



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

**AGENDA FOR BOARD MEETING  
WEDNESDAY, JANUARY 28, 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.)*

**2. ENERGY**

- A.** 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).

**5. WATER**

- B.** Docket No. WO08070500 - In the Matter of the Petition Requesting the Issuance of a Declaratory Ruling that Global Utility Services, LLC (GUS) Would Not Be a "Public Utility" Pursuant to N.J.S.A. 48:2-13 Under the Factual Circumstances Presented.

**8. CLEAN ENERGY**

- D.** Docket No. EX04040276 – In the Matter of the Comprehensive Energy Efficiency (EE) and Renewable Energy (RE) Resource Analysis for 2005-2008: 2008 Market Manager Performance Incentives.
- G.** Docket No. EO08121061 – In the Matter of the Memorandum of Agreement Between the New Jersey Board of Public Utilities and the New Jersey Department of Environmental Protection (DEP) - 2008 through 2012 Cool Cities Initiative.

## **EXECUTIVE SESSION\***

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### **8. CLEAN ENERGY (CON'T)**

**H.** Docket No. EO06100744 - In the Matter of the Renewable Portfolio Standard (RPS) – Settlement Stipulation for Atlantic City Electric (ACE) and Jersey Central Power & Light (JCP&L) Solar Long Term Contracting; and

Docket No. EO08030164- In the Matter of the Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources and Offering Class I Renewable Energy Programs In Their Respective Service Territories on a Regulated Basis Pursuant to N.J.S.A. 48:3-98.1.

**I.** Docket No. EO08010010 – In the Matter of Request to Modify the Renewable Energy Business Venture Assistance Program Award Recoverable Grant Award to EPV Solar, Inc. to be Issued through the New Jersey Economic Development Authority - Amended and Restated Statement of Work.

### **LATE STARTER A**

#### **CLEAN ENERGY**

Docket No. EO02120955 - In the Matter of the New Jersey Clean Energy Program (NJCEP) – Policies and Procedures for the NJCEP Fiscal Agent Trust Fund.



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**CONSENT AGENDA**

**I. AUDITS**

- A.** Docket No. TE08100934 – In the Matter of Global Capacity Group, Inc. for Approval to Provide Local Exchange Telecommunications Services throughout the State of New Jersey.
- B.** Docket No. TE04091033 – In the Matter of Time Warner Cable Information Services (New Jersey), LLC d/b/a Time Warner Cable Petition for Authority to Provide Local Exchange and Interexchange Telecommunications Services throughout the State of New Jersey.
- C.** In the Matter of Electric and/or Natural Gas Supplier License Renewals

EE08060450L	Credit Suisse (USA), Inc.	R-ESL
EE08060413L	Pepco Energy Service, Inc.	R-EGSL
GE08060412L	d/b/a Power Choice	R-EGSL
EE08070512L	Glacial Energy of NJ, Inc.	R-ESL

**Electric Power Supplier Final License**

EE08110989L	Valero Power Marketing, LLC	F-ESL
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**II. ENERGY**

- A.** Docket Nos. BPU EX02060363 and OAL EA02060366 – In the Matter of the Deferred Balances Audit of Public Service Electric and Gas (PSE&G) Phase II – Request by Office of Administrative Law for Extension of Time in Which to Submit Initial Decision.

