



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

**AGENDA FOR BOARD MEETING
WEDNESDAY, AUGUST 19, 2009
10:00 a.m. – NEWARK
EXECUTIVE SESSION***

**(Open Session will not reconvene until 11:00 a.m., at the earliest, following the conclusion of the Executive Session, which will commence at 10:00 a.m.)*

1. AUDITS

- A. Docket No. EA09040305 – In the Matter of the Audit of Affiliated Transactions and Comprehensive Management Audit of Public Service Electric and Gas Company – Consideration of Evaluation Committee Recommendation.

2. ENERGY

- F. Non-Docketed Matter - In the Matter of the PJM Interconnection, LLC, FERC Docket Nos. ER05-1410 et al., EL05-148 et al.; Maryland Public Service Commission et al. vs. PJM Interconnection, LLC FERC Docket No. EL08-67; PJM Interconnection, LLC FERC Docket No. ER09-412 (Reliability Pricing Model).
- H. Docket Nos. BPU EX02060363 and EA02060366 and OAL PUC 03127-07 - In the Matter of the Deferred Balances Audit of PSE&G Phase II.

3. CABLE TELEVISION

- A. Docket No. CR08121104 - In the Matter of the Filings by Time Warner Cable-Bergen County Rate Change Under FCC Form 1205 Determining Regulated Equipment and Installation Costs.

8. CLEAN ENERGY

- B. Docket No. EO09060470 – In the Matter of Funding in the Amount of \$20.6 Million from the State Energy Program of the American Recovery and Reinvestment Act for Competitive Grants Involving Innovative Energy Efficiency and Renewal Energy Projects by State Entities – Consideration of Evaluation Committee Recommendation.

EXECUTIVE SESSION*

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8. CLEAN ENERGY (CONT'D)

- E. Docket No. EOO9030210 - In the Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order:

Docket No. EO09070542 - Memorandum of Understanding with the New Jersey Housing and Mortgage Finance Agency (HMFA);

Docket No. EO09070543 - Memorandum of Understanding with the Office of Energy Savings (OES); and

Docket No. EO09070544 – Memorandum of Understanding with the Economic Development Authority (EDA).

- G. Docket No. EO08060423 – In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 – In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement.

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LATE STARTER A

ENERGY

Docket No. AO05080734 – In the Matter of a Pilot Program Allowing Sub- Metering (formerly check-metering) in Residential Properties Regulated by the New Jersey Housing and Mortgage Financing Agency.



**AGENDA FOR BOARD MEETING
WEDNESDAY, AUGUST 19, 2009
11:00 a.m. – NEWARK
CONSENT AGENDA**

I. AUDITS

- A.** Docket No. TE09060454 – In the Matter of the Petition of LifeConnex Telecom, LLC - Approval to Provide Local Exchange Telecommunications Services throughout the State of New Jersey.
- B.** In the Matter of the Private Aggregator Renewal Registration/Energy Agent and Energy Consultant Final Registrations:

Natural Gas Supplier License Renewal

GE09050368L	Woodruff Energy	R-GSL
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Energy Agent and Private Aggregator Renewal Registrations

EE09060441L	Affiliated Power Purchasers	R-EA/PA
GE09060442L	International, LLC d/b/a APPI	

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

- A.** Docket No. CE09030224 – In the Matter of the Petition of TWFanch One, Company, d/b/a Time Warner Cable of New York and New Jersey - Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Town of Guttenberg, County of Hudson, State of New Jersey.
- B.** Docket No. CE09050407 – In the Matter of the Petition of Cablevision of Oakland, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television in the Borough of Lincoln Park, County of Morris, State of New Jersey.
- C.** Docket No. CE09030233 – In the Matter of the Petition of Service Electric Cable TV of Hunterdon, Inc. for the Renewal of the Certificate of Approval for the Continued Construction, Operation and Maintenance of a Cable Television System in the Township of Kingwood, County of Hunterdon, State of New Jersey.

III. CABLE TELEVISION (CONT'D)

- D.** Docket No. CO09070530 – In the Matter of Verizon New Jersey, Inc. Certification of Capability to Provide Cable Television Service to 60 Percent of Households in Eight Designated Municipalities.
- E.** Docket No. CE09050354 – In the Matter of the Petition of Comcast of Avalon, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Sea Isle City, County of Cape May, State of New Jersey.
- F.** Docket No. CE08100887 – In the Matter of the Petition of Comcast of Wildwood, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Gloucester City, County of Camden, State of New Jersey.

IV. TELECOMMUNICATIONS

- A.** Non-Docketed Matter – Approval for the Followings as Within Time:

In the Matter of Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscriber Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership - WC Docket No. 07-38

In the Matter of Interconnection Comparison and Consumer Survey Requirements - In the Broadband Data Improvement Act GN - Docket No. 09-47.

