



Revised: September 27, 2022

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st 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, September 28, 2022 – 10:00 a.m.

Watch Online: <https://youtu.be/Omj8PsTcHTw>

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

- A. Docket No. GA22030141 – In the Matter of an Audit of the Affiliated Transactions between Elizabethtown Gas Company (“ETG”) and South Jersey Industries and its Affiliates and ETG’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act and a Comprehensive Management Audit of Elizabethtown Gas Company Pursuant to N.J.S.A. 48:2-16.4, 48:3-49, 48:3-58 and N.J.A.C. 14:3-2.1 – 14:3-12.4, 14:4.5 et seq.

The Board will consider the evaluation committee’s recommendation with regard to selecting the auditor to perform the comprehensive management audit and audit of affiliated transactions and compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act by Elizabethtown Gas Company.

8. CLEAN ENERGY

- A. Docket No. QO21081073 – In the Matter of the Implementation of P.L. 2021, c. 200 Regarding Establishment of the School and Small Business Energy Efficiency Stimulus Program.

The Board will consider Staff’s recommended selection of an Integrity Monitor for the School and Small Business Energy Efficiency Stimulus Program as well as related revisions to the Memorandum of Understanding with the New Jersey Department of Community Affairs.

Executive Session (Cont'd)

8. CLEAN ENERGY (CONT'D)

- C. Docket No. QO22020041 – In the Matter of the Petition of Ocean Wind, LLC Pursuant to N.J.S.A. 48:3-87.1(f) for a Determination that Easements Across Green Acres-Restricted Properties and Consents Needed for Certain Environmental Permits in, and with Respect to, the City of Ocean City are Reasonably Necessary for the Construction or Operation of the Ocean Wind 1 Qualified Offshore Wind Project.

The Board will consider the petition filed by Ocean Wind, LLC seeking a determination that easements across Green Acres-restricted properties and consents needed for certain environmental permits in, and with respect to, the City of Ocean City are reasonably necessary for the construction or operation of the Ocean Wind 1 Qualified Offshore Wind Project.

- E. Docket No. QO21060890 – In the Matter of the Petition for Assignment of “Preferred” TREC Factor for Two Pilot Dual-Use Solar Projects Pursuant to the Board’s Transition Incentive Order – Washington Solar Farm, LLC and Quakertown Solar Farm, LLC.

This item involves a litigation update in the above captioned matter.



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CONSENT AGENDA FOR BOARD MEETING
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Wednesday, September 28, 2022 – 10:00 a.m.

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I. AUDITS

NO ITEMS FOR CONSIDERATION

II. ENERGY

- A.** Docket Nos. BPU GO17010023 and OAL PUC 01160-17 – In the Matter of the Petition of New Jersey Natural Gas Company for a Determination Concerning the Holmdel Regulator Station Pursuant to N.J.S.A. 40:55D-19; and

Docket Nos. BPU GO18111257 and OAL PUC 17810-18 – In the Matter of the Petition of New Jersey Natural Gas Company for a Determination Concerning the Holmdel Regulator Station Pursuant to N.J.S.A. 40:55D-19.

The Board will consider an extension of time to issue a Final Decision in these matters from October 3, 2022 to November 17, 2022.

III. CABLE TELEVISION

- A.** Docket No. CE21050855 – In the Matter of the Petition of Comcast of Gloucester County, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of National Park, County of Gloucester, State of New Jersey.

The Board will consider a request for the Automatic Renewal of Comcast of Gloucester County, LLC's Certificate of Approval to provide cable television service to the Borough of National Park for a 10 year term.

III. CABLE TELEVISION (CONT'D)

- B. Docket No. CE22080484 – 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 City of Perth Amboy, County of Middlesex, State of New Jersey.

The Board will consider the Petitioner's request for the Renewal of Comcast of New Jersey II, LLC's Certificate of Approval to provide cable television service to the City of Perth Amboy for a 10 year term.

- C. Docket No. CE21070982 – In the Matter of the Petition of Comcast of Gloucester County, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of East Greenwich, County of Gloucester, State of New Jersey.

The Board will consider a request for the Automatic Renewal of Comcast of Gloucester County, LLC's Certificate of Approval to provide cable television service to the Township of East Greenwich for a 10 year term.

- D. Docket No. CE21071003 – In the Matter of the Petition of Comcast of Avalon, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Avalon, County of Cape May, State of New Jersey.

