



STATE OF NEW JERSEY
Board of Public Utilities
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**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC UTILITIES**

A regular Board meeting of the Board of Public Utilities was held on September 1, 2021, via online @ <https://youtu.be/qfrkMPsfldk>

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:

Joseph L. Fiordaliso, President
*Mary-Anna Holden, Commissioner
Dianne Solomon, Commissioner
Upendra J. Chivukula, Commissioner
Robert M. Gordon, Commissioner

*Commissioner Holden participated by phone.

President Fiordaliso presided at the meeting and Aida Camacho-Welch, Secretary of the Board, carried out the duties of the Secretary.

It was also announced that the next regular Board Meeting will be held on September 14, 2021 at 10:00 a.m. via livestream on youtube.

CONSENT AGENDA

I. AUDITS

There were no items in this category.

II. ENERGY

A. Docket No. GE21040722 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of a Municipal Franchise and Consent in the Township of Berkeley, Ocean County.

BACKGROUND: This matter involved the approval of a municipal consent granted to New Jersey Natural Gas Company (NJNG or Company) by the Township of Berkeley (Township) located in Ocean County. NJNG filed a petition with the Board requesting approval of the consent for the use of the streets for the furnishing of gas service for a period of 10 years in the Township.

This consent is a renewal of prior consent that expired on December 31, 2020. The resolution enacted by the municipality granted NJNG the right to provide service and to lay and construct its facilities within the public rights-of-way as a means to provide that service. Since the time that the consent to use the streets and rights of way expired, the Company represented that it continued to provide adequate and safe gas service to its customers at tariff rates approved by the Board.

A hearing in this matter was held on June 22, 2021. Appearances were made on behalf of the Company, the New Jersey Division of Rate Counsel (Rate Counsel) and Board Staff. No other party participated in the hearing or filed any written submission with the Board related to this proceeding.

The Rate Counsel did not oppose the approval of the Municipal consent. However, Rate Counsel requested that approval be conditioned upon certain provisions.

After review, Staff recommended that the Board approve the municipal consent, subject to certain conditions.

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

B. Docket No. GE21040749 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of a Municipal Franchise and Consent in the Borough of Mantoloking, Ocean County.

BACKGROUND: This matter involved the approval of a municipal consent granted to New Jersey Gas Company (NJNG or Company) by the Borough of Mantoloking (Borough) located in Ocean County. NJNG filed a petition with the Board requesting approval of the consent for the use of the streets for the furnishing of gas service for a period of 10 years in the Borough.

This consent is a renewal of prior consent that expired on October 17, 2020. The resolution enacted by the municipality granted NJNG the right to provide service and to lay and construct its facilities within the public rights-of-way as a means to provide that service. Since the time that the consent to use the streets and rights of way expired, the Company represented that it ~~has~~ continued to provide adequate and safe gas service to its customers at tariff rates approved by the Board.

A hearing in this matter was held on June 22, 2021. Appearances were made on behalf of the Company, the New Jersey Division of Rate Counsel (Rate Counsel) and Board Staff. No other party participated in the hearing or filed any written submission with the Board related to this proceeding.

The Rate Counsel requested that approval of the petition be conditioned upon certain provisions.

Staff recommended that the Board approve the municipal consent subject to conditions.

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

C. Docket Nos. BPU EC20100676 and OAL PUC 01436-2021S – In the Matter of Angelo Sciove, Petitioner v. Public Service Electric and Gas Company, Respondent – Order of Extension.

BACKGROUND: The Initial Decision of the Administrative Law Judge was received by the Board on July 21, 2021; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on September 4, 2021. Prior to that date, the Board requested an additional 45-day extension of time for issuing the Final Decision in order to adequately review the record in this matter.

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 filing the initial decision be extended until October 19, 2021.

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

III. CABLE TELEVISION

A. Docket No. CE20010062 – In the Matter of the Petition of Comcast of Garden State, L.P., for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Haddon Heights, County of Camden, State of New Jersey.

BACKGROUND: On January 23, 2020, Comcast of Garden State, LP (Comcast) filed a petition for an Automatic Renewal Certificate of Approval for the Borough of Haddon Heights (Borough) based on the automatic renewal provision.

The petition was based on the Borough's ordinance granting renewal municipal consent, which was adopted September 21, 2004. The Borough's ordinance granted a term of 15 years with an automatic renewal term of 10 years.

Staff recommended that the Board approve the proposed Comcast Automatic Renewal Certificate of Approval. This Certificate shall expire on September 20, 2029.

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

B. Docket No. CE20010063 – In the Matter of the Petition of Comcast of Wildwood, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Brooklawn, County of Camden, State of New Jersey.

BACKGROUND: This matter involved a Petition requesting a Renewal Certificate of Approval to Comcast of Wildwood, LLC (Comcast) for the Borough of Brooklawn (Borough).

On January 23, 2020, Comcast filed a petition with the Board for an Automatic Renewal of its Certificate of Approval for the Borough based on the automatic renewal provision.

The petition is based on the Borough's ordinance granting renewal municipal consent, which was adopted December 20, 2004. The Borough's ordinance granted a term of 15 years with an automatic renewal term of 10 years.

Staff recommended that the Board approve the proposed Comcast Automatic Renewal Certificate of Approval. This Certificate shall expire on October 10, 2029.

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

IV. TELECOMMUNICATIONS

There were no items in this category.

V. WATER

There were no items in this category.

VI. RELIABILITY AND SECURITY

There were no items in this category.

VII. CUSTOMER ASSISTANCE

A. Docket Nos. BPU GC20060466U and OAL PUC 06930-20 – In the Matter of Jules Tonkinson, Petitioner v. South Jersey Gas Company, Respondent – Order of Extension.

BACKGROUND: The Initial Decision of the Administrative Law Judge was received by the Board on July 26, 2021; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on September 9, 2021. Prior to that date, the Board

requested an additional 45-day extension of time for issuing the Final Decision in order to adequately review the record in this matter.

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 limit for the Board to render a Final Decision be extended until October 25, 2021.

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 following Minutes:

- **February 17, 2021 Executive Session Minutes; and**
- **July 14, 2021 Board Agenda Minutes.**

BACKGROUND: Staff presented the executive session minutes of February 17, 2021 and the regular agenda meeting minutes of July 14, 2021, and recommended that 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 Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

AGENDA

1. AUDITS

There were no items in this category.

2. ENERGY

A. Docket No. ER21010087 – In the Matter of the Petition of Rockland Electric Company’s Annual RGGI Surcharge Filing Reconciling Costs for Calendar Year 2020 and Estimating Costs for Calendar Year 2021.

Paul Lupo, Bureau Chief, Division of Energy, presented this matter.

BACKGROUND AND DISCUSSION: This matter involved the Board considering Rockland Electric Company’s Regional Greenhouse Gas Initiative (RGGI) Surcharge rates. On January 29, 2021, Rockland Electric Company (RECO or Company) filed a petition with the Board seeking review and approval of the proposed revenue requirements related to several components of its RGGI Surcharge incurred in calendar year 2020 (January 2021 Petition). In the January 2021 Petition, RECO proposed to increase the total RGGI Surcharge from 0.1285 to 0.1836 cents per kWh.

The January 2021 Petition included a reconciliation of over- or under-recovered balances related to the following programs:

1. Energy Efficiency Stimulus (EES) Program;
2. Low Income Audit II Program;
3. Low Income Audit III Program;
4. Solar Renewable Energy Certificate (SREC) I Program; and
5. Transitional Renewable Energy Certificate (TREC) Program.

Through the course of the proceeding, RECO updated the information in the January 2021 Petition to reflect actual costs through April 30, 2021 (May 2021 Update). Based upon the May 2021 Update, the proposed total RGGI Surcharge rate decreased to 0.1088 cents per kWh. Since the filing of the January 2021 Petition, the Board approved an additional component of the RGGI Surcharge, the Clean Energy Act Program (CEA) component. The total RGGI Surcharge, including the CEA component, results in a rate of 0.1868 cents per kWh.

Following a review of the January 2021 Petition, the May 2021 Update, and discovery, the parties executed a stipulation of settlement (Stipulation) resolving all issues related to the January 2021 Petition. The Stipulation recommended that the Board approve a modified composite RGGI Surcharge rate of 0.1868 cents per kWh, inclusive of the new CEA component. As a result of the Stipulation, a typical residential customer using 808 kWh per summer month, and 7,800 kWh on an annual basis, will experience a decrease of \$0.13 or 0.10% in their monthly bills.

Staff recommended that the Board issue an Order adopting the Stipulation. Staff also recommended that the Board direct RECO to file tariffs consistent with the Board’s Order by October 1, 2021.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

B. Docket No. ER21010001 – In the Matter of the Board of Public Utilities – Federal Energy Regulatory Commission (FERC) Items for 2021 – FERC Docket No. ER21-2450 Petition for Approval of a Settlement Agreement of Public Service Electric and Gas Company.

Joseph DeLosa, Bureau Chief, Federal and Regional Policy, presented this matter.

BACKGROUND AND DISCUSSION: On July 14, 2021, the Board joined a Base Return on Equity (ROE) Settlement Agreement (Settlement) between Public Service Electric & Gas (PSE&G), New Jersey Division of Rate Counsel (Rate Counsel), and the Board to be filed at the Federal Energy Regulatory Commission (FERC). In addition to lowering PSE&G's ROE and making additional accounting changes, the Settlement also required the Board and Rate Counsel to file a joint letter (Joint Letter) at FERC supporting the settlement. On August 3, 2021, Rate Counsel and Staff, on behalf of the Board, filed at FERC the Joint Letter support of the Settlement. Staff recommended the Board ratify the Joint Letter filed by Staff on behalf of the Board on August 3, 2021.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

3. CABLE TELEVISION

There were no items in this category.

4. TELECOMMUNICATIONS

There were no items in this category.

5. WATER

There were no items in this category.

6. RELIABILITY AND SECURITY

There were no items in this category.

7. CUSTOMER ASSISTANCE

There were no items in this category.

8. CLEAN ENERGY

There were no items in this category.

9. MISCELLANEOUS

There were no items in this category.

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



AIDA CAMACHO-WELCH
SECRETARY

Date: October 6, 2021