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Via Federal Express

July 8, 2013

Kristi Izzo, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Trenton, NJ 08625-0350

Re: IMO Board's Establishment of a Generic Proceeding to Review Costs,
Benefits and Reliability Impact of Major Storm Event Mitigation Efforts;

IMO Board's Review of the Petition of Public Service Electric & Gas
Company for Approval of the Energy Strong Program
BPU Docket Nos. EO13020155 and GO13020156.

Dear Ms. Izzo:

Enclosed are an original and ten copies of the motion of the Environmental
Intervenors, Sierra Club and the New Jersey Environmental Federation, to
intervene in the above proceeding relating to the Public Service Electric & Gas
petition for approval of the Energy Strong Program. I understand that
Commissioner Fiordaliso has been appointed to preside over this matter.

By copy of this letter, copies of the motion are being forwarded this date via
electronic mail to all persons whose names appear on the attached distribution
list with e-mail addresses.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Aaron Kleinbaum', with a long horizontal flourish extending to the right.

Aaron Kleinbaum, Esq.

Cc: Distribution List

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY
FOR APPROVAL OF THE ENERGY STRONG PROGRAM
BPU DOCKET NOS. EO13020155 AND GO13020156

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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 with e-mail addresses. An original and 10 copies have been forwarded via overnight mail to Kristi Izzo, Secretary, Board of Public Utilities.

Dated at Newark, New Jersey, this 8th day of July 2013.



Aaron Kleinbaum, Esq.

Aaron Kleinbaum, Esq.
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IN THE MATTER OF THE BOARD'S
ESTABLISHMENT OF A GENERIC
PROCEEDING TO REVIEW COSTS,
BENEFITS AND RELIABILITY IMPACTS
OF MAJOR STORM EVENT
MITIGATION EFFORTS

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE BOARD'S
REVIEW OF THE PETITION OF PUBLIC
SERVICE ELECTRIC AND GAS
COMPANY FOR APPROVAL OF THE
ENERGY STRONG PROGRAM

Docket Nos. AX13030197, EO13020155 &
GO13020156

**MOTION FOR INTERVENTION BY SIERRA CLUB - NEW JERSEY CHAPTER
AND NEW JERSEY ENVIRONMENTAL FEDERATION**

Sierra Club - New Jersey Chapter and New Jersey Environmental Federation

(collectively, the "Environmental Intervenors") hereby move pursuant to N.J.A.C. 1:1-16.1 *et seq.*, to intervene in the above-captioned matter before the New Jersey Board of Public Utilities ("Board"). In support of this motion, Environmental Intervenors rely upon the Certifications of Jeff Tittel and David Pringle, and further state:

I. FACTUAL BACKGROUND

A. The Proceeding

1. By Order dated January 23, 2013 ("January 23 Order"), the Board directed the State's Electric Distribution Companies ("EDCs") to evaluate five categories of potential improvements to their

programs and to take specific actions to be determined to improve the resiliency and preparedness of their distribution systems for future Major Storm Events. In particular, the Board directed the EDCs to carefully examine their underlying infrastructure, determine how substations can be improved to prevent flooding, how vegetation management is impacting electric systems and how distribution automation can be improved to increase circuit reliability. In addition, the EDCs must provide detailed analyses associated with a number of potential upgrades to guide future decision-making regarding the reinforcement of the State's energy infrastructure.

2. On February 20, 2013, Public Service Gas & Electric Company (“PSE&G”) petitioned the Board for expedited approval of its so-called “Energy Strong” program, which is designed to reinforce the Company's infrastructure to make it less susceptible to damage in future Major Storm Events. PSE&G seeks to recover the proposed \$3.9 billion program costs from ratepayers.

3. On March 20, 2013, the Board issued an Order (“March 20 Order”) that, in relevant part, directed PSE&G to comply with the January 23 Order. The Board found that the Energy Strong petition failed to include the detailed analysis mandated by the January 23 Order and failed to provide sufficient detail regarding the Company’s proposed storm hardening and mitigation efforts and to distinguish them from normal expenditures designed to maintain safe, adequate and proper service. In addition, the March 20 Order established a generic proceeding to evaluate and review all current and future submissions by each EDC for storm mitigation efforts made to the utility’s underlying infrastructure to withstand future Major Storm Events. Furthermore, the March 20 Order requires the Board staff to investigate whether experts should be retained to examine the costs and the benefits associated with improvements to the utility infrastructure.