The Board will consider a request for the Automatic Renewal of Comcast of Avalon, LLC's Certificate of Approval to provide cable television service to the Borough of Avalon for a 10 year term.

- E. Docket No. CE21030651 – In the Matter of the Petition of Comcast of Burlington County, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Willingboro, County of Burlington, State of New Jersey.

The Board will consider a request for the Automatic Renewal of Comcast of Burlington County, LLC's Certificate of Approval to provide cable television service to the Township of Willingboro for a 10 year term.

IV. TELECOMMUNICATIONS

- A. Docket No. TM22070455 – In the Matter of the Verified Petition of AMP Capital Investors International Holdings Ltd., Everstream Solutions LLC, and DB Puma GIF II GP HoldCo, LLC to Transfer Indirect Control of Everstream Solutions LLC to DB Puma GIF II GP HoldCo, LLC.

The Board will consider a verified petition submitted by AMP Group Holdings Limited and AMP Capital Investors International Holdings Ltd., Everstream Solutions LLC, and DB Puma GIF II GP HoldCo, LLC seeking Board approval for the transfer of indirect control of Everstream Solutions LLC.

V. WATER

- A.** Docket No. WE22030200 – In the Matter of the Petition of SUEZ Water New Jersey Inc. for the Approval of Municipal Consent to Own and Operate Water System in the Borough of Allendale and Approval of the Issuance of Revised Tariff Sheets Setting Forth SUEZ Water New Jersey Inc.'s Expanded Service Area and Rates Related to the Transfer of Water Assets from the Borough of Allendale to SUEZ Water New Jersey Inc.

The Board will consider SUEZ Water New Jersey Inc.'s request for a Municipal Consent Granted by the Borough of Allendale.

- B.** Docket No. WR22090555 – In the Matter of Pinelands Water Company for Approval of an Increase in its Rates for Water Service and Other Tariff Changes.

This matter involves a petition for a base rate increase, for water service, filed by Pinelands Water Company. The proposed Board action is the suspension of the proposed rates for four months, or until February 7, 2023, to allow the Board to investigate the just and reasonableness of the proposed rates.

- C.** Docket No. WR22090556 – In the Matter of Pinelands Wastewater Company for Approval of an Increase in its Rates for Wastewater Service and Other Tariff Changes.

This matter involves a petition for a base rate increase, for wastewater service, filed by Pinelands Wastewater Company. The proposed Board action is the suspension of the proposed rates for four months, or until February 7, 2023, to allow the Board to investigate the just and reasonableness of the proposed rates.

VI. RELIABILITY AND SECURITY

- A.** Docket Nos. GS22080517K, GS22080518K, GS22080519K, GS22080520K, GS22080521K, GS22080522K, GS22080523K, GS22080524K, GS22080525K, GS22080526K, GS22080527K, GS22080528K, GS22080529K, GS22080530K, GS22080531K, GS22080532K, GS22080533K, WS22080534K, WS22080535K, GS22080536K, and GS22080537K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to -91.

The Board will consider Offers of Settlement for alleged violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73, et seq.

VII. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

VIII. CLEAN ENERGY

- A. Docket No. QO19010040 – In the Matter of the Implementation of L. 2018, c. 17 Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs;

Docket No. EO20090621 – In the Matter of the Petition of Atlantic City Electric Company for Approval of an Energy Efficiency Program, Cost Recovery Mechanism, and Other Related Relief for Plan Years One Through Three;

Docket No. GO20090619 – In the Matter of the Petition of Elizabethtown Gas Company for Approval of New Energy Efficiency Programs and Associated Cost Recovery Pursuant to the Clean Energy Act and the Establishment of a Conservation Incentive Program;

Docket No. EO20090620 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Approval of JCP&L's Energy Efficiency and Conservation Plan Including Energy Efficiency and Peak Demand Reduction Programs (JCP&L EE&C);

Docket No. GO20090622 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of Energy Efficiency Programs and the Associated Cost Recovery Mechanism Pursuant to the Clean Energy Act, N.J.S.A. 48:3-87.8 et seq. and 48:3-98.1 et seq.;

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;

Docket No. EO20090623 – In the Matter of the Petition of Rockland Electric Company for Approval of Its Energy Efficiency and Peak Demand Reduction Programs; and

Docket No. GO20090618 – In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs and Associated Cost Recovery Pursuant to the Clean Energy Act.

