



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

AGENDA FOR BOARD MEETING
The meeting will be held on
Wednesday, February 19, 2020 – 9:30 a.m. at the
State House Annex, Committee Room 11
125 West State Street, Trenton, NJ

Executive Session

(Open Session will not reconvene until the conclusion of the Executive Session, which will commence at 9:30 a.m. The only business to be conducted in the 9:30 a.m. Open Session will be the reading of the public notice statement, roll call, and the exception, under the Open Public Meetings Act, for each item to be considered in Executive Session.)

8. CLEAN ENERGY

- F.** Docket No. QW18030284 – In the Matter of the Award of Contract in Furtherance of the Matter of the Implementation of Executive Order 8 and Executive Order 92 Offshore Wind.

Modification of the contract for the preparation of the Offshore Wind Strategic Plan.

- G.** Docket No. QO18040433 – In the Matter of Monroe Solar Farm, LLC, Superior Court of New Jersey, Appellate Division, Docket No. A-0011040-19T2, Litigation Review.

The Board will receive a litigation update on the above-captioned matter.



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CONSENT AGENDA FOR BOARD MEETING
The meeting will be held on
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I. [AUDITS](#)

A. Energy Agent and/or Energy Consultant Initial Registrations

EE19111444L	BKE Mechanical, Inc. d/b/a BKE Energy, Inc.	I – EA
EE19080948L	Intelligen Resources, LP	I - EA
EE19101386L	Onix Energy, LLC	I – EA
EE19050604L	Technology Resource Solutions, Inc.	I – EA
EE19080923L GE19080924L	Novera Energy, LLC	I – EA/EC

These matters relate to an application for initial registration as an energy agent for one year.

Energy Agent, Private Aggregator and/or Energy Consultant Renewal Registrations

EE19091222L	Tri State Energy Consultants, Inc.	R – EA
EE19121519L	Troy and Banks, Inc.	R – EA
EE19111477L	Broadway Energy Group Corp.	R – EA
EE19111455L	Energy Advisory Service, LLC	R – EA
EE19091321L	Lighthouse Business Consulting Development and Services, LLC	R – EA
EE19111464L	Yardi Systems, Inc.	R – EA

I. AUDITS (CONT'D)

EE19080890L	Vervantis, Inc.	R – EA
EE19080912L	The O.E. Group d/b/a Optimal Energy	R – EA
EE19070795L	ABC Energy, LLC	R – EA
EE19111474L GE19111475L	Kinect Energy, Inc.	R – EA/PA
EE19060733L GE19060734L	Secure Energy Solutions, LLC	R – EA/PA
EE19060713L GE19060714L	SourceOne, Inc. (DE)	R – EA/PA/EC
EE19091279L GE19091280L	Commercial Utility Consultants, Inc. d/b/a Commercial Utility Consultants	R – EA/PA/EC
EE19101390L GE19101391L	Big Bang Energy Group, LLC d/b/a VETAL	R – EA/PA/EC

These matters relate to the above applicants being issued renewal registrations as an energy agent, private aggregator and/or energy agent for one year.

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

IV. TELECOMMUNICATIONS

- A. [Docket No. TF19121510 – In the Matter of the Verified Petition of Level 3 Communications, LLC, Broadwing Communications, LLC, Global Crossing Telecommunications, Inc., Global Crossing Local Services, Inc., Level 3 Telecom of New Jersey, LP, TelCove Operations, LLC, and WilTel Communications, LLC for Approval to Participate in Certain Financing Arrangements.](#)

This matter involves a request by Level 3 Communications and 6 other petitioners to finance \$4.6 billion. If approved, this will allow the Petitioners to take advantage of lower interest rates. Reduced interest expenses could help the companies maintain and expand their networks and services.

IV. TELECOMMUNICATIONS (CONT'D)

- B.** [Docket No. TM19121536 – In the Matter of the Verified Joint Petition of Lingo Communications, LLC, Lingo Communications of the Northeast, LLC, Matrix Telecom, LLC and Garrison LM LLC for Approval of Proposed Changes in Control of Lingo Communications of the Northeast, LLC and Matrix Telecom, LLC to Garrison LM, LLC.](#)

Lingo Communications of the Northeast, LLC, and Matrix Telecom, LLC, are subsidiaries of Lingo Communications, LLC, a holding company. Lingo and Matrix both provide local exchange telecommunications service in NJ. The parties have petitioned the Board for approval of an indirect change in control and transfer to Garrison LM LLC, a holding company, which will result in changes in voting rights and the operating board. Following the transaction, the same services will continue to be offered in NJ at the same rates, terms and conditions.

V. WATER

- A.** [Docket No. WR20010056 – In the Matter of the Petition of Aqua New Jersey, Inc. for Approval of an Increase in Rates for Wastewater Service and Other Tariff Changes.](#)

This matter involves a petition for a base rate increase, for wastewater service, that was filed by Aqua New Jersey. Initial suspension order.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A.** Approval of the Minutes for the January 22, 2020 Agenda Meeting.



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1. AUDITS

- A. [Docket Nos. EO20020094, EE19070804L and GE19070803L – In the Matter of the Alleged Failure of National Gas and Electric, LLC to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by National Gas and Electric, LLC whereby National Gas and Electric failed to submit a timely renewal application for its energy agent, private aggregator, and energy consultant registrations. National Gas and Electric has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registrations.

- B. [Docket Nos. EO20020095 and GE19060728L – In the Matter of the Alleged Failure of Shell Energy North America \(US\), L.P. to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by Shell Energy North America (US), L.P. whereby Shell Energy North America failed to submit a timely renewal application for its energy agent, private aggregator, and energy consultant registrations. Shell Energy North America has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registrations.

1. AUDITS (CONT'D)

- C. [Docket Nos. EO20010044 and EE19060707L – In the Matter of the Alleged Failure of Blue and Silver Energy Consulting LLC d/b/a Pro-Star Energy Services \(PSES\) to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by Blue and Silver Energy Consulting whereby Blue and Silver Energy Consulting failed to submit a timely renewal application for its energy agent, private aggregator, and energy consultant registrations. Blue and Silver Energy Consulting has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registrations.

2. ENERGY

- A. [Docket No. ER19091238 – In the Matter of the Verified Petition of Jersey Central Power and Light Company for Approval of Rate Adjustments Pursuant to the JCP&L Reliability Plus Infrastructure Investment Program \(September 2019 JCP&L Reliability Plus Rate Filing\).](#)

This matter relates to the roll-in of investments related to JCP&L's Reliability Plus Program for investments made from May 2019 through December 2019. The parties have executed a stipulation. The anticipated bill impact is a monthly increase of \$0.16.

- B. [Docket Nos. GR19060699 and OAL PUC 13596-2019N – In the Matter of the Petition of Public Service Electric and Gas Company's 2019/2020 Annual BGSS Commodity Charge Filing for its Residential Gas Customers Under its Periodic Pricing Mechanism and for Changes in its Balancing Charge.](#)

This matter relates to the finalization of the PSE&G BGSS rates that were provisionally approved in September 2019. The parties have executed a stipulation that was approved the Administrative Law Judge Irene Jones. As a result of the Stipulation, customers will see no changes in their monthly bills.

- C. [Docket No. GR19060761 – In the Matter of Public Service Electric and Gas Company to Revise its Weather Normalization Charge for the 2019-2020 Annual Period.](#)

This matter relates to the finalization of rates related to PSE&G's 2019 Weather Normalization Clause. The parties have executed a stipulation. There is no bill impact related to this agenda package.

- D. [Docket No. ER16060524 – In the Matter of the Petition of Rockland Electric Company for Approval of an Advanced Metering Program; and for Other Relief.](#)

This matter concerns the Board of Public Utilities' limitations on previous utility filings regarding Advanced Metering Infrastructure (AMI) programs, and potential next steps toward statewide AMI implementation.

2. ENERGY (CONT'D)

- E. Docket No. ER20010003 – In the Matter of Federal Energy (FERC) Items for 2020 – FERC Docket No. EL19-91 PJM Interconnection, L.L.C. Re: Order to Show Cause on Immediate Need.

The Board will consider ratification of comments filed on January 27, 2020 at FERC, on behalf of the Board, urging FERC to limit the use of exemptions to competition in the construction of new transmission facilities.

- F. Docket No. ER20010003 – In the Matter of Federal Energy (FERC) Items for 2020 – FERC Docket No. ER20-841 PJM Interconnection, L.L.C. re: Proposed M-4 Tariff Revision on NERC Reliability Standard CIP-014.

The Board will consider the Intervention and comments filed at FERC on February 7, 2020, on behalf of the Board, regarding a proposed process for evaluating certain new transmission projects.

- G. [Docket Nos. GO18101112 and EO18101113 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of its Clean Energy Future – Energy Efficiency \(“CEF-EE”\) Program on a Regulated Basis.](#)

This matter relates to a petition filed by PSE&G for approval of its proposed Clean Energy Future-Energy Efficiency Program. Several parties have executed a stipulation that would allow PSE&G to extend its 2017 programs through September 2020 and extends the review period for the petition. There is no immediate impact to ratepayer bills as a result of the stipulation.

3. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

NO ITEMS FOR CONSIDERATION

6. RELIABILITY AND SECURITY

- A. [Docket No. GS19111462 – In the Matter of an Alleged Violation of Pipeline Safety Regulations by New Jersey Natural Gas Company with Respect to an Inspection of the Company’s Natural Gas Pipeline Facilities in Parsippany, New Jersey.](#)

This matter involves the Board’s consideration of an offer of settlement from New Jersey Natural Gas to resolve certain violations of the Agency’s Pipeline Safety Rules in the amount of \$14,000.00.

7. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

8. CLEAN ENERGY

- A. [Docket No. GO18070682 – In the Matter of the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs and Approval of Associated Cost Recovery Mechanism.](#)

On January 16, 2020, the Company filed a letter petition (“Petition”) with the Board to (a) extend the term of the EE Programs on the same terms and conditions approved in the February 2019 Order in BPU Docket Number GO18070682; and (b) continue to recover EE Program costs through the EEP Rider rate reflected in Rider E of the Company’s tariff. The Board will consider the petition and its associated budgets.

- B. [Docket No. QO19010068 – In the Matter of a New Jersey Solar Transition Pursuant to P.L. 2018, c.17 – New Jersey School Board Association – Motion for Reconsideration.](#)

Pursuant to the Board’s rules, a Motion for Reconsideration is deemed denied if the Board does not act on it within 60 days. The New Jersey School Board Association’s Motion for Reconsideration of the Board’s order establishing a transition incentive was filed on December 26, 2019, and Staff recommends that the Board issue a Secretary’s Letter to the parties advising them that the Board is waiving its rule and will take additional time to consideration the motion.

- C. [Docket No. QO19010068 – In the Matter of a New Jersey Solar Transition Pursuant to P.L. 2018, c.17 – Atlantic County Utilities Authority – Motion for Reconsideration.](#)

Pursuant to the Board’s rules, a Motion for Reconsideration is deemed denied if the Board does not act on it within 60 days. The Atlantic County Utility Authority’s Motion for Reconsideration of the Board’s order establishing a transition incentive was filed on December 26, 2019, and Staff recommends that the Board issue a Secretary’s Letter to the parties advising them that the Board is waiving its rule and will take additional time to consideration the motion.

8. CLEAN ENERGY (CONT'D)

- D. [Docket No. QO18060646 – In the Matter of the New Jersey Community Solar Program Pursuant to P.L. 2018, c.17 – Atlantic County Utilities Authority – Motion for Reconsideration.](#)

Pursuant to the Board's rules, a Motion for Reconsideration is deemed denied if the Board does not act on it within 60 days. The Atlantic County Utility Authority's Motion for Reconsideration of the Board's order conditionally awarding 45 Community Solar projects was filed on January 14, 2020; Staff recommends that the Board issue a Secretary's Letter to the ACUA advising them that the Board is waiving its rule and will take additional time to consideration the motion.

- E. Docket No. QO16100967 – In the Matter of New Jersey Board of Public Utilities Microgrid Report Town Center DER Microgrid Program – Phase II Detailed Designed Incentive Application.

Consideration of the application to be released for the Phase II Town Center Distributed Energy Resource Microgrid Incentive Program.

- F. Docket No. QW18030284 – In the Matter of the Award of Contract in Furtherance of the Matter of the Implementation of Executive Order 8 and Executive Order 92 Offshore Wind – **Executive Session.**

Modification of the contract for the preparation of the Offshore Wind Strategic Plan.

- G. Docket No. QO18040433 – In the Matter of Monroe Solar Farm, LLC, Superior Court of New Jersey, Appellate Division, Docket No. A-0011040-19T2, Litigation Review. – **Executive Session.**

The Board will receive a litigation update on the above-captioned matter.

- H. [Docket No. QO19010068 – In the Matter of a New Jersey Solar Transition Pursuant to P.L. 2018, C.17 - Calculation of 5.1% Milestone for SREC Program Closure.](#)

On January 8, 2020, the Board adopted a rule proposal and an Order addressing the methodology for determining the percentage of solar electric kilowatt hours within retail electricity sold ("5.1% Calculation Rule"). The Board received stakeholder comments on this matter by January 17, 2020, and is taking action on the 5.1% Calculation methodology.

9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION