New Jersey.


5. I have paid to the New Jersey Lawyers' Fund for Client Protection the fees required by R. 1:20-1(b) and 1:28-2.

6. If this application to appear *pro hac vice* is granted, I agree to:

- a. abide by the New Jersey Court Rules, including all disciplinary rules;
- b. consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against me or my firm that may arise out of my participation in this matter;
- c. notify the Board of Public Utilities and Office of Administrative Law immediately of any matter affecting my standing at the bar of any court; and
- d. have all pleadings, briefs and other papers filed with the Board of Public Utilities and Office of Administrative Law signed by the attorney of record.

  
Paul F. Forshay

SUBSCRIBED AND SWORN to before  
me this 24<sup>th</sup> day of May, 2016

  
\_\_\_\_\_  
Notary Public

**REBECCA A. MENSO**  
Notary Public, District of Columbia  
My Comm, Exp. October 14, 2020

