



**STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Ave., P.O. Box 350
Trenton, NJ 08625-0350**

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC UTILITIES**

A Regular Board meeting of the Board of Public Utilities was held on July 19, 2013, at the State House Annex, Committee Room 11, 125 West State Street, Trenton, New Jersey 08608.

Public notice was given pursuant to N.J.S.A. 10:4-18 by posting notice of the meeting at the Board's Trenton Office, on the Board's website, filing notice of the meeting with the New Jersey Department of State and the following newspapers circulated in the State of New Jersey:

Asbury Park Press
Atlantic City Press
Burlington County Times
Courier Post (Camden)
Home News Tribune (New Brunswick)
North Jersey Herald and News (Passaic)
The Record (Hackensack)
The Star Ledger (Newark)
The Trenton Times

The following members of the Board of Public Utilities were present:

Robert M. Hanna, President
Jeanne M. Fox, Commissioner
Joseph L. Fiordaliso, Commissioner
*Mary-Anna Holden, Commissioner
Dianne Solomon, Commissioner

*Commissioner Holden participated via teleconference call.

President Hanna presided at the meeting and Kristi Izzo, Secretary of the Board, carried out the duties of Secretary.

It was announced that the next regular Board Meeting would be held on August 21, 2013 at the State House Annex, Committee Room 11, 125 West State Street, Trenton, New Jersey 08608.

CONSENT AGENDA

I. AUDITS

A. Docket No. TE13050372 – In the Matter of the Petition of United Federal Data of New Jersey, LLC for Authority to Provide Local Exchange and Interexchange Telecommunications Services in the State of New Jersey.

BACKGROUND: By letter dated April 26, 2013, United Federal Data of New Jersey, LLC (Petitioner or UFDNJ LLC) filed a Petition with the Board requesting authority to provide both resold and facilities-based local exchange and interexchange telecommunications services throughout the State of New Jersey. UFDNJ LLC is a limited liability company organized under the laws of the Commonwealth of Pennsylvania and is a wholly owned subsidiary of United Fiber & Data, LLC (UF&D LLC) formerly known as United Federal Data, LLC (UFD LLC).

On September 13, 2012, the Board granted UFD LLC authority to provide both resold and facilities-based local exchange and interexchange telecommunications services throughout the State of New Jersey under Docket No. TE12070645. UFD LLC filed an Amendment to the Certificate of Organization on April 1, 2013, changing its legal name to UF&D LLC.

The Petitioner requested a waiver of N.J.S.A. 48:3-7.8 and N.J.A.C. 14:1-4.3, which requires that books and records be kept within the State of New Jersey and be maintained in accordance with the Uniform System of Accounts (USOA), respectively. The Petitioner requested permission to maintain its books and records in accordance with Generally Accepted Accounting Principles and to keep all books, records, documents and other writings incident to the conduct of the Petitioner's business in the State of New Jersey at the Petitioner's corporate offices located in York, Pennsylvania. The Petitioner also stated, upon written notice from the Board and/or Board Staff, it will provide its books and records at such time and place within New Jersey as the Board may designate and will pay any reasonable expenses for examination of records

By letter dated May 8, 2013, the Division of Rate Counsel submitted comments with the Board stating that it did not object to Board approval of the Verified Petition.

After review, Staff recommended the Board approve the Petitioner's request for authority to provide local exchange and interexchange telecommunications services in the State of New Jersey. Staff also recommended the Board approve the Petitioner's request for waiver from its requirements that the Petitioner maintain its books and records in accordance with the USOA and in New Jersey.

DECISION: The Board adopted the recommendation of Staff as set forth above.

B. Energy Agent, Private Aggregator and/or Energy Consultants Initial Registrations

EE13050399L	Bright Power, Incorporated	I – EA
EE13060508L	Avion Energy Group, LLC	I – EA/PA
GE13060509L		
GE12030259L	ANE American New Energy, LLC	I – PA
EE13050407L	Resolution Consulting Group, Incorporated	I – EA/PA/EC
GE13050408L	d/b/a Resolution Energy Group	
EE13050414L	E Squared US, LLC	I – EA/EC
GE13060523L		
EE13050415L	Utility Advantage, LLC	I – EA/EC
GE13060538L		
GE13060502L	Alternative Utility Services, Incorporated	I – EC

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

EE13060461L	Commercial Utility Consultants, Incorporated	I – EC
GE13060462L	d//b/a Commercial Utility Consultants	R – EA/PA
EE13040358L	Verdigris Energy, LLC	R – EA/PA
GE13040359L		
EE13040352L	RJT Energy Consultants, LLC	R – EA/PA
GE13040353L		
EE13040318L	Affiliated Power Purchasers International, LLC	R – EA/PA
GE13040319L	d/b/a APPI or APPI Energy	
EE13040314L	New Energy Concepts, LLC	R – EA/PA
GE13040315L		
EE13040360L	HealthTrust Purchasing Group, LP	R – EA/PA/EC
GE13040361L		
EE13040327L	EMEX, LLC	R – EA/PA/EC
GE13040328L		
EE13060514L	Taylor Consulting & Contracting, LLC	R – EA/PA/EC
GE13060515L		
GE13060472L	New Jersey Business and Industry Association (NJBIA)	R – PA

Electric Power Supplier Initial Licenses

EE13030222L	Community Energy, Incorporated	I – ESL
EE13060526L	Hess Energy Marketing, LLC	I – ESL

Electric Power and/or Natural Gas Supplier License Renewals

EE13040357L	Sperian Energy, Corporation	R – ESL
EE13060475L	FirstEnergy Solutions, Corporation	R – ESL
EE13050416L	Pepco Energy Services, Incorporated	R – EGSL
GE13050417L	d/b/a Power Choice	
EE13060479L	BBPC, LLC	R – EGSL
GE13060478L	d/b/a Great Eastern Energy	
+GE13060464L	Colonial Energy, Incorporated	R – GSL
GE13060467L	Shell Energy North America (US), LP	R – GSL
GE13060513L	Core Energy, Incorporated	R – GSL

BACKGROUND: The Board must register all energy agents and consultants, and the Board must license all third party electric power suppliers and gas suppliers. An electric power supplier, gas supplier, or clean power marketer license shall be valid for one year from the date of issue, except where a licensee has submitted a complete renewal application at least 30 days before the expiration of the existing license, in which case the existing license shall not expire until a decision has been reached upon the renewal application. An energy agent, private aggregator or energy consultant registration shall be valid for one year from the date of issue. Annually thereafter, licensed electric power suppliers, gas suppliers, and clean power marketers, as well as energy agents and private aggregators, are required to renew timely their licenses in order to continue to do business in New Jersey.

Having reviewed the submitted applications, Staff recommended the Board issue initial registrations as an energy agent, private aggregator and/or energy consultant for one year to:

- Bright Power, Inc.
- Avion Energy Group, LLC
- ANE American New Energy LLC
- Resolution Consulting Group Inc. d/b/a Resolution Energy Group
- E Squared US LLC
- Utility Advantage, LLC
- Alternative Utility Services, Inc.

Staff also recommended the following applicants be issued renewal registrations as an energy agent, private aggregator and/or energy consultant for one year:

- Commercial Utility Consultants, Inc. d//b/a Commercial Utility Consultants
- Verdigris Energy LLC
- RJT Energy Consultants, LLC
- Affiliated Power Purchasers International, LLC d/b/a APPI or APPI Energy
- New Energy Concepts, LLC
- HealthTrust Purchasing Group, LP
- EMEX, LLC
- Taylor Consulting & Contracting, LLC
- New Jersey Business & Industry Association (NJBIA)

In addition, Staff recommended the following applicants be issued initial licenses as an electric power supplier for one year:

- Community Energy, Inc.
- Hess Energy Marketing, LLC

Staff also recommended the following applicants be issued renewal licenses as an electric power and/or natural gas supplier for one year:

- Sperian Energy Corp.
- FirstEnergy Solutions Corp.
- Pepco Energy Services, Inc. d/b/a Power Choice

- BBPC, LLC d/b/a Great Eastern Energy
- Colonial Energy, Inc.
- Shell Energy North America (US), L.P.
- Core Energy Inc.

Lastly, Staff further recommended the following applicant be issued a renewal license as a green power marketer for one year:

- Community Energy, Inc.

DECISION: The Board adopted the recommendation of Staff as set forth above.

II. ENERGY

A. Docket Nos. BPU EC10030233 and OAL PUC 04364-10 – In the Matter of Pennsville Travel Center, Inc., Petitioner v. Atlantic City Electric Company, Request for Extension.

