



***REVISED – June 10, 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
Wednesday, June 10, 2020 – 10:00 a.m.**

Listen Via Teleconference: 1 312 626 6799 – Webinar ID: 913 6863 4775

Watch Online: <https://youtu.be/Xlm8jJ1uXbk>

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.)

1. AUDITS

- D.** Docket No. GA19091305 – In the Matter of an Audit of the Affiliated Transactions between South Jersey Gas Company and its affiliates and a Comprehensive Management Audit of South Jersey Gas Company Pursuant to N.J.S.A. 48:2-16.4, 48:3-49, 48:3-58 and N.J.A.C. 14:3-12.1 – 14:3-12.4, 14:4-3 et. seq.

The Board will consider staff's recommendation on the selection of a consultant for the Audit of the Affiliated transactions between South Jersey Gas Company and its Affiliates and Comprehensive Audit of South Jersey Gas Company.

9. MISCELLANEOUS

- A.** Non-Docketed Matter – In the Matter of Agera Energy, aka Me Energy v. New Jersey Board of Public Utilities Claim Nos. 32, 247 (Objection Docket Nos. 647, 648, 654).

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



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CONSENT AGENDA FOR BOARD MEETING
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I. AUDITS

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

EE20040280L	Progressive Energy Consultants, LLC	R – EA
EE20040281L	Power Brokers, LLC	R – EA
EE20030242L	Daniel J Reith, LLC	R – EA
EE20010077L	US Energy Consulting Group, LLC	R – EA
EE20010057L	Amerex Brokers, LLC d/b/a Amerex Energy Services	R – EA
EE20020177L	Meretz Energy Group, LLC	R – EA
EE20030226L	PRX Energy, LLC	R – EA
EE20050348L	Gulf Stream Energy Consultants, LLC	R – EA
EE20040294L	Interactive Energy Group, LLC	R – EA
EE20040300L GE20040301L	Patriot Energy Group, Inc.	R – EA/PA
EE20040297L GE20040298L	Usource, LLC	R – EA/PA

I. AUDITS (CONT'D)

EE20020139L GE20020140L	Taurus Advisory Group, LLC	R – EA/PA/EC
EE20010050L	Enel X North America, Inc.	R – EA/PA/EC
EE20030277L GE20030278L	Biofuels Technology, LLC d/b/a Energy Connection	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.

B. [Docket No. TE20040323 – In the Matter of the Verified Petition of DRW NX Deployment LLC for Approval to Provide Local Exchange and Interexchange Telecommunications Services in the State of New Jersey.](#)

This matter involves a request for approval by DRW NX Deployment LLC to provide local exchange and interexchange telecommunications services throughout the State of New Jersey. DRW is requesting confidentiality of its Financial Statement and Competitive Exchange Carrier Questionnaire, filed in accordance with Open Public Records Act as well as waivers of the requirement to keep financial records in NJ and Uniform System of Accounts requirements and to instead use Generally Accepted Accounting Principles for its books and records.

C. Docket No. EE19040468L – In the Matter of Energy Management Advisors LLC – Withdrawn Application for Initial Energy Agent.

Energy Agent Withdrawal Registration

EE19040468L	Energy Management Advisors 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 Energy Management Advisors, LLC (“Energy Management Advisors” or “the Company”), which has been operating as an energy agent to arrange energy procurement for customers in New Jersey after the Company’s registration had expired. As a result of correspondence and telephone conversations, Energy Management Advisors, LLC has submitted a letter to withdraw from the State of New Jersey and requests to waiver the penalty regarding its alleged violations.

II. ENERGY

- A. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket No. ER20-1764 PJM Interconnection LLC re: Proposed Revisions to Operating Agreement on Fuel Cost Policies.

The Board will consider ratification of the Intervention, filed on May 28, 2020, in a FERC proceeding regarding proposed modifications to PJM's Operating Agreement on fuel cost policies.

III. CABLE TELEVISION

- A. [Docket No. CE19020215 – In the Matter of the Petition of Comcast of Southeast Pennsylvania, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Hopewell, County of Mercer, State of New Jersey.](#)

Comcast of Southeast Pennsylvania, LLC is seeking Board approval for Renewal of its Certificate of Approval to provide cable television service to the Township of Hopewell for a ten year term.

IV. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

V. WATER

- A. [Docket Nos. BPU WR20010056 and OAL PUC 01318-2020S – 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, filed by Aqua New Jersey, Inc. The proposed Board action is the further suspension of the proposed rates for four months, to October 21, 2020, to allow the Board to investigate the just and reasonableness of the proposed rates.

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 Minutes for the May 5, 2020 Agenda Meeting.



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1. AUDITS

- A. [Docket No. EO20050353 – In the Matter of the Alleged Failure of Energy Auction Exchange, 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 and Private Aggregator Initial Registrations

EE19111472L	Energy Auction Exchange, LLC	EA/PA
GE19111473L		

This matter involves potential violations under the Electric Discount and Energy Competition Act by Energy Auction Exchange, LLC which has been operating as an energy agent and private aggregator to arrange energy procurement for customers in New Jersey after the Company's registration had expired. As a result of correspondence and telephone conversations, Energy Auction Exchange, LLC has submitted an Offer of Settlement regarding its violations alleged by staff and has filed an initial application to reapply for a new registration.

1. AUDITS (CONT'D)

- B. [Docket No. EO20050354 – In the Matter of the Alleged Failure of Sable Power and Gas, 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 Initial Registration

EE20030234L

Sable Power and Gas, LLC

EA

This matter involves potential violations under the Electric Discount and Energy Competition Act by Sable Power and Gas, LLC, which has been operating as an energy agent to arrange energy procurement for customers in New Jersey after the Company's registration had expired. As a result of correspondence and telephone conversations, Sable has submitted an Offer of Settlement regarding its violations alleged by staff and has filed an initial application to reapply for a new registration.

- C. [Docket No. EO18080853 – In the Matter of the Department of Community Affairs' State Fiscal Year 2019 Universal Service Fund Administrative Cost Budget.](#)

This matter concerns the administrative costs submitted by Department of Community Affairs for State Fiscal Year 2019 (FY19) for the Universal Service Fund program.

- D. Docket No. GA19091305 – In the Matter of an Audit of the Affiliated Transactions between South Jersey Gas Company and its affiliates and a Comprehensive Management Audit of South Jersey Gas Company Pursuant to N.J.S.A. 48:2-16.4, 48:3-49, 48:3-58 and N.J.A.C. 14:3-12.1 – 14:3-12.4, 14:4-3 et. seq. – **Executive Session.**

The Board will consider staff's recommendation on the selection of a consultant for the Audit of the Affiliated transactions between South Jersey Gas Company and its Affiliates and Comprehensive Audit of South Jersey Gas Company.

2. ENERGY

- A. [Docket No. ER19040428 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2020.](#)

The Board will consider the Final Report submitted by Bates White regarding the 2020 Basic Generation Service Auction.

3. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

NO ITEMS FOR CONSIDERATION

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

- A. [Docket No. EC18030267U – In the Matter of Gertrude Holmes, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.](#)

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

8. CLEAN ENERGY

- A. [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.](#)

Atlantic County Utilities Authority (ACUA) seeks reconsideration of the Board's December 6, 2019 Order establishing the Transition Incentive Program; specifically, ACUA proposes that the 0.85 TREC factor assigned to community solar projects be changed to a 1.2 factor for community solar projects that serve exclusively Low- and Moderate-Income customers.

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

New Jersey School Boards Association seeks reconsideration of the Board's December 6, 2019 Order establishing the Transition Incentive Program; specifically, whether the 0.6 TREC factor assigned to net metered ground mounted projects should be raised to 1.0.

8. CLEAN ENERGY (CONT'D)

- C. [Docket Nos. QO18060646 and QO19091096 – In the Matter of the Motion for Reconsideration of the Board’s Order in the Matter of the Community Solar Energy Pilot Program – Atlantic County Utilities Authority.](#)

Atlantic County Utilities Authority (ACUA) seeks reconsideration of the Board’s December 20, 2019 Community Solar Pilot Program Order. Specifically, ACUA is asking the Board to reconsider its denial of ACUA’s request for a waiver of N.J.A.C. 14:8-9.10(b)(1)(i), which relates to the manner in which customers can be signed up for community solar. ACUA argues that the waiver is needed to more easily meet its goals for signing up Low- and Moderate-Income subscribers.

- D. [Docket No. QO19010040 – In the Matter of the Implementation of P.L. 2018, c.17 Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs; and](#)

[Docket No. QO19060748 – In the Matter of the Clean Energy Act of 2018 – Utility Demographic Analysis; and](#)

[Docket No. QO17091004 – In the Matter of 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 – Minimum Filing Requirements.](#)

The Board will consider Staff’s recommended framework for implementation of the next generation of energy efficiency and peak demand reduction programs in New Jersey pursuant to the Clean Energy Act of 2018. The Board will consider requirements for electric public utilities and gas public utilities to establish programs that reduce the use of electricity and natural gas within their territories, including requirements for: program design and administration; performance targets; cost recovery; evaluation, measurement and verification; and filing and reporting. The Board will also consider the acceptance of the utility demographic analysis required under the Clean Energy Act.

9. MISCELLANEOUS

- A. Non-Docketed Matter – In the Matter of Agera Energy, aka Me Energy v. New Jersey Board of Public Utilities Claim Nos. 32, 247 (Objection Docket Nos. 647, 648, 654) – **Executive Session.**

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

***LATE STARTER A**

MISCELLANEOUS

[Docket No. EO20030254 – In the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations.](#)

The Board provides additional guidance on its prior order regarding the Covid emergency in light of recent changes in social distancing protocols.