



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 June 18, 2025 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and online @ <https://www.youtube.com/live/TEBBcJ6xt5o?si=C-Hgv0jF3xdP6-8h>.

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 July 16, 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. 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: 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 send a Request for Proposal (“RFP”) to four (4) pre-approved management consulting firms for bid submission to conduct a two (2)-phase audit of Rockland Electric Company (“RECO” or “Company”). Phase One will consist of an audit of affiliated transactions of RECO, Orange and Rockland Utilities Inc., Consolidated Edison, Inc., and all affiliates and any competitive services of RECO, as well as RECO’s compliance with the Board’s Affiliate and Fair Competition Standards. Phase Two will consist of a comprehensive management audit.

An Evaluation Committee (“Committee”), which was comprised of representatives from the Division of 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

B. Docket No. QO22100663 – In the Matter of the Wave and Tidal Energy Feasibility Study.

BACKGROUND: This matter concerns a three (3) month no-cost extension with Rutgers University (“Rutgers”) for the Waves and Tidal Energy Feasibility Study (“Feasibility Study”).

On July 12, 2023, the New Jersey Board of Public Utilities (“Board”) approved a Memorandum of Understanding (“MOU”) with Rutgers University to conduct the Feasibility Study. Rutgers will provide the Board with a final report for their consideration at the end of this engagement.

Due to the complexity of the modeling, particularly the modeling of wave patterns, Rutgers is requesting an additional three (3) months to complete the study at no additional cost. This will move the end date of the MOU from July 14, 2025 to October 15, 2025.

C. Docket No. QO25020063 – In the Matter of Request for Quotation for Consulting Services and Program Administration for the Electric Vehicle Incentive Program of New Jersey.

BACKGROUND: This matter involves a proposed Request for Quotation (“RFQ”) to solicit quotations to engage a contractor (“Contractor”) to serve as Program Administrator to manage various New Jersey Clean Transportation programs to accomplish the goals of existing programs and recommend new Electric Vehicle (“EV”) Programs to help achieve New Jersey’s clean transportation goals.

The proposed RFQ has a base contract period of three (3) years, which may be extended up to three (3) years with no singular extension exceeding one (1) year.

Board Staff (“Staff”) has received all required approvals including, from the Department of Treasury (“Treasury”), Office of Management and Budget (“OMB”), Office of the State Comptroller (“OSC”), the New Jersey Office of Information Technology (“NJOIT”), and the Board’s Division of Information Technology (“BPU IT”).

Staff recommends that the Board approve the release of the RFQ to hire a Contractor to serve as Program Administrator as specified in the RFQ.

CONSENT AGENDA

I. AUDITS

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

EE24100825L	AGR Group Nevada, LLC d/b/a Utilities Marketing Group	I – EA
EE25040198L GE25040199L	Reliable Power Alternatives Corp.	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 (“Staff”) recommended that the following applicants be issued initial registrations as an energy agent and/or energy consultant:

- AGR Group Nevada, LLC d/b/a Utilities Marketing Group
- Reliable Power Alternatives Corp.

II. ENERGY

A. Docket No. GF24120871 – In the Matter of the Petition of New Jersey Natural Gas Company for Authorization for Three (3) Years: (1) to Issue and Sell Pursuant to N.J.S.A. 48:3-9 Medium Term Notes; (2) to Enter Into Interest Rate Risk Management Transactions Related to Any New Issuances Approved Hereunder; (3) Redeem, Refinance or Defease Any of the Company’s Outstanding Long-Term Debt Securities; and (4) Pursuant to N.J.S.A. 48-3-9, to Enter Into a Credit Facility Allowing the Issuance of Bank Note Obligations.

BACKGROUND: On December 17, 2024, New Jersey Natural Gas Company (“Petitioner,” “Company” or “NJNG”), a public utility of the State of New Jersey, filed a petition with the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.S.A. 48:3-7 and 48:3-9 and N.J.A.C. 14:1-5.9, requesting authorization for three (3) years to: (1) issue and sell medium term notes; (2) enter into interest rate risk management transactions related to any new issuances approved in relation to the Petition; (3) redeem, refinance or defease any of the Company’s outstanding long-term debt securities; and (4) enter into a revolving credit facility allowing the issuance of bank note obligations (“Petition”).