BACKGROUND: The Initial Decision of the Administrative Law Judge was received by the Board on June 7, 2013; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on July 22, 2013. Prior to that date, the Board requested an additional 45-day extension of time for issuing the Final Decision, so that it may adequately review the record in this matter, which includes exceptions to the Initial Decision filed by both parties.

Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, Staff recommended that the time for the Board to render a Final Decision be extended until September 5, 2013.

DECISION: The Board adopted the recommendation of Staff as set forth above.

III. CABLE TELEVISION

A. Docket No. CE06110768 – In the Matter of the Application of Verizon New Jersey, Inc. for a System-wide Cable Television Franchise.

BACKGROUND: This matter involved an Order memorializing the addition of seven municipalities to the system-wide franchise issued to Verizon on December 18, 2006; and amended on August 1, 2007, April 9, 2008, October 23, 2008, April 27, 2009, July 29, 2009, April 11, 2012, November 20, 2012 and April 29, 2013.

On May 15, 2013, Verizon filed notice with the Board that it was adding the Borough of Bloomingdale, the Township of Delanco, the Township of Edgewater Park, the Borough of Lakehurst, the Township of Mount Laurel, the City of Pleasantville and the Township of Riverside (collectively, the seven municipalities) to its system-wide franchise. On May 14, 2013, Verizon notified the seven municipalities that it was adding them to its system-wide franchise.

The total number of municipalities covered by Verizon's system-wide franchise is now 378. Verizon provides telephone service in all or parts of 526 municipalities in the state. With the addition of the seven municipalities, Verizon provides its FiOS cable television service to all or parts of 356 municipalities.

After review, the Office of Cable Television recommended approval of the Ninth Order of Amendment to include the seven municipalities into Verizon's system-wide franchise.

DECISION: The Board adopted the recommendation of Staff as set forth above.

B. Docket Nos. CE10060398, CE07020073 and CE05010011 – In the Matter of the Petition of Comcast of Central New Jersey II, LLC for Modification of the Terms and Conditions of a Municipal Consent Issued by the Township of Chester, County of Morris, State of New Jersey.

BACKGROUND: This matter involved a Petition requesting an Amendment to the Amended Automatic Renewal Certificate of Approval to Comcast of Central NJ II, LLC (Comcast) for the Township of Chester (Township).

On May 5, 2005 the Board granted an Automatic Renewal Certificate of Approval to Comcast's predecessor, Patriot Media & Communications CNJ, LLC (Patriot) for the Township. The expiration date as specified by that Order was May 15, 2012.

Following Board approval of the Automatic Renewal, Patriot and the Township entered into negotiations regarding amendments to the municipal consent ordinance granted by the Township.

After review, Staff recommended approval of the proposed Petition further amending the Amended Automatic Renewal Certificate of Approval.

DECISION: The Board adopted the recommendation of Staff as set forth above.

C. Docket No. CE12121080 – 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 Borough of Chesilhurst, County of Camden, State of New Jersey.

BACKGROUND: On October 11, 2012, the Borough of Chesilhurst (Borough) adopted an ordinance granting renewal municipal consent to Comcast of South Jersey, LLC (Comcast). On October 31, 2012, Comcast formally accepted the terms and conditions of the ordinance, and on December 18, 2012, Comcast filed with the Board for a renewal of its Certificate of Approval for the Borough.

After review, Staff recommended approval of the proposed Renewal Certificate of Approval.

DECISION: The Board adopted the recommendation of Staff as set forth above.

D. Docket No. CO13050443 – In the Matter of Verizon New Jersey, Inc. for Approval of Its Certification of Capability to Provide Cable Television Service to 60 Percent of Households in Three Designated Municipalities.

BACKGROUND: On May 31, 2013, Verizon New Jersey, Inc. (Verizon) filed a petition with the Board for approval of its certification that it is capable of providing service to 60 percent of the households in the Borough of Alpine, the Borough of Florham Park and the Borough of Watchung. Approval of the certification petition will require the existing cable television companies within these three municipalities to pay the same franchise fee required of Verizon, resulting in an increased fee from 2 percent of the basic revenues to 4 percent of the gross revenues of the cable provider.

This is the 23rd such petition to be brought before the Board. By previous orders, the Board approved the certifications filed by Verizon of its capability to provide service to at least 60 percent of the households in a total of 241 municipalities in the State.

After review, the Office of Cable Television recommended approval of the certification filed by Verizon for the Borough of Alpine, the Borough of Florham Park and the Borough of Watchung.

DECISION: The Board adopted the recommendation of Staff as set forth above.

IV. TELECOMMUNICATIONS

A. Docket No. TF13050432 – In the Matter of the Petition of Birch Communications, Inc. for Approval to Undertake Financing Transactions.

BACKGROUND: On May 30, 2013, Birch Communication (Birch) filed a Verified Petition with the Board seeking approval to re-finance its outstanding loans and commitments with Bank of America to bring its total senior credit facilities (if all options are exercised) to approximately \$150 million.

The new per annum interest rates applicable to the re-financing are expected to be consistent with market conditions for similar financing transactions as of closing.

Birch intends to use a portion of the proceeds from the re-financing to pay-off its remaining Senior Subordinated Notes. The remaining proceeds will be used by Birch for future planned acquisitions and other lawful corporate purposes.

After review, the Office of the Economist found that the action requested is in accordance with the law and in the public interest and therefore recommended approval of this petition.

DECISION: The Board adopted the recommendation of Staff as set forth above.

B. Docket No. TF13020114 – In the Matter of the Petition PEG Bandwidth New Jersey, LLC for Approval to Participate in a Financing Arrangement.

BACKGROUND: On January 30, 2013, PEG Bandwidth NJ, LLC (PEG or Petitioner) filed a petition with the Board requesting approval to the extent necessary, to participate in a financing arrangement. The amount of the financing is \$250 million. On May 8, 2013, the

Petitioner notified the Board that the Financing had closed in December 2012. The Petitioner therefore amended its Petition so as to seek approval of the Financing as within time.

The interest rate for the promissory note is competitive with market conditions. The financing arrangement is secured by a lien on substantially all of the assets of PEG and its affiliates as well as the equity interests held directly and indirectly in PEG and its affiliates by its parent and controlling investors.

Proceeds from the financing will be used to purchase new equipment and facilities and for operating expenses to provide telecommunications services in New Jersey and other states where PEG and its affiliates are authorized to provide services.

After review of the information submitted in this proceeding, the Office of the Economist found that the action requested is in accordance with the law and in the public interest and therefore recommended approval of this petition.

DECISION: The Board adopted the recommendation of Staff as set forth above.

C. Docket No. TF13050420 – In the Matter of the Verified Petition of Intelepeer, Inc. for Approval to Enter into Certain Financing Arrangements.

BACKGROUND: IntelePeer, Inc. (IntelPeer) filed a petition with the Board on or about May 20, 2013, for approval to enter into certain financing arrangements. Specifically, IntelePeer intends to (i) enter into a term loan arrangement of up to \$20 million and (ii) enter into a revolving credit facility of up to \$15 million.

The Term Loan will be used to finance capital expenditures, refinance IntelePeer's existing financing arrangements, and for other permissible corporate purposes. The Term Loan is expected to have a maturity of up to 36 months. The interest rate applicable to the Term Loan is expected to be established at closing based on market conditions, but may be up to 12%. The Revolver is expected to have a maturity of 36 months, and have an interest rate equal to the 3-Month LIBOR plus 3.5%.

After review of the information submitted in this proceeding, the Office of the Economist found that the action requested is in accordance with the law and in the public interest and therefore recommended approval of this petition.

DECISION: The Board adopted the recommendation of Staff as set forth above.

V. WATER

A. Docket No. WO12110994 – In the Matter of the Notice and Approval of Affiliate Agreement Between United Water New Jersey, Inc. and Utility Service Company, Inc.

BACKGROUND: On October 5, 2012, United Water New Jersey (United or Petitioner) filed a Petition with the Board seeking approval for a Water Tank Painting Agreement (Agreement) between United and an affiliated company: Utility Service Company, Inc. (USC).

The Petitioner is in the process of planning water tank painting projects in 2013, including the Englewood Cliffs tank and the Carlstadt tank. United solicited bids from USC, Alpine Painting, Preferred Tank & Tower, Inc. and Allied Painting. USC's bid proposal of \$1,650,500 for the Englewood Cliffs Tank and \$685,600 for the Carlstadt tank represented the lowest price submitted after Preferred Tank & Tower, Inc. (Preferred) withdrew its bid.