The Board will consider a request for an extension of time for submission of annual reports by the State's investor-owned electric and gas public utilities for energy efficiency programs implemented pursuant to the Clean Energy Act of 2018.

IX. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION

CONSENT LATE STARTER A. *

Docket No. QO22050347 - In the Matter of the Petition of Ocean Wind LLC Pursuant to N.J.S.A. 48:3-87(F) for a Determination that Certain Easements and Consents Needed for Certain Environmental Permits in, and With Respect to, the County of Cape May are Reasonably Necessary for the Construction or Operation of The Ocean Wind 1 Qualified Offshore Wind Project.

The Board will consider designating a substitute public hearing officer for the above-captioned matter.



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1. AUDITS

- A. Docket No. GA22030141 – In the Matter of an Audit of the Affiliated Transactions between Elizabethtown Gas Company (“ETG”) and South Jersey Industries and its Affiliates and ETG’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act and a Comprehensive Management Audit of Elizabethtown Gas Company Pursuant to N.J.S.A. 48:2-16.4, 48:3-49, 48:3-58 and N.J.A.C. 14:3-2.1 – 14:3-12.4, 14:4.5 et seq. – **Executive Session.**

The Board will consider the evaluation committee's recommendation with regard to selecting the auditor to perform the comprehensive management audit and audit of affiliate transactions and compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act by Elizabethtown Gas Company.

2. ENERGY

- A. Docket No. GR22030152 – In the Matter of the Petition of Public Service Electric and Gas Company to Modify its Manufactured Gas Plant (MGP) Remediation Component Within its Electric Societal Benefits Charge (SBC) and its Gas SBC; During the Remediation Adjustment Charge (RAC) 29 Period, August 1, 2020, to July 31, 2021.

The Board will consider Public Service Electric and Gas Company’s March 2022 Remediation Adjustment Clause filing. The Parties have executed a stipulation which, if approved by the Board, will result in an annual decrease of \$3.58 for the typical residential gas customer using 172 therms in a winter month and 1,040 therms annually and an annual decrease of \$1.00 for a typical residential electric customer using 740 kWh in a summer month and 6,920 kWh annually.

2. ENERGY (CONT'D)

- B.** Docket No. GR22060371 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of the Cost Recovery Associated with Energy Efficiency Programs.

The Board will consider New Jersey Natural Gas Company's June 2022 filing to review and approve modifications to the Company's Energy Efficiency Rate. The parties have executed a stipulation which, if approved by the Board, will result in a monthly decrease of \$0.52 or 0.4% for the typical residential customer.

- C.** Docket No. GR22060362 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Gas Conservation Incentive Program (2022 PSE&G Gas Conservation Incentive Program Rate Filing).

The Board will consider Public Service Electric and Gas Company's Gas Conservation Incentive Program rates. The Parties have executed a stipulation for provisional rates which, if approved by the Board, will result in an annual increase of \$30.38 for a typical residential heating customer using 172 therms in a winter month and 1,040 therms annually.

- D.** Docket No. ER22050323 – In the Matter of the Petition of Atlantic City Electric Company for Approval of Electric Base Rate Adjustments Pursuant to the PowerAhead Program (5/2022).

The Board will consider Atlantic City Electric Company's May 2022 PowerAhead rate roll-in. The parties have executed a stipulation which, if approved by the Board, will result in a monthly bill increase of \$0.17 for a typical residential customer using 680 kWh per month.

- E.** Docket No. EO22070469 – In the Matter of the Petition of Rockland Electric Company's Annual Conservation Incentive Program Filing – Reconciliation for the Period July 1, 2021 – June 30, 2022.

The Board will consider Rockland Electric Company's Electric Conservation Incentive Program rates. The Parties have executed a stipulation for provisional rates, which if approved by the Board, will result in an annual decrease of \$2.04 for an average residential customer using 808 kWh per summer month, and 7,800 kWh on an annual basis.

- F.** Docket No. GR22040316 – In the Matter of the Petition of Elizabethtown Gas Company for Approval of a Rate Adjustment Pursuant to the Infrastructure Investment Program ("IIP").

