



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

**AGENDA FOR BOARD MEETING  
MONDAY, JUNE 7, 2010  
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**

- F.** Non-docketed Matter – In the Matter of First Energy Corp, Allegheny Energy, Inc, FERC docket EC10-68.
- G.** Docket No. ER07070516 - In the Matter of Richard G. Murphy, II, for Mandatory Relief for Public Service Electric and Gas Company's Over-collection of "Stranded Cost" Surcharges Pursuant to N.J.S.A. 48:3-61; and  
  
In the Matter of Murphy et al. v. Public Service Electric and Gas Company, et al. Superior Court of New Jersey, Law Division Docket No. BER-I-2536-07.
- H.** Docket Nos. BPU GR09050422 and OAL PUC 7559-2009N - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in the Tariffs for Electric and Gas Service BPU-N.J. No. 14 Electric and BPU-N.J. No 14 Gas Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for Approval of a Gas Weather Normalization Clause, a Pension Expense Tracker, and for Other Appropriate Relief.
- I.** Docket Nos. BPU EA02060366 & EX02060363 and OAL PUC 03127-07 - In the Matter of the Deferred Balances Audit of Public Service Electric and Gas, Phase II.



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CONSENT AGENDA

I. AUDITS

- A. Docket No. TE10030188 – In the Matter of the Petition of Everycall Communications, Inc. d/b/a Local USA d/b/a All American Home Phone for Approval to Provide Local Exchange Telecommunications Services throughout the State of New Jersey.
- B. Docket No. TE10030204 – In the Matter of the Petition of Crexendo Business Solutions, Inc. for Approval to Provide Local Exchange Telecommunications Services throughout the State of New Jersey.

C. **Natural Gas and Electric Power Supplier Final Licenses**

GE10030164L            Public Power & Utility of New Jersey, LLC    F-EGSL  
EE10030163L

**Electric and/or Natural Gas Supplier Renewal Licenses**

GE10020102L            Gateway Energy Services Corp.                    R-EGSL  
EE10020103L

EE09121023L            Credit Suisse (USA), Inc.                            R-ESL

EE10010051L            FirstEnergy Solutions Corp.                        R-ESL

**Energy Agent and Private Aggregator Final Registrations**

EE10030221L            Your NJ Energy Choice, LLC                        F-EA/PA  
GE10030222L

## **II. ENERGY**

- A.** Docket No. GR10010035 – In the Matter of the Petition of South Jersey Gas Company for Approval of Increased Base Tariff Rates and Charges for Gas Service and Other Tariff Revisions.
- B.** Docket No. GE10020113 – In the Matter of the Petition of New Jersey Natural Gas for Approval of a Municipal Franchise in the Borough of Atlantic Highlands, Monmouth County.
- C.** Docket No. GE10010068 – In the Matter of the Petition of New Jersey Natural Gas for Approval of a Municipal Franchise in the Township of Mine Hill, Morris County.
- D.** Docket Nos. BPU GR09050422 and OAL PUC 7559-2009N - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in the Tariffs for Electric and Gas Service BPU-N.J. No. 14 Electric and BPU-N.J. No 14 Gas Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for Approval of a Gas Weather Normalization Clause, a Pension Expense Tracker, and for Other Appropriate Relief – Request for Extension.

## **III. CABLE TELEVISION**

- A.** Docket No. CE10030215 – In the Matter of the Petition of Comcast of New Jersey II, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of West Orange, County of Essex, State of New Jersey.
- B.** Docket No. CE09070563 – In the Matter of the Petition of Comcast of Garden State, LP for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Hainesport, County of Burlington, State of New Jersey.
- C.** Docket No. CE09121003 – In the Matter of the Petition of Comcast of Garden State, LP for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Mansfield, County of Burlington, State of New Jersey.
- D.** Docket No. CE10010023 – In the Matter of Cablevision of Monmouth, LLC for the Conversion to a System-Wide Franchise in the Borough of Bradley Beach, County of Monmouth, State of New Jersey.

## **IV. TELECOMMUNICATIONS**

- A.** Docket No. TE08080579 – In the Matter of the Petition of Light Tower Fiber Long Island, LLC for Approval of a Municipal Consent Pursuant to N.J.S.A. 48:2-14.

