



**STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102**

**AGENDA FOR BOARD MEETING
WEDNESDAY, OCTOBER 24, 2007
9:00 a.m. – NEWARK
EXECUTIVE SESSION***

**(Open Session will not reconvene until 10:00 a.m., at the earliest, following the conclusion of the Executive Session, which will commence at 9:00 a.m.)*

2 ENERGY

- A.** Docket No. ER07070516 - In the Matter of Richard G. Murphy, II, for Mandatory Relief for Public Service Electric and Gas Company's Overcollection of "Stranded Cost" Surcharges Pursuant to N.J.S.A. 48:3-61; and

In the Matter of Murphy et al. v. Public Service Electric and Gas Company, et al. Superior Court of New Jersey, Law Division Docket No. BER-I-2536-07.

- F.** Docket No. EO06080618 - In the Matter of the United States Department of Energy Office of Electricity Delivery and Energy Reliability's National Electric Transmission Congestion Report and Order Designating National Interest Electric Transmission Corridors: Request for Rehearing.

- H.** Non-Docketed Matter – In the Matter of Morgan Stanley Capital Group Inc., Petitioner v. Public Utility District No. 1 of Snohomish County, Washington, et al., No. 06-1457, Supreme Court of the United States, 2007 U.S. LEXIS 9070; 76 U.S.L.W. 3154.

8. CLEAN ENERGY

- B.** Docket No. EO07080573 – In the Matter of the Request by Rutgers University for a Waiver from CORE Program Requirements.

- C.** Docket No. EO07020089 - In the Matter of the Borough of Hightstown's Power Purchase Agreement with WorldWater & Power Corporation Appellate Docket No. A-005107-06T1 – Motion for Declaratory Ruling by the Board.



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WEDNESDAY, OCTOBER 24, 2007
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CONSENT AGENDA

I. AUDITS

A. In the Matter of the Electric Power Supplier Final License:

Electric and/or Gas Power Supplier License Renewals

EE07060388L	Constellation NewEnergy, Inc.	R – ESL
EE07080651L	Hess Corporation	R – EGSL
GE07050322L		

Energy Agent and/or Private Aggregator Final Registrations

EE07060414L	Usource, LLC F –	EA/PA
GE07060415L		
EE07060387L	Austere Energy Management, Inc.	F - EA

Energy Agent/Private Aggregator Renewal Registrations

EE07050305L	Co-Exprise, Inc.	R – EA/P
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II. ENERGY

- A. Docket No. GE07060364 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of a Municipal Franchise in the Borough of Manasquan, Monmouth County.
- B. Docket No. GE07060365 - In the Matter of the Petition of New Jersey Natural Gas Company for Approval of a Municipal Franchise in the Borough of Lincoln Park, Morris County.

III. CABLE TELEVISION

- A. Docket No. CE07060418 – In the Matter of the Petition of Comcast of Burlington County, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Burlington, County of Burlington, State of New Jersey.

IV. TELECOMMUNICATIONS

- A. Docket No. TM07070564 – In the Matter of the Application for Transfer of Control of Yipes Enterprise Services, Inc. to Flag Telecom Group Services Limited.
- B. Docket No. TF07090691 – In the Matter of the Verified Joint Petition of Zayo Bandwidth Northeast, LLC and Zayo Bandwith Northeast Sub, LLC for Authority to Incur Debt Obligations and Encumber Utility Property.

V. WATER

- A. Docket No. WR07090706 - In the Matter of the Petition of Crestwood Village Water Company for an Increase in Rates & Charges for Water Service – Suspension Order.
- B. Docket No. WR07090707 - In the Matter of the Petition of Gordon’s Corner Water Company for an Increase in Rates and Charges for Water Service – Suspension Order.
- C. Docket No. WR07090715 – In the Matter of the Petition of Environmental Disposal Corporation for an Increase in Rates – Suspension Order.
- D. Docket No. WE07020103 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval of a Municipal Consent Granted by the Borough of Rocky Hill, County of Somerset, New Jersey.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A. Docket Nos. BPU EC06100748U and OAL PUC 51-07– In the Matter of Deborah Harris, Petitioner v. Atlantic City Electric, Respondent – Initial Decision.
- B. Docket Nos. BPU GC07010065U and OAL PUC 7246-06 – In the Matter of Laundry World, LLC, Petitioner v. Public Service Electric and Gas Company, Respondent – Initial Decision.
- C. Docket No. GC07010044U and OAL PUC 3047-07 – In the Matter of Ethel & Lucy, Inc. t/a Ain’t We Sweet, Petitioner v. Pubic Service Electric and Gas Company, Respondent – Initial Decision.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION



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AGENDA**

1. AUDITS

NO ITEMS FOR CONSIDERATION

2. ENERGY

- A.** Docket No. ER07070516 - In the Matter of Richard G. Murphy, II, for Mandatory Relief for Public Service Electric and Gas Company's Overcollection of "Stranded Cost" Surcharges Pursuant to N.J.S.A. 48:3-61; and

In the Matter of Murphy et al. v. Public Service Electric and Gas Company, et al. Superior Court of New Jersey, Law Division Docket No. BER-I-2536-07 – **SEE EXECUTIVE SESSION.**

- B.** Docket Nos. BPU ER07020104 and OAL PUC 03968-2007N - In the Matter of the Motion of Public Service Electric and Gas Company to Modify its Manufactured Gas Plant (MGP) Remediation Component within its Electric Societal Benefits Charge (SBC) and its Gas SBC; for a Board Order Finding That its MGP Remediation Work Performed During the Remediation Adjustment Chart (RAC) 13 and 14 Periods, August 1, 2004 to July 31, 2005 and August 1, 2005 to July 31, 2006, Respectively, was Prudent; that the Resulting RAC 13 and 14 Costs are Reasonable and Available for Recovery; and to Make Changes in the Tariff for Electric Service, B.P.U.N.J. No. 14; and to Make Changes in the Tariff for Gas Service B.P.U.N.J. No.14 Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 – Initial Decision.
- C.** Non-Docketed Matter - In the Matter of American Electric Power Service Corporation v. Midwest Independent Transmission System Operator, Inc., and PJM Interconnection, L.L.C., FERC Docket No. EL07-101 - Motion to Intervene Out of Time.
- D.** Docket Nos. BPU GR06060419 and PUCRA 11223-2006N - In the Matter of the Petition of Pivotal Utility Holdings Inc. d/b/a Elizabethtown Gas Company to (1) Reconcile its Periodic Basic Gas Supply Service Rate; and (2) Revise its Seasonal Delivery Service Commodity Charge – Initial Decision.

2. ENERGY (CONT'D)

- E. Docket Nos. BPU GR07070520 and PUC 07885-2007N - In the Matter of the Petition of Pivotal Utility Holdings Inc. d/b/a Elizabethtown Gas Company to Reconcile its Periodic Basic Gas Supply Service Rate.
- F. Docket No. EO06080618 - In the Matter of the United States Department of Energy Office of Electricity Delivery and Energy Reliability's National Electric Transmission Congestion Report and Order Designating National Interest Electric Transmission Corridors: Request for Rehearing – **SEE EXECUTIVE SESSION.**
- G. Non-Docketed Matter - In the Matter of PJM Interconnection, L.L.C. (Capacity Export), FERC Docket No. EL07-1050; Motion to Intervene Out of Time and Technical Conference Comments.
- H. Non-Docketed Matter – In the Matter of Morgan Stanley Capital Group Inc., Petitioner v. Public Utility District No. 1 of Snohomish County, Washington, et al., No. 06-1457, Supreme Court of the United States, 2007 U.S. LEXIS 9070; 76 U.S.L.W. 3154 – **SEE EXECUTIVE SESSION.**
- I. Docket No. EM99110870 - In the Matter of Atlantic City Electric Company Regarding the Sale of Nuclear Assets - Motion of Atlantic City Electric Company for an Order of the Board Stating that it will Finalize the Determination of Stranded Costs In Accordance with a Private Letter Ruling Issued by the Internal Revenue Service.

3. CABLE TELEVISION

- A. Docket Nos. BPU CR06110778 and OAL CTV 01126-2007N – In the Matter of the Application of Cablevision of Rockland/Ramapo, LLC (Mahwah Rate District) Rate Change Under FCC Form 1240 to Set its Maximum Permitted Rate for Regulated Cable Services - Initial Decision.

Docket Nos. BPU CR06110779 and OAL CTV 01123-2007N – In the Matter of the Application of Cablevision of Rockland/Ramapo, LLC (Montvale Rate District) Rate Change Under FCC Form 1240 to Set its Maximum Permitted Rate for Regulated Cable Services - Initial Decision.

Docket Nos. BPU CR06110780 and OAL CTV 01124-2007N – In the Matter of the Application of Cablevision of Warwick, LLC (West Milford Rate District) Rate Change Under FCC Form 1240 to Set its Maximum Permitted Rate for Regulated Cable Services - Initial Decision.

Docket Nos. BPU CR06110781 and OAL CTV 01122-2007N – In the Matter of the Application of CSC TKR, Inc. d/b/a Cablevision of Elizabeth Rate Change Under FCC Form 1240 to Set its Maximum Permitted Rate for Regulated Cable Services – Initial Decision.

Docket Nos. BPU CR06110784 and OAL CTV 01121-2007N – In the Matter of the Application of CSC TKR, Inc. d/b/a Cablevision of Raritan Valley Rate Change Under FCC Form 1240 Set its Maximum Permitted Rates for Regulated Cable Services – Initial Decision.

3. CABLE TELEVISION (CONT'D)

Docket Nos. BPU CR06110785 and OAL 01125-2007N – In the Matter of the Application of Cablevision Systems Corporation for Approval of an Aggregate Filing of FCC Form 1205 to Update Regulated Equipment and Installation Charges – Initial Decision.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A.** Docket No. WR92080846J – In the Matter of the Petition of Valley Road Sewerage Company Motion for Emergent Rate Relief and Petition for an Increase in Rates – Request for Emergent Interim Rate Relief.
- B.** Docket Nos. BPU WR07020135 and OAL PUCRL 3325-2007N – In the Matter of the Joint Petition of United Water New Jersey, Inc., United Water Arlington Hills, Inc., United Water Hampton, Inc., United Water Vernon Hills, Inc. and United Water Lambertville, Inc. for an Increase in Rates and Charges for Water Service and Other Tariff Changes and for Approval to Merge the Operations of the Joint Petitioners into and with United Water New Jersey, Inc. – Initial Decision.
- C.** Docket No. WE05090784 - In the Matter of the Petition of Seaview Harbor Water Company, LLC for the Approval of Municipal Consents to Provide Water Service to Certain Areas of Seaview Harbor, to Acquire the Water Systems of Seaview Water Company, and other Regulatory Approvals.
- D.** Docket Nos. BPU WR07040275 and OAL PUCRL 05663-2007N - In the Matter of Middlesex Water Company for Approval of its Increase in Rates for Water Service and other Tariff Changes - Initial Decision.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

8. CLEAN ENERGY

- A.** Docket No. EO07100773 – In the Matter of a Request to Suspend the Acceptance and Processing of New Solar Applications in New Jersey's Clean Energy Program's Customer On-site Renewable Energy (CORE) Rebate Program.
- B.** Docket No. EO07080573 – In the Matter of the Request by Rutgers University for a Waiver from Customer On-site Renewable Energy (CORE) Program Requirements – **SEE EXECUTIVE SESSION.**

8. CLEAN ENERGY (CONT'D)

C. Docket No. EO07020089 - In the Matter of the Borough of Hightstown's Power Purchase Agreement with WorldWater & Power Corporation Appellate Docket No. A-005107-06T1 – Motion for Declaratory Ruling by the Board - **SEE EXECUTIVE SESSION.**

D. In the Matter of the Clean Energy Program Authorization of Smart Start Energy Efficiency Rebates Exceeding \$50,000:

Docket No. EO07100747 - Fedway Associates, Inc.

Docket No. EO07100748 - Rath Gibson

Docket No. EO07100749 - Levitz

Docket No. EO07100751 – Wakefern

9. MISCELLANEOUS

A. Non-Docketed Matter - In the Matter of Centex Homes, LLC Petition for Extension of Service and/or for Exemption from Smart Growth Rules N.J.A.C. 14:3-8.1 et seq. Pursuant to N.J.S.A. 48:2-27 and N.J.A.C. 14:3-8.8(a)(4) or (a)(6).

CLEAN ENERGY UPDATE

- 2007 Clean Energy Program Budget Year to Date Expenditure.
- Customer On-site Renewable Energy Update.
- 2008 Renewable Energy Budget Allocation for Customer On-site Renewable Energy.
- Applied Energy Group Presentation – New Clean Energy Program Payment Request Tracking Billing Information Management System.

LATE STARTER A

ENERGY

Docket No. GR05110978 – In the Matter of the Petition of South Jersey Gas Company to Change the Level of its Temperature Adjustment Clause; and

Docket No. GR06100751- In the Matter of the Petition of South Jersey Gas Company to Change the Level of its Temperature Adjustment Clause.

LATE STARTER B

ENERGY

Docket No. GR07060355 – In the Matter of the Petition of South Jersey Gas Company to Reduce the Level of its Basic Gas Supply Service Charge; and

Docket No. GR07060354 - In the Matter of the Petition of South Jersey Gas Company to Implement a Conservation Incentive Program Charge.