The Board will consider Elizabethtown Company's Gas Infrastructure Investment Program rate recovery filing. The Parties have executed a stipulation which, if approved by the Board, will result in a monthly increase of \$1.93 for a typical residential customer using 100 therms.

2. ENERGY (CONT'D)

- G.** Docket No. ER22060374 – In the Matter of the 2022/2023 Annual Compliance Filings for the Universal Service Fund (“USF”) Program Factor within the Societal Benefits Charge Rate.

The Board will consider a filing made by the electric and gas distribution companies requesting adjustments to the statewide electric and gas USF Program and Lifeline Program rates within the Societal Benefits Charge.

3. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A.** Docket No. WR22060392 – In the Matter of the Petition of Veolia Water New Jersey Inc. for Approval to Defer the Costs Related to the Replacement of Customer/Property Owner Side Lead Service Lines and Other Related Approvals.

The Board will consider designating a presiding commissioner for the petition filed by Veolia Water New Jersey Inc. to defer costs to replace non-Company side lead service lines.

- B.** Docket No. WO22080477 – In the Matter of the Township of North Brunswick (Middlesex County) Application to the Board of Public Utilities Intent to Enter Contract for Water Supply Services via Public-Private Partnership Agreement.

The Board will consider a public-private contract between the Township of North Brunswick and Veolia Water North America Operating Services, LLC for the operation and maintenance of North Brunswick's municipally owned water system.

- C.** Docket Nos. WR22030138 and OAL PUC 02047-2022S – 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 an emergent motion filed by Middlesex Water Company requesting approval to implement its Purchased Water Adjustment Charge on an interim basis pending the outcome of hearings at the Office of Administrative Law.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

- A. Docket No. EG20060445 – In the Matter of the Energy Assistance Grant as Authorized Under N.J.S.A. 48:2-29.39 – Payment Assistance for Gas and Electric Program.

The Board will consider Staff's recommendation to extend the contract period for the current contract between the Board and the Affordable Housing Alliance, of Neptune, New Jersey for the Board's Payment Assistance for Gas and Electric program, a utility assistance program for low and moderate-income households.

8. CLEAN ENERGY

- A. Docket No. QO21081073 – In the Matter of the Implementation of P.L. 2021, c. 200 Regarding Establishment of the School and Small Business Energy Efficiency Stimulus Program – **Executive Session.**

The Board will consider Staff's recommended selection of an Integrity Monitor for the School and Small Business Energy Efficiency Stimulus Program as well as related revisions to the Memorandum of Understanding with the New Jersey Department of Community Affairs.

- B. Docket No. QO21050824 – In the Matter of the Board of Public Utilities Offshore Wind Solicitation 2 for 1,200 to 2,400 MW – Atlantic Shores Offshore Wind Project 1, LLC.

The Board will consider the Atlantic Shores Offshore Wind Project 1, LLC request regarding financial reporting requirements.

- C. Docket No. QO22020041 – In the Matter of the Petition of Ocean Wind, LLC Pursuant to N.J.S.A. 48:3-87.1(f) for a Determination that Easements Across Green Acres-Restricted Properties and Consents Needed for Certain Environmental Permits in, and with Respect to, the City of Ocean City are Reasonably Necessary for the Construction or Operation of the Ocean Wind 1 Qualified Offshore Wind Project – **Executive Session.**

The Board will consider the petition filed by Ocean Wind, LLC seeking a determination that easements across Green Acres-restricted properties and consents needed for certain environmental permits in, and with respect to, the City of Ocean City are reasonably necessary for the construction or operation of the Ocean Wind 1 Qualified Offshore Wind Project.

- D. Docket No. QO22050336 – In the Matter of the Remote Net Metering Application Filed Pursuant to the Board's Application and Approval Process Implementing Provisions of the Clean Energy Act of 2018 – National Energy Partners, LLC/Somers Point Sewerage Authority.

The Board will consider the Remote Net Metering application submitted by National Energy Partners on behalf of the Somers Point Sewerage Authority.

8. CLEAN ENERGY (CONT'D)

- E.** Docket No. QO21060890 – In the Matter of the Petition for Assignment of “Preferred” TREC Factor for Two Pilot Dual-Use Solar Projects Pursuant to the Board’s Transition Incentive Order – Washington Solar Farm, LLC and Quakertown Solar Farm, LLC – **Executive Session.**

This item involves a litigation update in the above captioned matter.

9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION