



STATE OF NEW JERSEY
Board of Public Utilities
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www.nj.gov/bpu/

MINUTES OF THE REGULAR MEETING OF THE BOARD OF PUBLIC UTILITIES

A regular board meeting of the New Jersey Board of Public Utilities was held on November 21, 2024 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and via online @ <https://www.youtube.com/live/G33G5o7Wxvw?si=CH9o427SFLCZps6l>

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

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

President Guhl-Sadovy, President
Commissioner Christodoulou, Commissioner
Commissioner Abdou, Commissioner
Commissioner Bange, Commissioner

President Guhl-Sadovy presided at the meeting and Dawn A. Gray, Executive Assistant, carried out the duties of the Secretary.

It was also announced that the next regular Board Meeting will be held on December 18, 2024, at 10:00 a.m. and would be a hybrid meeting at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and livestreamed via YouTube.

EXECUTIVE SESSION

After appropriate motion, the following matters, which involved N.J.S.A. 10:4-12(b)(7) attorney-client privilege and/or contract negotiations exceptions, were discussed in Executive Session.

1. AUDITS

B. Docket No. EA24090626 – In the Matter of an Audit of the Affiliated Transactions between Atlantic City Electric Company (“ACE”), Pepco Holdings LLC, Exelon Inc. and its Affiliates and ACE’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 49:3-58; and N.J.A.C. 14:4-3.7(e) and (f), and a Comprehensive Management Audit of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-16.4 and N.J.A.C. 14:3-12.1 – 12.4.

BACKGROUND: Staff of the New Jersey Board of Public Utilities (“Board”) recommends that the Board authorize the initiation of a two (2)-phase audit of Atlantic City Electric Company (“ACE” or “Company”). Phase One would consist of an audit of affiliated transactions of ACE and Pepco Holdings LLC, Exelon Inc., and all affiliates and any competitive services of ACE, as well as compliance with the Board’s Affiliate and Fair Competition Standards. Phase Two would consist of a comprehensive management audit (“Management Audit”). The Management Audit would include a review of, but not limited to, executive management and corporate governance, organizational structure, human resources, strategic planning, systems operations, customer service, external relations, support services, finance, cash management, accounting and property records, affiliate cost allocations and relationships, third-party contractor performance, and cyber risk mitigation and cyber security.

The Division of Audits has prepared the attached Request for Proposal (“RFP”). Staff requests approval to submit the attached RFP to the pool of four (4) management consulting firms previously approved by New Jersey Department of Treasury and the Board.

C. Docket No. EA24030165 – In the Matter of an Audit of the Affiliated Transactions between Rockland Electric Company (“RECO”), Orange and Rockland Utilities Inc. and Consolidated Edison, Inc. and its Affiliates and RECO’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 48:3-58 & N.J.A.C. 14:4-3.7(e) and (f) and a Comprehensive Management Audit of Rockland Electric Company Pursuant to N.J.S.A. 48:2-16.4 & N.J.A.C. 14:3-12.1 – 12.4.

BACKGROUND: The New Jersey Board of Public Utilities (“Board”) considered the Board’s Division of Audit’s (“Staff”) request to commence a two (2)-phase audit of Rockland Electric Company (“RECO” or “Company”). Phase One would examine RECO’s compliance with the Board’s rules regarding affiliate relationships and transactions between RECO, its holding company, Orange and Rockland Utilities Inc. (“O&R”), Consolidated Edison, Inc. (“CEI”) and

affiliates. Phase Two would consist of a comprehensive management audit. Staff requested authorization to release a request for proposal (“RFP”) to pre-qualified bidders.

The audit would review all major and functional areas of RECO’s operations and the effect of the Company’s association with O&R, CEI, and affiliates and compliance with Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. and the Board’s Affiliate and Fair Competition Standards. The audit would include an examination of, but not be limited to, executive management and corporate governance, organizational structure, human resources, strategic planning, finance, cash management, customer service, external relations, distribution and operations management, support services, and third-party contractor performance. Staff recommended the Board approve Staff’s request to commence the Audit and release the RFP to the pool of four (4) management consulting firms previously approved by the Board.