B. The Parties

4. The Sierra Club is a nonprofit corporation organized under California law, with 65

chapters and over 600,000 members nationwide. The New Jersey Chapter of the Sierra Club (“Sierra Club NJ Chapter”) has approximately 16,000 members. (Tittel Cert. ¶ 4). The Sierra Club’s mission is to explore, enjoy, and protect the wild places of the Earth; to practice and promote the responsible use of the Earth’s ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. (Tittel Cert. ¶¶ 3-4).

5. New Jersey Environmental Federation (“NJEF”) is the name under which Clean Water Action does business in New Jersey. Clean Water Action is a 40-year-old national non-profit organization based in Washington, DC and dedicated to organizing citizen efforts to protect the environment. (Pringle Cert. ¶ 3). NJEF has over 100,000 individual members and an additional 100 member organizations. It is committed to protecting and defending New Jersey’s environmental resources and protecting the health of New Jersey’s citizens. (*Id.* ¶ 2).

6. Environmental Intervenors are conservation and environmental groups dedicated to energy conservation, the preservation of environmentally sensitive areas including wetlands and wildlife habitat, the protection of the state’s rivers and streams and the continued elimination of pollutants from the state’s air. (*See generally*, Tittel Cert.; Pringle Cert.).

7. Out of their concern for these resources, Environmental Intervenors recognize that improving energy efficiency and demand side management as well as developing a smart grid, distributed generation and renewable sources of energy generation are significant ways to improve and protect the underlying energy infrastructure, avoid storm related costs and protect and save our resources. (*See generally*, Tittel Cert.; Pringle Cert.). Environmental Intervenors have participated in the development of the State’s Energy Master Plan (“EMP”) and both organizations are committed to New Jersey’s goals of decreased energy demand and increased renewable energy supply. (*See* Tittel Cert. ¶ 8;

Pringle Cert. ¶ 10 .).

8. Reducing energy demand is a powerful way to both mitigate the impacts and costs of future storms as well as to reduce the potential for future storm events. For example, energy efficiency can reduce the need for new transmission infrastructure, which makes the grid less vulnerable to flooding and falling trees during Major Storm Events. Developing a smart grid and distributed energy generation makes the grid more resilient and less vulnerable to circuit outages. Developing renewable sources of energy avoids the polluting effects of heat trapping carbon dioxide and lessens the likelihood of future Major Storm Events by addressing their underlying cause. (*See generally*, Tittel Cert.; Pringle Cert.).

II. LEGAL FRAMEWORK

9. In deciding a motion for intervention, the Board must consider:

[T]he nature and extent of the movant's interest in the outcome of the case, whether or not the movant's interest is sufficiently different from that of any party so as to add measurably and constructively to the scope of the case, the prospect of confusion or undue delay arising from the movant's inclusion, and other appropriate matters.

N.J.A.C. 1:16.3(a).

10. The law governing utilities in the State expressly requires EDCs to provide safe, adequate and proper service in a way to conserves the quality of the environment and prevent the pollution of the waters, land and air, and furnish service and equipment to enable it to do so at just and reasonable rates.

N.J.S.A. 48:2-21 and N.J.S.A. 48:2-23.

III. ARGUMENT

11. Environmental Intervenors satisfy each element of the intervention standard and should be permitted to intervene in this matter to protect their interests and the interests of their members, and to ensure that the statutory basis for energy service including conservation and environmental interests are fully addressed.

A. Environmental Intervenors Have a Significant Interest in This Matter

12. The nature and extent of Environmental Intervenors' interest supports their intervention in this proceeding. The BPU initiated this proceeding to investigate efforts to mitigate the impacts of future Major Storm Events on New Jersey's utility infrastructure. In particular, the EDCs have been directed to examine how substations can be better protected from flooding, how vegetation management is impacting electric systems and how Distribution Automation can be used to improve circuit reliability. Different approaches to firming up utility infrastructure will have widely different environmental implications for New Jersey. A solution that focuses solely on the physical protection of infrastructure misses a huge opportunity to address or eliminate the underlying causes of the vulnerability. Environmental Intervenors seek to ensure that cost effective investments going forward capitalize on opportunities to reduce energy demand through energy efficiency and other demand side efforts. (Tittel Cert. ¶ 9; Pringle Cert. ¶ 6). Also techniques such the use of a smart grid, distributed generation and renewable energy sources can provide critical support to the delivery of reliable and cost effective power to the public. (*See generally*, Tittel Cert.; Pringle Cert.). At least one of these techniques, smart grid, is already used by the EDCs in a pilot program and the BPU staff is seeking further information as part of this proceeding. (*e.g.*, January 23 Order at pp. 41 – 43).

13. In addition, Environmental Intervenors are interested in this proceeding because the decisions that will be made in this docket involve significant investments of ratepayer money, for which their ratepayer members will share in the responsibility. (*See, e.g.*, Energy Strong Petition; March 20 Order). Consequently, investments that address underlying causes of infrastructure vulnerability and provide long-term solutions will save Environmental Intervenors' ratepayer members money in the long-term.

14. More generally, Environmental Intervenors have invested considerable time and energy in matters concerning energy efficiency and climate change in New Jersey, such as the Energy Master Plan

("EMP"), the Global Warming Response Act ("GWRA"), and Regional Greenhouse Gas Initiative ("RGGI") implementation, including offering written comments and verbal testimony. (*See generally*, Tittel Cert.; Pringle Cert.). The Environmental Intervenors testified in support of the GWRA and urged the Governor and legislature to address climate change by emphasizing conservation, resisting efforts to leave RGGI and encouraging the development and use of renewable sources in the EMP. (*See* Tittel Cert.; Pringle Cert.).

15. Energy efficiency efforts can minimize the need for the construction of new or relocated infrastructure and the related destruction or interference with open space or environmentally sensitive lands. The Environmental Intervenors have fought to preserve these areas. (*See generally* Tittel Cert.; Pringle Cert.).

16. Because this proceeding directly impacts issues affecting Environmental Intervenors and their members' environmental and economic interests, Environmental Intervenors have a sufficient interest in this proceeding to support intervention.

B. The Interests of Environmental Intervenors Are Unique

17. The interests of Environmental Intervenors are also distinct from other parties to this proceeding. As explained above, Environmental Intervenors have been actively engaged in supporting energy efficiency and addressing climate change and its impact in New Jersey to minimize the vulnerability of the energy infrastructure. (*See generally*, Tittel Cert.; Pringle Cert.).

18. The Environmental Intervenors are interested in protecting the interests of their rate paying members by addressing the root causes of the need for storm mitigation and doing so in a manner that is cost effective and addresses the underlying infrastructure issues identified in the January 23 Order. (*See generally*, Tittel Cert.; Pringle Cert.).

19. No other party in this matter will address these issues and represent the interests of

Environmental Intervenors and their members. While other parties may share Environmental Intervenors' interest in ensuring grid reliability, Environmental Intervenors' interest in addressing root causes of grid vulnerability by addressing the demand side and distributed generation is unique. Likewise, while other parties may share to some degree Environmental Intervenors' interest in ratepayer impacts, none couples this concern with an interest in promoting energy efficiency as a means of addressing underlying infrastructure vulnerability.

C. The Participation of Proposed Environmental Intervenors Will Not Cause Confusion or Undue Delay

20. The participation of Environmental Intervenors in this matter will not cause confusion or unduly delay this proceeding. To the contrary, this motion is timely filed, and Environmental Respondents' participation will aid the Board in evaluating the need for and cost efficacy of infrastructure investments to mitigate against future storm events and the environmental impacts of these investments.

21. The inclusion of Environmental Intervenors will provide additional information about the benefits of energy efficiency and other demand side management efforts to the resiliency of electricity transmission system. As discussed above, there are potentially significant opportunities to increase reliability and decrease storm mitigation costs to the underlying infrastructure. Along these lines, the BPU staff is requesting reports on the management or evaluation of smart grid pilot programs. In particular, the BPU staff is interested in the EDCs smart grid efforts that incorporate distribution automation as well as the implementation of dynamic monitoring, smart metering and other similar technologies that can potentially improve reliability of circuits and lower rates. (January 23 Order at 41 to 43). Environmental Intervenors can add information and perspective to the benefits of these efforts.

22. This motion to intervene is timely filed, having been filed prior to the issuance of a case management schedule in this proceeding, and Environmental Intervenors are represented by counsel in

this proceeding.

23. The name and address of the individual who should be added to the Board's official service list and to whom communications concerning the proceeding should be addressed is:

Eastern Environmental Law Center
Attn: Aaron Kleinbaum, Esq.
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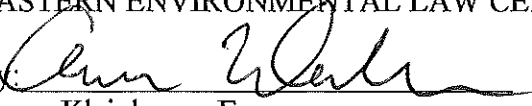
Sierra Club
Attn: Joshua Berman
50 F St. NW, 8th Floor
Washington, DC 20001
Tel: (202) 650-6062
Email: Josh.Berman@sierraclub.org

WHEREFORE, Proposed Environmental Intervenors request that they be granted leave to intervene in this matter.

Dated: Newark, New Jersey
July 8, 2013

Respectfully submitted,

EASTERN ENVIRONMENTAL LAW CENTER

By: 
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IN THE MATTER OF THE BOARD'S
ESTABLISHMENT OF A GENERIC
PROCEEDING TO REVIEW COSTS,
BENEFITS AND RELIABILITY IMPACTS
OF MAJOR STORM EVENT
MITIGATION EFFORTS

IN THE MATTER OF THE BOARD'S
REVIEW OF THE PETITION OF
PUBLIC SERVICE ELECTRIC AND GAS
COMPANY FOR APPROVAL OF THE
ENERGY STRONG PROGRAM

STATE OF NEW JERSEY BOARD OF
PUBLIC UTILITIES

Docket No. AX13030197, EO13020155
& GO13020156

CERTIFICATION OF JEFF TITTEL
IN SUPPORT OF
MOTION FOR INTERVENTION

I, JEFF TITTEL, of full age, certify as follows:

1. I am the Director of the New Jersey Chapter of the Sierra Club ("Sierra Club NJ Chapter"), and I am familiar with its members, goals, and activities, as well as the environmental legislation and policies of New Jersey.
2. I submit this certification upon personal knowledge in support of Environmental Intervenors' Motion for Intervention in this proceeding.
3. The Sierra Club is a nonprofit corporation organized under California law, with 65 chapters and approximately 600,000 members nationwide. The Sierra Club's mission is to explore, enjoy and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of

the natural and human environment; and to use all lawful means to carry out these objectives.

4. The Sierra Club NJ Chapter is a non-profit organization and a state chapter of the Sierra Club. It has over 16,000 members with twelve local groups that hold monthly meetings in ten locations throughout the state. Sierra Club NJ Chapter is currently working at the state level and participating in national Sierra Club efforts including the Beyond Coal, Beyond Natural Gas and Beyond Oil Campaigns to identify ways to break NJ's dependence on polluting energy sources and shift to a clean energy future.

5. The Sierra Club NJ Chapter supports robust energy efficiency policies and sound environmental decision making on infrastructure issues. This is consistent with the statutory mission of the Board of Public Utilities ("BPU") to: ensure the provision of safe, adequate and proper utility at just and reasonable rates; enhance the quality of life; preserve the quality of the environment; and, prevent pollution of the waters, land and air, for the citizens of New Jersey. In 2007, New Jersey passed the Global Warming Response Act ("GWRA"). The legislation that establishes a greenhouse gas emissions reduction program to limit the level of Statewide greenhouse gas emissions, and greenhouse gas emissions from electricity generated outside the State but consumed in the State, at or below the 1990 level of those emissions by the year 2020. In addition, GWRA seeks to reduce those emissions to 80% below the 2006 level by the year 2050. The GWRA gives BPU authority to adopt an efficiency resource standard of 20% by 2020. Sierra Club NJ Chapter wants to ensure that decisions regarding New Jersey's energy future and infrastructure, which are going to shape its greenhouse gas emissions in coming decades, are made in a manner that is mindful of the State's GWRA commitments.

6. Implementation of energy efficiency programs reduces demand, prevents service interruptions, and reduces bills to customers. Such programs create jobs and economic development opportunities. Decision making on infrastructure that is informed by sound energy efficiency principles promote a sustainable utility system and will lower rates as well.

7. Sierra Club NJ Chapter believes that PSE&G and the utilities that are filing for cost recovery in response to Major Storm Events for underlying infrastructure improvements, as discussed in the March 20 Order should employ cost-effective energy efficiency programs in order to improve reliability and reduce costs to New Jersey customers.

8. Sierra Club NJ Chapter's experience indicates that energy efficiency as well as other related programs, such as the use of smart grid, distributed generation, and energy generation from renewables should be a fundamental component of a resilient and reliable energy system. The benefits include, but are not limited to the following: reducing system stress during hours of peak demand and thereby reducing the likelihood of system failure; reducing the need for generating capacity that is subject to failure; and making black starts easier by reducing load at start-up.

9. New Jersey utilities should make cost effective investments in energy efficiency and related programs as a requirement of the resolution of this generic case (Docket No. AX13030197) and the Energy Strong petition in particular. Such efforts should include, but not be limited by working with the Department of Community Affairs ("DCA") to ensure that reconstruction of the underlying infrastructure is completed at the highest level of efficiency; and working with the DCA to adopt and promote compliance with the 2012 International Energy Conservation Code ("IECC") which is the most up-to-date building code.

10. The implementation of the energy efficiency programs discussed above will provide significant cost-effective energy savings for New Jersey residents.

11. Sierra Club NJ Chapter has a long history working on energy issues as well as environmentally sound infrastructure investment in the state of New Jersey. We were actively involved in energy issues around the passage of the Electric Discount and Energy Competition Act (EDECA); setting up the Clean Energy Fund; implementation of the Societal Benefits Charge; the PSE&G and Exelon merger; the Susquehanna – Roseland Transmission Line proceeding; and have been involved in other rate case hearings.

12. Sierra Club NJ Chapter has been actively engaged with major legislative and regulatory developments impacting energy and climate in New Jersey. For example, the 2008 New Jersey Energy Master Plan (“EMP”) had called for a 20% cut in electric use by 2020 by maximizing energy conservation and energy efficiency. The 2008 EMP had set a goal to ensure 30% of New Jersey electricity is from renewable sources by 2020, exceeding even the Renewable Portfolio Standards (“RPS”). The 2008 EMP also called for a reduction in the peak demand for electricity by 5,700 MW by 2020. The 2011 EMP goals were changed to 22.5% renewable sources for electricity by 2020 and 17% reduction in demand by 2020. Sierra Club NJ Chapter engaged in the process by submitting extensive public comments on both EMPs.

13. In addition, on May 26, 2011 New Jersey exited the Regional Greenhouse Gas Initiative (“RGGI”), a ten state initiative in the Mid-Atlantic and the Northeast to reduce greenhouse gas emissions. RGGI states have agreed to a mandatory market-based cap and trade program to reduce by 10% CO₂ emissions from the power sector by 2018. During its participation in RGGI, New Jersey committed itself to function with the other nine states as a single regional compliance market for CO₂ emissions. Sierra Club NJ Chapter extensively commented on New Jersey's proposed regulations designed to implement RGGI and opposed Governor Chris Christie's decision to leave RGGI.

14. This docket is of significant importance to Sierra Club NJ Chapter and its members. Through the decisions the Board makes about costs of improvements to the underlying infrastructure for recent Major Storm Events, it will be deciding whether the State will be tying its energy future to old, dirty and dangerous energy sources and perpetuating the life of these sources, or whether it will instead be encouraging energy efficiency and the growth of renewable sources. The rebuilding presents a crucial decision point for shaping the State's energy future. Consequently, in this proceeding the Sierra Club supports the use and further development of distributed generation, increasing the use of demand-side management technologies, implementation of “Smart Grid”

networks and other energy efficiency programs.

15. Since the financial resources of governments, ratepayers and the private sector are finite, our state and nation's energy infrastructure must be planned around a transition to clean energy. Sierra Club NJ Chapter seeks to prevent this proceeding from directing significant resources to perpetuate old energy sources and delivery structures thus undermining the state and region's effort to address climate change and build a clean, efficient energy grid.

16. Sierra Club NJ Chapter has an interest in this matter because the existing utility infrastructure and new infrastructure built as a result of this proceeding may facilitate the use of environmentally destructive energy from coal-fired plants and plants using gas produced through hydraulic fracturing in New Jersey, Pennsylvania and in other western states and will discourage local conservation and investment in renewable energy sources.

17. Sierra Club NJ Chapter believes that using less energy and using energy from renewables is imperative for the state to avoid contributing to the destructive trend of climate change. Sierra Club NJ Chapter believes that the State can lower carbon emissions contributing to global climate change, reduce the risks of future Major Storm Events and at the same time that it reduces the cost of business as usual.

18. The disposition of this proceeding may, as a practical matter, impair or impede Sierra Club NJ Chapter's ability to protect its members' interests in the affected region, if the proceeding is deemed by the BPU to allow business as usual.

19. Sierra Club NJ Chapter's interests are directly germane to this proceeding and its participation will not delay the disposition of this matter, create any additional burdens for the BPU, or otherwise burden or prejudice any of the existing parties to this litigation.

20. This certification is on behalf of Sierra Club NJ Chapter on its own behalf as well on its representational capacity on behalf of its individual members who will be affected by this proceeding.

21. Given the above, Sierra Club NJ Chapter requests that it be allowed to intervene in this matter in order to protect its interests.

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

7/8/13

Dated

Jeffrey H Tittel

Jeff Tittel

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IN THE MATTER OF THE BOARDS
REVIEW OF THE PETITION OF
PUBLIC SERVICE ELECTRIC AND
GAS FOR APPROVAL OF THE
ENERGY STRONG PROGRAM

CERTIFICATION OF DAVID PRINGLE IN SUPPORT OF ENVIRONMENTAL
INTERVENORS MOTION TO INTERVENE

I, DAVID PRINGLE, of full age, certify as follows:

1. I am the Campaign Director of New Jersey Environmental Federation ("NJEF"), and I am familiar with its members, goals, and activities, as well as the energy and environmental legislation and policies of New Jersey. I submit this certification upon personal knowledge in support of Environmental Intervenors Motion for Intervention in this matter.

2. NJEF has over 100,000 individual members and an additional 100 member groups. NJEF works to protect the environment, health, economic wellbeing and quality of life in New Jersey communities. It actively supports regulation that improves New Jersey's drinking water and strengthens land use, clean air and energy policies through grassroots efforts at the local and state level.

3. Clean Water Action (“CWA”) is a non-profit 501(c)(4) based in Washington, D.C. that does business in New Jersey as NJEF. It is a 40-year-old national organization dedicated to organizing citizen efforts to protect the environment. CWA has 1.2 million members working to empower people to take action to protect America’s waters, build healthy communities and to make democracy work for all of us.

4. Consistent with the mission of the Board of Public Utilities (“BPU”) to “ensure the provision of safe, adequate and proper utility at reasonable rates while enhancing the quality of life for the citizens of New Jersey,” the NJEF supports robust energy efficiency, conservation, and demand response policies. These policies reduce costs to customers, reduce load and prevents service interruptions, reduce pollution and disease, and create jobs and economic development opportunities.

5. NJEF was very involved in: the passage of the Electric Discount and Energy Competition Act (“EDECA”) in the late 1990's; the development of the state's Social Benefits Charge and Clean Energy programs; higher energy efficiency standards for building codes and appliances; and, various renewable energy legislation.

6. NJEF believes that the utilities that are filing for Hurricane Sandy rate recovery should: employ all cost-effective energy efficiency, demand response, distributive generation, and conservation programs in order to improve reliability and reduce costs to New Jersey customers; make quantitative investments in energy efficiency, demand response, distributive generation, and conservation as a requirement of the resolution of the rate case; work with the Department of Community Affairs (“DCA”) to ensure that reconstruction is completed at the highest level of efficiency, demand response, distributive generation and conservation; work with the DCA to adopt the 2012 International Energy Conservation Code (“IECC”) which provide both significant cost and energy savings for New Jersey residents.

7. In 2007, New Jersey passed the Global Warming Response Act ("GWRA"), legislation that establishes a greenhouse gas emissions reduction program to limit the level of Statewide greenhouse gas emissions, and greenhouse gas emissions from electricity generated outside the State but consumed in the State, to the 1990 level of those emissions or below by the year 2020, and to reduce those emissions to 80% below the 2006 level by the year 2050. NJEF supports the GWRA.

8. The 2008 New Jersey Energy Master Plan ("2008 EMP"), had called for a 20% cut in electric use by 2020 by maximizing energy conservation and energy efficiency. The 2008 EMP had set a goal to ensure 30% of New Jersey electricity is from renewable sources by 2020, exceeding even the Renewable Portfolio Standards ("RPS"). The 2008 EMP also called for a reduction in the peak demand for electricity by 5,700 MW by 2020. The 2011 EMP goals were changed to 22.5% renewable sources for electricity by 2020 and 17% reduction in demand by 2020. NJEF commented at length on both EMPs.

9. Effective December 31, 2011, New Jersey left the Regional Greenhouse Gas Initiative ("RGGI"), a ten state initiative in the Mid-Atlantic and the Northeast to reduce greenhouse gas emissions. RGGI states have agreed to a mandatory market-based cap and trade program to reduce by 10% CO₂ emissions from the power sector by 2018. During its participation in RGGI, New Jersey committed itself to function with the other nine states as a single regional compliance market for CO₂ emissions. NJEF extensively commented on New Jersey's proposed regulations designed to implement RGGI and opposed Governor Chris Christie's decision to leave RGGI.

10. NJEF believes this docket to improve the underlying infrastructure may tie our energy future to old, dirty and dangerous energy sources, perpetuating the life of these sources, instead of encouraging energy efficiency and the growth of renewable sources. The NJEF supports the use and further development of distributed generation, increasing the use

of demand-side management technologies, implementation of “Smart Grid” networks and other energy efficiency programs.

11. Since the financial resources of governments, ratepayers and the private sector are finite, our state and nation's energy infrastructure must be planned around a transition to clean energy. NJEF seeks to prevent this proceeding from directing significant resources to perpetuate old energy sources and delivery structures thus undermining the state and region's effort to address climate change and build a clean, efficient energy grid.

12. NJEF has an interest in this matter because the infrastructure will facilitate the use environmentally destructive energy from coal-fired plants in New Jersey, Pennsylvania and in other western states and will discourage local conservation, efficiency, distributive generation, demand side response, and investment in renewable energy sources.

13. NJEF believes that wasting less energy and using more energy from renewables is imperative for the state to avoid contributing to the destructive trend of climate change. NJEF believes that the State can lower carbon emissions contributing to global climate change, reduce the risks of storms and at the same time that it reduces the cost of business as usual.

14. The disposition of this proceeding may, as a practical matter, impair or impede NJEF's ability to protect its members' interests in the affected region if the proceeding is deemed by the Board to allow business as usual. NJEF's participation will not delay the disposition of this matter, create any additional burdens for the BPU, or otherwise burden or prejudice any of the existing parties to this litigation.

15. Given the above, NJEF requests that it be allowed to intervene in this matter on its own behalf as well on its representational capacity on behalf of its individual members who will be affected by this proceeding.

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

7.8.13

Dated



David Pringle