



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 May 21, 2025 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and via online @ https://youtu.be/1Ub5fdlZJ9k?si=7PGXuY6DyqAO_YnM.

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, and 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 Sherri L. Lewis, 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 June 18, 2025, 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

- A. 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.**

BACKGROUND: At its regular agenda meeting of November 21, 2024, the New Jersey Board of Public Utilities (“Board”) initiated an audit and authorized Board Staff (“Staff”) to present a Request for Proposals (“RFP”) to the four (4) pre-approved management consulting firms for bid submissions to conduct a two (2)-phase audit of Atlantic City Electric Company (“ACE” or “Company”). Phase One will consist of an audit of affiliated transactions of ACE, Pepco Holdings, LLC, Exelon Inc., and any affiliates and competitive services of ACE, as well as ACE’s compliance with the Board’s Affiliate Relations and Fair Competition Standards. Phase Two will consist of a comprehensive management audit.

An Evaluation Committee (“Committee”), which was comprised of representatives from Audits, the Division of Rates and Revenues, the Office of the Economist, and the Division of Engineering, performed a technical review and price comparison of the bid proposals received.

8. CLEAN ENERGY

- A. Docket No. QO24090673 – In the Matter of the Request for Quotation for a Program Administrator for the Garden State Energy Storage Program – Executive Session.**

BACKGROUND: This matter involves the award of a contract for services related to developing and administering the Garden State Energy Storage Program (“GSESP”). The GSESP will build a critical foundation for a long-term energy storage initiative, which is essential for achieving the State’s storage and clean energy goals.

On January 15, 2025, the New Jersey Board of Public Utilities (“Board” or “BPU”) authorized the release of a Request for Quotation (“RFQ”) to hire a contractor to assist with the development of the Distributed segment (Phase 2) and the Transmission Performance Incentive segment, (Phase 3) of the GSESP, as well as administering the program. The development of the Transmission Fixed Incentive segment (Phase 1) has

been completed.

On March 28, 2025, proposals were received from three (3) firms in response to the RFQ. An evaluation committee comprised of Board Staff ("Staff") thoroughly evaluated each proposal.

Staff recommends that the Board award a contract for a term of up to two (2) years with the option for an additional one (1)-year extension to assist Staff in further developing and administering the GSESP.

C. Docket No. QO25040193 – In the Matter of a Memorandum of Understanding Between Board of Public Utilities and Department of Environmental Protection for the Electric Vehicle Tourism Incentive Program – Executive Session

BACKGROUND: This matter involves a proposed Memorandum of Understanding ("MOU") between the New Jersey Board of Public Utilities ("Board" or "BPU") and the New Jersey Department of Environmental Protection ("DEP"), both being instrumentalities of the State of New Jersey.

Pursuant to the proposed MOU, and in accordance with the allocation of funds approved by the Board via Order dated September 14, 2021, the Board will distribute \$150,000 ("Funds") to the DEP to reinstate the previously expired MOU between the DEP and the Board for the purpose of the Electric Vehicle ("EV") Tourism Incentive Program.

Board Staff ("Staff") recommends that the Board approve the MOU and authorize President Guhl-Sadovy to execute the proposed MOU on behalf of the Board.

CONSENT AGENDA

I. AUDITS

A. Energy Agent, Private Aggregator and/or Energy Consultant Initial Registrations

| | | |
|----------------------------|-------------------------------------|-----------|
| EE24110851L | Clean Peak Energy Group LLC | I – EA |
| EE25030119L | DCO Energy, LLC | I – EA |
| EE25020030L GE25020031L | Energy Related Services Corporation | I – EA/EC |
| EE25040195L GE25040196L | Residential Energy Improvements LLC | I – EA/EC |

BACKGROUND: The New Jersey Board of Public Utilities (“Board”) must register all energy agents, private aggregators, and energy consultants, and the Board must license all third party electric power suppliers and natural gas suppliers (“TPSs”). Annually thereafter, TPSs, as well as energy agents, private aggregators, and energy consultants, are required to timely file annual information update forms and renewal fees for their licenses and registrations in order to continue to do business in New Jersey. N.J.S.A. 48:3-78 to 79; N.J.A.C. 14:4-5.6 to 5.7; N.J.A.C. 14:4-5.8 to 5.9, and N.J.A.C. 14:4-5.11.

Board Staff recommended that the following applicants be issued an initial registration as an energy agent and/or energy consultant:

- Clean Peak Energy Group LLC
- DCO Energy LLC
- Energy Related Services Corp.
- Residential Energy Improvements LLC

B. **Docket No. TE24090722 – In the Matter of Verified Petition of Greenlight Networks NJ, LLC for Authorization to Provide Facilities-Based Local Exchange, Interexchange and Private Line Telecommunications Services in the State of New Jersey.**

BACKGROUND: On February 8, 1996, the Federal Telecommunications Act of 1996 was signed into law to promote competition and remove barriers to entry into telecommunications markets. To that end, 47 U.S.C. § 253(a) provides that “[n]o State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.” However, pursuant to 47 U.S.C. § 253(b), the New Jersey Board of Public Utilities (“Board”), as the State’s regulatory authority, may impose requirements necessary to protect the public safety and

welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers on a competitively neutral basis that is consistent with universal service.