The net proceeds of these transactions or series of transactions will be utilized to retire short-term debt through the issuance of long-term debt; to fund capital expenditure requirements, including, but not limited to, energy efficiency expenditures; environmental remediation expenditures; to fund pension and other post-employment benefit programs; and, potentially, to redeem, refinance or defease any of Petitioner's indebtedness or debt securities as long as such redemption, refinancing or defeasance would be economically advantageous for the Company. NJNG's construction program has been financed, and it is expected that it will be financed, in part, by short-term debt, and periodically Petitioner will retire such debt. The financing program for which NJNG is seeking authorization of the Board in the Petition is comparable to the financing programs for which Petitioner received approval of the Board under Docket Nos. GF22040269, GF19070817, GF17010072, GF14010067, GF12060491, GF09080702, GF07050343 and GF05060554.

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

There were no items in this category.

IV. TELECOMMUNICATIONS

A. Docket No. TF24120872 – In the Matter of the Petition of Brightspeed of New Jersey, Inc. for Approval to Encumber Assets in Connection with a Credit Agreement Refinancing.

BACKGROUND: On December 19, 2024, Brightspeed of New Jersey, Inc. ("Brightspeed" or "Petitioner") filed a petition seeking approval from the New Jersey Board of Public Utilities ("Board") to act as a guarantor of new secured debt of Connect Holding II ("Financing Arrangements") ("Petition"). Connect Holding II is the indirect parent of Brightspeed.

Petitioner requested Board approval to act as a guarantor of the debt described in the Petition. Petitioner stated that the Financing Arrangements will facilitate Connect Holding II's planned \$2 billion investment in fiber deployment across its twenty (20)-state footprint, including Brightspeed's New Jersey service area, by enabling the enterprise to deleverage its balance sheet and strengthen its financial position, reducing debt service expense and providing access to capital at lower interest rates. Brightspeed states that the Financing Arrangements will, in turn, support its ongoing efforts to enhance its offerings of advanced services and technologies in New Jersey, positioning Brightspeed as a stronger competitor in the provision of broadband services.

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.

B. Docket No. TF25020057 – In the Matter of the Verified Petition of SQF, LLC for Approval to Participate in Certain Financing Arrangements.

BACKGROUND: On February 18, 2025, SQF, LLC (“SQF” or “Petitioner”) submitted a Verified Petition to the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.S.A. 48:3-9 and the regulations of the Board, requesting (1) Board approval for SQF to participate in certain new financing arrangements (“New Financing Arrangements”); and (2) retroactive *nunc pro tunc* approval of its participation in prior financing arrangements (“Petition”).

By the Petition, SQF stated that the New Financing Arrangements would serve the public interest because, among other things, the New Financing Arrangements may be used to refinance existing debt, for acquisitions and other expansion activities, to provide for ongoing working capital, and for other corporate purposes. Petitioner contended that the New Financing Arrangements would also provide access to financial resources that will allow it to expand its infrastructure and become a more effective competitor in the communications industry. Petitioner asserted that the New Financing Arrangements are necessary and appropriate, would not impair SQF’s ability to provide its services, and will promote its corporate purposes. Petitioner further stated that the New Financing Arrangements will be transparent to SQF’s customers and will not disrupt service or cause customer confusion or inconvenience.

Petitioner also sought Board approval, *nunc pro tunc*, of SQF’s participation in certain financing arrangements which it entered as of January 2024 (“Prior Financing Arrangements”). SQF stated that the Prior Financing Arrangements were in the public interest.

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.

V. WATER

There were no items in this category.

VI. RELIABILITY AND SECURITY

A. Docket Nos. GS25030135K, GS25030136K, GS25030137K, GS25030138K, GS25030139K, GS25030140K, GS25030141K, GS25030142K, GS25030143K, GS25030144K, GS25030145K, GS25030146K, GS25030147K, GS25030148K, GS25030149K, GS25030150K, GS25030151K, GS25030152K, GS25030153K, GS25030154K, GS25030155K, GS25030156K, GS25030157K, GS25030158K, GS25030159K, GS25030160K, GS25030161K, GS25030162K, GS25030163K, GS25030164K, GS25030165K, GS25030166K, GS25030167K, GS25030168K, GS25030169K, GS25030170K, ES24100784K, ES24100785K, ES24100786K, ES24100787K, and ES24100788K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq.

