



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF SOUTH)
JERSEY GAS COMPANY TO IMPLEMENT AN)
INFRASTRUCTURE INVESTMENT PROGRAM)
("IIP") AND ASSOCIATED RECOVERY MECHANISM)
PURSUANT TO N.J.S.A. 48:2-21 AND N.J.A.C. 14:3-)
2A) DOCKET NO. GR20110726

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Deborah M. Franco, Esq., SJI Utilities, on behalf of South Jersey Gas Company
Martin C. Rothfelder, Esq., Rothfelder Stern, L.L.C., on behalf of the Environmental Defense Fund

BY COMMISSIONER DIANNE SOLOMON:

BACKGROUND

On November 19, 2020, South Jersey Gas Company ("SJG" or "Company") filed a petition with the New Jersey Board of Public Utilities ("Board") seeking approval of its proposed Infrastructure Investment Program ("IIP" or "Program"), including an associated cost recovery mechanism, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:3-2A.1 et seq. ("I&R Rules") ("Petition").

According to SJG, the proposed IIP is a five-year program designed to modernize and enhance the safety and reliability of its gas distribution system by replacing its vintage, at-risk facilities, including the replacement of 825 miles of coated steel main installed prior to the 49 CFR 192 code adoption (pre-code), and vintage plastic mains in SJG's distribution system, and the installation of 43,500 excess flow valves on new service lines. The projected total expenditures associated with the proposed IIP total approximately \$742.5 million, excluding Allowance for Funds Used During Construction and the cost of an independent IIP monitor, which SJG proposed to recover under a proposed IIP Rider over the five-year IIP.

By Order dated January 7, 2021, the Board determined that the Petition should be retained by the Board for hearing, and pursuant to N.J.S.A. 48:2-32, designated myself, Commissioner Dianne Solomon, as the Presiding Commissioner with authority to rule on all motions that arise during the pendency of these proceedings, and modify any schedules that may be set as

necessary to secure a just and expeditious determination of the issues (January 2021 Order).¹ Further, in the January 2021 Order, the Board directed that any entity seeking to intervene or participate file the appropriate application with the Board by January 27, 2021, and any party wishing to file a motion for admission of counsel, *pro hac vice*, was requested to do so concurrently with any motion to intervene or participate.

On March 8, 2021, I issued a Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate ("March 2021 Order").² Throughout the proceeding, the parties exchanged discovery and engaged in discovery conferences. On April 29, 2021, I received correspondence from SJG seeking to modify the procedural schedule set forth in the March 2021 Order. SJG explained that such modification "would afford the parties more time to conduct discovery and discuss settlement." See April 29, 2021 correspondence at p.1. SJG provided a revised procedural schedule for my consideration, and noted that the revised schedule was not opposed by any party. *Id.*

DISCUSSION AND FINDINGS

I reviewed SJG's April 29, 2021 correspondence and proposed procedural schedule attached thereto, and with the consent of the parties, I **HEREBY GRANT** SJG's request to modify the procedural schedule. As such, I **HEREBY ORDER** that the Parties' mutually acceptable modified procedural schedule, a copy of which is affixed to this Order, supersedes the procedural schedule provided in the March 2021 Order, and I **HEREBY ORDER** that the attached procedural schedule be controlling as of the date of this 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: May 4, 2021

BY:



DIANNE SOLOMON
COMMISSIONER

¹ In re the Petition of South Jersey Gas Company to Implement an Infrastructure Investment Program (IIP) and Associated Recovery Mechanism Pursuant to NJSA 48:2-21 and NJAC 14:3-2A, Order Designating a Commissioner, Setting A Bar Date and Manner of Service, BPU Docket No. GR20110726, Order dated January 7, 2021.

² In re the Petition of South Jersey Gas Company to Implement an Infrastructure Investment Program (IIP) and Associated Recovery Mechanism Pursuant to NJSA 48:2-21 and NJAC 14:3-2A, Prehearing Order Setting Procedural Schedule and Rulings on Motions to Intervene and Participate, BPU Docket No. GR20110726, Order dated March 8, 2021.

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PROCEDURAL SCHEDULE

Second Round of Discovery Requests	April 30, 2021
Responses due on Second Round of Discovery Requests	May 14, 2021
Discovery conference	Week of May 17 th
Third Round Discovery Requests	May 26, 2021
Third Round of Discovery Answered	June 4, 2021
Discovery/Settlement Conference	Weeks of June 7 and June 14
Intervenor/respondent testimony due	July 9, 2021
Discovery requests on intervenor/respondent testimony	July 16, 2021
Responses to discovery on intervenor/respondent testimony	July 30, 2021
Rebuttal Testimony	August 6, 2021
Discovery requests on rebuttal testimony	August 13, 2021
Public hearings	TBD
Company responses to discovery on rebuttal testimony	August 27, 2021
Settlement conferences	Week of September 6, 2021
Evidentiary hearings (if necessary)*	September 13, 15, and 17, 2021.
Initial and Reply briefs	TBD

+ - Petitioner agrees that discovery is ongoing and will endeavor to answer all discovery within 15 days of service.

* Evidentiary hearing dates subject to Presiding Commissioner’s availability

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