On September 16, 2024, Greenlight Networks NJ, LLC ("Petitioner") filed a verified petition with the Board seeking authority to provide facilities-based local exchange, interexchange, and private line telecommunications services in the State of New Jersey. Petitioner requested a waiver of requirements to maintain its books and records in accordance with the Uniform Systems of Accounts ("USOA") and to keep records in New Jersey. Petitioner requested authorization to instead maintain its books and records in accordance with the Generally Accepted Accounting Principles ("GAAP") and outside New Jersey.

By letter dated February 19, 2025, the New Jersey Division of Rate Counsel indicated that it did not oppose a grant of Petitioner's waiver requests or the issuance of a certificate of authority to provide facilities-based local exchange, interexchange, and private line telecommunications services throughout the State of New Jersey.

Following review, Board Staff ("Staff") recommended that the Board approve Petitioner's request for authorization to provide facilities-based local exchange, interexchange and private line telecommunications services in the State of New Jersey. Staff also recommended that the Board approve Petitioner's request for a waiver to maintain its books in accordance with GAAP, as opposed to the USOA, and within New Jersey.

II. ENERGY

There were no items in this category.

III. CABLE TELEVISION

A. In the Matter of the Application for Renewal of a System-Wide Cable Television Franchise for CSC TKR, LLC – Amended Order

BACKGROUND: On February 11, 2010, the New Jersey Board of Public Utilities ("Board") issued an order memorializing the conversion by CSC TKR ("CSC TKR") of its municipal consent-based franchise in the Borough of Allentown to a System-wide Franchise in Docket No. CE10010024, for a term of seven (7) years to expire on January 10, 2017. CSC TKR has added an additional thirty-five (35) municipalities to its System-wide Cable Television Franchise during this term. On February 22, 2017, the Board issued a Renewal System-wide Cable Television Franchise to CSC TKR, for a term of seven (7) years which expired on January 10, 2024, in BPU Docket No. CE16090920. On June 20, 2024, the Office of Cable Television and Telecommunications ("OCTV&T") notified CSC TKR of its intention to review its performance during the past seven (7) years and invited the company to file comments on its performance under its System-wide Cable Television Franchise and to assess how it will meet the future needs of the communities listed in its franchise application. CSC TKR filed its initial comments with the OCTV&T on July 22, 2024. On September 25, 2024, the Board issued an Ascertainment Report on CSC TKR's performance under its System-wide Cable Television Franchise and the future system-wide cable television franchise needs of the municipalities under the system-wide franchise. On March 19, 2025, the Board issued an order renewing CSC TKR's System-wide Cable Television Franchise and extended the system-wide franchise into seven (7) additional townships, subject to the conditions

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outlined in the order and subject to all applicable state and federal laws, and the rules and regulations of the OCTV&T ("March 2025 Order").

Following the release of the March 2025 Order, Board Staff ("Staff") was informed by the applicant that the March 2025 Order inadvertently misstated the timeframe by which CSC TKR represented that it would complete all required construction in the System-wide Cable Television Franchise territory. Additionally, the March 2025 Order inadvertently described CSC TKR's system as "750MHz hybrid-fiber coaxial, fiber-to-node digital design, and the entire system will be two-way capable," when the renewal application described the relevant services as "an all-Fiber-to-the-Home network ("FTTH")".

Staff recommended that the Board issue an amended version of the March 2025 Order to include the relevant information as it appears in CSC TKR's application for renewal of its System-wide Cable Television Franchise. Staff recommended that the remainder of the March 2025 Order remain unchanged.

IV. TELECOMMUNICATIONS

A. Docket No. TF24110848 – In the Matter of the Verified Joint Petition of ExteNet Systems, LLC and ExteNet LVS, LLC for Approval (1) to Transfer Certain Assets Between Petitioners, including a Waiver of Mass Migration Rules and (2) for ExteNet LVS, LLC to Participate in Certain Financing Arrangements.

BACKGROUND: On November 15, 2024, ExteNet Systems, LLC ("ESL") and ExteNet LVS, LLC ("ELVS") (collectively, "Petitioners"), submitted a verified joint petition with the New Jersey Board of Public Utilities ("Board") requesting approval pursuant to N.J.S.A. 48:3-7 to transfer certain assets, including customer contracts and related telecommunications network infrastructure, from ESL to ELVS ("Petition"). Petitioners also sought a waiver of the Board's mass migration rules, N.J.A.C. 14:10-12.1 et seq., and approval for ELVS to participate in certain financing arrangements ("Financing Arrangements").

The Petitioners also sought Board approval for ELVS to enter into or participate in new, amended and restated Financing Arrangements up to an aggregate amount of \$750 million. Petitioners expect that any long-term indebtedness incurred as part of the Financing Arrangements will mature up to ten (10) years after issuance, depending on the type of debt instrument. Interest rate(s) will be set between 7-10%, subject to then-current interest rate conditions. Some or all of the Financing Arrangements may be secured facilities, which may include a grant of a security interest in the assets of ELVS.

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

B. Docket No. TM24120876 – In the Matter of Verified Joint Petition of vCom Solutions, Inc., Transferor, QuantumShift Communications, Inc., Licensee, and AppSmart TGN, Inc., Transferee, for Approval of the Transfer of Indirect Control of Licensee to Transferee.

BACKGROUND: On December 20, 2024, vCom Solutions, Inc. (“vCom” or “Transferor”), AppSmart TGN, Inc. (“AppSmart TGN” or “Transferee”), and QuantumShift Communications, Inc. (“QuantumShift” or “Licensee”) (collectively, “Joint Petitioners”), filed a petition with the New Jersey Board of Public Utilities (“Board”) pursuant to N.J.S.A. 48:2-51.1, N.J.S.A. 48:3-10, and the regulations of the Board (“Petition”). By the Petition, the Joint Petitioners requested Board approval for the indirect transfer of control of Licensee to Transferee. According to the Petition, vCom and Transferee’s indirect parent company, AppDirect, Inc., (“AppDirect”), are parties to a Stock Purchase Agreement, which Stock Purchase Agreement has been assigned by AppDirect to Transferee, pursuant to which Transferee will acquire all of the issued and outstanding stock of vCom, which owns 100% of the issued and outstanding stock of QuantumShift (“Proposed Transaction”).

Joint Petitioners stated that the Proposed Transaction would serve the public interest by bringing together two (2) successful enterprises that have demonstrated a long-standing commitment to excellence in a highly competitive marketplace. Joint Petitioners asserted that the Proposed Transaction would have no adverse impact on the customers of Licensee. QuantumShift’s customer base consists entirely of small and medium business and enterprise customers and does not include any consumers. Joint Petitioners stated that Transferee has plans to invest in the combined company’s communications services to further grow and strengthen its capabilities. Licensee therefore will continue to have the managerial, technical, and financial qualifications to provide high quality telecommunications services in New Jersey supported by experienced management. Licensee would also be supported by the financial resources of Transferee.

Joint Petitioners stated that, collectively, Licensee and its affiliates have one (1) employee located in New Jersey.

The New Jersey Division of Rate Counsel submitted comments on the matter indicating that it did not oppose Board approval of the petition.

Following review of the records in the proceedings, Board Staff recommended approval of the Petition.

V. WATER

There were no items in this category.

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 IA, IB, IIIA, IVA, and IVB:

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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.

AGENDA

1. AUDITS

- A. 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 matter involves the selection of the auditor to conduct an audit of Atlantic City Electric's and Exelon's compliance with EDECA and the Board's Affiliate and Fair Competition Standards, review of services, transactions and allocations of costs between Atlantic City Electric, Pepco Holdings, LLC, Exelon and any affiliates and competitive services at Atlantic City Electric, and to perform a Comprehensive Management Audit of the company, including a review of the various functions and operations of the company.

Staff recommends the Board approve Staff's recommendations consistent with the discussion 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 |

2. ENERGY

- A. Docket No. EX25030174 – Larry S. Loigman – Request for Rulemaking Pursuant to N.J.A.C. 14:1-5.16.**

Dean Taklif, Division of Engineering, presented in this matter.

BACKGROUND: On March 25, 2025 Mr. Larry S. Loigman filed a petition with the Board seeking rulemaking to add new rules to an unspecified subchapter of Title 14 of the New Jersey Administrative Code to address public safety and traffic issues during public utility construction projects.

On May 5, 2025 notice of receipt of the petition was published in the New Jersey Register. Following a review of petition, Staff believes that the requested rules are undue and overly

burdensome as the responsibility for the appropriate traffic management measures and construction practices lie with the entities responsible for the areas under construction, such as a municipality in the case of local streets and sidewalks, the county for local roads, and the New Jersey Department of Transportation for state roads and highways.

In addition, proposed rules concern the placement, specification of maintenance of highway and traffic signs and markings, which are in the purview of New Jersey Department of Transportation Commissioner. For these reasons Staff recommends that the Board deny the petition for rulemaking.

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. 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 in this matter.

BACKGROUND: On February 12, 2025 the Board certified the results of the Basic Generation Service auctions. The Board also directed the EDCs to execute the necessary documents with the winning bidders, including Supply Master Agreements, implementing the rates resulting from the auctions beginning June 1, 2025, and file revised tariff sheets reflecting the BGS rates resulting from the auctions no later than April 1. The EDCs have filed revised tariffs to become effective on June 1, which will be reviewed by Staff.

Staff recommends the Board approve the tariff filings and notify the interested parties through a secretary's letter. As part of the secretary's letter, the EDCs will be asked to post the approved tariffs on their respective websites.

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. 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 in this matter.

BACKGROUND: In accordance with the contract between Bates White and the Board, Bates White submitted a final public and redacted report regarding its review and oversight of the New Jersey Electric Districts Companies' BGS auction process for the supply period beginning June 1, 2025. Staff has reviewed the report and found it to be complete.

Staff recommends that the final report be accepted for filing by the Board and that the redacted version be made available to the public via the Board's website. Staff also recommends that the Board direct the Division of Treasury to provide final payment to Bates White for its work on the auction, as all contract obligations have been fulfilled.

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. ER24070534 – In the Matter of the Combined and Consolidated Application of Atlantic City Electric Company to Adjust the Level of its “Rider RGGI” Charges Associated with its Legacy Solar Renewable Energy Certificate (“SREC I”) Financing Program, its Successor Solar Renewable Energy Certificate (“SREC II”) Financing Program, its Solar Transition Incentive (“TREC”) Program, its Successor Solar Incentive (“SuSI”) Program, its Energy Efficiency (“EE”) Program, and its Community Solar Energy Pilot (“CSEP”) Program (2024).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On July 19th of 2024, Atlantic City Electric (“ACE”) filed a petition seeking authority to adjust the level of its Rider Regional Greenhouse Gas Initiative Recovery Charge associated with ACE's Solar and Energy Efficiency programs. As part of the petition, ACE proposed to maintain the administrative fee associated with its SREC-II program for calendar year 2025 at \$17.07.

Following a review, the parties have executed a stipulation resolving the matter. Based upon the stipulation, an average residential customer would experience a monthly increase of 91 cents. Staff recommends the Board issue an order adopting the stipulation and directing ACE to file revised tariffs by June 1.

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 |

E. Docket No. ER24070548 – In the Matter of the Petition of Atlantic City Electric Company for Implementation of an Adjustment to Its Conservation Incentive Program Rate Mechanism and Associated Customer Class Rates (2024).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On July 31, 2024 Atlantic City Electric company (“ACE”) filed a petition seeking approval to adjust its Conservation Incentive Program rate to account for potential lost sale of revenues stemming from the company's Energy Efficiency programs. ACE updated the petition throughout the course of the proceeding. Following a complete review by the parties, the parties executed a stipulation resolving the matter.

Based on the stipulation, the monthly impact for a typical residential customer is an increase of \$2.98. Staff recommends the Board issue an order approving the stipulation and directing ACE to file revised tariffs by June 1.

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 |

F. Docket No. ER25010025 – In the Matter of the Petition of Atlantic City Electric Company to Reconcile and Update the Level of its Non-Utility Generation Charge and its Societal Benefits Charge (2025).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On January 30, 2025 Atlantic City Electric (“ACE”) filed a petition seeking approval of changes in its Nonutility Generation Charge and the Clean Energy program and uncollectible accounts components of its Societal Benefits Charge. Based upon updated information, the net impact of adjusting these components would result in an overall annual rate decrease of approximately \$48.87 million.

Following an initial review of the updated information and petition, the parties executed a stipulation for provisional rates recommending that the proposed rates be implemented on a provisional basis subject to refund while the parties continue to review the matter. Based upon the provisional stipulation, the monthly impact on a residential customer is an increase of \$3.75.

Staff recommends the Board issues the order approving the provisional stipulation and directing ACE to file revised tariffs by June 1.

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 |

G. Docket Nos. BPU GR24060372 and OAL PUC 15542-2024 S – In the Matter of the Petition of New Jersey Natural Gas Company for the Annual Review and Revision of its Basic Gas Supply Service (BGSS) and Conservation Incentive Program (CIP) Rates for F/Y 2025.

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On May 31st of 2024 New Jersey Natural Gas Company filed its annual petition regarding its periodic Basic Gas Supply Service rate, its Balancing Charge rate, and Conservation Incentive Program. By order dated September 25, 2024, the Board approved a stipulation for provisional rates executed by the parties.

The parties have now completed their review and executed a stipulation to finalize the rates approved in September 2024. The stipulation was subsequently approved by ALJ Gertsman. Staff recommends that the Board issue an order adopting initial decision and stipulation and directing New Jersey Natural to file revised tariffs by June 15.

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 |

H. Docket No. GR24060369 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Gas Conservation Incentive Program (2024 PSE&G Gas Conservation Incentive Program).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On May 31, 2024 PSE&G (“PS”) filed a petition seeking approval of adjustments to the company's Gas Conservation Incentive Program and associated rates to account for potential lost sales revenue stemming from the company's energy efficiency programs. By order dated September 25th of 2024, the Board approved a provisional stipulation which was expected to reduce a typical residential customer's annual bill by 52 cents.

The parties have now completed their review and executed a stipulation resolving the matter, which would result in no further impact to customer bills.

Staff recommends that the Board issue an order approving the stipulation and directing PS to file revised tariffs by June 15.

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 |

I. Docket No. ER25020032 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric Conservation Incentive Program (2025 PSE&G Electric CIP Rate Filing).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On February 3, 2025 PSE&G (“PS”) filed a petition seeking approval of adjustments to the company's Electric Conservation Incentive Program customer class rates to account for potential lost sales revenues stemming from the company's energy efficiency programs.

Following an initial review, the parties have executed a provisional stipulation recommending that the company be authorized to implement its proposed ECIP rates on a provisional basis subject to refund. The company's proposed rates would result in a typical residential customer seeing a decrease in their average monthly bill of 99 cents.

Staff recommends the Board issue an order approving the provisional stipulation and directing PS to file revised tariffs by June 1.

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 |

J. Docket Nos. ER24070484 and GR24070490 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric Green Programs Recovery Charge and its Gas Green Programs Recovery Charge (“2024 PSE&G Green Programs Cost Recovery Filing”).

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On June 20th of 2024 PSE&G (“PS”) filed a petition seeking approval to modify its electric and gas Green Programs Recovery Charge component rates, which the company updated throughout the course of the proceeding. Following a complete review of the matter, the parties have executed a stipulation. As a result of the stipulation, an average

residential electric customer will see an increase in their average monthly bill of 81 cents and a typical residential gas customer will see an increase in their average monthly bill of 75 cents.

Staff recommends the Board issue an order approving the stipulation and directing PS to file revised tariffs by June 1.

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 |

K. Docket No. ER24020072 – In the Matter of Rockland Electric Company’s Annual RGGI Surcharge Filing Reconciling Costs for Calendar Year 2023 and Estimating Costs for Calendar Year 2024;

Docket No. ER24040206 – In the Matter of Rockland Electric Company’s Annual Societal Benefits Charge Filing Reconciling Costs for the 12 Months Ending July 31, 2024 and Estimating Costs for the 12 Months Ending July 31, 2025; and

Docket No. ER24070547 – In the Matter of Rockland Electric Company’s Annual Conservation Incentive Program Filing – Reconciliation for the Period July 1, 2023 – June 30, 2024.

Stacy Peterson, Division of Energy, presented in this matter.

BACKGROUND: On February 1st of 2024 Rockland Electric Company (“RECO” or “Rockland”) filed a petition requesting a review of and approval to reconcile costs and revenues for its Regional Greenhouse Gas Initiative Surcharge, which the company subsequently amended. On April 1, RECO filed a separate petition requesting approval to reconcile costs and revenues for several components of its Societal Benefits Charge.

On July 31, Rockland filed a petition seeking approval of adjustments to the company's Conservation Incentive Program, customer class rates to account for lost sales revenues resulting from the potential decrease in customer usage.

Following a complete review of the three petitions, the parties executed three separate stipulations resolving the matters. Based upon the three stipulations the cumulative impact on a typical residential customer is an increase of \$3.06 in their annualized monthly bill.

Staff recommends the Board issue an order approving the stipulations and directing Rockland to file revised tariffs by June 1.

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

There were no items in this category.

4. TELECOMMUNICATIONS

There were no items in this category.

5. WATER

A. Docket No. WR24100835 – In the Matter of the Petition of Veolia Water New Jersey, Inc. for Approval of the Proposed Cost Recovery Mechanism Related to the Replacement of Customer/Property Owner Side Lead Service Lines and Other Related Approvals.

Stacy Peterson, Division of Water, presented in this matter.

BACKGROUND: On October 28th of 2024 Veolia Water New Jersey, Incorporated filed a petition seeking approval of its proposed cost recovery mechanism related to the replacement of customer and property owner side lead service lines. Following a review of the petition, the parties executed a stipulation resolving this matter.

As a result of the stipulation, the initial impact is an increase of 2.39 per month for a typical residential customer. Staff recommends the Board issue an order approving the stipulation and directing Veolia to file revised tariffs by June 1.

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. WM24090724 – In the Matter of the Petition of New Jersey-American Water Company, Inc., for Approval to Sell a Portion of Real Property Located at 185 John F. Kennedy Parkway in the Township of Millburn, County of Essex.

Dean Taklif, Division of Engineering, presented in this matter.

BACKGROUND: On July 11, 2024 New Jersey American Water Company filed a petition with the Board seeking the authority to exercise the power of eminent domain in order to continue to access a water tank and associated appurtenances on a landlocked property designated Block 163, Lot 6.01. On August 14, 2024 this matter was transmitted to the Office of Administrative Law as a contested case and was subsequently assigned to ALJ Michael Stanzione.

On March 25, 2025 New Jersey American Water and the property owners entered into an agreement to settle this matter. Pursuant to the terms of the agreement, New Jersey American Water will purchase from the property owners a permanent easement to access the water tank. On March 26, 2025 ALJ Stanzione issued an initial decision in this matter approving the agreement and determining that it was voluntary, consistent with the law and fully dispositive of all issues in controversy between American Water and the property owners.

Staff recommends that the Board approve the initial decision and further recommends that the Board defer consideration of the reasonableness and recoverability of the costs of the agreement for a determination in a future base rate case.

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 |

6. RELIABILITY AND SECURITY

There were no items in this category.

7. CUSTOMER ASSISTANCE

A. Docket No. WO24110858 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval to Close an Office in the Township of Hazlet, County of Monmouth, State of New Jersey for Customer Transactions Pursuant to N.J.A.C. 14:18-5.1 and N.J.A.C. 14:3-5.1(e).

Richard Lambert, Division of Customer Assistance, presented in this matter.

BACKGROUND: On November 25, 2024 New Jersey American Water filed a petition seeking approval to close its office located at 1709 Union Avenue in the Township of Hazlet. New Jersey American Water requested to close the Union Avenue office and to remove the customer payment drop box. The company states transactions at the Union Avenue office have been limited to collection of payments via drop box located outside the building and there has been a steady decline in use by customers. The company stated that closing the Union Avenue office will not adversely impact customers.

By letter dated February 12, 2025, Rate Counsel indicated that it did not object to the approval of the petition, but recommended that the Board require the company to continue allowing customers to make payments at alternative locations without additional fees. By letter dated February 21, 2025, the company indicated that it would be amenable to keep the office open until alternative payment locations become available within Hazlet. The company stated that multiple locations not requiring an additional fee will be available within Hazlet by the end of the third quarter, 2025.

Staff recommends the Board approve the petition with the condition to keep the location open until an alternative payment location not requiring additional fees are available in Hazlet.

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 |

8. CLEAN ENERGY

A. Docket No. QO24090673 – In the Matter of the Request for Quotation for a Program Administrator for the Garden State Energy Storage Program – Executive Session.

Stella Oluwaseun-Apo, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter involves the award of a contract for services related to the developing and administering the Garden State Energy Storage Program, GSESP, formerly proposed as the New Jersey Energy Incentive Program, or NJSIP. The GSESP will build a critical foundation for a long-term energy storage effort that will be necessary to achieve the State's storage and clean energy goals.

On January 15, 2025, the New Jersey Board of Public Utilities authorized the release of a request for quotation to hire a contractor to assist with the development of the distributed segment, which is phase two, and the transmission performance incentive segment, which is phase three, of the GSESP, as well as administering the program.

On March 28, 2025, proposals were received from three firms in response to the RFQ. Board Staff reviewed and scored each proposal. Staff recommends the Board award the contract to the selected vendor as discussed in the 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 |

B. Docket No. QW23120927 – In the Matter of the Verified Petition of AB Newark (Fund IV) Operating, LLC for Approval of a Waiver of the Co-Location Restrictions for the Administratively Determined Incentive Program for the Anheuser-Busch Newark Brewery Rooftop and Canopy Solar Project;

Docket No. QW24050361 – In the Matter of the Verified Petition of NJ Terminal Solar, LLC for Waivers of Certain Administratively Determined Incentive Program Requirements, and Related Relief; and

Docket No. QW25030179 – In the Matter of the Verified Petition of Tuckahoe Road Solar Project 2020, LLC and Clayton Road Solar Project 2020, LLC for Approval of a Waiver of the Co-Location Restrictions for the Administratively Determined Incentive Program for the Williamstown High School and Williamstown Middle School Solar Projects.

Dr. Morgan Sawyer, Division of Clean Energy, presented in this matter.

BACKGROUND: This agenda concerns three petitions for waivers of the rules in the Administratively Determined, ADI, program. The ADI program opened to new registrations on August 28, 2021 following the closure of the Transition Incentive, TI, program and it is open to net metered residential facilities, net metered nonresidential facilities of five megawatts or less and community solar facilities. In order to provide tailored incentives for projects of different types and sizes, the ADI program includes restrictions on co-location if multiple facilities sited on the same property or on contiguous properties.

AB Newark Fund IV Operating, LLC filed a petition on December 29, 2023 regarding two projects at the Anheuser-Busch brewery in Newark. NJ Terminal Solar, LLC filed a petition on May 31, 2025 regarding six projects at the Port Newark Container Terminal in Newark. Tuckahoe Road Solar Project, LLC and Clayton Road Solar Project 2020, LLC filed a petition on April 1, 2025 regarding four projects at the Williamstown Middle School and Williamstown High School in Monroe Township.

Each petitioner requested a waiver of the Board's rule at N.J.A.C. 14:8-11.4(f), which prohibits co-location of net metered projects totaling more five megawatts in the ADI program. Each petitioner's projects had been registered in the TI program prior to seeking to register in the ADI program. The TI program did not have any capacity or co-location restrictions.

Staff recommends the Board grant the waivers because the petitioners' individual circumstances each showed good cause for a smooth transition to the ADI program.

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. QO25040193 – In the Matter of a Memorandum of Understanding Between Board of Public Utilities and Department of Environmental Protection for the Electric Vehicle Tourism Incentive Program – Executive Session

Sonia Keating, Division of Clean Energy, presented in this matter.

BACKGROUND: As discussed in executive session, this order would reinstate a previous memorandum of understanding between the New Jersey Department of Environmental Protection (“DEP”) and the Board for their fiscal year 2022 EV Tourism grant award, which was entered into agreement on November 14, 2023 for the installation of two electric vehicle charging stations at Liberty State Park. The new MOU will reinstate the terms of the previous MOU for one year to provide sufficient time to complete the installation project at the site.

Staff recommends the Board approve and execute this MOU for the disbursement of the BPU funds to DEP for the purpose of the EV Tourism Incentive Program, consistent with the BPU's requirements set forth in the MOU on behalf of the BPU.

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. QO21010085 – In the Matter of Modernizing New Jersey’s Interconnection Rules, Processes, and Metrics.

Dr. Natalie Stuart, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter involves the approval of a notice of adoption, NOA, and a notice of proposed substantial changes upon adoption, NOPSCUA, pertaining to New Jersey Administrative Code, Title 14, Chapter 8, Subchapter 4, Section 2 and Subchapter 5, Section 1 through Section 13.

On April 30, 2024, the Board approved a notice of proposal that put forward proposed amendments to the subchapters to remove stakeholder identified barriers to the timely interconnection of distributed energy resources, or DERs. This notice was subsequently published in the New Jersey Register on June 2, 2024. The Board received 15 sets of comments from the stakeholder community that provided detailed feedback on the Board's proposal.

After considering these comments at length, Staff now believes the Board should adopt much of the original proposal with non-substantial changes via approving a notice of adoption. On the basis of stakeholder feedback, however, Staff also believes several substantial changes to the original proposal are warranted, which the Board should propose to adopt via approving a notice of proposed substantial changes upon adoption.

The NOA adopts requirements that all distributed energy resources requesting interconnection to an EDC's electrical power system to be compliant with the IEEE-1547 2018 standard; enforcing additional timelines for both EDCs and customer generator applicants; increasing the quantity, quality, and usability of information provided on EDC's public facing hosting capacity maps and frequency with which they are updated; and requiring all new DER projects above a certain size to complete a pre-application verification and evaluation, or PAVE, process before officially applying to interconnect.

The NOPSCUA proposes amendments to detailed acceptable export control methods and technologies for DERs; outline core functional requirements for EDC software platforms for smoother interconnection application experiences and appropriate cost recovery mechanisms for the implementation of the software platforms; allocate the cost of these EDC software platforms to interconnection customers; and instill timelines for applicants to reduce queue friction.

Staff recommends that the Board approve the notice of adoption and notice of proposed substantial changes upon adoption for publication in the New Jersey Register.

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

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

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

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

E. Docket No. QO20020184 – In the Matter of a Successor Solar Incentive Program Pursuant to P.L. 2021, c. 169; and

Docket No. QO25030113 – In the Matter of the Certification of Energy Year 2024 Cost Cap Calculation and Setting ADI Program Megawatt Blocks for Energy Year 2026.

Zainab Durda, Division of Clean Energy, presented in this matter.

BACKGROUND: Pursuant to legislation and the Board's rules, the Board must certify on an annual basis that the Class 1 Renewable Energy Requirement Cost Cap established by Section 38 of Public Law 1999, Chapter 23 and subsequently amended has not been exceeded and that it is not foreseen to be exceeded so that future Class 1, particularly solar incentive commitments, are permitted. The Board must also set the solar megawatt block allocations for the Administratively Determined Incentive program for energy year '26.

Based on Staff's calculations, the cost cap was not exceeded in energy year '24 and is not forecasted to be at risk of being exceeded in energy year '25 or '26. Accordingly, the cost cap does not currently serve as a constraint on setting megawatt allocations for future eligibility for the ADI program or on procurement of Class 1 RECs to ensure compliance with the energy year '26 Class 1 Renewable Portfolio Standard. In light of these calculations, Staff recommends that the Board certify that the cost cap was not exceeded in the past energy year and is not forecasted to be exceeded in energy year '25 or '26.

In addition, Staff makes the following recommendations for setting capacity allocations for the energy year '26 ADI program megawatt blocks and the ADI program incentive levels.

First, for the net metered residential market segment, Staff recommends that the capacity allocation take into account the project completion rate in the ADI program, as well as the increased residential registration activity in energy year '25 as compared to energy year '24. Accounting for this, Staff recommends the megawatt block capacity for the net metered residential segment be 250 megawatts.

