



REVISED – March 24, 2020

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/

AGENDA FOR BOARD MEETING

The meeting will be held on
Friday, March 27, 2020 – 10:00 a.m.
Via Teleconference

Dial US: +1 (312) 626-6799 - Webinar ID: 660 055 724

Executive Session

(Open Session will not reconvene until the conclusion of the Executive Session, which will commence at 10:00 a.m. The only business to be conducted in the 10:00 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.)

2. ENERGY

- G.** Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020: Non-docketed Matter.

8. CLEAN ENERGY

- A.** Docket No. QO18121289 – In the Matter of the Board of Public Utilities Offshore Wind Solicitation for 1,100 MW Evaluation of the Offshore Wind Applications.

The Board will consider a petition from Ocean Wind for approval to purchase Capacity Interconnection Rights to mitigate the cost of interconnection of the Ocean Wind 1,100 MW Offshore Wind project to the transmission system in New Jersey.

- C.** Docket No. QO19101327 – In the Matter of Clean Energy Request for Qualifications for OffShore Wind Consulting Service.

In the Matter of Clean Energy request for qualifications for offshore wind consulting services, the Board will consider award of a contract for the offshore wind consulting services.



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CONSENT AGENDA FOR BOARD MEETING

The meeting will be held on
Friday, March 27, 2020 – 10:00 a.m.
Via Teleconference
Dial US: +1 (312) 626-6799 - Webinar ID: 660 055 724

I. **AUDITS**

A. Energy Agent and/or Private Aggregator Initial Registrations

EE19101411L	Vanguard Energy Services, LLC d/b/a VES – New Jersey, LLC	I – EA
EE19070800L	Freedom Logistics, LLC d/b/a Freedom Energy Logistics	I – EA
GE19101330L	Budderfly, Inc.	I – PA
EE20010023L GE20010024L	Sustainable Energy Services, Inc.	I – EA/PA

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

EE19101405L	Cost Control Associates, Inc.	R – EA
EE19101404L	Satori Enterprises, LLC d/b/a Satori Energy	R – EA
EE19111476L	ClearPath Energy, LLC	R – EA
EE19091315L GE19101403L	Hospital Energy, LLC NJHA Healthcare Business Solutions	R – EA R – PA
EE19121503L GE19121504L	TFS Energy Solutions, LLC d/b/a Tradition Energy	R – EA/PA

I. AUDITS (CONT'D)

EE20020157L GE20020158L	EnerConnex, LLC	R – EA/PA/EC
EE19121531L GE19121532L	Gabel Associates, Inc.	R – EA/PA/EC
EE19121520L GE19121521L	Reflective Energy Solutions, LLC	R – EA/PA/EC
EE19111480L GE19111481L	US Grid Energy, LLC d/b/a US Grid Wholesale, LLC	R – EA/PA/EC
EE20010017L GE20010018L	Health Resource Network, Inc. d/b/a HRNEnergy	R- EA/PA/EC
EE19121502L GE20030210L	Utiliz, LLC	R – EA/EC
EE20010058L GE20010059L	South Shore Trading and Distributors, Inc.	R – EA/EC

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

Electric Power Supplier Initial License

EE19080952L	SmartestEnergy US, LLC	I – ESL
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This matter relates to the above applicant being issued an initial license as an electric power supplier for one year.

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

IV. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

V. WATER

- A. [Docket Nos. BPU WR17090985 and OAL PUC 16279-18 – In the Matter of the Petition of New Jersey American Water Company, Inc., for Approval of Increased Tariff Rates and Charges for Water and Sewer Service, Change in Depreciation Rates and Other Tariff Modifications – OAL Request for Extension.](#)

The record in this matter closed on January 21, 2020; therefore, the forty-five day period to issue the initial decision expires on March 6, 2020. The Board will consider Administrative Law Judge Jacob S. Gertsman's request for additional time to complete the Initial Decision on this matter.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU EC19090999U and OAL PUC 15018-19 – In the Matter of Callaremi Cadillac Buick GMC, Petitioner v. Jersey Central Power and Light Company, Respondent – Request for Extension.](#)

This petition involves a billing dispute between Callaremi Cadillac Buick GMC (Callaremi) and Jersey Central Power and Light Company (JCP&L). Callaremi alleges they were improperly billed by JCP&L.

