

— LAW OFFICES —

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January 14, 2010

BY EMAIL

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

**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 Ms. Izzo:

On behalf of the Municipal Intervenors, we strongly object to the letter Steven Herling of PJM submitted to the Board this afternoon. This correspondence is nothing more than unsubstantiated testimony, and it should be completely disregarded by this Board. Interestingly, PSE&G opposed the Intervenors' motion requesting oral argument, in part because of its concern that unsubstantiated testimony might find its way into the record.

If Mr. Herling is prepared to appear tomorrow for cross-examination by the Intervenors, the Intervenors will be prepared to engage him. Otherwise, the Board must take no notice of his correspondence.

Thank you for your attention.

Very truly yours,

DeCotiis, FitzPatrick & Cole, LLP.

By: 
Catherine E. Tamasik

cc: All Parties on the Service List
Hon. Jeanne M. Fox, President of the Board
Hon. Frederick F. Butler, Commissioner
Hon. Nicholas Asselta, Commissioner
Hon. Elizabeth Randall, Commissioner