



STATE OF NEW JERSEY
Board of Public Utilities
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ENERGY

IN THE MATTER OF THE PETITION OF PUBLIC)
SERVICE ELECTRIC AND GAS COMPANY FOR)
APPROVAL OF THE NEXT PHASE OF THE GAS)
SYSTEM MODERNIZATION PROGRAM AND)
ASSOCIATED RECOVERY MECHANISM ("GSMP III"))

PREHEARING ORDER SETTING
PROCEDURAL SCHEDULE

DOCKET NO. GR23030102

Parties of Record:

Danielle Lopez, Esq., Public Service Electric and Gas Company
Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Steven S. Goldenberg, Esq., Giordano, Halleran and Ciesla, P.C. for New Jersey Large Energy Users Coalition
Anthony R. Francioso, Esq., Fornaro Francioso LLC for Environmental Defense Fund
Murray E. Bevan, Esq., Bevan, Mosca & Giuditta P.C. for NRG Energy, Inc.

BY COMMISSIONER ZENON CHRISTODOULOU:

BACKGROUND AND PROCEDURAL HISTORY

On March 1, 2023, Public Service Electric and Gas Company ("PSE&G" or "Company") filed a petition with the New Jersey Board of Public Utilities ("Board") seeking approval of the next phase of its Gas System Modernization Program ("GSMP") and an associated cost recovery mechanism pursuant to N.J.A.C. 14:3-2A ("Petition"). The Company's proposed program ("GSMP III" or "Program") includes a three (3)-year term with a total investment level of approximately \$2.54 billion, as an extension of the Company's original GSMP and second GSMP ("GSMP II") programs.¹

Via GSMP III, the Company proposed to replace 1,140 miles of gas main, consisting of 810 miles of low-pressure cast iron main, fifty (50) miles of high-pressure cast iron main, 200 miles of unprotected steel main, and eighty (80) miles of cathodically protected steel and plastic main ("Replacement Subprogram"). PSE&G estimated that, through the Program, the Company would replace 380 miles of main annually over the three (3)-year period from 2024 to 2026, beginning

¹ In re Public Service Electric and Gas Company for Approval of a Gas System Modernization Program and Associated Cost Recovery Mechanism, BPU Docket No. GR15030272, Order dated November 16, 2015; and In re the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Cost Recovery Mechanism ("GSMP II"), BPU Docket No. GR17070776, Order dated May 22, 2018.

January 1, 2024. The proposed Replacement Subprogram also included abandonment of approximately 210 district regulators, replacement of approximately 92,100 unprotected steel services, and relocation of approximately 49,200 inside meter sets to the outside. The Company estimated the Replacement Subprogram would cost approximately \$2.39 billion and reduce greenhouse gas emissions by approximately 59,000 metric tons of carbon dioxide equivalent ("CO₂e") by the end of 2026.

Additionally, PSE&G proposed a hydrogen blending project that included the installation of a one (1)-megawatt power-to-gas facility to provide the Company's distribution system with a two percent (2%) blended supply of hydrogen (Hydrogen Project"). The Company estimated the Hydrogen Project would cost approximately \$30 million and reduce greenhouse gas emissions by approximately 1,000 metric tons of CO₂e.

The Company further proposed to conduct a Renewable Natural Gas ("RNG") project to upgrade landfill gas to "pipeline quality" specifications before injection into the gas distribution system ("RNG Project"). According to the Company, the RNG Project would cost approximately \$123 million and would result in quantified net reductions for nitrogen oxides, carbon monoxide, sulfur dioxide, particulate matter 2.5, and particulate matter 10 air pollutants.

By the Petition, PSE&G proposed to recover Program costs through a new gas rate component of the Company's Infrastructure Investment Program ("IIP") charges with semi-annual rate adjustment filings beginning June 30, 2024.² The Company further proposed to include depreciation/amortization expenses to recover the invested capital over its useful book life, return on the net investment, and the impact of any tax adjustments applicable to the Program for recovery in its rates. PSE&G proposed to base its return on net investment upon the weighted average cost of capital ("WACC") approved by the Board in PSE&G's most recent base rate case, and that any change in the WACC authorized by the Board in any subsequent base rate case will be reflected in the subsequent revenue requirement calculations.³

PSE&G also proposed an Operations and Maintenance ("O&M") expense adjustment to account for cost savings from leak reductions resulting from the Replacement Subprogram, and the ongoing annual expenses related to the O&M of the proposed Hydrogen and RNG Projects. Additionally, the Company proposed to credit revenue associated with the sale of gas from the Hydrogen and RNG Projects and environmental attributes, and net any selling expenses from the RNG Project to its Basic Gas Supply Service-Residential Service Gas deferral balance.