### **III. CABLE TELEVISION**

- A.** Docket No. CE08090699 – 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 System in the Borough of Ringwood, County of Passaic, State of New Jersey.
- B.** Docket No. CE08090706 – In the Matter of the Petition of Comcast of South Jersey, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Township of Maurice River, County of Cumberland, State of New Jersey.
- C.** Docket No. CE08100941 – In the Matter of the Petition of Comcast of South Jersey, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Township of Pittsgrove, County of Salem, State of New Jersey.
- D.** Docket No. CE08020094 – In the Matter of the Petition of Comcast of Garden State, LP for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for City of Camden, County of Camden, State of New Jersey.
- E.** Docket No. CE08100940 – In the Matter of the Petition of Comcast of Garden State, LP for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Township of Gloucester, County of Camden, State of New Jersey.
- F.** Docket No. CE08080633 – In the Matter of the Petition of Comcast of Garden State, LP for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Borough of Bellmawr, County of Camden, State of New Jersey.
- G.** Docket No. CE08050319 – In the Matter of the Petition of Cablevision of Monmouth, Inc. for Renewal of a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Borough of Spring Lake Heights, County of Monmouth, State of New Jersey.
- H.** Docket No. CE08090705 – In the Matter of the Petition of Comcast of South Jersey, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Township of Oldmans, County of Salem, State of New Jersey.
- I.** Docket No. CE08100900 – In the Matter of the Petition of Comcast of Monmouth, Inc. for Renewal of a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Borough of Rumson, County of Monmouth, State of New Jersey.
- J.** Docket No. CE08100922– In the Matter of the Petition of Comcast of New Jersey II, LLC for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for Township of Millburn, County of Essex, State of New Jersey.

**IV. TELECOMMUNICATIONS**

- A. Docket No. TO08090744 – In the Matter of the Joint Application of MCIMETRO Access Transmission Services, LLC and United Telephone Company of New Jersey, Inc. d/b/a Embarq for Approval of a Master Interconnection, Collocation and Resale Agreement Under Section 252 of the Telecommunications Act of 1996.

**V. WATER**

- A. Docket Nos. BPU WR08090710 & OAL PUC 11730-2008N – In the Matter of the Petition of United Water New Jersey, Inc., for Approval of an Increase in Rates for Water Service and Other Tariff Changes – Suspension Order.

**VI. RELIABILITY AND SECURITY**

NO ITEMS FOR CONSIDERATION

**VII. CUSTOMER ASSISTANCE**

- A. Docket Nos. BPU EC08060392U & OAL PUC 6214-08 – In the Matter of Peter T. Sherman, Jr., Petitioner v. Jersey Central Power & Light Company, Respondent.
- B. Docket Nos. BPU WC08070529U & OAL PUC 11886-08 - In the Matter of Magdi Mosaid, Petitioner v. United Water New Jersey, Respondent.
- C. Docket Nos. BPU WC08030157U & OAL PUC 6043-08 – In the Matter of Ira Rosenthal, Petitioner v. New Jersey American Water Company, Respondent.
- D. Docket Nos. BPU WC08060419U & OAL PUC 09535-08 – In the Matter of Eric Smith, Petitioner v. New Jersey American Water Company, Respondent.

**VIII. CLEAN ENERGY**

NO ITEMS FOR CONSIDERATION

**IX. MISCELLANEOUS**

NO ITEMS FOR CONSIDERATION



STATE OF NEW JERSEY  
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AGENDA

1. AUDITS

- A. Docket No. GA05100909 – In the Matter of a Management Audit and a Focused Audit on the Transactions of New Jersey Natural Gas Company and its Affiliates Pursuant to N.J.S.A. 48:3-49, 48:3-58, N.J.A.C. 14:3-12.1-12.4 and 14:4-3.7(e) – Consultant's Report.

2. ENERGY

- A. 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.**
- B. Docket No. EO08121065 – In the Matter of Submission of Individual Utility Territory Energy Master Plans Pursuant to the New Jersey Energy Master Plan.
- C. Docket No. GO08090829 - In the Matter of the Filing of a Special Contract by Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas.
- D. Docket No. ER08050310 - In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2009.

3. CABLE TELEVISION

- A. Docket No. CO07110884 - In the Matter of Verizon New Jersey, Inc. Certification of Capability to Provide Cable Television Service to 60 Percent of Households in 25 Designated Municipalities.

#### 4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

#### 5. WATER

- A. Docket No. WO08100886 - In the Matter of the Petition of United Water New Jersey Inc. and United Water Toms River Inc. for an Order Authorizing Special Accounting Treatment of Litigation Proceeds.
- B. Docket No. WO08070500 - In the Matter of the Petition Requesting the Issuance of a Declaratory Ruling that Global Utility Services, LLC (GUS) Would Not Be a "Public Utility" Pursuant to N.J.S.A. 48:2-13 Under the Factual Circumstances Presented. - **EXECUTIVE SESSION.**
- C. Docket Nos. BPU WR08030139 & OAL PUC 03509-2008N - In the Matter of the Petition of United Water Toms River, Inc. for Approval of an Increase in Rates For Water Service and Other Tariff Changes.

#### 6. RELIABILITY AND SECURITY

- A. Docket No. GO09010030 – In the Matter of Allegations of Violations of Pipeline Safety Regulations by South Jersey Gas Company with Respect to Compliance with Operator Qualification Training.
- B. Docket No. GO09010031 – In the Matter of Allegations of Violations of Pipeline Safety Regulations by Elizabethtown Gas Company with Respect to Compliance with Operator Qualification Training.
- C. Docket No. GX08050325 - In the Matter of the Readoption of N.J.A.C. 14:7, Natural Gas Pipelines – Adoption; and  
  
Docket No. GX08121086: In the Matter of the Companion Proposal – Amendments to N.J.A.C. 14:7, Natural Gas Pipelines – Proposal.

#### 7. CUSTOMER ASSISTANCE

- A. Docket Nos. BPU EC06020077U and OAL PUC 06811-2003 – In the Matter of William Taylor, Petitioner v. JCP&L, Respondent – Motion for Reconsideration.

**8. CLEAN ENERGY**

- A.** Docket Nos. EO09010015 through EO09010028 – In the Matter of the Authorization of Customer On-Site Renewable Energy (CORE) Rebates Exceeding \$100,000.

<b>SUNLIT</b>	
LOUNSBERRY MEADOW, STIRLING	EO09010015
<b>Private GT 10Kw</b>	
BAYVILLE HOLDINGS, LLC, TRENTON	EO09010016
MARESSA PATTERSON LLC, BERLIN	EO09010017
TRIANGLE FARMS, ELMER	EO09010018
ROUTE 40 AND PORCHTOWN, LLC, PITTSBORO	EO09010019
<b>Public Non School</b>	
MONROE TOWNSHIP NJ FIRE DISTRICT #2 MIDDLESEX, MONROE TOWNSHIP	EO09010020
LOWER TWP MUNICIPAL UTILITIES AUTHORITY, VILLAS	EO09010021
NEW JERSEY SPORTS & EXPOSITION AUTHORITY, EAST RUTHERFORD	EO09010022
CHERRY HILL FIRE DISTRICT #13	EO09010023
<b>Public School K-12</b>	
BERKELEY TOWNSHIP SCHOOL DISTRICT, BAYVILLE	EO09010024
PEQUANNOCK TOWNSHIP HIGH SCHOOL, POMPTON PLAINS	EO09010025
UNION BEACH BOARD OF ED, UNION BEACH	EO09010026
HUNTERDON CENTRAL REGIONAL HIGH SCHOOL, FLEMINGTON	EO09010027
PENNSVILLE MEMORIAL HIGH SCHOOL, PENNSVILLE	EO09010028

- B.** Docket No. EX08080548 – In the Matter of the Net Metering Rules "Annualized Period" Adoption of Amendments to N.J.A.C. 14:8-4.
- C.** Docket No. EO09010008 - In the Matter of the Clean Energy Program Authorization of SmartStart Energy Efficiency Rebates Exceeding \$100,000.
- Colony House - Docket No. EO09010008
- D.** Docket No. EX04040276 – In the Matter of the Comprehensive Energy Efficiency (EE) and Renewable Energy (RE) Resource Analysis for 2005-2008: 2008 Market Manager Performance Incentives - **EXECUTIVE SESSION.**
- E.** Docket No. EO09010009 - In the Matter of the Clean Energy Program Authorization of Customer On-Site Renewable Energy (CORE) Rebates Exceeding \$100,000: United States Army Fort Dix.

## 8. CLEAN ENERGY (CON'T)

- F. Docket No. EX04040276 - In the Matter of the Comprehensive Energy Efficiency (EE) and Renewable Energy (RE) Resource Analysis for 2005-2008: Revised Detailed 2008 Programs and Budgets.
- G. Docket No. EO08121061 – In the Matter of the Memorandum of Agreement Between the New Jersey Board of Public Utilities and the New Jersey Department of Environmental Protection (DEP) - 2008 through 2012 Cool Cities Initiative - **EXECUTIVE SESSION.**
- H. Docket No. EO06100744 - In the Matter of the Renewable Portfolio Standard (RPS) – Settlement Stipulation for Atlantic City Electric (ACE) and Jersey Central Power & Light (JCP&L) Solar Long Term Contracting; and  
  
Docket No. EO08030164- In the Matter of the Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources and Offering Class I Renewable Energy Programs In Their Respective Service Territories on a Regulated Basis Pursuant to N.J.S.A. 48:3-98.1 - **EXECUTIVE SESSION.**
- I. Docket No. EO08010010 – In the Matter of Request to Modify the Renewable Energy Business Venture Assistance Program Award Recoverable Grant Award to EPV Solar, Inc. to be Issued through the New Jersey Economic Development Authority - Amended and Restated Statement of Work - **EXECUTIVE SESSION.**

## 9. MISCELLANEOUS

- A. Docket No. EO08121113 – in the Matter of Jeremy Court, LLC Petition for Exemption from Main Extension Rules at N.J.A.C. 14:3-8.8.
- B. Docket Nos. EO08100931, EO08100932, EO08100934, EO08100933 - In the Matter of the Medford Property LLC, Medford Holdings LLC, Brick Assets LLC, and Orleans at Jennings Mill LIC - Petition for Exemption from Main Extension Rules N.J.A.C. 14:3-8.1 et seq. Pursuant to N.J.A.C.14:3-8.8.
- C. Docket No. EO09010040 - In the Matter of the Process Pertaining to the Use of Monies Appropriated into the Global Warming Solutions Fund Pursuant to P.L. 2007, c.340.

### **CLEAN ENERGY UPDATE:**

The Office of Clean Energy will provide the Board with periodic updates regarding the Clean Energy Program. Matters requiring a vote will continue to be listed only under the Clean Energy sections of the consent and regular agendas.

Non-docketed - In the Matter of the Update to the Board on the Following Clean Energy Matters:

- Treasury's October, November and December 2008 Clean Energy Program (CEP) CFS Expenses Reports;
- Monthly New Jersey Clean Energy Program (NJCEP) Goals Reports for October and November.

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**LATE STARTER A**

**CLEAN ENERGY**

Docket No. EO02120955 - In the Matter of the New Jersey Clean Energy Program (NJCEP) – Policies and Procedures for the NJCEP Fiscal Agent Trust Fund – **EXECUTIVE SESSION.**

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**LATE STARTER B**

**ENERGY**

Docket No. EO09010049 – In the Matter of the Proceeding for Infrastructure Investment and a Cost Recovery Mechanism for Gas & Electric Utilities.

Docket No. EO09010050 – In the Matter of the Infrastructure Investment and a Cost Recovery Mechanism for Public Service Electric & Gas Company.

Docket No. GO09010051 – In the Matter of the Infrastructure Investment and a Cost Recovery Mechanism for South Jersey Gas Company.

Docket No. GO09010052 – In the Matter of the Infrastructure Investment and a Cost Recovery Mechanism for New Jersey Natural Gas Company.

Docket No. GO09010053 – In the Matter of the Infrastructure Investment and a Cost Recovery Mechanism for Pivotal Utility Holdings, Inc d/b/a Elizabethtown Gas Company.