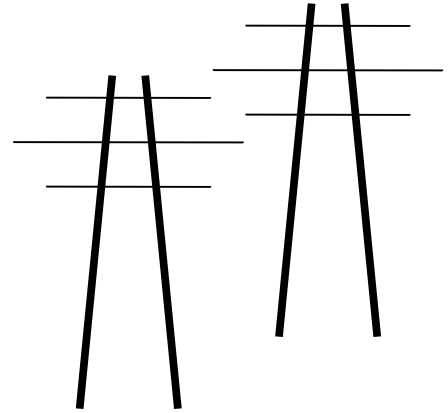


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January 25, 2010

Joseph L. Fiordaliso, Commissioner  
New Jersey Board of Public Utilities  
2 Gateway Center  
Newark, New Jersey 07102

Ken Sheehan, DAG  
Division of Law  
Dept. of Law and Public Safety  
124 Halsey Street  
Newark, New Jersey 07102

Kristi Izzo, Secretary of the Board  
New Jersey Board of Public Utilities  
2 Gateway Center  
Newark, New Jersey 07102

**VIA EMAIL ONLY**

**Re: I/M/O THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY FOR A DETERMINATION PURSUANT TO THE PROVISIONS OF  
N.J.S.A. 40:55D-19 (SUSQUEHANNA-ROSELAND)  
BPU DOCKET NO. EM 09010035**

Dear Commissioner Fiordaliso, Mr. Sheehan, and Ms. Izzo (and all parties):

Thank you all for reopening the hearing in the above-entitled matter and setting a date for further testimony and cross-examination.

As one new to this Jurisdiction and reliant upon the Administrative Rules and my contemporaries for guidance, in reviewing the Order, and the letter of PJM of January 21, 2010, I find that Stop the Lines and the other intervenors are in an odd predicament, facing a hearing and preparing for cross-examination of a witness... with unknown boxes of exhibits... and cross-examination about what exactly we do not know... We can at best guess at what might transpire at this hearing -- we have all received the PJM letter, but there were no citations, no documents attached, no studies referenced, and we have no idea of the basis for Mr. Herling's statements. We also have no time to review whatever may be coming our way.

A hearing in these circumstances, without Discovery, without Pre-Filed testimony, is unusual and not contemplated in the rules that I can locate, and puts Intervenors, faced with responding to unknowns, at a distinct disadvantage. While I welcome “free-range” administrative practice as much as the next attorney, perhaps more, it is my hope that the liberties and responsibilities extend to all parties.

With the goal of clarifying the January 21, 2010 letter of Mr. Herling, I have forwarded Discovery directly related to that letter and its conclusions to PSE&G that should provide advance notice of the sorts of issues STL is inclined to pursue, and the documents necessary. I ask that PSE&G provide some basic disclosure so that we can meaningfully utilize the time afforded us next week.

I ask that the Board consider granting leave within the schedule as Ordered for limited Discovery, such as that propounded by Stop the Lines! earlier today, to facilitate informing this record. As PSE&G is preparing for next week, equity requires that it should at the very least give Intervenors some advance notice.

Thank you for your consideration,



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Pro Hac Vice for Stop the Lines



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cc: Service List