4. TELECOMMUNICATIONS

A. Docket No. TO23030128 – In the Matter of the Request for Quotation (RFQ) for the Provision of Telecommunications Relay Services (TRS).

BACKGROUND: Staff of the New Jersey Board of Public Utilities (“Board”) (“Staff”) requested Board approval of the selection of a provider for Telecommunications Relay Services (“TRS”) in New Jersey. TRS functions as a point of translation between hearing and/or speech impaired individuals who use a teletype device or a computer to communicate with non-impaired telephone users.

The Board authorized the release of the RFQ. Bids were received and reviewed by the evaluation committee, which submitted its recommendations to Staff. The Staff recommends that the Board approve the unanimous recommendations of the evaluation committee so that it can be submitted to the Department of Treasury for renewal of the contract to ensure the continued provision of TRS services in New Jersey.

8. CLEAN ENERGY

A. Docket No. QO20030262 – In the Matter of the Charge Up New Jersey Electric Vehicle Incentive Program.

BACKGROUND: This matter involved approval to extend the contract with the Center for Sustainable Energy (“CSE”) for the administration of the Charge Up New Jersey Electric Vehicle (“EV”) Incentive (“CUNJ”) Program (“Contract”) for a period of one (1) year from February 1, 2025 through January 31, 2026.

On December 6, 2019, the New Jersey Board of Public Utilities (“Board”) selected CSE to be the program administrator of a point-of-sale EV incentive program that would support the EV market in New Jersey. CSE was awarded \$2,428,943 to administer the CUNJ Program for three (3) years from January 15, 2020 until January 15, 2023, with the option of extending the Contract for up to three (3) years, with no single extension exceeding one (1) year.

On January 25, 2023, the Board approved the option under the Contract to extend CSE's administration of the CUNJ Program for an additional year until January 15, 2024. On October 11, 2023, the Board approved a second one-year extension to the Contract to administer the CUNJ program and modified the Contract to expand CSE's services to include the administration of the multi-unit dwelling ("MUD") EV Charger Incentive Program and the Clean Fleet EV Incentive Program, which were previously administered by the Board. Subsequently, on February 14, 2024, the Board approved a subsequent modification of the Contract to have CSE conduct any necessary research and to draft the State's EV Roadmap.

Board Staff ("Staff") recommended that the Board approve the extension option under the Contract in order to extend CSE's administration of the CUNJ Program, which also includes MUD, Clean Fleet, and the Caret Knowledgebase Project, which provides research and projections on EV incentives and EV adoption, for an additional year until February 1, 2026.

Staff further recommended that the Board approve the contract modification to have CSE administer a portion of the EV Tourism Program and any additional electric mobility (e-mobility) programs. The extension and modification are subject to Treasury and Office of Information Technology approval.

Staff recommended that the Board approve the extension and modification to extend CSE's administration of the CUNJ program and administer a portion of the EV Tourism Program and any additional e-mobility programs.

B. Docket No. QO24010069 – In the Matter of the Request for Quotation for Consulting Services for New Jersey Solar for All Program.

BACKGROUND: This matter concerned release of a Request for Quotation ("RFQ") for services related to the United States Environmental Protection Agency's ("USEPA") "Solar for All" competitive funding opportunity. Specifically, Staff of the New Jersey Board of Public Utilities ("Board") ("Staff") sought approval to hire a contractor using federal grant money to assist with program design and program administration of New Jersey's Solar for All program ("NJSFA").

On June 28, 2023, the USEPA released its Solar for All Notice of Funding Opportunity ("NOFO") for a total program amount of \$7 billion, thereby opening the Solar for All competitive grant opportunity to states, territories, tribal governments, municipalities, and nonprofits across the United States. The NOFO detailed the USEPA's mission to expand solar energy access to low-income disadvantaged communities ("LIDAC") and to fund technical services that will advance the country's clean energy transition.

On October 11, 2023, Staff applied for Solar for All funding on behalf of the State of New Jersey ("Application"). The Application was sized to comprehensively target solar deployment to New Jersey's 2.2 million LIDAC population, as calculated by the USEPA's Climate & Economic Justice Screening Tool. As part of the Application, Staff identified that it would use a portion of funds received to hire a contractor to assist in the design and administration of the NJSFA

program and anticipates entering into a three (3)-year contract ("Contract") for the combined scope of program design and administering a competitive solicitation.

On April 22, 2024, the USEPA announced it selected the State of New Jersey as one (1) of the entities to receive Solar for All funding. On July 22, 2024, the Board received a Notice of Award from the USEPA fully obligating the State of New Jersey \$156,120,000 in Solar for All grant funds.

Staff recommended that the Board approve release of the RFQ to hire a contractor to assist with program design and administration of the NJSFA program.

CONSENT AGENDA

I. AUDITS

There were no items in this category.

II. ENERGY

A. Docket No. TF24060403 - In the Matter of the Petition of Public Service Electric and Gas Company, Pursuant to N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9, for Authority to Issue and Sell Short-Term Obligations Not Exceeding \$1.0 Billion Aggregate Principal Amount at Any One Time Outstanding Through January 4, 2027

BACKGROUND: On May 31, 2024, Public Service Electric and Gas Company ("Petitioner"), a public utility of the State of New Jersey, submitted a petition to the New Jersey Board of Public Utilities ("Board"), pursuant N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9, requesting Board approval to issue and sell (a) short-term obligations consisting of borrowings from banks, trust companies, insurance companies or other lenders and (b) promissory notes (together, "Short-term Obligations") not to exceed \$1.0 billion in aggregate principal amount at any one time outstanding, through January 4, 2027.

According to the Petition, the requested authority will provide Petitioner with the flexibility it requires to meet continued cash needs and manage cash flows during 2025 and 2026. To the extent that any Short-term Obligation is a renewal or extension of a short-term obligation previously issued, such renewal or extension could be payable later than twelve (12) months after the date of the original instrument. Petitioner requested that, within the limitation of \$1.0 billion aggregate principal amount at any one (1) time outstanding, such Short-Term Obligations may be issued, extended or renewed from time to time through January 4, 2027 without further application to or approval of the Board.

Board Staff, after review of the information submitted in this proceeding, determined that the financing arrangements are in accordance with the law and in the public interest and therefore recommended approval of the Petition.

III. CABLE TELEVISION

A. Docket No. CE23100780 – In the Matter of the Verified Petition of CSC TKR, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Sandyston, County of Sussex, State of New Jersey

BACKGROUND: On April 15, 2022, CSC TKR, LLC ("Cablevision") filed an application with the Township of Sandyston ("Township") for renewal of municipal consent. The Township adopted an ordinance granting renewal municipal consent to Cablevision on December 20, 2022. On April 4, 2023, Cablevision formally accepted the terms and conditions of the

ordinance. Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township on October 31, 2023.

After review, Board Staff (“Staff”) recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on November 28, 2034.

B. Docket No. CE23100725 – In the Matter of the Verified Petition of Cablevision of Monmouth, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Berkeley, County of Ocean, State of New Jersey

BACKGROUND: On or about May 11, 2020, Cablevision of Monmouth, LLC (“Cablevision”) filed an application with the Township of Berkeley (“Township”) for renewal of municipal consent for a portion of the Township. The Township adopted an ordinance granting renewal municipal consent to Cablevision on February 28, 2022. On May 16, 2022, Cablevision formally accepted the terms and conditions of the ordinance. Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township on September 20, 2023.

After review, Board Staff (“Staff”) recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on November 28, 2039.

IV. TELECOMMUNICATIONS

There were no items in this category.

V. WATER

A. Docket No. WF24080610 - 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, 2027

BACKGROUND: On August 16, 2024, New Jersey-American Water Company, Inc. (“Company” or “NJAWC”), a public utility of the State of New Jersey, submitted a petition (“Petition”), requesting authority pursuant to *N.J.S.A. 48:3-7* and *48:3-9* and *N.J.A.C. 14:1-5.9* to:

1. Issue and sell up to \$1,082,000,000 aggregate principal amount of long-term debt consisting of one (1) or more series of first mortgage bonds, notes, other bonds or other evidence of indebtedness, whether secured or unsecured, fixed rate or variable, tax-exempt or taxable (collectively, “Long-Term Debt”);
2. Execute and deliver one (1) or more series of supplemental mortgage indentures, loan agreements, notes, and such other documents; and

3. Take such actions as NJAWC determines may be necessary or desirable in connection with any of the foregoing.

According to the Petition, NJAWC intends to use the net proceeds from its issuance of Long-Term Debt to (a) provide funds for the Company's ongoing utility plant construction program, (b) refinance outstanding Long-Term Debt of NJAWC as such debt matures or is retired or can be replaced by lower-cost issues, (c) repay short-term debt incurred in connection with NJAWC's ongoing capital construction program, and (d) pay certain issuance costs related to the proposed financings.

Board Staff, after review of the information submitted in this proceeding, determined that the action requested in accordance with the law and in the public interest and therefore recommended approval of the Petition.

VI. RELIABILITY AND SECURITY

There were no items in this category.

VII. CUSTOMER ASSISTANCE

There were no items in this category.

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

There were no items in this category.

After appropriate motion, consent agenda items IIA, IIIA, and IIIB

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

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

After appropriate motion, consent agenda item VA

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Recused |

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

AGENDA

1. AUDITS

A. Docket No. EA17030297 – In the Matter of an Audit of the Affiliated Transactions Between Atlantic City Electric Company, Pepco Holdings LLC, Exelon Inc. and Affiliates Including a Review of Operational and Financial Performance of Atlantic City Electric Company Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 48:3-58 & N.J.A.C. 14:4-3.7(e) and (f) and a Comprehensive Management Audit of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-16.4 & N.J.A.C. 14:3-12.1 et seq.

Alice Bator, Division of Audits, presented this matter.

BACKGROUND: The Board accepted for filing purposes only the final audit report of Liberty Consulting Group in the affiliated transaction between Atlantic City Electric and Pepco Holdings, LLC and its affiliates. There were 70 recommendations set forth in the final report. Both Atlantic City Electric and Rate Counsel provided comments on the final report.

Staff recommends implementation of 55 of Liberty's recommendations as written. An implementation of four recommendations with modifications by Staff for Chapter 7, recommendation three; Chapter 7, recommendation nine; Chapter 7, recommendation ten; and Chapter 18, recommendation two. An objection of the remaining 11 recommendations in Chapter 5, number one; Chapter 7, number one; Chapter 7, number five; Chapter 8, number one; Chapter 8, number two; Chapter 8, number four; Chapter 8, number, recommendation eight; and Chapter 9, recommendation one; Chapter 9, recommendation two; Chapter 9, recommendation three; and Chapter 18, recommendation one.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

B. Docket No. EA24090626 – In the Matter of an Audit of the Affiliated Transactions between Atlantic City Electric Company (“ACE”), Pepco Holdings LLC, Exelon Inc. and its Affiliates and ACE’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 49:3-58; and N.J.A.C. 14:4-3.7(e) and (f), and a Comprehensive Management Audit of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-16.4 and N.J.A.C. 14:3-12.1 – 12.4 – Executive Session.

Alice Bator, Division of Audits, presented in this matter.

BACKGROUND: This audit will also include a review of ACE's compliance with the Board's regulations and New Jersey statutes regarding affiliate and fair competition standards and a comprehensive management audit of Atlantic City Electric and the holding company.

A request for proposal, which includes a phase one and a phase two of the audit, has been drafted for consideration. Staff recommends that the Board permit the Audit Staff to release the RFP to four qualified management consultants to solicit bids to perform the scope of work.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

C. Docket No. EA24030165 – In the Matter of an Audit of the Affiliated Transactions between Rockland Electric Company (“RECO”), Orange and Rockland Utilities Inc. and Consolidated Edison, Inc. and its Affiliates and RECO’s Compliance with Affiliate Relations and Fair Competition Standards and Electric Discount and Energy Competition Act Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 48:3-58 & N.J.A.C. 14:4-3.7(e) and (f) and a Comprehensive Management Audit of Rockland Electric Company Pursuant to N.J.S.A. 48:2-16.4 & N.J.A.C. 14:3-12.1 – 12.4 – Executive Session.

Alice Bator, Division of Audits, presented this matter.

BACKGROUND: This audit will include a review of Rockland Electric Company's compliance with the Board's regulations and the New Jersey statutes regarding affiliate and fair competition standards and a comprehensive management audit of Rockland Electric Company and holding company.

A request for proposal, which includes a phase one and phase two of the audit, has been drafted for your consideration. Staff recommends that the Board permit Audit Staff to release the RFP to the four pre-qualified management consultants to solicit bids to perform the scope of work.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

2. ENERGY

A. Docket No. ER24030191 – In the Matter of the Provision of Basic Generation Service (“BGS”) for the Period Beginning June 1, 2025.

Stacy Peterson, Division of Energy, presented this matter.

BACKGROUND: This is a recommendation for securing electric power supplies for Basic Generation Service customers for the period beginning June 1, 2025. By way of background, the Board issued an order on April 17 opening the proceeding to determine how to procure the remaining one-third of the State's BGS-RSCP and the annual BGS-CIEP requirements for the period beginning June 1, 2025. The EDCs made a joint filing on July 1. The Board received initial and final comments and a legislative type hearing was held on September 20. Staff's full recommendations have been set forth in the agenda memo and Commissioner briefings, but there are a few issues that I will describe here.

Staff notes that Rockland Electric did not address the capacities of its BGS customers in its central and western divisions in the NYISO capacity market. Although Rockland did not file a proposal related to the procurement of capacity for its non-PJM service area, Staff recommends that the Board direct Rockland to modify its company specific addendum to include the same procurement process for capacity needs for its non-PJM service area as has been approved in previous BGS proceedings.

In its initial comments, the Retail Energy Supply Association sought to have the Board amend its regulations to allow third-party supplier to passthrough capacity cost increases to their customers on fixed price contracts, arguing that BGS providers are permitted to do so and that third-party suppliers are not on an equal footing. The proposal was opposed by Rate Counsel. Staff notes that the Board's Energy Competition Regulations are up for readoption in early 2026 and the Staff anticipates that the review and readoption process will begin in 2025. Staff believes that the review of Chapter 4, and not this proceeding, is the appropriate venue to review these issues and recommends that the Board deny RESA's proposal to amend the Board's rules at this time.

RESA also argued that the EDCs should not be permitted to offer BGS supply time of use rates until third-party suppliers have equal access to advanced metering infrastructure data. Several parties noted that the Board has initiated proceedings intended to address AMI data access issues. Additionally, Staff notes that with obtaining customer consent, third-party suppliers can currently access customer data. Therefore, Staff recommends that the Board find RESA's issues related to data access and AMI are more appropriately addressed in those proceedings and decline to address the concerns in this docket.

To summarize, with the modifications suggested, Staff recommends that the Board approve the descending clock auction process, auction rules, Board approval process and supplier master agreements that were proposed by the EDCs. Staff further recommends the Board require each of the EDCs to file an amended compliance filing by December 5 and authorize Staff to review

the filings and request that the Board Secretary issue a letter if the filings are found to be compliant.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

B. Docket Nos. BPU GR24010071 and OAL PUC 02298-24 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of an Increase in Gas Base Rates, for Changes in its Tariff for Gas Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, and for Changes to Depreciation Rates for Gas Property Pursuant to N.J.S.A. 48:2-18, and Other Requested Relief.

Stacy Peterson, Division of Energy, presented this matter.

BACKGROUND: On January 31, 2024 New Jersey Natural Gas Company filed a petition seeking approval to increase its base rates for gas service of approximately \$222.6 million. Through the course of the proceeding, New Jersey Natural provided updates to reflect actual results through the full 12 month test period, which modified the proposed revenue requirement to an increase of \$219.86 million. Throughout the course of the proceedings, the parties held numerous discovery and settlement conferences and have executed a stipulation which was approved by an initial decision issued by Administrative Law Judge Gertsman.

As a result of the stipulation, the overall revenue requirement recommended is an increase of \$157 million. The return on equity will be 9.6 percent, with a 54 percent equity and a 46 percent debt capital structure. The stipulation also authorized New Jersey Natural to recover certain regulatory assets over a three-year period and also updates the company's depreciation rates and recommends several tariff changes. Based on the stipulation, a typical residential heating customers using 100 therms of gas in a winter month will see an increase in their monthly winter bill of \$23.94.

Staff recommends the Board adopt the initial decision and stipulation for services rendered on and after November 21. Staff further recommends the board direct New Jersey Natural to file revised tariffs by November 21.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

C. Docket Nos. BPU GR24020158 and OAL PUC 03991-2024 N – In the Matter of the Petition of Elizabethtown Gas Company for Approval of Increased Base Tariff Rates and Charges for Gas Service, Changes to Depreciation Rates and Other Tariff Revisions.

Stacy Peterson, Division of Energy, presented this matter.

BACKGROUND: On February 29, 2024, Elizabethtown Gas Company filed a petition for approval of an increase in its base rates for gas service of approximately \$75.6 million. Throughout the course of the proceeding, Elizabethtown updated the petition to include actual information for the full 12 month test period, modifying the revenue requirement request to an increase of \$70.3 million. Throughout the course of the proceeding, the parties held numerous discovery and settlement conferences and ultimately executed a stipulation, which was approved by Administrative Law Judge Gertsman.

Some key features of the stipulation are an overall revenue requirement increase of \$38 million, a return on equity of 9.6 percent, with a 55 percent equity and 45 percent debt capital structure. Elizabethtown would also recover certain regulatory assets over agreed upon amortization period. The depreciation rates have been updated and several recommended tariff changes have been made. Based upon the stipulation, a typical residential heating customer using 100 therms in a winter month would see an increase in their monthly winter bill of \$9.43.

Staff recommends the Board adopt the initial decision and stipulation for service rendered on and after December 1, 2024. Staff recommends that the Board direct Elizabethtown to file revised tariff sheets by November 27.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

D. Docket No. ER24010003 – In the Matter of the Board of Public Utilities – Federal Energy Regulatory Commission (FERC) Items for 2024 – Advanced Notice of Proposed Rulemaking on Implementation of Dynamic Line Ratings, Docket No. RM24-6-000.

Amanda Lescano, Federal & Reg. Policy, presented this matter.

BACKGROUND: On June 28, 2024 FERC issued an Advanced Notice of Proposed Rulemaking on the implementation of Dynamic Line Ratings. This proposed rulemaking offers reforms that would require solar heating and wind conditions to be factored into near term transmission line ratings.

On October 15, 2024, Staff, on behalf of the Board, filed comments on the Advanced Notice of Proposed Rulemaking generally supporting the proposed reforms. The comments assert that FERC should require transmission line ratings to reflect solar heating and wind conditions by using Dynamic Line Rating technologies.

Staff explains in the comments that Dynamic Line Ratings have many benefits, such as increasing the transmission line's capacity and providing more accurate information on real-time operating conditions. On average, these Dynamic Line Ratings enable transmission lines to carry more power without compromising reliability. The comments, therefore, emphasized that Dynamic Line Ratings will be an important tool for getting more generation, including clean energy resources connected to the grid in the near term.

Further, the comments explain that Dynamic Line Ratings can be deployed safely, more cost effectively, and more quickly than typical transmission upgrades. Dynamic Line Ratings can, therefore, serve as a near term, complimentary solution to transmission capacity expansion needs and FERC should act to ensure their widespread deployment.

Staff recommends that the Board ratify the comments Staff filed with FERC on October 15, 2024.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

3. CABLE TELEVISION

A. Docket No. CE16090919 – In the Matter of the Application of Cablevision of Monmouth, LLC for the Renewal of its System-Wide Cable Television Franchise.

Lawanda Gilbert, Division of Cable Television, presented this matter.

BACKGROUND: On January 11, 2010, Cablevision converted its franchise in the Borough of Interlaken into a systemwide cable television franchise as provided in the 2006 amendments to the New Jersey Cable Television Act. An order memorializing the conversion was issued by the Board on February 11, 2010, which granted Cablevision a systemwide cable franchise for a term of seven years. On February 22, 2017, the Board issued a renewal franchise to Cablevision for a term of seven years, which expired on January 11, 2024.

Since the initial order, Cablevision has converted an additional 19 municipalities and the franchise currently covers 20 municipalities. On May 11, 2021 Cablevision notified the Board of its intention to renew its franchise. On June 13, 2024, the OCTV&T notified Cablevision of its intention to review the performance under its systemwide franchise pursuant to federal and

State guidelines and invited Cablevision to provide comments on its performance under the franchise during the past seven years, as well as assess how it will meet the future needs of the 20 communities served under the franchise. Cablevision filed its comments with the Board on July 12, 2024.

The report prepared by the OCTV&T addresses Cablevision's comments and reviews Cablevision's past performance under the franchise. Pursuant to the franchise renewal rules, Cablevision will file its formal franchise renewal application following the release of the report, and two public hearings will be held thereafter to provide opportunity for other comment prior to returning to the Board for final review.

Staff, therefore, recommends that the Board approve the release of the OCTV&T's report in compliance with the renewal process for Cablevision's systemwide franchise.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

4. TELECOMMUNICATIONS

A. Docket No. TO23030128 – In the Matter of the Request for Quotation (RFQ) for the Provision of Telecommunications Relay Services (TRS) – Executive Session.

Lawanda Gilbert, Division of Telecommunications, presented this matter.

BACKGROUND: Staff is requesting Board approval of the selection of a provider for the Telecommunications Relay Services in New Jersey, or TRS. TRS functions as a point of translation between hearing and/or speech impaired customers who use a teletype device or a computer to communicate with non-impaired telephone users.

On June 27, 2024, the Board authorized the release of an RFQ and bids were received and reviewed by the evaluation committee, which submitted its recommendations to Staff. The Staff recommends that the Board approve recommendations of the evaluation committee so that it can be submitted to the Department of Treasury for renewal of the contract to ensure the continued provision of TRS services in New Jersey.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

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

A. Docket No. QO20030262 – In the Matter of the Charge Up New Jersey Electric Vehicle Incentive Program – Executive Session.

Jessica Korsh, Division of Clean Energy, presented this matter.

BACKGROUND: This matter concerns an extension and modification of the contract with Center For Sustainable Energy, CSE, who currently administers the Charge-Up New Jersey program, including Charge-Up Plus, Clean Fleet and the Multiunit Dwelling Incentive Programs. Staff recommends approval.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

B. Docket No. QO24010069 – In the Matter of the Request for Quotation for Consulting Services for New Jersey Solar for All Program – Executive Session.

Bence Oliver, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter concerns the release of a request for quotation for services relating to the United States Environmental Protection Agency's Solar For All competitive funding opportunity. Specifically, Staff of the New Jersey Board of Public Utilities seeks approval to hire a contractor using federal grant money to assist with the program design and administration of the New Jersey Solar For All program.

Staff anticipates entering a three-year contract for the combined scope of program design and administration of new competitive solicitations. The contract will involve a robust stakeholder process to yield a fully developed program that will disperse New Jersey's award within the five-year federal funding period.

Staff recommends the Board approve the release of the RFQ to hire a contractor to assist Staff with the NJSFA program design and administration as discussed in executive session.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

C. Docket No. QO21101186 – In the Matter of the Competitive Solar Incentive (“CSI”) Program Pursuant to P.L. 2021, c. 169; and

Docket No. QO24080620 – In the Matter of NJR Clean Energy Ventures III – Aero Haven Landfill – Application for Competitive Solar Incentive Program Tranche 3 Eligibility.

Florence Dou, Division of Clean Energy, presented this matter.

BACKGROUND: This item relates to the application from NJR Clean Energy Ventures III Corporation, or applicant, for their Aero Haven Landfill solar project in the CSI program seeking conditional certification of eligibility to generate SREC-IIs as a project located on a landfill. The project was previously registered in the TI program. That registration expired in April of 2022. NJR received permission to operate on March 24, 2023.

On April 17, 2024, the Board awarded the applicant an SREC-II incentive of \$89.00 per megawatt hour in tranche three, contaminated sites and landfills, in the second solicitation of the CSI program. The constructed facility is 2.772 megawatts located at the Aero Haven Landfill site, Block 63, Lot 1 in Evesham Township, Burlington County, New Jersey. As part of the initial CSI registration package, the applicant filed a contaminated site or landfill eligibility verification form, along with supporting documentation that enabled the Board, in consultation with NJDEP, to determine whether the project meets the requirements for participation in the contaminated site and landfills tranche.

Staff reviewed the application and supplied a copy to NJDEP for their review. NJDEP reviewed the site to determine any compliance issues, required permits and approvals, and impacts to regulated areas that must be addressed prior to full certification of the project and issued an advisory memo to Staff on August 9, 2024.

Based on the information provided in the application, supporting documents, and NJDEP's findings, Staff recommends that the Board: (1) grant conditional certification to the applicant's 2.772 megawatt project as being eligible to generate SREC-IIs as a landfill facility in the CSI program; (2) find that the conditions for certification provided by NJDEP, including, but not limited to, the considerations presented in the advisory memo be documented as fully satisfied

by the applicant prior to Staff's issuance of full certification; and (3) direct the applicant to submit this order with their registration package within 30 days of the effective date of this order.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

9. MISCELLANEOUS

A. Docket No. QO24070541 – In the Matter of the Energy Savings Improvement Program (ESIP) Request for Proposal (RFP) Education Template Update to Be Utilized by the Public Education Sector.

Michelle Rossi, State Energy Services, presented this matter.

BACKGROUND: The New Jersey Board of Public Utilities serves as program administrator for the Energy Savings Improvement program, or ESIP. This program was established by law in 2009, with statutory amendments in 2012. As required by the ESIP law, the Board developed two requests for proposal templates, or RFPs. One template is used by educational entities, and the other used by local governmental entities. Public entities use these RFPs to procure an Energy Services Company, or ESCO.

The Board Staff has worked with the Division of Local Government Services within the New Jersey Department of Community Affairs, with the Office of State Comptroller, and with the Department of Treasury to update the draft education RFP template to reflect changes in the law since this template was posted. The education sector comprises the majority of ESIP projects administered by the Board. Since the majority come from this sector, this template is being addressed first. Updates to the local government template will be made soon thereafter.

Staff recommends that the Board approves the draft education RFP template so that the ESIP program provides an RFP model that reflects current law. Staff also recommends that the Board direct Staff to review the template and update it as needed to remain with any future changes made by law.

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

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| Roll Call Vote: | President Guhl-Sadovy | Aye |
| | Commissioner Christodoulou | Aye |
| | Commissioner Abdou | Aye |
| | Commissioner Bange | Aye |

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

Sherri L. Lewis

Sherri L. Lewis
Board Secretary

Date: 1/29/2025