#### **IV. TELECOMMUNICATIONS (CONT'D)**

- B.** Docket No. TE08080600 – In the Matter of the Petitions of New Jersey Datanet Telcom, LLC for Approval of Municipal Consents Pursuant to N.J.S.A. 48:2-14, for the Borough of Paramus, Bergen County;

Docket No. TE08080601 – In the Matter of the Petitions of New Jersey Datanet Telcom, LLC for Approval of Municipal Consents Pursuant to N.J.S.A. 48:2-14, for the County of Passaic;

Docket No. TE08080602 – In the Matter of the Petitions of New Jersey Datanet Telcom, LLC for Approval of Municipal Consents Pursuant to N.J.S.A. 48:2-14, for Washington Township, Bergen County;

Docket No. TE08080603 – In the Matter of the Petitions of New Jersey Datanet Telcom, LLC for Approval of Municipal Consents Pursuant to N.J.S.A. 48:2-14, for the Borough of Teterboro, Bergen County; and

Docket No. TE08080604 – In the Matter of the Petitions of New Jersey Datanet Telcom, LLC for Approval of Municipal Consents Pursuant to N.J.S.A. 48:2-14 for the Borough of Westwood, Bergen County.

- C.** Docket No. TF10030202 – In the Matter of the Verified Petition of RCN Telecom Services, Inc., RCN New York Communications, LLC, Neon Connect, Inc. and Yankee Metro Parent, Inc. for Approval of a Transfer of Control and to Enter Certain Financing Arrangements.

#### **V. WATER**

- A.** Docket No. WE09121006 - In the Matter of the Petition of United Water New Jersey Inc., for Approval of a Municipal Consent to Construct, Install, Operate, and Maintain a Water System for Block 61, Lot 42.03; Block 72, Lots 1.01 and 1.02; Block 72.01, Lot 3; Block 82, Lots 1.01, 1.02, 1.03, and 1.04; Block 82.01, Lot 1; Block 83, Lots 9, 15.01, and 15.02; Block 83.01, Lot 1; Block 84, Lot 3; Block 72, Lot 2; and Block 72, Lot 3; and for Fire Protection Services only for Block 61, Lots 42.01 and 42.02 in the Borough of Mount Arlington and Approval of the Issuance of a Revised Tariff Sheet Setting Forth United Water New Jersey Inc.'s Enlarged Service Territory Pursuant to N.J.A.C. 14:1-5.11.

#### **VI. RELIABILITY AND SECURITY**

NO ITEMS FOR CONSIDERATION

**VII. CUSTOMER ASSISTANCE**

- A. Docket Nos. BPU GC09100842U & OAL PUC 12276-09 – In the Matter of Francis Dera, Petitioner v. Public Service Electric and Gas Company, Respondent.
- B. Docket Nos. BPU WC09070565U & OAL PUC 6744-09 – In the Matter of Philip Dovico, Petitioner v. NJ American Water Company, Respondent.
- C. Docket Nos. BPU EC09020130U & OAL PUC 02672-09S – In the Matter of Kendra Sanders, Petitioner v. Jersey Central Power & Light Company, Respondent.
- D. Docket Nos. BPU EC09060471U & OAL PUC 09818-09N – In the Matter of King of Kings Full Gospel Church, Petitioner v. Public Service Electric and Gas Company, Respondent.
- E. Docket Nos. BPU EC08100935U & OAL PUC 1286-09N – In the Matter of Adenah Bahoh/IHOP Restaurant, Petitioner, v. PSE&G, Respondent.

**VIII. CLEAN ENERGY**

NO ITEMS FOR CONSIDERATION

**IX. MISCELLANEOUS**

- A. Approval of the Minutes of January 28, 2009, March 12, 2009, December 17, 2009, March 24, 2010, February 11, 2010 BGS Special Board Meeting.



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**1. AUDITS**

- A.** Docket No. GA07100795 – In the Matter of an Audit of the Affiliated Transactions between Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas Company and its Affiliates and a Management Audit of Elizabethtown Gas Company Pursuant to N.J.S.A. 48:2-16.4, 48:3-49, 48:3-55, 48:3-56, 48:3-58 and N.J.A.C. 14:3-12.1, 14:4-5 et seq.

**2. ENERGY**

- A.** Docket No. ER10040287 - In the Matter of the Provision of Basic Generation Service ("BGS") for the Period Beginning June 1, 2011 - BGS Proceeding.
- B.** Non-Docketed Matter - In the Matter of the Provision of Basic Generation Service ("BGS") for the Period Beginning June 1, 2010 - Boston Pacific "Final Report on the 2010 BGS Fixed Price ("FP") and Commercial Industrial Energy Price ("CIEP") Auctions".
- C.** Docket No. EO10050338 - In the Matter of the Board's Review of the Retail Margin and the Commercial and Industrial Energy Pricing ("CIEP") Threshold.
- D.** Docket No. GR09050423 – In the Matter of Public Service Electric and Gas Company's 2009/2010 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism and for Changes in the Gas Tariff Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.
- E.** Docket Nos. BPU GR09060432 & GR09060433 and OAL PUC 13360-09 – In the Matter of the Petition of New Jersey Natural Gas Company for the Annual Review and Revision of its Basic Gas Supply Service (BGSS), its Conservation Incentive Program (CIP) Factors, and for Modification to its Weather Normalization Clause (WNC) Factor for Fiscal Year 2010.

## 2. ENERGY (CONT'D)

- F. Non-docketed Matter – In the Matter of First Energy Corp, Allegheny Energy, Inc, FERC docket EC10-68 - **EXECUTIVE SESSION.**
- G. Docket No. ER07070516 - In the Matter of Richard G. Murphy, II, for Mandatory Relief for Public Service Electric and Gas Company's Over-collection of "Stranded Cost" Surcharges Pursuant to N.J.S.A. 48:3-61; and  
  
In the Matter of Murphy et al. v. Public Service Electric and Gas Company, et al. Superior Court of New Jersey, Law Division Docket No. BER-I-2536-07 - **EXECUTIVE SESSION.**
- H. Docket Nos. BPU GR09050422 and OAL PUC 7559-2009N - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in the Tariffs for Electric and Gas Service BPU-N.J. No. 14 Electric and BPU-N.J. No 14 Gas Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for Approval of a Gas Weather Normalization Clause; a Pension Expense Tracker and for Other Appropriate Relief - **EXECUTIVE SESSION.**
- I. Docket Nos. BPU EA02060366 & EX02060363 and OAL PUC 03127-07 - In the Matter of the Deferred Balances Audit of Public Service Electric and Gas, Phase II - **EXECUTIVE SESSION.**
- J. Docket No. ER10050351 - In the Matter of the Petition of Atlantic City Electric Company for Approval of Changes to its Electric Regional Greenhouse Gas Recovery Charge (RGGI) for Implementation of its Residential Controllable Smart Thermostat Program.

## 3. CABLE TELEVISION

- A. Docket No. CO10050356 - In the Matter of the Alleged Failure of Hometown Online, Inc. to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq., the New Jersey Administrative Code, N.J.A.C. 14:17-1 et seq. and N.J.A.C. 14:18-1.1 et seq. and Certain Provisions of a Board Order.
- B. Docket No. CO09090757 – In the Matter of the Report to the Governor and Legislature on the Effects of the System-Wide Cable Television Franchise.

## 4. TELECOMMUNICATIONS

- A. Docket No. TO09010084 – In the Matter of the Application of Warwick Valley Telephone Company d/b/a WVT Communications for Approval of a Plan for an Alternative Form of Regulation

**5. WATER**

- A.** Docket Nos. BPU WR09121005 & OAL PUC 01190-2010N – In the Matter of the Petition of Aqua New Jersey, Inc. for Approval of an Increase in Rates for Water Service and Other Tariff Changes.
- B.** Docket Nos. WR09110934 & OAL PUC 13885-2009N – 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. EO09070540 – In the Matter of the American Recovery and Reinvestment Act of 2009 – Funding for Enhancing State Energy Assurance Capabilities and Smart Grid Resiliency.
- B.** Docket No. GO10040250 – In the Matter of the Petition of New Jersey Natural Gas Company for Authorization and Approval for Construction of a Proposed 24-Inch Pipeline in the Townships of Toms River, Manchester, and Berkeley, Ocean County, New Jersey, Pursuant to N.J.A.C. 14:7-1.4 et seq.

**7. CUSTOMER ASSISTANCE**

NO ITEMS FOR CONSIDERATION

**8. CLEAN ENERGY**

- A.** Docket No. EX09110910 – In the Matter of the Net Metering Rule Adoption: Removing the 2 MW Limit, Amendments to N.J.A.C. 14:8-4 – Rule Adoption.
- B.** Docket No. EO10050341 - In the Matter of the Clean Energy Program Authorization of Pay for Performance Energy Efficiency Rebates Exceeding \$300,000 – Haglid Engineering & Associates, Inc.
- C.** Docket No. EO07030203 – In the Matter of the Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for 2009-2012: Contract Modifications for Market Managers TRC Energy Services (TRC) (Contract #A67053) and Honeywell International, Inc. (Honeywell) (Contract #A67052) and for Program Coordinator Applied Energy Group, Inc. (AEG) (Contract # 68922).
- D.** Docket No. EO10050320 – In the Matter of the State Energy Program (SEP) Plan for Program Year 7/1/10-6/30/11.

**9. MISCELLANEOUS**

NO ITEMS FOR CONSIDERATION