BACKGROUND: This matter involved settlements of alleged violations of the Underground Facility Protection Act (“Act”) by multiple underground facility operators. This matter did not contain settlements involving catastrophic situations, death, or major property damage. The categories of infraction include failure to properly mark. There were forty-one (41) settlements which total \$122,500.

Staff of the New Jersey Board of Public Utilities (“Board”) recommended that the Board approve the settlements provided in Appendix A of the Board’s Order.

VII. CUSTOMER ASSISTANCE

There were no items in this category.

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

- A. Approval for the January 15, 2025 Minutes;**
- Approval for the January 29, 2025 Minutes;**
- Approval for the February 12, 2025 Minutes; and**
- Approval for the March 19, 2025 Minutes.**

After appropriate motion, consent agenda items IA, IIA, IVA, IVB, VIA, IXA

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. 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 in this matter.

BACKGROUND: This is a matter involving the selection of the auditor to conduct an audit of RECO’s, Orange and Rockland Utilities, Inc.’s, and Consolidated Edison, Inc.’s, compliance with EDECA and the Board’s Affiliate and Fair Competition Standards, and the services, transactions, and allocations of costs between Rockland, Orange and Rockland, Consolidated Edison and any affiliates and review Rockland’s competitive services. The audit also includes a comprehensive management audit of the company including a review of the various functions and operations of the company. Staff recommends that 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.

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

2. ENERGY

- A. Docket No. ER25010001 – In the Matter of the Board of Public Utilities – Federal Energy Regulatory Commission (FERC) Items for 2025.**

Ian Oxenham, Division of Legal, presented in this matter.

BACKGROUND: Last year the PJM capacity auction, formerly known as the Base Residual Auction, cleared at a record high price of \$269.92 for the entire region, a price that was around ten times higher than the previous auction clearing price. Though tightening supply and demand contributed to the high price, PJM’s independent market monitor concluded that most of the price increase was due to market design flaws.

On December 30, 2024, pursuant to Section 206 of the Federal Power Act, Pennsylvania Governor Josh Shapiro and the Commonwealth of Pennsylvania filed a complaint in FERC docket EL25-46 challenging the market rules for the auction.

On February 14, 2025 the complainants and PJM filed a stipulation of satisfaction and joint motion to dismiss the complaint resolving the Shapiro complaint and requiring dismissal upon FERC's approval of a PJM Section 205 filing, which will temporarily set a capacity market demand price cap and floor for the two auctions this year, which will be for 2026, 2027 delivery year and 2027, 2028 delivery year. Consistent with the stipulation, PJM proposed to establish a price cap of approximately \$325.00 per megawatt day and a price floor of approximately \$175.00 per megawatt day for all capacity auctions for the 2026 and 2027 and 2027, 2028 delivery years.

Staff filed comments in support of the stipulation on March 14, 2025. These comments explain that the stipulation will mitigate the risks of further extreme price shocks for the ratepayers of New Jersey. The stipulation will also give stakeholders more time to resolve outstanding issues in the capacity market design so that the available supply of resources can be more accurately reflected. I would also note that we did express some hesitations about the price floor, but we thought it was a necessary part of the settlement to get the price cap.

Staff recommends that the Board ratify the comments submitted to FERC on March 14, 2025.

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

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

B. Docket Nos. BPU EC24100778 and OAL PUC 16061-24 – Patricia Cardinale v. Public Service Electric and Gas Company.

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

BACKGROUND: On September 23, 2024 Patricia Cardinale filed a petition with the Board concerning utility service and tree removal on her property. PSE&G filed an answer to the petition on October 22, 2024. On November 12, 2024 this matter was transmitted to the Office of Administrative Law as a contested case and assigned to Administrative Law Judge Matthew Miller.

On March 10, 2025 the petitioner and PSE&G entered into an agreement resolving all issues of this matter. On April 1, 2025 the Board received ALJ Miller's initial decisions of this matter opining that the stipulation was voluntary, consistent with the law, and fully dispositive of all issues in controversy. April 23, 2025 the Board ordered that the deadline for the Board to render its final decision be extended 45 days to June 30, 2025.

Staff recommends that the Board approve the initial decision.

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

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

- C. Docket No. EX25040210 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025; and**

Docket No. ER25050278 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025 – Jersey Central Power & Light Company.

