



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

**AGENDA FOR BOARD MEETING
WEDNESDAY, SEPTEMBER 16, 2009
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.)*

1. AUDITS

- A.** Docket No. EA09040305 – In the Matter of the Affiliated Transactions Audit and Comprehensive Management Audit Public Service Electric and Gas Company – Ratification of Agreement for Consulting Services.

6. RELIABILITY & SECURITY

- B.** Docket No. AA09020127 – In the Matter of the Request for Proposal 09-x-20634 Designation of System Operator for New Jersey's One Call Damage Prevention System.

8. CLEAN ENERGY

- A.** Docket No. EO07030203 – In the Matter of Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for 2009 – 2012; Honeywell Proposed Contract Modification for Performance Incentives.
- C.** Docket Nos. EOO9030210, EO09070542, EO09070543 and EO09070544 - In the Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order – Memorandum of Understanding with New Jersey's Housing Mortgage and Finance Agency (HMFA), Memorandum of Understanding with the Office of Energy Savings (OES), and Memorandum of Understanding with the Economic Development Authority (EDA).

8. CLEAN ENERGY (CONT'D)

D. Docket No. EO08070470 - In the Matter of the Revised Memorandum of Understanding (MOU) between the Board of Public Utilities and the New Jersey Economic Development Authority (EDA) - Clean Energy Manufacturing Fund (CEMF) - Delegating Authority for Grant Agreements.

E. Docket No. EO08060423 – In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 – In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement.



**AGENDA FOR BOARD MEETING
WEDNESDAY, SEPTEMBER 16, 2009
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CONSENT AGENDA**

I. AUDITS

A. Docket No. TE09060468 – In the Matter of the Petition of Public Wireless, Inc. for Approval to Provide Local Exchange and Interexchange Telecommunications Services throughout the State of New Jersey.

B. Energy Agent/PrivateAggregator/Energy Consultant Renewal Registration(s)

| | | |
|----------------------------|-------------------------|--------------|
| EE09080694L GE09080695L | Dome-Tech, Incorporated | R – EA/PA/EC |
|----------------------------|-------------------------|--------------|

Private Aggregator and/or Energy Agent Final Registration(s)

| | | |
|----------------------------|----------------------|-----------|
| EE09060486L GE09060487L | Early Bird Power LLC | F – PA/EA |
|----------------------------|----------------------|-----------|

Natural Gas Supplier License Renewal

| | | |
|-------------|--|---------|
| GE09070532L | Stuyvesant Energy, LLC d/b/a Hess Small Business Services | R – GSL |
|-------------|--|---------|

Natural Gas Supplier Final License

| | | |
|-------------|------------------|---------|
| GE09080661L | Core Energy Inc. | F - GSL |
|-------------|------------------|---------|

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

A. Docket No. CE09020152 – 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 Moorestown, County of Burlington, State of New Jersey.

III. CABLE TELEVISION (CONT'D)

- B.** Docket No. CE09040312 – 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 Borough of Laurel Springs, County of Camden, State of New Jersey.
- C.** Docket No. CE09010042 – In the Matter of the Petition of Comcast of Garden State, LP for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Mount Laurel, County of Burlington, State of New Jersey.
- D.** Docket No. CE09020118 – 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 Delran, County of Burlington, State of New Jersey.
- E.** Docket No. CE09010067 – In the Matter of the Petition of Comcast of South Jersey, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Elsinboro, County of Salem, State of New Jersey.
- F.** Docket No. CO09050402 – In the Matter of Time Warner Cable Company Request for Waiver, as within time, of the 30-day Notice Period for Filing of an Alteration in Channel Allocation Pursuant to N.J.A.C. 14:18-3.17(A) and (B).

IV. TELECOMMUNICATIONS

- A.** Docket No. TF09070537 – In the Matter of the Verified Petition of Global Crossing North American Networks, Inc. and Global Crossing Local Services, Inc. for Authority to Provide their Security in Connection with Financing.
- B.** Docket No. TM09070552 – In the Matter of the Application of Verizon New Jersey, Inc., for the Approval of the Sale and Conveyance of Real Property Located in the Borough of Madison, Morris County, New Jersey to Hampshire Global Partners, LLC.
- C.** Docket No. TM08121088 – In the Matter of the Joint Petition of Looking Glass Networks, Inc. and Level 3 Communications, LLC for Authority to Complete a Pro Forma Merger and Other Relief.

V. WATER

- A.** Docket No. WR09070575 – In the Matter of the Petition of Shore Water Company for Approval of an Increase in Rates for Service.

