



STATE OF NEW JERSEY
Board of Public Utilities
 44 South Clinton Avenue, 1st Floor
 Post Office Box 350
 Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF ROCKLAND)	ORDER SUSPENDING
ELECTRIC COMPANY FOR APPROVAL OF AN)	PROCEDURAL SCHEDULE
INFRASTRUCTURE INVESTMENT PROGRAM, AND)	
RELATED COST RECOVERY MECHANISM)	DOCKET NO. ER22030198
)	
)	

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
James C. Meyer, Esq., Riker Danzig Scherer Hyland and Peretti LLP, on behalf of Rockland Electric Company
John L. Carley, Esq., Consolidated Edison Company of New York, Inc. on behalf of Rockland Electric Company

BY COMMISSIONER ROBERT M. GORDON:

RELEVANT BACKGROUND AND PROCEDURAL HISTORY

On March 30, 2022, Rockland Electric Company (“RECO” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board”) seeking approval of a five (5) year Infrastructure Investment Program (“IIP” or “Program”) with a total investment level of \$209 million pursuant to N.J.S.A. 48:2-1 et seq. and N.J.A.C. 14:3-2A.1 et seq. (“II&R Rules”) (“Petition”).¹

On May 18, 2022, the Board ordered that the Petition be retained by the Board for hearing, and pursuant to N.J.S.A. 48:2-32, designated myself, Commissioner Robert M. Gordon, as the Presiding Commissioner, with the authority to rule on all motions that arise during the pendency of the proceedings, and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues.² The Board further directed that any entity seeking to intervene or participate file the appropriate application with the Board on or before June 1, 2022, and any motion for admission *pro hac vice* should be filed concurrently with any motion to

¹ On December 19, 2017, the Board adopted new rules for utility “Infrastructure Investment and Recovery” to encourage utilities to implement infrastructure investments. The rules are codified at N.J.A.C. 14:3-2A.1 et seq. and became effective on January 16, 2018.

² In re the Petition of Rockland Electric Company for Approval of an Infrastructure Investment Program, and Related Cost Recovery Mechanism, Order Designating Commissioner, Setting Manner of Service and Bar Date, BPU Docket No. ER22030198, May 18, 2022.

intervene or participate.³

On May 24, 2022, South Jersey Gas Co. (“SJG”) and Elizabethtown Gas Co. (“ETG”) filed a Motion to Participate, and on June 1, 2022, RECO responded, *inter alia*, that it had no objection. On April 27, 2022, Public Service Electric & Gas Co. (“PSE&G”) filed a Motion to Participate.

On July 14, 2022, I issued a Prehearing Order setting Procedural Schedule and Rulings on Motions to Participate wherein, among other things, I granted SJG, ETG, and PSE&G’s Motions, and attached, as Exhibit A, the Procedural Schedule in this matter.⁴

On August 9, 2022, I received correspondence from RECO seeking to amend the Procedural Schedule attached as Exhibit A to the Prehearing Order, stating that Exhibit A was inconsistent with a joint proposed procedural schedule submitted on June 16, 2022. According to RECO, and agreed to by Rate Counsel, Exhibit A to the Prehearing Order had an “inadvertent transcription error that: (i) reflects an incorrect date for Rate Counsel/Intervenor testimony and (ii) omits the necessary item for discovery on Rate Counsel/Intervenor testimony.”

On August 24, 2022, I issued an Order Amending the Procedural Schedule wherein I granted RECO’s request, and ordered that a Modified Procedural Schedule, attached to the Order Amending the Procedural Schedule, supersede Exhibit A to the Prehearing Order.⁵

On September 1, 2022, I received correspondence from RECO requesting suspension of the Modified Procedural Schedule provided in the August 24 Order. RECO explained that the parties had a settlement in principle and would like to complete the settlement process. RECO additionally noted that all parties agree to the suspension.

DISCUSSION AND FINDINGS

I reviewed RECO’s September 1, 2022 correspondence and the joint request therein. Having the consent of the parties, and to allow for further settlement negotiations, I **HEREBY GRANT** RECO’s request to suspend the Modified Procedural Schedule provided in the August 24, 2022 Order, and I **HEREBY REQUEST** that the parties will work expeditiously toward a resolution of this matter.

³ Id.

⁴ In re the Petition of Rockland Electric Company for Approval of an Infrastructure Investment Program, and Related Cost Recovery Mechanism, Prehearing Order Setting Procedural Schedule and Rulings on Motions to Participate, BPU Docket No. ER22030198, July 14, 2022 (“Prehearing Order”).

⁵ In re the Petition of Rockland Electric Company for Approval of an Infrastructure Investment Program, and Related Cost Recovery Mechanism, Order Amending Procedural Schedule, BPU Docket No. ER22030198, August 24, 2022 (“August 24 Order”).