- D. Docket No. EX25040210 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025; and**

Docket No. ER25050280 – In the Matter of the Proposal of Rockland Electric Company to Mitigate Electric Rate Impacts.

- E. Docket No. EX25040210 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025; and**

Docket No. ER25050281 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025 – Atlantic City Electric Company.

- F. Docket No. EX25040210 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of Electric Rate Impacts Beginning June 1, 2025; and**

Docket No. ER25050282 – In the Matter of the Petition of Public Service Electric and Gas Company Presenting Alternative Temporary Supply Offset Clause (“TSOC”) Scenarios

Bob Brabston, Executive Director’s Office, presented in this matter.

BACKGROUND: This matter pertains to the resolution of the rate mitigation filing matters that the Board initiated in April of this year and I'll review the substantive terms of the stipulations that were signed by the four EDCs and Rate Counsel that resolve the matter and are a critical part of the rate mitigation plans that we have for customers who are experiencing higher bills as a result of the capacity markets that we just talked about in item 2A.

In response to the roughly 20 percent bill impacts that customers are going to experience with bills starting June 1 as a result of high capacity market prices, we've negotiated a settlement

with the utilities and Rate Counsel that will help smooth the impact of that on customer bills and move some of the costs out of the historically high July and August billing periods.

July and August bills are as much as two or three times as high as bills in other parts of the year. So, in order to ease the impact of these rate increases on these months, the utilities have agreed to defer \$30.00 out of each monthly bill in July and August and recover that deferral over the ensuing six months from September to February and they are doing so without interest or carrying costs being charged to any customer. No customer will pay a penny more as a result of this and all customers will benefit by having their typically high summer bills eased somewhat as part of this proposal.

The EDCs are foregoing carrying costs on this. The utilities have also agreed to extend the protections that customers enjoy under the winter termination program through the summer months, July, August, and September. So, customers who are eligible for protection from shut off under the Winter Termination Program rules will also enjoy that same protection in the summer months as these new higher bills come to pass.

If any customer is shut off, the companies have agreed to waive reconnection fees to get people turned on more quickly. In addition to the Winter Termination Program protections, the companies have also agreed to extend this protection to customers who register with the companies under Linda's Law, which you'll recall requires the companies to take extra care in handling accounts where customers have indicated they have important medical devices that are powered by electricity. So, those customers will automatically get extra protections as well.

And the companies have also agreed to offer deferred payment arrangements on up to 24 months, which is an extra 12 months compared to the DPA the companies currently propose to customers.

In total, customers get slightly lower summer bills, they have the opportunity to take advantage of energy efficiency programs, other conservation measures or enrollment in assistance programs, if appropriate. And the additional protections that I just listed, and the companies will be required to file tariffs to reflect these things by July 1.

Staff is recommending that the Board approve the stipulations and ratify the procedural decisions made by you, Madam President, in this proceeding. And I'd just like to add on a personal note that Staff did a fantastic job in putting together the information on this. A lot of detailed analysis that came up along the way that helped us cut through some really complicated rate matters to get to a resolution like this. It's not perfect, but it does benefit all customers and it's a really good resolution that will be part of an overall rate mitigation plan. We'll talk a little bit more about another measure later in this agenda and we're hopeful that we have other things that we're able to do later this summer.

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

Roll Call Vote, 2C:	President Guhl-Sadovy	Aye
	Commissioner Christodoulou	Aye
	Commissioner Abdou	Aye
	Commissioner Bange	Aye
Roll Call Vote, 2D:	President Guhl-Sadovy	Aye
	Commissioner Christodoulou	Aye
	Commissioner Abdou	Aye
	Commissioner Bange	Aye
Roll Call Vote, 2E:	President Guhl-Sadovy	Aye
	Commissioner Christodoulou	Aye
	Commissioner Abdou	Aye
	Commissioner Bange	Aye
Roll Call Vote, 2F:	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. 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 September 19, 2024 New Jersey-American Water Company filed a petition with the Board seeking to sell a portion of real property in the Township of Millburn to Woodmont Properties, LLC for a purchase price of \$8,733,000.00. The property to be sold consists of approximately eight acres of vacant land. American Water further requested a waiver of certain advertising requirements.