After review, Staff recommended the Board approve the Affiliate Agreement and authorize Utility Service Company, Inc. to render the services outlined in the Agreement for the Englewood Cliffs and Carlstadt Water tanks.

DECISION: The Board adopted the recommendation of Staff as set forth above.

B. Docket No. WR13030210 – In the Matter of the Petition of United Water New Jersey, Inc. for Approval of an Increase in Rates for Water Service and Other Tariff Changes.

BACKGROUND: On March 11, 2013, United Water New Jersey, Inc. (UWNJ, Company or Petitioner) filed a petition with the Board seeking to increase its rate for water service amounting to approximately \$29,994,809 or 14.69% above the annual revenues.

On March 14, 2013, this matter was transmitted to the Office of Administrative Law for hearing(s) and was assigned to Administrative Law Judge Irene Jones.

The increase in rates was proposed to become effective on April 11, 2013. On March 22, 2013, the Company filed a letter with the Board stating that it will not implement rates on an interim basis prior to the effective date of the Board's Suspension Order resulting from the April 29, 2013, agenda meeting. The Petitioner did not seek interim rate relief pending final determination on the petition.

In view of the fact that this proceeding will not be completed by August 11, 2013, an Order further suspending the rates until December 11, 2013, is warranted in order to provide the time needed for the hearings and determination of this matter, unless the Board prior to that date makes a determination disposing of the petition.

After review, Staff recommended the Board issue an Order further suspending the rate increase requested by the UWNJ until December 11, 2013 unless the Board prior to that date makes a determination disposing of the petition.

DECISION: The Board adopted the recommendation of Staff as set forth above.

C. Docket Nos. BPU WO09020104 and OAL PUC 04545-09 – In the Matter of Country Gardens, Ltd., d/b/a Sandy Ridge Apartments, Petitioner v. New Jersey American Water Company, Respondent – Request for Extension.

BACKGROUND: This matter involved Country Gardens, Ltd, D/B/A Sandy Ridge Apartments (Petitioner) and New Jersey American Water Company (Respondent). In its filing, the Petitioner sought an Order compelling Respondent to install individual water meters to be located inside apartment buildings.

Administrative Law Judge Elia A. Pelios filed an Initial Decision in this matter with the Board on June 13, 2013. Therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on August 2, 2013.

Since the next possible Board meeting for which this matter can be scheduled will be after August 2, 2013, Staff requested an additional 45-day extension of time for issuing the Final Decision. The additional time was requested to allow sufficient opportunity for the Board to issue the Final Decision, following a comprehensive review of the Initial Decision.

After review, Staff recommended the Board request an additional 45-day extension of time from the Office of Administrative Law to September 16, 2013, for issuing the Final Decision.

DECISION: The Board adopted the recommendation of Staff as set forth above.

VI. RELIABILITY & SECURITY

There were no items in this category.

VII. CUSTOMER ASSISTANCE

A. Docket Nos. BPU GC13010044U and OAL PUC 03799-13 – In the Matter of David Appello, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.

BACKGROUND: This matter involved a billing dispute between David Appello (Mr. Appello) and Public Service Electric and Gas Company (PSE&G). The petition was transmitted to the Office of Administrative Law on March 12, 2013, as a contested case. Administrative Law Judge (ALJ) Kimberly A. Moss filed an Initial Decision in this matter with the Board on June 12, 2013, approving a Stipulation of Settlement (Settlement) of the parties.

Pursuant to the Settlement, PSE&G agreed to credit Mr. Appello in the total amount of \$5,000.00 to be applied as follows: (1) the account number ending in 150-08 will be credited \$3,468.26 and will have a zero balance; (2) the account number ending in 128-01 has a zero balance; (3) the account number ending in 498-01 has a zero balance and no further collection action will occur on the above accounts; (4) the account number ending in 401-18 will be credited \$35.21 and will have a zero balance; and (5) the Cliffside Park account number ending in 883-01 will be credited \$1,496.53 leaving a balance on the account.

The Board, at its discretion, has the option of accepting, modifying or rejecting the Initial Decision of ALJ Moss. Staff recommended the Board adopt the Initial Decision in its entirety without modification.

DECISION: The Board adopted the recommendation of Staff as set forth above.

B. Docket Nos. BPU GC13020133U and OAL PUC 04677-13 – In the Matter of Gilbert Zingaro, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.

BACKGROUND: This matter involved a billing dispute between Gilbert Zingaro (Mr. Zingaro) and Public Service Electric and Gas Company (PSE&G or Company). The petition was

transmitted to the Office of Administrative Law on April 1, 2013, as a contested case. Administrative Law Judge (ALJ) Kimberly A. Moss filed an Initial Decision in this matter with the Board on June 7, 2013, approving a Stipulation of Settlement (Settlement) of the parties.

Pursuant to the Settlement, PSE&G agreed to credit Mr. Zingaro in the total amount of \$5,415.05 to be applied as follows: (1) the account number ending in 5505 will be credited \$3,404.25 and have a zero balance; (2) the account number ending in 3207 will be credited \$706.91 and have a zero balance; (3) the account number ending in 3304 will be credited \$1,303.89 and have a zero balance. The Company agreed that within seven days of this Settlement, PSE&G shall report to Harris & Harris, its collection agency, that this matter has been resolved. PSE&G also agreed to immediately install new gas meters pursuant to Mr. Zingaro satisfying all municipal code and inspection requirements. Mr. Zingaro further agreed to provide the Company with a list of the load that is connected or will be connected to the meters.

The Board, at its discretion, has the option of accepting, modifying or rejecting the Initial Decision of ALJ Moss. Staff recommended the Board adopt the Initial Decision in its entirety without modification.

DECISION: The Board adopted the recommendation of Staff as set forth above.

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

A. Approval of the Minutes of February 20, 2013 and March 20, 2013.

BACKGROUND: Staff presented the minutes from the February 20, 2013 and March 20, 2013 Agenda Meetings and recommended they be accepted.

DECISION: The Board adopted the recommendation of Staff as set forth above.

After appropriate motion, the consent agenda was approved.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

AGENDA

1. AUDITS

There were no items in this category.

2. ENERGY

A. Docket Nos. BPU GR11070438 and OAL PUC 09866-11 – In the Matter of the Petition of South Jersey Gas Company to Change the Level of Its Societal Benefits Charge and Its Transportation Initiation Charge; and

Docket No. GR12070717 – In the Matter of the Petition of South Jersey Gas Company to Change the Level of Its Societal Benefits Charge and Its Transportation Initiation Charge.

Jerome May, Director, Division of Energy, presented this matter.

BACKGROUND AND DISCUSSION: On July 22, 2011, South Jersey Gas Company (SJG or the Company) filed its motion with the Board for the annual approval of changes in its Societal Benefits Charge (SBC) and Transportation Initiation Charge (TIC) to be effective November 1, 2011. The combined rates proposed for the SBC and TIC components were designed to produce an annual revenue increase of \$31.3 million.

On July 31, 2012, the Company filed its motion with the Board for the annual approval of changes in its SBC and TIC to be effective November 1, 2012. This filing contained SBC/TIC components designed to produce an annual increase in revenue of \$11.8 million.

Following review and discussions, SJG, Rate Counsel and Board Staff entered into a Stipulation for Final SBC and TIC Rates, dated July 1, 2013. The Stipulation provided for an increase in annual revenue of \$5.7 million for SJG.

The impact of the Stipulation on the overall price for the average residential heating customer utilizing 100 therms per winter month amounts to an increase of \$0.98 per month or approximately 0.75%.

On July 1, 2013, Administrative Law Judge Cookson issued her Initial Decision recommending Board approval of the Final Stipulation.

After review of the Initial Decision and Stipulation of the Parties, Staff found them to be reasonable and in the public interest. Therefore, Staff recommended the Board approve the Initial Decision and Stipulation in their entirety.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

3. CABLE TELEVISION

Lawanda Gilbert, Esq., Acting Director, Office of Cable Television, presented these matters.

- A. **Docket No. CO13030258 – In the Matter of the Petition of Verizon New Jersey, Inc. for Permission to Relocate a Local Business Office in the City of Bridgeton, County of Cumberland, State of New Jersey, to a New Office also Located in Bridgeton City, in the same Shopping Mall, Pursuant to N.J.A.C. 14:18-5.1(c).**

BACKGROUND AND DISCUSSION: This matter involved a petition by Verizon of New Jersey Inc., (Petitioner) received April 5, 2013, requesting authority from the Board to (i) relocate a local customer service office presently located in a shopping mall at 13 Cornwell Drive, Bridgeton, Cumberland County, New Jersey 08302, and (ii) redirect its reported average of 10 daily customers currently using that office to another store in the same shopping mall. The Petitioner asserted that the new office location, where its customers will be redirected, offers identical service, longer hours, sufficient parking and the ability to conduct business concerning Verizon’s wireless service as well as wire-line service.

