

July 9, 2014

Rosalie Serapiglia
Division of Energy
New Jersey Board of Public Utilities
P. O. Box 350
Trenton, New Jersey 08625-0350

Dear Ms. Serapiglia,

Re: Proposed Vegetative Management Rules

The New Jersey State League of Municipalities (League) appreciates the opportunity to participate in the stakeholder process in drafting these proposed vegetative management (VM) rules. VM is an important tool to ensure safe and reliable electrical service for the residents of our 565 member municipalities, especially those municipalities located in areas of the state which are heavily forested. We are glad to partner with the Board, the Rate Counsel and the EDCs in drafting these rules. The League's comments will focus on two points: 1) the notice requirement to municipalities in advance of VM; and 2) the recovery of costs associated with VM done at the request of municipalities.

First, proposed subsections (f) & (g) of § 14:5-9.8 require that the EDCs give two months written notice to municipalities in advance of planned VM. The notice will be sent to a "primary contact" which is defined as the "mayor, town clerk or other person or position mutually agreed upon." As a matter of housekeeping, we suggest that the term "town clerk" be amended to "municipal clerk."

We appreciate this section and believe that a two month period of notice is adequate time for a municipality to take an inventory of any special VM needs that may exist. Municipalities are a resource that EDCs can use to better target areas which may be problematic. Improved communications between the municipalities and the EDCs can only lead to more effective VM.

Second, subsection (f) of § 14:5-9.3 states that when an EDC performs VM at the request of a municipality, other than VM required under this subchapter, the EDC may require the municipality to pay the incremental cost above the EDC's cost to perform the VM required by this subchapter.

The League understands the concerns that these regulations are meant to counter. It is hard though to establish a clear line between unnecessary VM and VM required by this subchapter. The League is concerned that, given the notice requirement discussed above, this section may have a chilling effect on

the willingness of municipalities to communicate any special VM needs that they have in preparation for an EDC's planned VM.

The League, therefore, requests that § 14:5-9.3(f) be amended so that EDC's will be unable to recover the cost of any municipal request for VM which is a result of the EDC's two month notice requirement pursuant to § 14:5-9.8 (f) & (g). We feel that this amendment will protect the EDCs (& ratepayers) from unreasonable VM requests while fostering better communications between the municipalities and the EDCs and, consequently, much better VM.

If you have any further questions or concerns please contact the League's Associate Counsel-Staff Attorney Edward Purcell Esq. at (609) 695-3481 x 137.

Very Truly Yours,



Janice S. Mironov,
League Immediate Past President,
Mayor, East Windsor Township

WGD:ep/sc

cc. (via electronic mail)
Jerome May, BPU Division of Energy
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