On February 26, 2025, the New Jersey Division of Rate Counsel submitted comments in this matter indicating they did not object to the sale of the property nor to the company's request for a waiver. However, Rate Counsel did object to the company's proposal to split the net gain of, on the sale equally amongst shareholders and ratepayers and instead proposed that the Board award a hundred percent of proceeds to ratepayers.

On March 12, 2025 the company submitted a response to Rate Counsel's comments regarding the sharing of the net gains from the sale and requested that the Board approve the 50/50 share of the net gains associated with the property sale as proposed in the petition.

Staff recommends that the Board approve the sale of the property subject to certain conditions and that the Board grant New Jersey-American Water's request for a waiver of advertising time limits. With respect to Rate Counsel's recommendation regarding the treatment of the sale process, Staff recommends that any determinations regarding the treatment of the sale proceeds be addressed in the company's next base rate case subsequent to the closing of the sale.

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

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

B. Docket No. WM25040191 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for: (1) Approval of its Agreement with Hopewell Borough, Mercer County, New Jersey for the Purchase and Sale of Water System; (2) a Determination that the Purchase Price is Reasonable; (3) a Determination that the Transaction Costs are Reasonable; and (4) for Such Other Approvals as May Be Necessary to Complete the Proposed Transaction.

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

BACKGROUND: On April 4, 2025 New Jersey-American Water Company filed a petition with the Board seeking approval among other requests of an agreement for the purchase and sale of Hopewell Borough's water system pursuant to the provisions of the Water Infrastructure Protection Act, or WIPA. Prior to this filing the Borough submitted its emergent condition certification to the DEP seeking approval of emergent conditions number three and five.

On June 13, 2024 the DEP issued a determination letter approving emergent condition number three and denying number five. On June 21, 2024 the Borough issued a public notice of DEP's approval and their intention to proceed with the sale of the system under WIPA. On August 5, 2024 the Borough's residents filed a petition of protest against the sale. As a result, the Borough intends to place the sale of the system on the Borough's ballots on November 4th of 2025.

On March 20, 2025 the Borough adopted resolution number 2025-51 approving the execution of the agreement and authorizing New Jersey-American Water Company to file petition for approval of the agreement by the Board. Pursuant to the agreement, the purchase price of the system is \$6,400,000.00. Additionally, the company will incur \$30,000.00 in transaction costs as a result of the purchase.

Following a review of the petition and settlement discussions, the company, New Jersey Division of Rate Counsel, and Board Staff entered into a stipulation of settlement resolving the matter. Staff recommends that the Board adopt the stipulation.

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

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

C. Docket Nos. BPU WO24070527 and OAL PUC 11823-24 – In the Matter of the Petition of New Jersey American Water for the Authority to Acquire Through Eminent Domain Pursuant to N.J.S.A. 48:3-17.6 and -17.7 Interests in Property to Ensure the Ability to Access the Landlocked RCA Tank Facilities Located on Landlocked Property Affecting Lands Owned by Joseph Scagliotta & Sons, LLC Known as Block 163, Lot 6, 719 U.S. Route 202, Bridgewater, NJ 08807.

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 Administrative Law Judge Michael Stanzone. 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, the company will purchase a permanent easement from the property owners to access the water tank.

On March 26, 2025 ALJ Stanzone 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 New Jersey-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 determination in a future base rate case.

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

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. QO24110853 – In the Matter of a Rate Design and Policy Study Regarding Driving Equity in the Clean Energy Transition.

Nick Gorglione, Division of Customer Assistance, presented in this matter.

BACKGROUND: The USF program was created by the Board in 2003 to reduce income eligible residential customers energy burdens to an affordable percentage of income through direct bill credits. USF is administrated by the New Jersey Department of Community Affairs on the Board's behalf and shares its program infrastructure with the DCA's Federal Low Income Home Energy Assistance Program.

In 2023 the Board engaged the Brattle Group to conduct a study, which, in part, focused on New Jersey's energy assistance programs and their impact on energy affordability for low and moderate income households. In its report, Brattle found that while New Jersey's assistance programs were robust, improvements and benefits, program targeting and enrollment processes are needed. In March 2025 Staff released a straw proposal reflecting potential USF modifications, which was followed by a stakeholder meeting in April 2025 and a written comment period. The straw proposal received broad support particularly for approving benefit levels and increasing outreach efforts. Stakeholders emphasized the need for stronger utility involvement in outreach and application assistance, periodic review of benefit levels to ensure maximum impact, and improve data sharing between the USF and Comfort Partners programs.

