



Agenda Date: 9/22/17
Agenda Item: IIA-2

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF JERSEY)	ORDER ON REQUEST FOR
CENTRAL POWER & LIGHT COMPANY PURSUANT)	EXTENSION FOR FILING
TO <u>N.J.S.A.</u> 40:55D-19 FOR A DETERMINATION THAT)	EXCEPTIONS TO INITIAL
THE MONTVILLE-WHIPpany 230 KV TRANSMISSION)	DECISION
PROJECT IS REASONABLY NECESSARY FOR THE)	
SERVICE, CONVENIENCE OR WELFARE OF THE)	BPU DOCKET NO. EO15030383
PUBLIC)	OAL DOCKET NO. 08235-2015N

Parties of Record:

Stefanie A. Brand, Esq., Director; New Jersey Division of Rate Counsel
Gregory Eisenstark, Esq., Windels Marx Lane & Mittendorf, LLP, on behalf of Jersey Central Power and Light Company
Fred Semrau, Esq., Dorsey & Semrau, LLC, on behalf of the Township of Montville
Stephen J. Edelstein, Esq., Schwartz Simon Edelstein & Celso, LLC, on behalf of the Montville Board of Education

BY THE BOARD:

On or about March 27, 2015, Jersey Central Power & Light Company ("JCP&L" or "Company") filed a petition with the New Jersey Board of Public Utilities ("Board" or "BPU") pursuant to N.J.S.A. 40:55D-19 seeking a determination that the Montville-Whippany 230 kV Transmission project ("Project") is reasonably necessary for the service, convenience or welfare of the public, and therefore the Company is entitled to relief from complying with the zoning, site plan review and other municipal land use ordinances or rules passed by municipalities along the proposed Project route under authority of Title 40, the Municipal Land Use Law ("MLUL"). The matter was transmitted to the Office of Administrative Law ("OAL") for hearing as a contested matter, and subsequently assigned to the Honorable Leland McGee, Administrative Law Judge ("ALJ McGee").

On May 1, 2015, the Township of Montville ("Montville"), a municipality located within JCP&L's service territory along the proposed route of the Project, moved to intervene as a party in the proceeding. ALJ McGee granted Montville's motion to intervene pursuant to N.J.S.A. 48:2-32.2 on June 17, 2015. The Montville Board of Education ("Montville BOE") filed a motion to intervene on August 19, 2015, which was granted on September 8, 2015.

After prehearing conferences, JCP&L filed a Motion to Establish a Procedural Schedule on August 21, 2015. ALJ McGee issued a Prehearing Order which contained the Procedural Schedule on September 8, 2015.

A public hearing was held on December 8, 2015. Evidentiary hearings were held on May 23, 24, 25, and 26, 2016. Post hearing briefs were filed by all parties in June 2016, and ALJ McGee closed the record on June 27, 2016.

On July 26, 2017 the Board issued an Order granting the OAL multiple, as within time, extensions to issue an initial decision on or before August 9, 2017.

On August 10, 2017, ALJ McGee issued an Initial Decision which was received by the Board on August 10, 2017 stating that exceptions to the Initial Decision must be filed within thirteen (13) days of the date the decision was mailed to the parties, to wit on or before August 23, 2017.

On August 17, 2017, Montville BOE filed a request for a ten (10) day extension of time to file exceptions to the initial decision, or on or before September 5, 2017. Counsel for all parties consented to the request, which was granted by the Board on August 23, 2017.¹

On August 24, 2017, Wildlife Preserves, Inc. ("Wildlife Preserves") filed a letter indicating that due to a service error, it did not receive the initial decision until August 18, 2017. Wildlife Preserves requested an extension of time to file exceptions to the Initial Decision, or on or before September 15, 2017, stating that the attorney would be on vacation at the end of August. Counsel for all parties and Staff consented to the request.

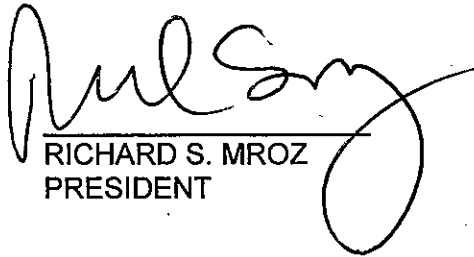
In accordance with N.J.A.C. 1:1-18.8(d), the Board **HEREBY GRANTS**, as within time, Wildlife Preserves' request for an extension of time, to September 15, 2017, to file exceptions to the Initial Decision.

¹ In The Matter Of The Petition Of Jersey Central Power & Light Company Pursuant To N.J.S.A. 40:55d-19 For A Determination That The Montville-Whippany 230 Kv Transmission Project Is Reasonably Necessary For The Service, Convenience Or Welfare Of The Public, Docket No. Eo15030383 (August 23, 2017).

This Order shall be Effective on October 1, 2017.

DATED: 9/22/17

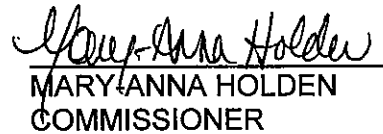
BOARD OF PUBLIC UTILITIES
BY:



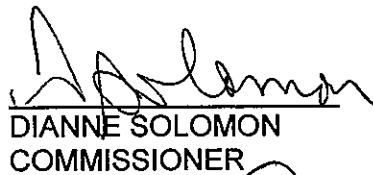
RICHARD S. MROZ
PRESIDENT



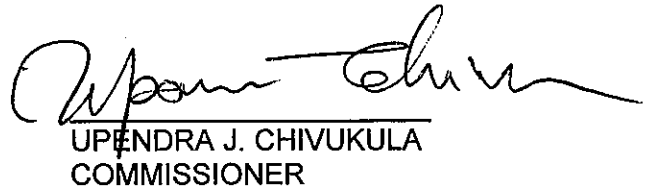
JOSEPH L. FIORDALISO
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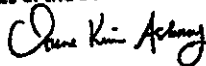


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 

IRENE KIM ASBURY
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 & LIGHT COMPANY
PURSUANT TO N.J.S.A. 40:55D-19 FOR A DETERMINATION THAT THE MONTVILLE-
WHIPPANY 230 KV TRANSMISSION PROJECT IS REASONABLY NECESSARY FOR THE
SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC

BPU DOCKET NO. EO15030383 & OAL DOCKET NO. PUC 08235-2015N

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