In the Matter of a National Broadband Plan for our Future - GN Docket No. 09-51.

- B.** Docket No. TM09050385 – In the Matter of the Verified Joint Petition of Birch Communications, Inc. and Cleartel Telecommunications, Inc. d/b/a Now Communications, Cleartel Communications, Essex Telecommunications, and Veranet Solutions for Approval of Transfer of Assets and Request for Confidential Treatment.
- C.** Docket No. TO08100949 – In the Matter of the Joint Application of Verizon New Jersey, Inc. and Peerless Network of New Jersey, LLC for Approval of an Interconnection Agreement Under Section 252 of the Telecommunications Act of 1996.
- D.** Docket No. TO01090575 – In the Matter of the Petition of Warwick Valley Telephone Company for Certification with Regard to the Use of Universal Service Support – Year 2010.

IV. TELECOMMUNICATIONS (CONT'D)

- E.** Docket No. TM09060438 – In the Matter of the Joint Petition of Zayo Group, LLC and Local Fiber LLC for Authority for (1) the Indirect Transfer of Control of Local Fiber LLC to Zayo Group, LLC and its Owners; and (2) the Participation of Local Fiber, LLC in Existing and New Financing Arrangements of Zayo Group, LLC; and

Docket No. TF08020082 – In the Matter of the Joint Petition of Zayo Bandwidth Northeast, LLC and Zayo Bandwidth Northeast Sub, LLC for Authority to Incur Debt Obligations and Encumber Utility Property.

V. WATER

NO ITEMS FOR CONSIDERATION

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU EC08070513U and OAL PUC 11483-08 – In the Matter of the Petition of Darren Nance, Petitioner, v. Public Service Electric and Gas Company, Respondent.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A.** Approval of the Minutes of July 11, 2007, July 27, 2007, February 8, 2008 meetings.



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AGENDA

1. AUDITS

- A. Docket No. EA09040305 – In the Matter of the Audit of Affiliated Transactions and Comprehensive Management Audit of Public Service Electric and Gas Company – Consideration of Evaluation Committee Recommendation – **EXECUTIVE SESSION.**

2. ENERGY

- A. Docket No. EO09060440 – In the Matter of the Provision of Basic Generation Service and Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff.
- B. Docket Nos. BPU GR08050367 and OAL PUC 12097-2008 – In the Matter of the Petition of South Jersey Gas Company to Change the Level of its Conservation Incentive Program Charge for the CIP Year Ending September 30, 2009.
- C. Docket Nos. BPU GR08050366 and OAL PUC 12098-2008 – In the Matter of the Petition of South Jersey Gas Company to Change the Level of its Basic Gas Supply Service.
- D. Docket No. EO08121065 – In the Matter of the Development of Individual Utility Energy Master Plans Pursuant to the Requirements of the New Jersey Energy Master Plan.
- E. Docket No. EO09010010 - In the Matter of the Appeal of Jersey Central Power & Light Company Pursuant to N.J.S.A. 40:55D-19 from a Decision of the Township of Tewksbury Land Use Board Denying an Application for the Preliminary and Final Site Plan Approval and Variances in Connection with the Construction of a 230kV/12.5kV Substation.

2. ENERGY (CONT'D)

- F. Non-Docketed Matter - In the Matter of the PJM Interconnection, LLC, FERC Docket Nos. ER05-1410 et al., EL05-148 et al.; Maryland Public Service Commission et al. vs. PJM Interconnection, LLC FERC Docket No. EL08-67; PJM Interconnection, LLC FERC Docket No. ER09-412 (Reliability Pricing Model) – **EXECUTIVE SESSION**.
- G. Non-Docketed Matter – In the Matter of the Tennessee Gas Pipeline Company, FERC Docket No. CP09-444.
- H. Docket Nos. BPU EX02060363 and EA02060366 and OAL PUC 03127-07 - In the Matter of the Deferred Balances Audit of PSE&G Phase II – **EXECUTIVE SESSION**.
- I. Docket No. ER08050310 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2009 – Jersey Central Power & Light Tiered Rate Structure.
- J. Docket No. EO09010056 - In the Matter of the Energy Efficiency Programs and Associated Cost Recovery Mechanisms; and

Docket No. EO09010061 - In the Matter of the Petition of Rockland Electric Company for Approval of an Energy Efficiency Stimulus Program and Associated Rate Recovery – Waiver of 180 Day Statutory Period.
- K. Docket No. EO09010056 - In the Matter of the Energy Efficiency Programs and Associated Cost Recovery Mechanisms; and

Docket No. EO09010063 - In the Matter of the Petition of Atlantic City Electric Company for Approval of an Energy Efficiency Stimulus Program, and Approval of an Associated Cost Recovery Mechanism and Bill Stabilization Adjustment Pursuant to N.J.S.A. 48:3-98.1 - Waiver of 180 Day Statutory Period..
- L. Docket No. EG09080583 – In the Matter of the American Recovery and Reinvestment Act of 2009 – State Electricity Regulators Assistance Funding Opportunity from the United States Department of Energy.
- M. Docket Nos. EO08050326 and EO08080542 – In the Matter of the Verified Petition of Jersey Central Power & Light Company Concerning a Proposal for Four Small Scale/Pilot Demand Response Programs for the Period Beginning June 1, 2009.