Customer Service Representatives (contracted agents for Verizon) at the present office currently assist walk-in customers with equipment exchanges, taking payments, processing applications for service and handling of complaints. The Petitioner represented that all services presently available at the existing Bridgeton office will also be available at the new location. Business office hours at the proposed office location while beginning one hour later will be more extensive than those of the present office. The proposed new office will be open an additional 13 hours per week, offering Sunday hours as well as staying open until 8:00 pm Monday-Saturday, to accommodate more subscribers.

No objections were filed in this matter.

After the review of the petition and supporting documentation, Staff found that the proposed relocation and redirection of customers to the proposed new Bridgeton office location in the same mall, will not adversely affect the subscribers in the system. Therefore, Staff recommended the Board grant the Petitioner’s request for permission to relocate its Bridgeton Office to another store in the same mall.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

- B. Docket Nos. BPU CR12110979 and OAL PUC 16167-12 – In the Matter of Cablevision of New Jersey, LLC – Bergen, Community of Tenafly; CSC TKR, LLC d/b/a Cablevision of Morris, Communities of Hopatcong, Netcong, Mount Arlington and Boonton Township; Cablevision of Oakland, LLC, Communities of Bloomingdale, Butler, Pompton Lakes, Ringwood, Wanaque, Lincoln Park and Pequannock; CSC TKR, LLC d/b/a Cablevision of Raritan Valley, Communities of Metuchen and Bedminster Township (Hills); Cablevision of Monmouth, LLC – Seaside, Communities of Toms River Township and Berkeley Township; Annual Aggregate FCC Form 1205.**

BACKGROUND AND DISCUSSION: This matter was filed on November 2, 2012 and transmitted to the Office of Administrative Law on December 6, 2012 for determination and initial disposition. Administrative Law Judge W. Todd Miller's Initial Decision was received on June 20, 2013, recommending approval of the Stipulation of Settlement (Stipulation) entered into by Cablevision, the Division of Rate Counsel and Board Staff, resolving Cablevision's Aggregate Federal Communications Commission (FCC) Form 1205 filing covering 16 franchise areas which remain rate regulated.

Administrative Law Judge Miller noted that the parties settled the case and executed a Stipulation on June 13, 2013. The highlights of the Stipulation were Form 1205 estimated foregone rate revenues and credits of \$1,946,800 for installation and equipment and the extension of free converter offer to the 16 rate regulated municipalities through the end of the rate period, January 31, 2014.

Accordingly, Staff recommended the Board adopt the Initial Decision and the Stipulation in their entirety as its own, incorporating by reference the terms and conditions therein.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

4. TELECOMMUNICATIONS

There were no items in this category.

5. WATER

- A. **Docket No. WO13040341 – In the Matter of the Application of the Borough of Allendale Requesting Approval of an Agreement Between Allendale and United Water Operations, Inc. in Connection with the Operation and Maintenance Including Billing and Collections of the Borough’s Water Facility Pursuant to the Provisions of the New Jersey Water Supply Public-Private Contracting Act N.J.S.A. 58:26-19 et seq.**

Maria L. Moran, Director, Division of Water, presented this matter.

BACKGROUND AND DISCUSSION: In April 2013, the Borough of Allendale, (the Petitioner) submitted an application for Board approval of a proposed agreement for operation, maintenance, billing and collections with United Water Operations. The Petitioner made this application in accordance with the Public-Private Contracting Act to the Board as well as to the New Jersey Department of Community Affairs (DCA), Division of Local Government Services, Local Finance Board and the New Jersey Department of Environmental Protection (DEP).

The Petitioner is located in Northwest Bergen County. It operates under the Borough form of Government consisting of a Mayor and six council members who are elected at large. It has approximately 2,107 homes and a population 6,700.

United Water Operations, the contract partner, is an entity within the United Water group’s organizational structure that holds contracts for similar non-regulated systems such as Jersey City, Hoboken and Rahway. United Water Operations has demonstrated over the years that it has the financial capacity, and technical and administrative expertise to meet all the demands of the proposed contract. United Water, Inc. is the parent company of United Water Operations Contract, Inc., as well as certain regulated entities, including United Water New Jersey. United Water, Inc. is a wholly owned subsidiary of Suez Environmental North America, Inc., which is a wholly owned subsidiary of Suez Environmental SA.

The Public-Private Contracting Act authorizes public entities to enter into contracts with private firms for the provision of water supply services. Water supply services, as defined by the Act, mean the financing, designing, construction, improvement, operation, maintenance, administration or any combination thereof, of a water system. Public-Private Contracts for water supply services must be submitted to the Board for review and approval. The Board reviews whether the private firm has the financial capacity and technical and administrative expertise to ensure continuity of service over the term of the contract. The Board also reviews the terms of the contract to ensure that they are not unreasonable and that there is no subsidization in the contract.

The Public-Private Contracting Act further states that once the Board approves a proposed contract, the jurisdiction of the Board terminates until or unless the contract is amended to change the formula or other basis of determining charges.

By letter dated June 25, 2013, the Division of Rate Counsel advised the Board that it did not object to the Public-Private contract and was not opposed to the Board’s approval of the Petition. The DCA approved the Public-Private contract at its June 12, 2013, meeting. The DEP completed its review of the Hearing Report and provided comments on June 20, 2013, in accordance with the code requirements.

Board Staff recommended the Board approve the Public-Private Contract between the Borough of Allendale and United Water Operations.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

B. Docket No. WF13050373 – In the Matter of the Petition of New Jersey American Water Company, Inc. for Approval of a Financing Program Involving the Refinancing of Existing Long-Term Debt and the Issuance of New Long-Term Debt through December 31, 2015.

Mark C. Beyer, Chief Economist, presented this matter.

BACKGROUND AND DISCUSSION: On May 2, 2013, New Jersey American Water Company, Inc. (Petitioner) filed a petition with the Board seeking authority pursuant to N.J.S.A. 48:3-7 and 48:3-9 and N.J.A.C. §14:1-5.9 to do the following:

- (1) Issue and sell up to \$350,000,000 in aggregate principal amount of long-term debt consisting of one or more series of Long-Term Debt;
- (2) Execute and deliver one or more series of supplemental mortgage indentures, loan agreements, notes, and such other documents; and
- (3) Take such other actions as the Petitioner determines may be necessary or desirable in connection with any of the foregoing. This Decision and Order addresses outstanding issues in this proceeding.

The Petitioner sought authorization to engage in a transaction or a series of transactions at any time through December 31, 2015, the net results of which will be the issuance of up to \$350,000,000 aggregate principal amount of long-term debt consisting of one or more series of first mortgage bonds, notes, other bonds or other evidences of indebtedness, whether secured or unsecured, fixed rate or variable rate, tax-exempt or taxable.

The net proceeds of this transaction or series of transactions will be utilized to (a) provide funds for the Petitioner's ongoing utility plant construction program; (b) refinance outstanding long-term debt of the Petitioner as such debt matures or is retired or can be replaced by lower-cost issues; (c) repay short-term debt previously incurred to finance the Petitioner's ongoing capital construction program; (d) provide capital for certain acquisitions, and (e) pay certain issuance costs related to the proposed financings.

After review of the information submitted in this proceeding, the Office of the Economist found that the action requested is in accordance with the law and in the public interest and therefore recommends approval of this petition.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

6. RELIABILITY & SECURITY

There were no items in this category.

7. CUSTOMER ASSISTANCE

A. Docket Nos. BPU GC12110992U and OAL PUC 01097-13 – In the Matter of Cheryl Hensle, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.

Eric Hartsfield, Director, Division of Customer Assistance, presented this matter.

BACKGROUND AND DISCUSSION: This matter involved a billing dispute between Cheryl Hensle (Ms. Hensle) and Public Service Electric and Gas Company (PSE&G). The petition was transmitted to the Office of Administrative Law (OAL) on January 25, 2013, as a contested case. Administrative Law Judge (ALJ) Kimberly A. Moss filed an Initial Decision in this matter with the Board on March 21, 2013, dismissing the petition of Ms. Hensle. Ms. Hensle submitted exceptions with the Board on March 28, 2013, and PSE&G replied to those exceptions on May 16, 2013.

Ms. Hensle contended that she was inaccurately billed by PSE&G in the amount of \$5,000.00. She stated that the bill clearly arose from a house which she rented three years prior and had nothing whatsoever to do with her obligation. Ms. Hensle alleged that her gas service was incorrectly disconnected on November 15, 2011, and further alleged that her electric service was disconnected on January 8, 2012.

PSE&G filed an answer dated January 4, 2013, in which it denied the allegations.

ALJ Moss scheduled a prehearing telephone conference on February 19, 2013. Ms. Hensle could not be reached by phone at that time. On February 21, 2013, PSE&G filed a motion to dismiss Ms. Hensle's petition for lack of standing. On February 22, 2013, ALJ Moss sent Ms. Hensle a letter stating that she had to respond to PSE&G's motion by March 11, 2013. Ms. Hensle filed her response on March 6, 2013.

ALJ Moss stated that the customer of record for the account in question is not Ms. Hensle. ALJ Moss also stated that since Ms. Hensle is not the customer of record and does not have a contractual relationship with PSE&G, she is not responsible for payment of the utility service.

By Initial Decision filed with the Board on March 21, 2013, ALJ Moss dismissed the petition following a determination on two issues, first, standing, and second, representation. ALJ Moss concluded that Ms. Hensle does not have standing in this matter and does not meet the criteria for non-attorney representation. ALJ Moss therefore ordered that the matter be

dismissed.

Ms. Hensle filed exceptions in this matter on March 28, 2013. She stated that her daughter and customer of record, Stephanie Hensle would attend future hearing with regards to this case. The letter also sought copies of the invoices reflecting the outstanding balance due.

On May 16, 2013, PSE&G filed a response to the exceptions stating Ms. Hensle failed to provide any additional facts or law that would require a changed ruling. Ms. Hensle did not cite to any facts showing that she is or was the customer of record nor did she cite to any law that would allow her to proceed with this action without having the contractual rights necessary for standing.

On June 4, 2013, Staff notified Ms. Hensle and PSE&G that the Board may consider whether to take official notice of an informal complaint filed by Stephanie Hensle with the Board on or about April 29, 2013. ALJ Moss and Stephanie Hensle were also copied. On June 12, 2013, Ms. Hensle submitted correspondence to Staff requesting that this matter be changed to Stephanie Hensle v. PSE&G because Stephanie Hensle's name is on the bill and to rectify the ALJ's reasoning for the dismissal. The Company acknowledged receipt of the letter, but did not submit a written response.

Regarding the standing issue, the Board notes that the petition alleged that the first shut off occurred in 2011 and that PSE&G had transferred balances from a different service address to the Bogota account. PSE&G's dismissal motion, however, focused on the year 2012 and stated that the Petitioner was not the customer of record for the relevant time period. The Petitioner's opposition to PSE&G's motion acknowledged that she was not the customer of record. ALJ Moss relied on this statement and found that the Petitioner is not the customer of record and therefore has no standing to maintain the action. Based on this limited record, however, it is not clear whether the Petitioner was the customer of record for 2011 or for the other service property whose balance was allegedly transferred to the Bogota account. Accordingly, the Board remanded for further findings of fact and the OAL should determine the identity of the customer of record for the relevant period, whether charges from a different service address were transferred to the Bogota account, and, if so, the identity of the customer of record for that property address.

Pursuant to N.J.A.C. 1:1-15.2(c), the Board may take official notice of any material involving a matter between the parties where the basis for official notice is disclosed and the parties are afforded an opportunity to respond. By filing exceptions and an informal complaint, which complaint is substantially identical to the petition, Stephanie Hensle has taken steps to cure the standing issue by indicating a willingness to pursue the claims against Respondent.

Also in the interest of administrative economy, the Board will transmit the informal complaint to the OAL simultaneously with the remand of the petition so that the OAL could resolve the issues raised in both filings. The OAL should provide PSE&G with an opportunity to respond to the informal complaint. Because the Board has affirmed ALJ Moss' ruling regarding Petitioner and Cori's ineligibility to represent Stephanie Hensle, Stephanie Hensle must appear pro se or be represented by counsel. Should any party fail to appear with appropriate representation, the OAL may return the matter to the Board for disposition or enter an appropriate order.

Staff recommended the Board adopt the Initial Decision in part and remand for finding of fact. During discussions, the Board decided to phrase the remand to the ALJ to determine both the

relevant period at issue and the customer or customers of record during that period, as well as whether and if there is someone who has standing, they can proceed with the case.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

8. CLEAN ENERGY

A. Docket Nos. EO09100836 – In the Matter of the Clean Energy Program – TRC Energy Services, Market Manager; Request for Contract Modification, No. A-67053.

Elizabeth Ackerman, RA+LEED AP, Acting Director, Division of Economic Development & Energy Policy, presented this matter.

BACKGROUND AND DISCUSSION: The Board manages the New Jersey Clean Energy Program (NJCEP). On October 19, 2006, Treasury authorized the award of contract #A67053 to TRC Energy Services (TRC) to provide Market Manager services for the commercial and industrial (C&I) energy efficiency programs through January 19, 2009. This contract has been extended several times, most recently at its June 21, 2013 agenda meeting, when the Board approved an additional extension. Since that agenda meeting, however, Treasury revised its approval from 6 months to 4 months. TRC's contract extension will now expire no later than October 31, 2013, or upon award of the new Program Administrator contract, whichever comes first.

On January 12, 2012, the New Jersey Legislature passed legislation creating the Societal Benefits Charge Credit Program, whereby Large Energy Users became eligible to receive a credit against future SBC payments for energy conservation measures they install.

In March 2013, the Office of Clean Energy issued its Comprehensive Resource Analysis (CRA) 2014-17 for the Clean Energy Program, which recommended that the Large Scale Combined Heat and Power/Fuel Cell (CHP/FC) program, which had previously been administered by New Jersey Economic Development Authority, be combined with the Small CHP Program and be administered by TRC. At its June 21 agenda meeting, the Board approved the CRA 2014-17, as well as the NJCEP FY14 Programs and Budgets, which funded the combined CHP/FC program as part of its suite of C&I programs.

Staff reviewed the terms and fees submitted by TRC, and found them reasonable, noting that under TRC's contract modification, the NJCEP will save almost \$400,000 in administrative costs for the Large CHP/FC Program. Staff recommended the Board approve the most recent Contract Modification for TRC, subject to Treasury Approval, which adds the new administrative responsibilities for both the SBC Credit Program and the Large Scale CHP/FC programs.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

B. Scott Hunter, Renewable Energy Program Administrator, presented these matters.

B. Docket No. EO12080726 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of an Extension of a Solar Loan III Program and an Associated Cost Recovery Mechanism and for Changes in the Tariff for Electric Service B.P.U.N.J. No. 15 Electric, Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and N.J.S.A. 48:3-98.1 (Solar Loan III) — Motion for Reconsideration by the Solar Energy Industries Association.

BACKGROUND AND DISCUSSION: This matter involved a motion for reconsideration filed by the Solar Energy Industries Association (SEIA). Pursuant to the Board’s rules, N.J.A.C. 14:1-8.7, the Board must grant or otherwise expressly act upon a motion for reconsideration or rehearing within 60 days of its filing, or it will be deemed denied. The 60-day period for action required by the Board under the rule would expire on August 13, 2013, requiring Board action at its July 19, 2013 agenda meeting.

SEIA requested reconsideration of the reporting requirements in the Board’s Order, specifically requirement (vi) of Appendix A for data on the total cost per project, including design costs, specific equipment costs, labor costs and soft costs. SEIA asserted that requiring reporting of this data in no way achieves the Board’s stated goal of effectively overseeing the use of ratepayer funds in the SLIII Program. In addition, SEIA argued that the reporting requirement has the potential to increase costs to ratepayers by discouraging participation in the program and thereby diminishing competition. SEIA requested the Board remove this requirement.

The matter is still the subject of settlement discussions between Staff and SEIA. To preserve the possibility of a mutually acceptable resolution which will best enable the Board to oversee the market, Staff recommended the Board approve the issuance of a Secretary’s letter to the parties, informing them that the Board is continuing its review of the motion, and will act on it beyond the 60 day time limit.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

C. Docket No. EX13020174 – In the Matter of the Renewable Energy and Energy Efficiency Notice of Action on Petition for Rulemaking Issuance of Renewable Energy Certificates and Solar Renewable Energy Certificates Request for Amendment to Rule Requiring that Renewable Energy Certificates and Solar Renewable Energy Certificates be Based Only on Metered Generation.