According to the Petition, the estimated bill impact of the initial rate adjustment on the typical

² An IIP allows a utility to accelerate its investment in the construction, installation, and rehabilitation of certain non-revenue producing utility plant and facilities that enhance safety, reliability, and/or resiliency. See N.J.A.C. 14:3-2A.1.

³ At the time the Petition was filed, PSE&G's most recent base rate occurred in 2018. In re the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in Tariffs for Electric and Gas Service, B.P.U.N.J. No. 16 Electric and B.P.U.N.J. No. 16 Gas, and for Changes in Depreciation Rates, Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, and for Other Appropriate Relief, BPU Docket Nos. ER18010029 and GR18010030, OAL Docket No. PUC 01151-18, Decision and Order Adopting Initial Decision and Stipulation dated October 29, 2018. PSE&G's 2024 base rate case was resolved via a stipulation approved by the Board in October 2024. In re the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 17 Electric and B.P.U.N.J. No. 17 Gas, and for Changes in Depreciation Rates, Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, and for Other Appropriate Relief, BPU Docket Nos. ER23120924 and GR23120925, OAL Docket No. PUC 00926-24, Order Adopting Initial Decision and Stipulation dated October 9, 2024.

residential heating customer using 1,040 therms annually is an increase of approximately \$2.10 per month, or approximately 1.12% based upon rates effective March 1, 2023. Additionally, the Company estimated the cumulative bill impact of the completed Program on the typical residential heating customer to be an increase of approximately \$10.16 per month, or approximately 10.41% based upon rates effective March 1, 2023.

By Order dated April 12, 2023, the Board designated myself, Commissioner Zenon Christodoulou, as Presiding Commissioner in this matter, with the authority to rule on all motions that may arise during the pendency of this proceeding, and to set and modify any schedules as may be necessary to secure a just and expeditious determination of the issues.⁴ The Board further ordered that any entities seeking leave to intervene or participate in this matter must file the appropriate application with the Board on or before May 12, 2023, and any party wishing to file a motion for admission of counsel *pro hac vice* should do so concurrently with any motion to intervene or participate.

By Order dated June 27, 2023, I issued a ruling on the motions to intervene and participate in this matter.⁵ In the June 2023 Order, intervenor status was granted to the New Jersey Large Energy Users Coalition ("NJLEUC"), Environmental Defense Fund ("EDF"), and NRG Energy, Inc. ("NRG"). Participant status was granted to New Jersey Natural Gas Company ("NJNG"), Waters & Bugbee, Inc. ("W&B"), Engineers Labor-Employer Cooperative ("ELEC"), Ferreira Construction Company, Inc. ("Ferreira"), Middlesex County Utilities Authority ("MCUA"), South Jersey Gas Company ("SJG") and Elizabethtown Gas Company ("ETG"), New Jersey Laborers-Employers Cooperation and Education Trust ("NJLECET"), AARP, Local 94, International Brotherhood of Electrical Workers ("Local 94"), EmpowerNJ, UA Local 855, and Creamer-Sanzari Joint Venture ("CSJV").

Following proper notice, two (2) virtual public hearings were held on July 31, 2023. The public hearings were well attended by the public, the parties, and municipal officials. The majority of the attendees were supportive of the Program. The Board also received numerous written comments from constituents in support of the Program.