3. CABLE TELEVISION

- A. Docket No. CR08121104 - In the Matter of the Filing by Time Warner Cable - Bergen County Rate Change Under FCC Form 1205 Determining Regulated Equipment and Installation Costs – **EXECUTIVE SESSION**.

3. CABLE TELEVISION (CONT'D)

- B.** Docket No. CO09080599 - In the Matter of the Alleged Failure of US Cable of Paramus-Hillsdale, LLC to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq., the New Jersey Administrative Code, N.J.A.C. 14:17-1 et seq. and N.J.A.C. 14:18-1 et seq., and Certain Board Orders.
- C.** Docket No. CO09080600 - In the Matter of the Alleged Failure of CSC TKR, LLC to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1.1 et seq., and Certain Provisions of Board Orders.
- D.** Docket No. CM09060449 - In the Matter of the Petition of US Cable of Paramus-Hillsdale, LLC and Cablevision of NJ, LLC for Approval of the Transfer of Certain Assets and Related Transaction.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A.** Docket Nos. BPU WR09040303 & OAL PUC 05380-09 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval to Change the Level of its Purchased Water and Purchased Wastewater (Sewerage) Treatment Adjustment Clause.

6. RELIABILITY AND SECURITY

- A.** Docket No. GX08121086 – In the Matter of N.J.A.C. 14:7, Natural Gas Pipelines – Rule Adoption; and

Docket No. GX09070549 – In the Matter of Companion Proposal – Amendments to N.J.A.C. 14:7, Natural Gas Pipelines – Rule Proposal.

7. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU EC07060384U and OAL PUC 07666-07– In the Matter of Robert and Kathleen Salter, Petitioner, v. Jersey Central Power & Light Company, Respondent.

8. CLEAN ENERGY

- A. Docket No. EO09040329 – In the Matter of Customer On-Site Renewable Energy (CORE) Program Rebate Appeal: Applied Information Partners.
- B. Docket No. EO09060470 – In the Matter of Funding in the Amount of \$20.6 Million from the State Energy Program of the American Recovery and Reinvestment Act for Competitive Grants Involving Innovative Energy Efficiency and Renewal Energy Projects by State Entities – Consideration of Evaluation Committee Recommendation – **EXECUTIVE SESSION**.
- C. Docket No. EE95080363 - In the Matter of the Energy Savings Agreement between Public Service Electric and Gas Co. (PSE&G) and the Passaic Valley Sewerage Commission (PVSC).
- D. Docket Nos. EO08110971 and EO08121062-1064 – In the Matter of the Off-Shore Wind Rebate Program for the Installation of Meteorological Stations - Request for Extension.
- E. Docket No. EO09030210 - In the Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order:

Docket No. EO09070542 - Memorandum of Understanding with the New Jersey Housing and Mortgage Finance Agency (HMFA);

Docket No. EO09070543 - Memorandum of Understanding with the Office of Energy Savings (OES); and

Docket No. EO09070544 – Memorandum of Understanding with the Economic Development Authority (EDA) - **EXECUTIVE SESSION**.
- F. Docket No. EO09070573 - In the Matter of the Clean Energy Program Customer On-Site Renewable Energy (CORE) – Request for Extension of Completion Timeframe for Existing Commitment - New Jersey Meadowlands Commission (NJMC).
- G. Docket No. EO08060423 – In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 – In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement – **EXECUTIVE SESSION**.
- H. Docket No. EO09070572 – In the Matter of the Customer On-Site Renewable Energy Program Request for Extension - New Jersey National Guard Training Center in Sea Girt - Department of Military and Veterans Affairs (DMAVA).

9. MISCELLANEOUS

- A.** Docket No. AO08030152 – In the Matter of Andrew and Lauren Kaiser – Petition for an Exemption from Main Extension Rules at N.J.A.C. 14:3-8.8(b)(1).

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LATE STARTER A

ENERGY

Docket No. AO05080734 – In the Matter of a Pilot Program Allowing Sub-Metering (formerly check-metering) in Residential Properties Regulated by the New Jersey Housing and Mortgage Financing Agency – **EXECUTIVE SESSION**.