I **HEREBY DIRECT** that this Order be posted on the Board's website.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED:

9/2/22

A handwritten signature in black ink, appearing to read "Robert M. Gordon", written over a horizontal line.

ROBERT M. GORDON
COMMISSIONER

IN THE MATTER OF THE PETITION OF ROCKLAND ELECTRIC COMPANY FOR APPROVAL OF AN
INFRASTRUCTURE INVESTMENT PROGRAM, AND RELATED COST RECOVERY MECHANISM

BPU DOCKET NO. ER22030198

SERVICE LIST

<p><u>New Jersey Division of Rate Counsel</u> 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08625</p> <p>Brian O. Lipman, Esq., Director blipman@rpa.nj.gov</p> <p>David Wand, Esq., Managing Attorney dwand@rpa.nj.gov</p> <p>Bethany Rocque-Romaine, Esq. bromaine@rpa.nj.gov</p> <p>Brian Weeks, Esq. bweeks@rpa.nj.gov</p> <p>Rob Glover, Esq. rglover@rpa.nj.gov</p> <p>Christine Juarez, Esq. cjuarez@rpa.nj.gov</p> <p>Debora Layugan dlayugan@rpa.nj.gov</p> <p>Tylise Hyman thyman@rpa.nj.gov</p> <p>Mr. Max Chang mchang@synapse-energy.com</p> <p>Mr. David Peterson davep@chesapeake.net</p> <p>Mr. Marlon Griffing, Ph.D. mgriffing@pcmgregcon.com</p> <p><u>New Jersey Division of Law</u> 25 Market Street Post Office Box 112 Trenton, NJ 08625</p> <p>Pamela Owen, ASC, DAG pamela.owen@law.njoag.gov</p>	<p><u>Rockland Electric Company</u> Consolidated Edison Co. of New York, Inc. Law Department, Room 1815-S 4 Irving Place New York, NY 10003-0987</p> <p>John L. Carley, Esq. Associate General Counsel carleyj@coned.com</p> <p>Margaret Comes, Esq. Associate Counsel comesm@coned.com</p> <p>Consolidated Edison Co. of New York, Inc. Rate Engineering Department 4 Irving Place, 2nd Floor Southeast New York, NY 10003</p> <p>Cheryl Ruggiero, Department Manager ruggieroc@coned.com</p> <p>Vicki Dussek-Meighan Project Specialist meighanv@coned.com</p> <p>Thomas Whipple whippet@coned.com</p> <p>Orange and Rockland Utilities, Inc. One Blue Hill Plaza – 4th Floor Pearl River, NY 10965-3104</p> <p>Ann Cedrone Director, Financial Services cedronean@oru.com</p> <p>MD Sakib sakibm@oru.com</p> <p>Riker Danzig Scherer Hyland & Perretti LLP Headquarters Plaza One Speedwell Avenue P.O. Box 1981 Morristown, NJ 07962-1981</p> <p><u>James Meyer, Esq.</u> jmeyer@riker.com</p>
--	---

Steven Chaplar, DAG
steven.chaplar@law.njoag.gov

Matko Ilic, DAG
matko.ilic@law.njoag.gov

Meliha Arnautovic, DAG
Meliha.Arnautovic@law.njoag.gov

Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, NJ 08625-0350

Carmen D. Diaz, Acting Secretary
board.secretary@bpu.nj.gov

Robert Brabston, Esq., Executive Director
robert.brabston@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Carol Artale, Esq., Deputy General Counsel
carole.artale@bpu.nj.gov

Heather Weisband, Esq., Senior Counsel
heather.weisband@bpu.nj.gov

Mike Kammer, Director
mike.kammer@bpu.nj.gov

Paul Lupo
paul.lupo@bpu.nj.gov

Dean Taklif
dean.taklif@bpu.nj.gov

David Brown
david.brown@bpu.nj.gov

Sri Medicherla
sri.medicherla@bpu.nj.gov

Bart Kilar
bart.kilar@bpu.nj.gov

William Barkasy
william.barkasy@bpu.nj.gov

Kyle Felton
kyle.felton@bpu.nj.gov

Dr. Ben Witherell, Chief Economist
Ben.witherell@bpu.nj.gov

PSE&G

PSE&G Services Corp.
80 Park Plaza, T5
Newark, NJ 07102

Matthew Weisman
Matthew.weissman@pseg.com

Michele Falco
Michele.Falco@PSEG.com

Caitlyn White
Caitlyn.White@pseg.com

Aaron Karp
Aaron.karp@pseg.com

South Jersey Gas/Elizabethtown Gas

SJI Utilities, Inc.
520 Green Lane
Union, NJ 07083

Deborah M. Franco, Esq.
Vice President/Rates, Regulatory & Sustainability
dfranco@sjindustries.com

Sheree L. Kelly, JD, MDA Regulatory
Affairs Counsel
skelly@sjindustries.com