By Order dated October 11, 2023, the Board approved a stipulation of settlement authorizing a two (2)-year extension of PSE&G's GSMP II program ("GSMP II Extension") commencing on January 1, 2024 and ending on December 31, 2025.⁶ As noted in the October 2023 Order, the GSMP II Extension consisted of the investment of up to \$752 million to replace a minimum of 400 miles of Utilization Pressure Cast Iron and/or unprotected steel mains. Additionally, the Company was required to spend a total of \$150.4 million within Stipulated Base spending that was not eligible for accelerated cost recovery. As further noted in the October 2023 Order, the proposed GSMP III projects were held in abeyance while Board Staff was engaged in a stakeholder process

⁴ In re the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Recovery Mechanism ("GSMP III"), Order Designating Commissioner and Setting Manner of Service and Bar Date, BPU Docket No. GR23030102, Order dated April 12, 2023.

⁵ In re the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Recovery Mechanism ("GSMP III"), Order on Motions to Intervene or Participate, BPU Docket No. GR23030102, Order dated June 27, 2023 ("June 2023 Order").

⁶ In re the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Recovery Mechanism ("GSMP II"), BPU Docket No. GR17070776; and In re the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Recovery Mechanism ("GSMP III"), BPU Docket No. GR23030102, Order dated October 11, 2023 ("October 2023 Order").

to implement Executive Order 317.

Pursuant to the stipulation approved by the October 2023 Order, the parties were to convene for a status conference, no later than January 31, 2025, to resume this proceeding. On January 23, 2025, a status conference was conducted by the parties for this purpose.

On May 15, 2025, PSE&G submitted, for my review, a proposed procedural schedule. No party objected to the proposed schedule.

PREHEARING ORDER

I reviewed the parties' proposed procedural schedule. I **HEREBY ISSUE** the following Prehearing Order, along with the procedural schedule attached hereto as Exhibit A, and **HEREBY DIRECT** the parties to comply with its terms.

PREHEARING ORDER

1. NATURE OF PROCEEDINGS AND ISSUES TO BE RESOLVED:

A. Nature of Proceeding

Through this proceeding, PSE&G seeks approval of its GSMP III Program and an associated cost recovery mechanism pursuant to N.J.A.C. 14:3-2A. The Company proposed a three (3)-year Program with a total investment level of approximately \$2.54 billion. The Program, as proposed by PSE&G, includes the replacement of 1,140 miles of gas main within the Replacement Subprogram, the Hydrogen Project, and the RNG Project. Additionally, PSE&G proposed to recover costs associated with the Program through seven (7) semi-annual rate adjustment filings.

According to the Petition, the estimated bill impact of the initial rate adjustment on the typical residential heating customer using 1,040 therms annually is an increase of approximately \$2.10 per month, or approximately 1.12% based upon rates in effect on March 1, 2023. Additionally, the Company estimated the cumulative bill impact of the completed Program on the typical residential heating customer to be an increase of approximately \$10.16 per month, or approximately 10.41% based upon rates in effect on March 1, 2023.

B. Issues to be Resolved

- Ensure the Company's compliance with the IIP regulations codified at N.J.A.C. 14:3-2A;
- Ensure maximum benefit to ratepayers;
- Ensure compliance with prior Board Orders and Board policy as they relate to the proposed Program;
- Ensure the reasonableness of all construction, construction timelines, and design aspects of the Program;
- Ensure the reasonableness and lawfulness of the proposed cost recovery mechanism, including the proposed return on net investment; and
- Ensure the reasonableness of the size and duration of the Program.

2. PARTIES AND THEIR DESIGNATED ATTORNEYS OR REPRESENTATIVES:

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No change in designated trial counsel shall be made without leave if such change will interfere with the dates for hearings. If no specific counsel is set forth in this Order, any partner or associate may be expected to proceed with evidentiary hearings on the agreed dates.

3. **SPECIAL LEGAL REQUIREMENTS AS TO NOTICE OF HEARING:**

Pursuant to N.J.S.A. 48:2-32.6, after publication of notice in newspapers of general circulation in PSE&G's service territory, two (2) virtual public hearings were held on July 31, 2023.

4. **SCHEDULE OF HEARING DATES, TIME AND PLACE:**

Evidentiary hearings are tentatively scheduled for the week of November 17, 2025 at a time and location to be determined based upon the availability of the parties and myself.

5. **STIPULATIONS:**

The parties have entered into an Agreement of Non-Disclosure of Information Claimed to be Confidential.