V. WATER (CONT'D)

- B.** Docket No. WR09080666 – In the Matter of the Petition of Middlesex Water Company for Approval of an Increase in its Rates for Water Service and Other Tariff Changes.
- C.** Docket No. WE09030185 - In the Matter of the Petition of Applied Wastewater Management Inc., for Approval of a Municipal Consent Granted by the Township of Mount Olive, Morris County; and Extension of its Existing Water Tariff to the New Service Area.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU TC08121039U & OAL PUC 2296-09 – In the Matter of William J. and Cheri L. Briglia, Petitioner v. Verizon New Jersey, Inc., Respondent.
- B.** Docket Nos. BPU GC07010020U & OAL PUC 12717-07 & PUC 07830-07 – In the Matter of Kelly E. Jones, Petitioner v. Elizabethtown Gas Company, Respondent.
- C.** Docket Nos. BPU TC09030183U & OAL PUC 5371-09 – In the Matter of Clayton Pierce, Petitioner v. Verizon New Jersey, Inc., Respondent.
- D.** Docket Nos. BPU GC08110963U & OAL PUC 1517-09 – In the Matter of Caryn B. Gilbert, Petitioner v. Public Service Electric and Gas Company, Respondent.
- E.** Docket Nos. BPU TC09020105U & OAL PUC 2789-09 – In the Matter of Richard S. Riggs, Petitioner v. Verizon New Jersey, Inc., Respondent.
- F.** Docket Nos. BPU TC08111004U & OAL PUC 2618-09 – In the Matter of Rose Wilson, Petitioner, v. Verizon New Jersey, Inc., Respondent.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A.** Approval of the Minutes of June 14, 2007 meeting.



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AGENDA FOR BOARD MEETING
WEDNESDAY, SEPTEMBER 16, 2009
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AGENDA

1. AUDITS

- A. Docket No. EA09040305 – In the Matter of the Affiliated Transactions Audit and Comprehensive Management Audit Public Service Electric and Gas Company – Ratification of Agreement for Consulting Services – **EXECUTIVE SESSION**.
- B. Docket No. EO09080667 - In the Matter of the Petition of NRG Thermal LLC for a Declaratory Ruling Pursuant to N.J.S.A. 52:14B-8 and 2A:16-50 et. seq.

2. ENERGY

- A. Docket No. GR09080664 – In the Matter of the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service, Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for other Appropriate Relief.
- B. Non-Docketed Matter – In the Matter of First Energy Service Company FERC Filing to Consolidate Transmission Assets FERC Docket No. ER09-1589.
- C. Docket No. ER09060464 - In the Matter of the Petition of Atlantic City Electric Company (ACE) for Approval to Implement FERC-Approved Changes to ACE's Retail Transmission (Formula) Rate Pursuant to Paragraphs 15.9 of the BGS-FP an BGS-CIEP Supplier Master Agreements and Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff.
- D. Non-Docketed Matter - In the Matter of the PJM Interconnection, LLC FERC Docket Nos. ER05-1410 et al., EL05-148 et al.; Maryland Public Service Commission et al. vs. PJM Interconnection, LLC FERC Docket No. EL08-67; PJM Interconnection, LLC FERC Docket No. ER09-412 (Reliability Pricing Model).

2. ENERGY (CONT'D)

- E. Non-Docketed Matter – In the Matter of PJM Interconnection, LLC., FERC Docket No. EL09-68 (PJM's Economic Demand Response).
- F. Docket No. EO08100875 – In the Matter of Atlantic City Electric Company Renewable Energy Portfolio Standard - Amendments to the Minimum Filing Requirements for Energy Efficiency, Renewable Energy, and Conservation Programs; and for Electric Distribution Company Submittals of Filings in Connection with Solar Financing; and

Docket No. EO08090840 – In the Matter of the Verified Petition of Jersey Central Power and Light Company Concerning a Proposal for an SREC-Based Financing Program under N.J.S.A. 48:3-98.1.
- G. Docket No. GR09060431 - In the Matter of the Petition of Pivotal Utility Holdings Inc., d/b/a Elizabethtown Gas Company to Reconcile its Periodic Basic Gas Supply Service Rate.
- H. Docket No. GR09060432 - 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.
- I. 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.
- J. Docket No. GR09060429 - In the Matter of the Petition of South Jersey Gas Company to Reduce the Level of its Basic Gas Supply Service Charge for the BGSS Year Ending September 30, 2010.
- K. Docket No. EO09010056 - In the Matter of the Energy Efficiency Programs and Associated Cost Recovery Mechanisms; and

Docket No. EO09010061 - In the Matter of the Petition of Rockland Electric Company for Approval of an Energy Efficiency Stimulus Program and Associated Rate Recovery – Waiver of 180 Day Statutory Period.