- B. [Docket Nos. BPU WC18121336U and OAL PUC 01651-19 – In the Matter of Michelle Fontanez, Petitioner v. Middlesex Water Company, Respondent – Request for Extension.](#)

This petition involves a billing dispute between Michelle Fontanez (Ms. Fontanez) and Middlesex Water Company (Middlesex). Ms. Fontanez alleges Middlesex improperly billed her.

- C. [Docket Nos. GC19050562U and OAL PUC 08929-19 – In the Matter of Syed S. Hussain, Petitioner v. South Jersey Gas Company, Respondent – Billing Dispute.](#)

This petition involves a billing dispute between Syed Hussain (Mr. Hussain) and South Jersey Gas Company. Mr. Hussain alleges he was improperly billed for gas usage.

- D. [Docket Nos. BPU EC18030267U and OAL PUC 07972-2018 – In the Matter of Gertrude Holmes, Petitioner v. Public Service Electric and Gas Company, Respondent – Request for Extension.](#)

This petition involves a billing dispute between Gertrude Holmes (Ms. Holmes) and Public Service Electric and Gas Company (PSE&G). Ms. Holmes alleges they were improperly billed by PSE&G.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A. Approval of the Minutes for the February 19, 2020 Agenda Meeting.



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1. AUDITS

- A. [Docket No. EO20030193 – In the Matter of the Alleged Failure of M&L Services Providers LLC d/b/a Diamond Energy 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.](#)

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

EE17111196L	M&L Services Providers LLC d/b/a Diamond Energy	EA
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This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. and more specifically, N.J.S.A. 48:3-78 (“EDECA”, or the “Act”), and N.J.A.C. 14:4-1.1 et seq. (the “Regulations”) by M&L Services Providers LLC d/b/a Diamond Energy (“Diamond Energy” or “the Company”), who had been operating as an energy agent to arrange energy procurement for customers in New Jersey after the Company’s registration expired. As a result of correspondence and telephone conversations, Diamond Energy has submitted an Offer of Settlement (“Offer”) regarding its alleged violations.

- B. [Docket No. EO20030195 – In the Matter of the Alleged Failure of the M Group Energy Solutions, LLC d/b/a TMG Energy Solutions, 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.](#)

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

EE19030374L	The M Group Energy Solutions, LLC d/b/a TMG Energy Solutions, LLC	EA
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This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. and more specifically, N.J.S.A. 48:3-78 (“EDECA”, or the “Act”), and N.J.A.C. 14:4-1.1 et seq. (the “Regulations”) by The M Group Energy Solutions, LLC d/b/a TMG Energy Solutions, LLC (“TMG” or “the

Company”), who had been operating as an energy agent to arrange energy procurement for customers in New Jersey after the Company’s registration expired. As a result of correspondence and telephone conversations, TMG has submitted an Offer of Settlement (“Offer”) regarding its alleged violations.

2. ENERGY

- A. [Docket Nos. BPU GR19050675 and OAL PUC 13827-19 – In the Matter of the Petition of New Jersey Natural Gas Company for the Annual Review and Revision of its Basic Gas Supply Service \(BGSS\) and its Conservation Incentive Program \(CIP\) Rates for F/Y 2020.](#)

The Board will consider New Jersey Natural Gas Company’s 2019 Basic Gas Supply Service and Conservation Incentive Program rates. The parties have executed a stipulation for final rates that, if approved, will result in no changes in customers’ monthly bills.

- B. [Docket No. 651-55 – In the Matter of the Petition of Jersey Central Power and Light Company: \(1\) Grant and Convey to Public Service Electric and Gas Company a Certain Right of Way and Easement for Electric Transmission Lines Affecting Certain Lands in the Township of Blairstown, Warren County, New Jersey, for the Sum of \\$13,574; and \(2\) to Transfer and Convey to Public Service Electric and Gas Company an Undivided Interest in and Certain Property, Rights and Interests for a Pumped Storage Electric Generating Project Adjacent to the Delaware River Near Tocks Island, Pahaquarry Township, Warren County, New Jersey, and Adjacent to Yards Creek in the Township of Blairstown and in the Township of Pahaquarry, Warren County, New Jersey for a Base Price of \\$10,735,237.78 Plus Additions and Interest During Construction from December 1, 1964 to the Date of Conveyance; and](#)

[Docket No. EM98121463 – In the Matter of Jersey Central Power and Light Company d/b/a GPU Energy, Petitioner vs. Public Service Electric and Gas Company, Respondent.](#)

The Board will consider a stipulation executed between JCP&L and PSEG Fossil LLC related to a contract regarding the Yards Creek Generating facility. The Stipulation is intended to remove a preferential right provision that stated in the event either party desired to sell its interest or any part thereof, the other party has a right to purchase the interest of the other party at the depreciated original cost.

- C. [Docket No. ER20030190 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2021.](#)

The Board will consider Staff’s recommendations related to the initiation of the proceeding to determine how Basic Generation Service will be procured for the period beginning June 1, 2021.

- D. [Docket No. ER19111434 – In the Matter of the Petition of Atlantic City Electric Company for Approval of Electric Base Rate Adjustments to the PowerAhead Program \(11/2019\).](#)

The Board will consider Atlantic City Electric Company's November 2019 PowerAhead roll in. The parties have executed a stipulation that, if approved, will result in an increase of \$.19 in the monthly bill for a typical residential customer using 679 kWh.

- E. Docket No. ER20010003 – In the Matter of Federal Energy 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 ratification of the Joint Stakeholder Informational Filing.

- F. Docket No. ER20010003 – In the Matter of Federal Energy 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 the Motion for Leave to Answer and Answer filed by Staff on behalf of the Board. In its Answer, Staff continues the Board's advocacy for greater competition in transmission projects – limiting application of the Immediate Need Exemption and urging FERC to conduct further proceedings to ensure a just and reasonable rate.

- G. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020: Non-docketed Matter – **Executive Session.**

- H. [Docket No. EO20030203 - In The Matter of BPU Investigation of Resource Adequacy Alternatives.](#)

The Board will consider initiating a Staff-led Investigation of Resource Adequacy Procurement Alternatives, in accordance with the Energy Master Plan, including written comments, technical conferences, public hearings, and further proceedings.

3. CABLE TELEVISION

- A. [Docket No. CM20030211 – In the Matter of the Joint Petition of CSC TKR, LLC \(Altice USA, Inc.\) and Service Electric Cable TV of New Jersey, Inc. for Approval of the Transfer of Certificates of Approval of Service Electric Cable TV of New Jersey, Inc. of Service Electric.](#)

Altice USA, formerly known Cablevision and Service Electric Cable TV of NJ, Inc. filed a petition with the Board seeking approval of Altice's purchase of Service Electric's cable television system, serving the northwestern portion of the state. The proposed Order recommends appointing a Hearing Officer to address any motions or procedural issues in the Board's review of the Petition.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A. [Docket Nos. BPU WR19111463 and OAL PUC 17126-2019S – In the Matter of the Petition of Middlesex Water Company for Approval to Change the Levels of its Purchased Water Adjustment Clause Pursuant to N.J.A.C. 14:9-7.1 et seq.](#)

The Board will consider a stipulation among the principal parties to adjust the Company's Purchased Water Adjustment Clause (PWAC). The stipulation, if approved, will increase Middlesex's PWAC revenues by \$593,695. Customers' bills will increase by \$1.28 per quarter or approximately 0.84%.