By Order dated October 11, 2023, the Board approved a stipulation of settlement by which the parties to this proceeding agreed to hold the Petition and associated activities in abeyance and extend the Company's GSMP II program for two (2) years commencing on January 1, 2024 and ending on December 31, 2025.

6. **SETTLEMENT:**

The parties are encouraged to engage in settlement discussion. Notice should be provided to all parties of any settlement discussions for the preparation of an agreement to resolve the issues in the case.

7. **AMENDMENTS TO PLEADINGS:**

None at this time.

8. **DISCOVERY AND DATE FOR COMPLETION:**

The time limits for discovery shall be in accordance with N.J.A.C. 1:1-10.4 or as provided in Exhibit A hereto.

9. **ORDER OF PROOFS:**

9. **ORDER OF PROOFS:**

PSE&G has the burden of proof. The hearings will be conducted by topic in the following order:

First – PSE&G

Second – Rate Counsel

Third – NJLEUC

Fourth – EDF

Fifth – NRG

Sixth – Board Staff

10. **EXHIBITS MARKED FOR IDENTIFICATION:**

None at this time.

11. **EXHIBITS MARKED IN EVIDENCE:**

None at this time.

12. **ESTIMATED NUMBER OF FACT AND EXPERT WITNESSES:**

PSE&G, Rate Counsel, NJLEUC, EDF, and NRG's witnesses are yet to be determined. Once determined, additional witnesses may be identified by the parties for the purposes of rebuttal or sur-rebuttal.

Any party substituting witnesses shall identify such witnesses within five (5) days of determining to replace a witness, and in no event later than five (5) days before filing of testimony of a substitute witness. All direct testimony will be pre-filed, and all witnesses submitting pre-filed direct testimony will be subject to cross examination at evidentiary hearings, which will be conducted by topic (e.g., program elements, revenue requirements, and so forth).

13. **MOTIONS:**

All pending motions to intervene and/or participate have been addressed.

14. **SPECIAL MATTERS:**

None at this time.

I **HEREBY DIRECT** the parties to this proceeding to work cooperatively to the fullest extent possible in the interests of reaching a just determination in this proceeding.

In compliance with the Board's Orders in Docket No. EO20030254, I **FURTHER DIRECT** all parties to serve documents electronically.⁷ No hard copies shall be filed until the Board lifts the restrictions imposed by the Orders.

I **FURTHER 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: 7/24/25

A handwritten signature in black ink, appearing to read 'Zenon Christodoulou', written over a horizontal line.

DR. ZENON CHRISTODOULOU
COMMISSIONER

⁷ In re the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254, Orders dated March 19, 2020 and June 10, 2020.

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL OF
THE NEXT PHASE OF THE GAS SYSTEM MODERNIZATION PROGRAM AND ASSOCIATED RECOVERY
MECHANISM ("GSMP III")

DOCKET NO. GR23030102

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**EXHIBIT A
PROCEDURAL SCHEDULE**

**IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY
FOR APPROVAL OF THE NEXT PHASE OF THE GAS SYSTEM MODERNIZATION
PROGRAM AND ASSOCIATED RECOVERY MECHANISM ("GSMP III")**

DOCKET NO. GR23030102

New discovery requests to PSE&G*	June 12, 2025
PSE&G responses to new discovery	June 27, 2025
Discovery conference(s)	Week of July 7, 2025
Settlement conference(s)	Weeks of July 14 – August 18, 2025 (as needed and according to parties' availability)
Rate Counsel/Intervenor testimony	August 29, 2025
Deadline for discovery on Rate Counsel/Intervenor direct testimony	September 5, 2025
Settlement conference(s) (if needed)	Week of September 9, 2025
Responses to discovery on Rate Counsel/Intervenor direct testimony	September 19, 2025
PSE&G Rebuttal Testimony	October 3, 2025
Settlement conference(s) (if needed)	Weeks of October 20 and October 27, 2025
Discovery on rebuttal testimony	October 20, 2025
Response to discovery on rebuttal	November 3, 2025
Evidentiary hearings	Week of November 17, 2025
Settlement Conference(s) (if needed)	TBD
Initial briefs	TBD
Reply briefs	TBD

+ The parties agree that discovery is ongoing and will endeavor to answer all discovery requests within fifteen (15) days of service or earlier if possible.