2. ENERGY (CONT'D)

- L. Docket No. GF09070557 - In the Matter of the Petition of South Jersey Gas Company for Authorization through September 30, 2012: (i) to Make, Execute and Deliver Pursuant to N.J.S.A. 48:3-7A Twenty-Fifth (25th) Supplemental Mortgage Indenture and Additional Supplemental Mortgage Indentures Providing for the Issuance of a First Mortgage Bond or Bonds with a Maturity or Maturities of not more than Forty (40) Years in Aggregate Principal Amount of not more than \$150,000.000; (ii) to Make, Execute and Deliver Pursuant to N.J.S.A. 48:3-7 such other Supplemental Indentures, and to Issue such First Mortgage Bonds thereunder, as shall be Necessary to Complete the Transactions Contemplated in this Petition; (iii) to Issue and sell Medium Term Notes with a Maturity of not more than Forty (40) Years in an Aggregate Principal Amount of not more than \$150,000,000; (iv) to make, Execute and Deliver a Trust Indenture, Trust Indentures or Supplements thereto Providing for the Issuance of Medium Term Notes; and (v) to Redeem, Refinance or Defeasce any or all of its Outstanding Long-Term Debt Securities as long as the Redemption, Refinancing or Defeasance is Accomplished on a Cost Saving Basis.

3. CABLE TELEVISION

- A. Docket No. CO09080670 - In the Matter of the Alleged Failure of Verizon New Jersey, 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. 14:17-1.1 et seq. and N.J.A.C. 14:18-1.1 et seq., and Certain Provisions of a Board Order.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

NO ITEMS FOR CONSIDERATION

6. RELIABILITY AND SECURITY

- A. Docket No. GO09060467 - In the Matter of the Petition of South Jersey Gas Company for Authorization to Construct a 24" Pipeline through Franklin Township and Newfield Borough in Gloucester County, Buena Borough and Buena Vista Township in Atlantic County, and the City of Vineland in Cumberland County, New Jersey.
- B. Docket No. AA09020127 – In the Matter of the Request for Proposal 09-x-20634 Designation of System Operator for New Jersey's One Call Damage Prevention System – **EXECUTIVE SESSION.**

7. CUSTOMER ASSISTANCE

- A. Docket No. WE09060437 – In the Matter of United Water New Jersey, Inc., for Approval Pursuant to N.J.A.C. 14:3-5.1(e) to Close its Customer Payment Center in Lambertville, New Jersey.

8. CLEAN ENERGY

- A. Docket No. EO07030203 – In the Matter of Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for 2009 – 2012; Honeywell Proposed Contract Modification for Performance Incentives – **EXECUTIVE SESSION**.
- B. Docket No. EO07030203 – In the Matter of the Comprehensive Energy Efficient (EE) & Renewable Energy (RE) Resource Analysis for 2009-2012: Policy Regarding Caps on the Level of Commercial and Industrial Program Incentives Available to any Single Entity.
- C. Docket Nos. EOO9030210, EO09070542, EO09070543 and EO09070544 - In the Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order – Memorandum of Understanding with New Jersey's Housing Mortgage and Finance Agency (HMFA), Memorandum of Understanding with the Office of Energy Savings (OES), and Memorandum of Understanding with the Economic Development Authority (EDA) – **EXECUTIVE SESSION**.
- D. Docket No. EO08070470 - In the Matter of the Revised Memorandum of Understanding (MOU) Between the Board of Public Utilities and the New Jersey Economic Development Authority (EDA) - Clean Energy Manufacturing Fund (CEMF) - Delegating Authority for Grant Agreements – **EXECUTIVE SESSION**.
- E. Docket No. EO08060423 – In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 – In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement – **EXECUTIVE SESSION**.
- F. Docket No. EO07030203 - In the Matter of the Comprehensive Energy Efficient (EE) and Renewable Energy (RE) Resource Analysis for 2009-2012: Revised Rebate Approval Procedures.

9. MISCELLANEOUS

- A. Docket No. EO09050408 - In the Matter of New Jersey Transit's Petition for an Exemption from the Main Extension Rules Pursuant to N.J.A.C. 14:3-8.8(b)(1).
- B. Docket No. EO09070522 - In the Matter of Bergen County Mahwah Communications Center's Petition for an Exemption from the Main Extension Rules Pursuant to N.J.A.C. 14:3-8.8(b)(1).

LATE STARTER A

ENERGY

Docket No. GR09060430 - In the Matter of the Petition of South Jersey Gas Company to Change the Level of its Conservation Incentive Program Charge for the CIP Year Ending September 30, 2010.

****LATE STARTER B**

ENERGY

Docket No. EO09050351 - In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2010 – Compliance with Renewable Energy Portfolio Standards.