



Agenda Date: 05/21/14  
Agenda Item: 2G

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE PETITION OF JERSEY	)	ORDER DESIGNATING
CENTRAL POWER AND LIGHT COMPANY	)	COMMISSIONER, SETTING
PURSUANT TO N.J.S.A. 40:55D-19 FOR A	)	A BAR DATE AND MANNER
DETERMINATION THAT THE OCEANVIEW 230Kv	)	OF SERVICE
TRANSMISSION PROJECT IS REASONABLY	)	
NECESSARY FOR THE SERVICE, CONVENIENCE OR	)	
WELFARE OF THE PUBLIC	)	DOCKET NO. EO14030281

**Parties of Record:**

**Gregory Eisenstark, Esq.,** Morgan Lewis for Jersey Central Power & Light  
**Stefanie A. Brand, Esq.,** Director, New Jersey Division of Rate Counsel

**BY THE BOARD:**

The New Jersey Board of Public Utilities ("Board") is empowered to ensure that regulated public utilities provide safe, adequate and proper service to the citizens of New Jersey. N.J.S.A. 48:2-23. Pursuant to N.J.S.A. 48:2-13, the Board has been vested by the Legislature with the general supervision and regulation of and jurisdiction and control over all public utilities, "so far as may be necessary for the purpose of carrying out the provisions of [Title 48]." The courts of this State have held that the grant of power by the Legislature to the Board is to be read broadly, and that the provisions of the statute governing public utilities are to be construed liberally. See, e.g. In re Public Service Electric and Gas Company, 35 N.J. 358, 371 (1961); Township of Deptford v. Woodbury Terrace Sewerage Corp., 54 N.J. 418, 424 (1969); Bergen County v. Dep't of Public Utilities, 117 N.J. Super. 304 (App. Div. 1971). The Board is also vested with the authority, pursuant to N.J.S.A. 48:2-19, to investigate any public utility, and, pursuant to N.J.S.A. 48:2-16 and 48:2-40, to issue orders to public utilities.

On March 25, 2014, Jersey Central Power & Light Company ("JCP&L" or "Company"), a New Jersey public utility engaged in the business of purchasing, transmitting, distributing and selling electric energy for light, heat and power to more than 1,000,000 residential, commercial and industrial customers in 13 counties and 236 municipalities in New Jersey, filed a petition with the Board pursuant to N.J.S.A. 40:55D-19 of the New Jersey Municipal Land Use Act ("MLUA"). JCP&L seeks a decision by the Board that a proposed 230 kV transmission line between JCP&L's Larabee substation in Howell, New Jersey, and its Oceanview substation in Neptune, New Jersey, along with associated upgrades to these substations (the "Project") is reasonably

necessary for the service, convenience or welfare of the public and that, accordingly, zoning and land use ordinances of municipalities along the proposed route of the new line shall not apply.

According to the petition, PJM Interconnection, LLC ("PJM"), the FERC-approved Regional Transmission Organization, identified a planning criteria violation in regard to the JCP&L Atlantic - Oceanview 230kV lines as part of its Regional Transmission Expansion Planning ("RTEP") process, specifically a reliability criteria violation for a potential voltage collapse on the system. PJM assigned the Project an RTEP number of b2015, and approved it as part of the 2012 PJM Baseline Reliability Assessment issued January 4, 2013. JCP&L and PJM established an in-service date of June 1, 2017 which JCP&L believes will allow sufficient time to receive all necessary approvals for the Project and to complete its construction.

According to the petition, the proposed 16.1 mile long route for the Project begins in Howell NJ, continues within the existing transmission Right of Way ("ROW")<sup>1</sup> through the municipalities of Colts Neck Township, Howell Township, Neptune Township, the Borough of Tinton Falls, and Wall Township in Monmouth County. The Project is divided into three segments, 2 of the segments will require replacement of the existing H-frame structures with steel monopoles ranging from 80 to 160 feet high. For the 3<sup>rd</sup> segment the steel monopoles will range between 80 and 115 feet high.

The proposed substation upgrades will include a reconfiguration of the Oceanview 230kV substation to a six breaker ring bus with five breakers initially and a reconfiguration of the Larrabee 230kV substation from a ring bus configuration with 8 breakers to a breaker-and-a half configuration with 11 breakers.

N.J.S.A. 40:55D-19 provides that the MLUA, and any ordinance or regulations made under the authority thereof shall not apply to a development proposed by a public utility for installation in more than one municipality for the furnishing of service if, upon petition by the public utility to the Board with notice to all affected municipalities, the Board thereafter conducts a hearing to determine whether the proposed installation of the development in question is "reasonably necessary for the service, convenience or welfare of the public."

Accordingly, the Board has determined that the petition should be retained by the Board for hearing to decide whether the Project and the system upgrades proposed by JCP&L are reasonably necessary for the service, convenience or welfare of the public consistent with N.J.S.A. 40:55-D-19.

Pursuant to N.J.S.A. 48:2-32, the Board **HEREBY DESIGNATES** Commissioner Mary-Anna Holden as the presiding officer. The Board **FURTHER ORDERS** that Commissioner Holden, as the presiding Commissioner, is **HEREBY AUTHORIZED** to establish and modify schedules, decide all motions, and otherwise control the conduct of this case, without the need for full Board approval, subject to subsequent Board ratification.

The Board **HEREBY DIRECTS** that all entities seeking to intervene in this matter file the appropriate application with the Board by June 20, 2014.

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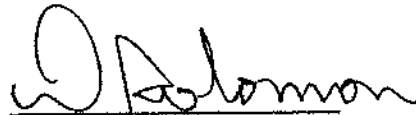
<sup>1</sup> According to the petition, this proposed route was selected because it can be constructed entirely within JCP&L's existing transmission ROW, and therefore complies with N.J.A.C. 14:5-7.1(a)(1).

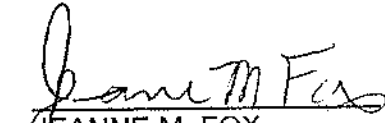
The Board **HEREBY DIRECTS** staff to post this Order on the Board's website and serve a copy of the Order to the service list electronically.

In addition, in the interests of economy, all parties are **HEREBY DIRECTED** to serve all documents electronically, while still providing hard copies to the Board for those documents which must be filed with the Board, with hard copies to each party upon request and to those municipalities which have not provided an e-mail address.

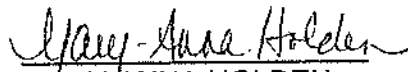
DATED: 5/21/14

BOARD OF PUBLIC UTILITIES  
BY:

  
DIANNE SOLOMON  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

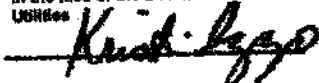
  
JOSEPH L. FIORDALISO  
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MARY-ANNA HOLDEN  
COMMISSIONER

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 JERSEY CENTRAL POWER AND LIGHT COMPANY  
PURSUANT TO N.J.S.A. 40:55D-19 FOR A DETERMINATION THAT THE OCEANVIEW  
230Kv TRANSMISSION PROJECT IS REASONABLY NECESSARY FOR THE SERVICE,  
CONVENIENCE OR WELFARE OF THE PUBLIC  
Docket No. EO14030281

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