BACKGROUND AND DISCUSSION: On February 25, 2013, the Board received a petition for rulemaking from Gloria and Paul VanHouten (Petitioner), asking the Board to amend its rules set forth at N.J.A.C. 14:8-2.9 to permit solar renewable energy certificates (SRECs) to be based upon data other than the readings from a meter compliant with ANSI Standard C12.1-2008.

The Petitioners were not able to create SRECs for a period of two months during which the meter which measured their generation was not functioning. As a result, the Petitioners sought a rule amendment which would enable SRECs to be based on energy measured by other means than an American National Standards Institute (ANSI) -compliant meter.

At its April 29, 2013 agenda meeting, the Board determined that it needed additional time to rule upon the petition for rulemaking and determined to extend the time for a final action by 90 days, as provided for in Office of Administrative Law rules.

SRECs have a monetary value. N.J.A.C. 14:8-2.9 sets out the conditions which must be satisfied for solar energy generated in New Jersey to be eligible to form the basis for an SREC. The Board's policy, as evidenced both by rulings on previous petitions and by changes in the rules themselves, has been to move to the most accurate measurement possible of the energy underlying SRECs. An ANSI-compliant meter is now required to measure energy which underlies SRECs.

The Board has previously denied the petitions of several solar generators seeking to create SRECs on the basis of energy measured by something other than an ANSI-compliant meter. In the interest of consistency, as well as the Board's policy of insisting on the most accurate possible measurement of the energy on which SRECs are based, Staff recommended the Board deny this petition for rulemaking.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

D. Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, The Solar Act of 2012;

Docket No. EO12090880V – In the Matter of the Implementation of L. 2012, C. 24 (Q) (R) (S) Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S);

Docket Nos. EO12121089V through EO12121144V and EO13040331V – Motion for Reconsideration by the Morris County Improvement Authority and the Somerset County Improvement Authority.

BACKGROUND AND DISCUSSION: The Morris County Improvement Authority and the Somerset County Improvement Authority (Petitioners) moved for reconsideration of the Board’s May 10, 2013 Order approving three solar projects as connected to the distribution system and deferral of final decisions on 20 other systems. The Petitioners argued that the Board used the wrong legal standard when determining whether applicants are “connected to the distribution system” pursuant to subsection (s) of the Solar Act by failing to give adequate weight to the Energy Master Plan’s (EMP) preference for location of solar on brownfields and landfills over location on farmland.

Under the Solar Act’s subsection (s), a grid-supply solar electric power generation facility on farmland requires Board determination of whether the project should be approved as connected to the distribution system and eligible to earn solar renewable energy certificates (SRECs). Applicants had to submit completed applications by December 17, 2012. Staff ranked the 57 applications according to progress toward completion, and the Board approved three applications. Upon further consideration of whether a project had obtained final, non-appealable local, state, and federal approvals and permits Staff recommended, and the Board approved, deferral of final decision for 20 applications. The remaining 34 were denied.

The Petitioners produce a significant amount of net-metered solar energy projects, and detailed their dependency on a stable SREC market in order to make these projects cost-effective. They claimed that any grid-supply project approvals would cause the trading value of an already over-supplied SREC market to further decrease. Thus, the Petitioners advised the Board to be very stringent when considering grid-supply project applications, and to strictly adhere to the EMP’s preference for net-metered projects.

Staff believed that the Petitioners were challenging the Board’s policy decision and that they have failed to meet the standard for reconsideration by showing that the Board acted unjustly or that the Board failed to take note of a significant element of fact or law. Staff recommended the Board deny the Petitioners’ motion for reconsideration

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

E. Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, The Solar Act of 2012;

Docket No. EO12090880V – In the Matter of the Implementation of L. 2012, C. 24 (Q) (R) (S) Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S); and

**Docket No. EO12121134V – In the Matter of Community Energy Renewable, LLC
– PJM – W1-127 – Motion for Reconsideration.**

BACKGROUND AND DISCUSSION: By Order dated May 10, 2013 (May 10 Order), the Board denied the application of Community Energy Renewables, LLC (Community Energy or Petitioner), on behalf of its wholly owned subsidiary Harmony Solar LLC (Harmony), to be designated connected to the distribution system pursuant to Solar Act Subsection (s). On June 3, 2013, Community Energy filed for reconsideration, requesting that the Board modify its May 10 Order to reclassify the Harmony project as deferred rather than denied. Community Energy argued that it had all required final non-appealable approvals because they had unappealable land use approvals, and only construction permits had not been secured.

In response to the Petitioner’s arguments regarding the Board’s treatment of building permits, Staff recommended that the Board clarify that “all . . . local approvals” includes building and construction permits. Consequently, Staff recommended that the Board find that the Petitioner had not received its building permits, and thus, had not received all final, non-appealable state and local approvals.

Staff further recommended the Board indicate that it is conducting an independent investigation of the four applications which the Petitioner claimed were in fact similarly situated in that they had not yet received building permits although they had all other approvals but were deferred rather than denied.

Staff recommended the Board deny the Petitioner’s request that the Board modify its May 10 Order and reclassify the Harmony project as deferred rather than denied.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:

President Hanna	Aye
Commissioner Fox	Aye
Commissioner Fiordaliso	Aye
Commissioner Holden	Aye
Commissioner Solomon	Aye

F. Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, The Solar Act of 2012;

Docket No. EO12090880V – In the Matter of the Implementation of L. 2012, C. 24 (Q) (R) (S) Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S); and

Docket No. EO12121126V – In the Matter of Syncarpha Capital – Kingwood – PJM – W1- 076 - Motion for Reconsideration.

BACKGROUND AND DISCUSSION: By Order dated May 10, 2013 (May 10 Order), the Board denied the application of Syncarpha Capital Althea II (Syncarpha or Petitioner), the owner and developer of the Syncarpha Capital (Kingwood) solar project (Kingwood Project) to be designated connected to the distribution system” pursuant to Solar Act Subsection (s). On June 3, 2013, Syncarpha filed for reconsideration, requesting that the Board modify its May 10 Order to reclassify the Kingwood project as “deferred” rather than denied. Syncarpha argued

that the Board erred in determining that Syncarpha had not received all final non-appealable approvals, because its last local approval was received before it filed its application and had become non-appealable before the Board issued its May 10 Order.

Based on the Board's selection of prior attainment of final, non-appealable approvals as a criterion, Staff recommended the Board: (1) find that nothing in Syncarpha's request requires the Board to modify or otherwise reconsider its decision; (2) find that the Petitioner had not received all final, non-appealable state and local approvals as of the time of the filing of its application, and thus, did not satisfy the criteria for approval under Subsection s; and (3) deny the Petitioner's request that the Board modify its May 10 Order and reclassify the Kingwood project as deferred rather than denied.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

G. Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, The Solar Act of 2012;

Docket No. EO12090862V – In the Matter of the Implementation of L. 2012, C. 24, N.J.S.A. 48:3-87(T) – A Proceeding to Establish a Program to Provide Solar Renewable Energy Certificates to Certified Brownfield, Historic Fill and Landfill Facilities:

Docket No. EO13050388V – Syncarpha Capital EFGI, LLC (Bernards Township Landfill)

Docket No. EO13050389V – Standard Alternative (Brick Township Landfill)

BACKGROUND AND DISCUSSION: This matter dealt with Staff's recommendation on two projects. The Board's January 23, 2013 Order, established a process for solar facilities to be certified as located on brownfields, areas of historic fill, or properly closed landfills. Applications are forwarded to New Jersey Department of Environmental Protection (NJDEP) for recommendation as to whether a solar facility is located on one of these statutorily defined areas. Conditional certification is available for facilities located on property types requiring additional remediation or measures to ensure that closure is not compromised. Seven applications have been received and forwarded to NJDEP for a recommendation.

On May 6, 2013, Brick Standard submitted an application to have its 6.1 MW project, located in Brick Township, certified as being located on a properly closed landfill. Brick represented that its project is located on a sanitary landfill which ceased operations in 1979. NJDEP has advised that this site is a Superfund site for which the United States Environmental Protection Agency has completed remediation activities to cap the landfill. Brick Standard is now required to obtain permit equivalents for solid waste closure modifications, Coastal Area Facility Review Act, and Stormwater.

On May 6, 2013, Syncarpha EFGI (Syncarpha) submitted an application to have its 3.39 MW

project, located in Bernards Township, certified as located on a properly closed landfill. DEP has advised that the records indicate that the Bernards Township Landfill was properly closed in October 1993. NJDEP recently approved a modification to the closure plan for a solar installation project on the landfill. Additionally, NJDEP has issued the necessary approvals, specifically a Letter of Interpretation (for wetlands) and a Wetlands Delineation Buffer Zone Determination, that would allow for the solar installation project to be constructed as outlined within those approvals.

