



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

ENERGY

IN THE MATTER OF THE PETITION OF TRENTON)	ORDER AMENDING
RENEWABLE POWER, LLC FOR APPROVAL OF A)	PROCEDURAL SCHEDULE
RENEWABLE ENERGY POWER PURCHASE)	
AGREEMENT WITH PUBLIC SERVICE ELECTRIC)	DOCKET NO. EM24020105
AND GAS COMPANY)	

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Gregory Eisenstark, Esq., on behalf of Trenton Renewable Power, LLC
Matthew Weissman, Esq., on behalf of Public Service Electric and Gas Company

BY PRESIDENT CHRISTINE GUHL-SADOVY:

On February 8, 2024, Trenton Renewable Power, LLC ("Trenton Renewable" or "Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") seeking approval of a renewable energy power purchase agreement ("PPA") with Public Service Electric and Gas Company ("PSE&G") ("Petition").

BACKGROUND

Trenton Renewable owns and operates a food waste recycling facility ("Facility"), also known as a "biomass facility," in Trenton, New Jersey. The Facility includes a digester that recycles vegetative food waste and produces renewable natural gas as a byproduct of the recycling process. The Facility comprises three (3) onsite 1.134 megawatt ("MW") electric generation turbines that use the natural gas produced by the digester to generate electricity ("Generation System"). The Generation System has a total nameplate capacity of 3.4 MW and electricity it generates is classified as Class 1 renewable energy pursuant to N.J.A.C. 14:8-1.2 and N.J.A.C. 14:8-2.5(b)(8) and (c). The Generation System is also a Qualified Facility ("QF") as defined under the Public Utility Regulatory Policy Act of 1979 ("PURPA"), originally codified at 16 U.S.C. § 2601 *et seq.* The Facility and Generation System are in PSE&G's service territory and the Generation System is interconnected with PSE&G's electric distribution system in Trenton, New Jersey.¹

Pursuant to an August 19, 2018 interconnection agreement between the Petitioner and PSE&G, Trenton Renewable currently sells the Generation System's net electric generation to PSE&G

¹ The Petitioner is an electric distribution customer of PSE&G.

under PSE&G's Purchased Electric Power ("PEP") tariff based on a wholesale avoided cost proxy.²

By the Petition, the Petitioner proposed the PPA with a purchase price of \$0.20 per kWh, which the Petitioner identified as being approximately one-tenth the actual market value of electricity produced by the Generation System. Trenton Renewable further identified that PSE&G's cost recovery for the PPA does not directly concern the Petitioner. Trenton Renewable noted that it understands PSE&G currently recovers costs associated with its purchase of energy from Trenton Renewable via PSE&G's non-utility generation charge of its electric tariff.

PROCEDURAL HISTORY

On February 27, 2024, PSE&G filed a motion to intervene in this matter ("Motion"), noting that it will be directly affected by the outcome of this proceeding and its inclusion will contribute to the development of a full and complete record for review by the Board. By letter dated March 4, 2024, Trenton Renewable replied to the Motion, noting that it did not oppose the Motion.

By Order dated April 17, 2024 the Board designated myself as presiding commissioner with authority to rule on all motions that may arise during the pendency of this proceeding and set all schedules as may be necessary to secure a just and expeditious determination of the issues in this proceeding.³ Also by the April 2024 Order, the Board granted the Motion, thereby granting PSE&G Intervenor status in this matter.

On December 10, 2024, I issued an Order Setting Procedural Schedule wherein a copy of the Procedural Schedule was attached thereto as Exhibit A.⁴

On December 20, 2024, I received correspondence from the New Jersey Division of Rate Counsel ("Rate Counsel") noting that, pursuant to Exhibit A of the December 2024 Order, Board Staff ("Staff") was to submit an "Initial Position" by December 18, 2024. The correspondence further provided that as of December 20, 2024, Rate Counsel had not received Staff's Initial Position. Based upon the delay, Rate Counsel concluded that, absent clarification from myself or Staff, the procedural schedule was "suspended until such time as Staff provides its position, subsequent to which a new schedule can be set."

DISCUSSION AND FINDINGS

I reviewed Rate Counsel's December 20, 2024 correspondence and Exhibit A to my December 2024 Order. Considering the need for an expeditious, yet comprehensive, resolution of the issues presented, and that to date Staff has not submitted its Initial Position, I **HEREBY ORDER** that the Modified Procedural Schedule, a copy of which is affixed to this Order, supersede the Procedural Schedule provided in the December 2024 Order. I **FURTHER ORDER** that the attached Modified Procedural Schedule be controlling as of the date of this Order.

² See: PSE&G Electric Tariff, Original Sheet No. 176, Payment Schedule PEP – Purchased Electric Power.

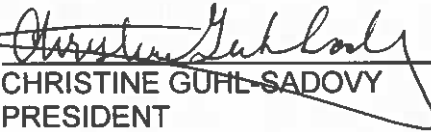
³ In re the Petition of Trenton Renewable Power, LLC for Approval of a Renewable Energy Power Purchase Agreement with Public Service Electric and Gas Company, BPU Docket No. EM24020105, Order dated April 17, 2024 ("April 2024 Order").

⁴ In re the Petition of Trenton Renewable Power, LLC for Approval of a Renewable Energy Power Purchase Agreement with Public Service Electric and Gas Company, BPU Docket No. EM24020105, Order dated December 10, 2024 ("December 2024 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: January 9, 2025

BY: 
CHRISTINE GUHL-SADOVY
PRESIDENT

**IN THE MATTER OF THE PETITION OF TRENTON RENEWABLE POWER, LLC FOR
APPROVAL OF A RENEWABLE ENERGY POWER PURCHASE AGREEMENT WITH
PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

DOCKET NO. EM24020105

AMENDED PROCEDURAL SCHEDULE

Discovery	Ongoing
Staff's Initial Position	January 15, 2025
Replies to Staff's Initial Position	February 5, 2025
Sur-replies	February 12, 2025

IN THE MATTER OF THE PETITION OF TRENTON RENEWABLE POWER, LLC FOR APPROVAL OF A
RENEWABLE ENERGY POWER PURCHASE AGREEMENT WITH PUBLIC SERVICE ELECTRIC AND GAS
COMPANY

BPU DOCKET NO. EM24020105

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