- B. [Docket Nos. BPU. WR19111465 and OAL PUC 16898-2019S – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Authorization to Change the Level of its Purchased Water Adjustment Clause and Purchased Wastewater \(Sewerage\) Treatment Adjustment Clause.](#)

The Board will consider a stipulation among the principal parties to adjust the Company's existing Purchased Water Adjustment Clause (PWAC) and its Purchased Sewerage Treatment Adjustment Clause (PSTAC). The stipulation, if approved, allows for a \$686,836 increase in NJAW's PWAC/PSTAC's revenues which will affect the monthly bills of customers as follows: Monthly PWAC bills will decrease by \$0.02 per month or approximately – 0.04% system wide. Monthly PSTAC bills will decrease by \$0.01 or approximately – 0.02% for customers in Lakewood will increase by \$4.63 approximately 7.07% for customers in Ocean City; and by \$1.37 or approximately 2.54% for customers in the Adelphia section of Howell.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU WC19030377U and OAL PUC 09022-19 – In the Matter of Jarod Nappi, Petitioner v. New Jersey American Water Company, Respondent – Billing Dispute.](#)

This petition involves a billing dispute between Jarod Nappi and New Jersey American Water. Mr. Nappi alleges Middlesex improperly billed his account.

8. CLEAN ENERGY

- A. [Docket No. QO18121289 – In the Matter of the Board of Public Utilities Offshore Wind Solicitation for 1,100 MW Evaluation of the Offshore Wind Applications – Executive Session.](#)

The Board will consider a petition from Ocean Wind for approval to purchase Capacity Interconnection Rights to mitigate the cost of interconnection of the Ocean Wind 1,100 MW Offshore Wind project to the transmission system in New Jersey.

- B. [Docket No. QO20020109 – In the Matter of United States Department of Energy – State Energy Program – July 2, 2020 – June 30, 2021.](#)

Staff is seeking approval to submit the annual USDOE State Energy Plan application which will include five programs: “Energy Efficiency Programs for Non-Investor Owned Utility (IOU) Customers”, “Incorporating Health and Safety Measures into Energy Efficiency Upgrades”, “Building Sector Decarbonization Roadmap”, “State Energy and Water Benchmarking Study” and “Staff Training and Development”). The budget will be \$1,471,080 (federal funding) and \$294,216 (state match).

- C. Docket No. QO19101327 – In the Matter of Clean Energy Request for Qualifications for OffShore Wind Consulting Service – **Executive Session.**

In the Matter of Clean Energy request for qualifications for offshore wind consulting services, the Board will consider award of a contract for the offshore wind consulting services.

- D. Docket No. QX20030253 – In the Matter of a Rulemaking Proceeding to Amend the Renewable Portfolio Standard Rules and Create New Rules Establishing a Transition Incentive Program Pursuant to P.L. 2018, c.17 (Rule Proposal).

The Board will consider a proposed rulemaking to amend its existing solar renewable portfolio standard rules and create new rules establishing a Transition Incentive (“TI”) Program. The TI Program is intended to facilitate an interim replacement of the Solar Renewable Energy Certificate (“SREC”) Program pursuant to the Clean Energy Act of 2018 (P.L. 2018, c. 17) and to provide a bridge to a successor solar program.

- E. [Docket Nos. QO19010068 and QO18070698 – In the Matter of the closure of the SREC Registration Program Pursuant to P.L. 2018, c.17.](#)

The Clean Energy Act of 2018 requires the Board close the SREC Registration Program (“SRP”) upon the state’s attainment of 5.1% of kilowatt hours sold from solar electric power generators. In order to facilitate an orderly and efficient transition from the SRP, the Board considers providing direction to participants in the SREC market on the procedures for SRP closure and requirements for maintaining SREC eligibility up to and following program closure.

9. MISCELLANEOUS

- A. [Docket No. EO18080899 – In the Matter of the Implementation of L. 2018, c. 16 Regarding the Establishment of a Zero Emission Certificate Program for Eligible Nuclear Power Plants; and](#)

[Docket No. EO18121338 – Application for Zero Emission Certificates of Salem 1 Nuclear Power Plant; and](#)

[Docket No. EO18121339 – Application for Zero Emission Certificates of Salem 2 Power Plant; and](#)

[Docket No. EO18121337 – Application for Zero Emission Certificates of Hope Creek Nuclear Power Plant.](#)

This order requests that the Board approve an extension for Staff to provide the recommendations on the ZEC forward requirements, until May 31, 2020.