Based on the information provided, Staff recommended the Board grant Brick's and Syncarpha's applications to be conditionally certified as being located on a properly closed landfills and therefore connected to the distribution system.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

H. Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, the Solar Act of 2012;

Docket No. EO12090862V – In the Matter of the Implementation of L. 2012, C. 24, N.J.S.A. 48:3-87(T) – A Proceeding to Establish a Program to Provide Solar Renewable Energy Certificates to Certified Brownfield, Historic Fill and Landfill Facilities:

Docket No. EO13050390V – Marina Energy, LLC (Warren County Regional Landfill)

Docket No. EO13050387V – Pennoni Associates, Inc. (1845 Delsea Drive)

Docket No. EO13050429V – Millennium Land Development, LLC (Love Lane)

BACKGROUND AND DISCUSSION: The Board's January 23, 2013 Order established a process for solar facilities to be certified as located on brownfields, areas of historic fill, or properly closed landfills. Applications are forwarded to New Jersey Department of Environmental Protection (NJDEP) for recommendation as to whether a solar facility is located on one of these statutorily defined areas. Conditional certification is available for facilities located on property types requiring additional remediation or measures to ensure that closure is not compromised.

On April 15, Marina Energy submitted an application to have its 1.174 MW project in White Township, certified as located on a properly closed landfill. Marina represented that its project is located on vacant land owned by the landfill and directly adjacent to the capped portion of the landfill. NJDEP has advised that while a portion of it is capped, the landfill is still operating and does not meet the statutory definition of properly closed landfill. Moreover, the solar project is not located on landfill but rather on adjacent land.

On April 17, Pennoni submitted an application to have its 5 MW project in Deptford certified as

located on a brownfield. This site is a former pig farm where inedible solid waste was improperly disposed of on-site. However, this is not classified as hazardous waste by the NJDEP. Additionally, the site is zoned light-density residential and was used as farmland until Penonni's purchase of the property two years ago.

On May 29, Millenium Land submitted an application to have its 12.5 MW project in Upper Deerfield Township certified as located on a brownfield. Millenium represented that its project is located on a former orchard. While records show elevated levels of arsenic and lead, contaminants are not present on the site as the result of discharge of a contaminant and, therefore, the site does not meet the definition of brownfield.

The DEP advised that the three solar facilities at issue here are not located on properly closed landfills or brownfields (as those terms are defined by the statute), and Staff recommended the Board deny a conditional certification to these projects as they have not met the criteria for being located on one of the three statutory land types.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

I. Docket No. EO13030230V – In the Matter of the Clean Energy Program Local Government Energy Audit – Newark Public Schools – Request for Waiver.

Elizabeth Ackerman, RA+LEED AP, Acting Director, Division of Economic Development & Energy Policy, presented this matter.

BACKGROUND AND DISCUSSION: Newark School District sought a waiver of the \$100,000 cap limitation for a Local Government Energy Audit (LGEA) to \$300,000, which will permit a majority of their facilities to be incorporated into one larger Energy Savings Improvement Program (ESIP), thus enabling monetary savings through economies of scale and energy savings through a swifter implementation of a larger ESIP.

The LGEA is the cornerstone of the Clean Energy Program's (CEP) suite of energy related incentive programs. The LGEA specifically targets state contracting agencies, boards of education, boards of trustees of public institutions, and non-profits. A finished report includes all recommended energy conservation measures (ECM's) and associated costs, applicable state incentives available, and payback periods for each ECM. The report also includes possible renewable energy options that that are under consideration.

- Newark School District has 85 buildings throughout the city accounting for 9 million sq. ft. of space.
- Although the LGEA cap is requested to be waived, the goal of the CEP to encourage the implementation of energy efficiency measures is upheld. The number of large school districts that may also request this type of waiver would be small in the State, especially given the recommendation that a commitment be made by the district to begin the ESIP process within a specific time period.

- The Newark School District would like to take advantage of the cost benefit of bidding their project at one time, realizing a potentially greater savings. Newark School District has displayed their commitment to reducing their energy costs in the past by taking advantage of the LGEA in previous years.

There would be no negative rate impact on residents, but potentially a positive tax impact on property owners both locally and state-wide, as energy costs should be reduced.

Staff recommended the Board grant the requested waiver from \$100,000 to \$300,000 to the LGEA program to Newark School District, which will encourage a larger more cost efficient ESIP project.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

J. Docket No. EO11050314V – In the Matter of the Petition of Fishermen’s Atlantic City Wind Farm, LLC for the Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates – See Executive Session.

Marisa Slaten, Deputy Attorney General, Division of Law and Anne Marie McShea, Marketing & Communications Administrator, Office of Clean Energy, presented this matter.

BACKGROUND AND DISCUSSION: This matter was initially discussed in Executive Session pursuant to the attorney/client privilege exception to the Open Public Meetings Act.

By Order dated May 16, 2011, the Board opened an application window for offshore wind projects in New Jersey territorial waters. The Board received one application – the Petition of Fishermen’s Atlantic City Windfarm, LLC (FACW) dated May 19, 2011 (the Project). An amended application was filed on June 1, 2012, and supplemented on March 8, 2013. This matter before the Board considered stipulations submitted by the parties to resolve the Project and to establish a joint record.

By Order dated January 18, 2012, the Board retained this matter for review and hearing, and designated President Robert M. Hanna as the presiding officer to rule on all motions that arise during the proceedings and modify any schedules that may be set as necessary to secure just and expeditious determination of the issues. President Hanna issued a Fifth Amended Prehearing Order on April 18, 2013. The amended procedural schedule included an extension of the Board’s deadline to act on the petition from June 30, 2013 to July 31, 2013. In that order, President Hanna found that the new information contained in FACW’s March 8 filing was so substantial that it could not properly be reviewed under the schedule set forth in the prior prehearing order. This determination was based on President Hanna’s finding that the FACW did not provide adequate explanation for delaying its submission for 64 days following

enactment of the Fiscal Cliff bill and 35 days following representations by FACW that the benefits of the Investment Tax Credit, as described in the March 8 FACW filing, would significantly benefit the Project. In its May 29, 2013 Order, the Board extended its review deadline from June 30 to July 31, 2013.

By notice dated May 9, 2013, the scheduled hearings were adjourned and the parties entered into settlement discussions. On June 28, 2013, a stipulation signed by FACW and Rate Counsel was filed with the Board recommending that the Board issue a final Decision and Order approving the Project. Board Staff and the EDCs were not signatories to the Settlement Stipulation. Also on June 28, 2013, a Stipulation on Joint Record of Exhibits signed by FACW, Rate Counsel and Board Staff, was filed with the Board. The EDCs were not a signatory to the Joint Record.

Staff found that the project stipulation signed by FACW and Rate Counsel did not meet the standard for a qualified offshore wind facility pursuant to N.J.S.A. 48:3-87.1. Therefore, Staff recommended the Board approve the joint record as comprising the full record in this matter but rejected the assertion that it received an application filed pursuant to N.J.S.A. 48:3-87.1 from FACW prior to May 19, 2011. Staff also recommended the Board give the parties ten days from the effective date of the order to submit any additional relevant information. In order to resolve the dispute in a timely manner, the presiding officer may set a hearing schedule for the parties to litigate their positions. If FACW desires to proceed on the papers in lieu of a hearing, FACW shall advise the Board in writing within ten days.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

9. MISCELLANEOUS

A. Docket No. EG13030195 – 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 (PAGE) – Consideration of Evaluation Committee Recommendation.

Peter Hilerio, USF Team, Office of the Secretary, presented this matter.

BACKGROUND AND DISCUSSION: This matter concerned a recommendation to award grant funding, from the unclaimed utility deposit trust fund, to a non-profit entity to administer an energy assistance program for a five-year period, as authorized under N.J.S.A. 48:2-29.39 and N.J.S.A. 46:30B-74.

The entity designated by the Board must use the funds to help electric or natural gas customers pay their electric or natural gas bills to avoid shut off of service.

NJ SHARES has been the designee of these funds since 2001. However, at its March 20, 2013 agenda meeting, the Board determined that it was appropriate to review the designation

periodically. Accordingly, the Board authorized Staff to issue a Notice of Grant Availability to administer an energy assistance program for a five year period. The program will be known as the Payment Assistance for Gas and Electric (PAGE) program.

On April 15, 2013, the Notice was published in the New Jersey Register.

Two proposals were received; one from the Affordable Housing Alliance (AHA) and one from NJ SHARES. A five person Evaluation Committee, representing members of the Board's Secretary's Office, Audits Division and the Budget and Fiscal Office, reviewed the proposals and scored them based on independent reading and analysis.

Based on its review of the proposals and its combined scores, the committee ranked AHA highest and selected AHA as the recipient of the grant money.

The Committee selected AHA for several reasons, but in general AHA has a clear and cost-effective vision for the PAGE program; its proposal included in-depth detail for all aspects of program administration. In particular:

- AHA provided detailed budget projections, including a descriptive narrative demonstrating how the program could be scaled up or down depending on the amount of the grant provided to the agency, which will vary annually.
- AHA's proposal was more cost effective because it contained lower administrative costs, which will result in a higher number of assisted households.
- AHA clearly laid out the entire application process, from filing an application to receiving benefits.
- AHA's proposal was client-focused, with easy-to-follow procedures, while not sacrificing program integrity.
- AHA has the capability of a streamlined intake process which directs all interested clients to the energy assistance program for which they are income-eligible (Universal Service Fund, Home Energy Assistance, Temporary Relief for Utility Expense Program, New Jersey Statewide Heating Assistance and Referral for Energy Services or Payment Assistance for Gas and Electric).
- AHA's proposal contained several pages of fraud mitigation procedures for clients and AHA representatives.
- AHA listed a detailed set of metrics by which it proposed to measure its own performance in administering the program.
- Finally, AHA's proactive marketing procedures for targeting payment troubled customers through the utility companies, rather than waiting for customers to reach out to AHA, is innovative and collaborative.

Accordingly, the Evaluation Committee recommended the selection of AHA as the recipient of this grant funding.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

B. Docket No. AX12050465 – In the Matter of Procedures for Determining the Confidentiality of Submitted Information – Rule Adoption N.J.A.C. 14:1-12.1.

Jake Gertsman, Legal Specialist, Office of Chief Counsel, presented this matter.

BACKGROUND AND DISCUSSION: Staff recommended the Board adopt multiple amendments without change to the rules governing the Board’s authority to make a determination of the confidentiality of submitted information.

The amendments include binding the custodian to any confidentiality determination made by the Board; and recognizing judicial authority to declare information confidential consistent with Open Public Records Act.

The amendments reiterate the status of current law regarding judicial determinations of confidentiality and appellate review of a final agency action.

The proposal was published in the January 7, 2013 New Jersey Register and no comments were received.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

C. Docket No. AX12070601 – In the Matter of the Board’s Main Extension Rules N.J.A.C. 14:3-8.1 et seq.

Geoffrey R. Gersten, Deputy Attorney General, Division of Law, presented this matter.

BACKGROUND AND DISCUSSION: This matter involved the Board addressing issues arising from the Appellate Division decision In re Centex Homes, LLC Petition for Extension of Serv., 411 N.J. Super. 244 (App. Div. 2009) (Centex Decision) and In the Matter of the Board’s Main Extension Rules N.J.A.C. 14:3-8.1 et seq., 426 N.J. Super. 538 (App. Div. 2012) (Main Extension Decision). As a result of these decisions, the Board initiated a stakeholder process to amend its rules as well as provide notice and refunds pursuant to the Main Extension Decision.

On December 17, 2012, the Board issued a Notice of a Public Stakeholder meeting. On January 11, 2013, interested parties attended the stakeholder meeting where they expressed concerns about how refunds would be requested and supplied by utilities. Specifically, interested parties were concerned with how notice would be made to affected consumers, how expeditiously refunds would be issued, and whether the Board would require that refunds be given to the original applicant for the extension or the ultimate owner of the property served by the extension. Utilities further expressed concerns about indemnification against competing claims for refunds. On January 18, 2013, the Board Staff requested written comments

regarding prior draft rule amendments as well as questions relating to the process for distribution of refunds and notification of consumers of entitlements to refunds.

Having reviewed the information from the stakeholder process and the Orders of the Appellate Division, Staff found that all contributions paid by applicants for utility extensions installed between March 20, 2005 and December 30, 2009, where the contribution, or a portion of the contribution, was not refunded because the extension was built to serve an Area Not Designated for Growth shall be re-evaluated consistent with the Board's March 24, 2010 Secretary's letter. Therefore, Staff recommended the Board order the affected utility companies to expeditiously issue these refunds and not to wait for the outcome of the rulemaking proceeding, based on certain criteria.

Staff also recommended the Board direct the affected utilities to provide individual or public notice, depending upon the specific utility's ability to identify eligible persons, that persons or entities that paid contributions for extensions built to serve Areas Not Designated for Growth between March 20, 2005 and December 30, 2009 may be entitled to a refund of all, or a portion of the contribution. Staff further recommended the Board order the affected utilities to begin this notification process by no later than August 29, 2013.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

LATE STARTER A

CLEAN ENERGY

Docket No. EO12090832V – In the Matter of the Implementation of L. 2012, C. 24, the Solar Act of 2012; and

Docket No. EO12090880V – In the Matter of the Implementation of L. 2012, C. 24 (Q) (R) (S) Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S):

Docket No. EO12121109V – Effisolar Development LLC – (Freehold) – PJM – W2-088

Docket No. EO12121118V – Effisolar Development LLC – (Pemberton) – PJM –W1-120

Docket No. EO12121119V – Effisolar Development LLC – (Pemberton) – PJM – W1-119

B. Scott Hunter, Renewable Energy Program Administrator, presented this matter.

BACKGROUND AND DISCUSSION: On April 29, 2013, the Board acted on 57 applications filed pursuant to subsection (s) of the Solar Act. The application included 27 questions, all, as noted in the Board's 5/10/13 Order designed specifically to aid Staff in making a

recommendation to the Board as to which proposed projects should be approved. Questions #2 and #3 asked, have all final unappealable federal, state, regional and local approvals been secured? If yes, provide documentation demonstrating each approval required and received.

Staff considered the possession of these approvals as a strong indicator that completion was likely, as a solar project cannot lawfully be constructed without all of these approvals. When the applications which Staff was not recommending for immediate approval were reviewed using this criterion as a bright line, Staff recommended, and the Board approved, deferral of final decision for 20 of the 57 projects, with final determinations to be made following development of additional evaluation criteria.

Effisolar Development had submitted three applications (identified above) which indicated that the projects had received all final unappealable governmental approvals. As a result, the Board deferred a final decision on these applications. Upon further review, Staff determined the company's response to this question was inaccurate and that these projects had not received all final unappealable governmental approvals by the date their applications were filed with the Board.

Staff recommended the Board approve the issuance of a Secretary's Letter to this company, and any other of the 57 applicants whose paperwork was subsequently found to be deficient, notifying them that the Board intends to re-open the May 10 Order on its own motion at upcoming Board Agenda meetings for the purpose of denying these applications. The notified applicants would also be required to submit any documentation which supports an alternative disposition of these applications within two weeks of the date of the Secretary's letter.

DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.

Roll Call Vote:	President Hanna	Aye
	Commissioner Fox	Aye
	Commissioner Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye

LATE STARTER B

ENERGY

Docket No. EM02050313 - In the Matter of the Petition of Atlantic City Electric Company for Approval of the Sale of Certain Land And Premises Situate in the Township of Maurice River, in Part, and the City of Millville, in Part, County of Cumberland and State of New Jersey to R.W.V. Land & C.M. Livestock, L.L.C. Pursuant to N.J.S.A. 48:3-7 – Update – See Executive Session.

This matter was only discussed in executive session pursuant to attorney/client privilege to the Open Public Meetings Act. The Board will make the contents of its discussion of the above matter public at the earliest appropriate time.

EXECUTIVE SESSION

After appropriate motion, the following matter, which involved the attorney-client privilege exception to the Open Public Meetings Act, was discussed in Executive Session.

8. CLEAN ENERGY

- J. **Docket No. EO11050314V – In the Matter of the Petition of Fishermen’s Atlantic City Wind Farm, LLC for the Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates.**

The substance of this discussion shall remain confidential except to the extent that making the discussion public is not inconsistent with law.

ENERGY

- LSB. **Docket No. EM02050313 - In the Matter of the Petition of Atlantic City Electric Company for Approval of the Sale of Certain Land And Premises Situate in the Township of Maurice River, in Part, and the City of Millville, in Part, County of Cumberland and State of New Jersey to R.W.V. Land & C.M. Livestock, L.L.C. Pursuant to N.J.S.A. 48:3-7 - Update.**

The substance of this discussion shall remain confidential except to the extent that making the discussion public is not inconsistent with law.

There being no further business before the Board, the meeting was adjourned.



KRISTI IZZO
BOARD SECRETARY

November 22, 2013