Second, for the net metered nonresidential megawatt block, Staff recommends the capacity be set at 150 megawatts given the lower rate of capacity registrations. When accounting for historical completion rates, the residential and commercial segments taken together would conform to the statutory requirements of the Solar Act of 2021.

Third, Staff recommends setting the megawatt block capacity for the remote net metering market segment at 50 megawatts as required by statute.

Fourth, for the community solar segment, Staff recommends that the Board rollover any unused capacity from energy year '25 to energy year '26. Staff also recommends that the Board revisit new block allocations for community solar later in the year.

Fifth, Staff recommends that the Board maintain the incentive values for the ADI program at their current value until after completion of the triennial review.

And, finally, given the lower than anticipated rate of new projects coming online in the PJM region, Staff recommends that the Board waive its rules to increase the RPS requirement 38 percent in energy year '26, and instead, keep the RPS at the energy year '25 level of 35 percent. Staff further recommends that the Board direct Staff to conduct a rulemaking proceeding to review the RPS requirements for energy year '27 through energy year '31.

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 |

**F. Docket No. QO25010006 – In the Matter of the Clean Energy Program
Authorization of Commercial and Industrial Energy Efficiency Incentives
Exceeding \$500,000 – Equistar Chemicals, LP.**

Dustin Wang, Division of Clean Energy, presented in this matter.

BACKGROUND: Equistar Chemicals, LP submitted an application under the Combined Heat and Power & Fuel Cell Program requesting Board approval of a financial incentive of \$1.5 million for the installation of a combined heat and power, or CHP, system at its facility in Edison, New Jersey. This proposed project has an estimated total cost of \$8,623,000. The applicant anticipates receiving a federal tax credit of approximately \$3,449,200, which would further reduce the project cost.

If approved, this application would cover the installation of a 1,000 kilowatt combined heat and power system, which has an overall system efficiency of 66.8 percent. Annually, this project is anticipated to produce 8,584,800 kilowatt hours of electricity and 115,823 MMBTU of recovered heat.

Staff recommends approval of the application for the total estimated incentive amount.

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 |

G. Docket No. QO23030150 – In the Matter of the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs – Order Adopting the Program Year 5 Technical Reference Manual for the Energy Efficiency Programs.

Alexis Trautman, Division of Clean Energy, presented in this matter.

BACKGROUND: By order dated July 10, 2019, to effectively evaluate the Energy Efficiency Programs, the Board approved the Protocols to Measure Resource Savings for Fiscal Year 2020 to be developed and revised to reflect up-to-date energy savings calculations.

By order dated October 12, 2022, the Board approved Staff's recommendation to rename the Protocols to Measure Resource Savings to the Technical Reference Manual, henceforth referred to as the TRM. The Board approved Staff's recommendation for the evaluation, measurement and verification working group and the TRM committee to conduct a comprehensive update of TRM including input and feedback through public stakeholder process for the Board's consideration ahead of commencement of the Triennium 2 energy efficiency programs.

By order dated December 18, 2024, the Board approved Staff's recommendation to replace the three-year update cycle of the TRM with an annual update cycle. By order dated March 19, 2024, the Board approved Staff's recommendation to approve the PY4 TRM.

What is before you today is the PY5 TRM, which has been developed with the input from the EMB working group and the TRM committee. Staff recommends that the Board approve the PY5 TRM changes for application to EE program savings calculation for the duration of PY5 of Triennium 2.

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 |

H. Docket No. QO24060379 – In the Matter of the Verified Petition of Berkeley Eagles Solar I, LLC and Berkeley Eagles Solar II, LLC for an Expansion of the Geographic Limitations Imposed on Customer Subscriptions by Petitioner's Community Solar Pilot Program Award.

Samantha Tse, Division of Clean Energy, presented in this matter.

BACKGROUND: Item 8H addresses a jointly filed petition by Berkeley Eagles Solar I, LLC and Berkeley Eagles Solar II, LLC, collectively the petitioner, for the ten megawatt co-located community solar project it was awarded in year two of the Community Solar Pilot Program. The petition seeks to modify the commitments made in the original applications of each project with respect to subscriber enrollment areas.

Both Berkeley Eagles Solar Projects were awarded with the condition that subscriber enrollment would be limited to municipal and adjacent municipalities of Berkeley Township. The petitioner seeks to enroll subscribers from the entire Jersey Central Power and Light service territory which the projects are interconnected to.

Staff believes that the Berkeley Eagles Solar Projects have demonstrated significant efforts to enroll customers within its approved enrollment area of same municipality and adjacent municipalities. Staff also notes that the project would still be conditionally approved in Pilot Year

two if it had originally applied with no geographic limitation. Therefore, Staff recommends that the Board grant the petitioner the relief it requested.

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

There were no items in this category.

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

Sherri L Lewis

Sherri L. Lewis
Board Secretary

Date: 9/25/2025