Following a review of the Brattle report, stakeholder feedback and conducting an analysis regarding potential rate impacts of benefit changes and administrative feasibility, Staff now provides the following recommendations to strengthen the USF program and will ultimately enhance affordability and accessibility for New Jersey's most vulnerable households.

Staff recommendations are as follows: Require the DCA to increase the USF minimum benefit from five to \$20.00 per month for each gas and electric account; require the DCA to increase the USF maximum benefit from 180 to \$200.00 per month for gas and electric accounts combined; require Board Staff and Staff of the DCA to periodically review the minimum and maximum USF benefit amounts, as well as explore alternative calculations of household income and longer recertification periods to determine their cost and effectiveness while maintaining program integrity and align it with the Federal Low Income Home Energy Assistance Program.

Require utilities to do the following: Meet USF enrollment targets increasing enrollment in their service territories by 5 percent in year one compared to the current program year, 3 percent in year two compared to the prior year, and 2 percent in year three compared to the prior program year. File annual outreach plans and outreach reports with the Board, assist customers with application intake and invest in necessary staffing and equipment to improve access and

actively cross promote the USF and Comfort Partners programs to eligible households and include relevant statistics and outreach reports. And the final recommendation is to require the DCA to make the applicable changes to the Board's USF program database system and online application portal and provide access, training, and reporting to the utilities and staff necessary to effectuate the above recommendations.

Accordingly, Staff recommends that the Board approve Staff's recommendations for implementation by October 1, 2025, which is the start of the next USF program year.

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

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

B. Docket No. EO24090718 – In the Matter of the Department of Community Affairs' State Fiscal Year 2025 Universal Service Fund Administrative Cost Budget.

Debdeep Banerjee, Division of Customer Assistance, presented in this matter.

BACKGROUND: This matter concerns a request from the New Jersey Department of Community Affairs for approval of an adjustment to the Universal Service Fund program's administrative cost budget for the state fiscal year 2025. Included in the budget are the DCA's costs for administering the program, as well as costs for DCA subgrantees, which process USF applications and provide outreach to the public at the local level.

DCA is requesting a total fiscal year 2025 budget of \$12,433,925.00, which is \$488,680.00 increase from the current fiscal year 2025 budget of \$11,944,245.00. The increase in the budget is due to two factors. One, an increase of \$315,450.00 for international business machines for new work required by the Board on the USF database system and online application portal. And, two, an increase of \$173,229.00 for a DCA subgrantees, the county welfare agencies due to contract requirements.

As this is only a budget, Staff will return to the Board with an accounting of actual fiscal year 2025 expenditures for Board approval. Staff recommends that the proposed fiscal year 2025 USF administrative cost budget adjustment be approved.

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

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

8. CLEAN ENERGY

A. 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.

Stacy Richardson, Division of Legal, presented in this matter.

BACKGROUND: The Direct Install, or DI, program is an energy efficiency program designed for existing small to mid-sized nonresidential facilities with an average annual energy demand of less than 300 kilowatts or 40,000 therms. DI is intended to offer a turnkey solution to the cost of upgrading older, inefficient lighting, heating, ventilation, air conditioning and other operational equipment. DI offers a free on-site energy assessment which produces a report of recommended energy efficiency upgrades or measures and then covers up to 80 percent of the total project cost of these measures.

Pursuant to the Clean Energy Act of 2018, many energy efficiency, or EE, programs including DI transferred from New Jersey Clean Energy program to the Electric and Gas Public Utilities. Public entities have unique procurement requirements that have prevented them from participating in certain utility programs. In the near future, Staff will present recommendations on the DI program pathway offered by the utilities using a trade ally model.

Today's order specifies the requirements of a public sector DI program pathway offered by New Jersey's electric and gas utilities, public utilities, using a direct contracting model for local governments, boards of education, and county colleges subject to local public contracts law, public school contracts law, and county college contracts law. These laws require most contracts with a value that exceeds a specified threshold to be awarded only after public advertising and subsequent bidding by contracting units.

There's also a statutory exemption from standard advertising requirements for products or services provided by public utilities subject to the Board's jurisdiction in accordance with tariffs and schedules of charges made, charged, and exacted filed with the Board.

Staff worked with New Jersey Department of Community Affairs Division of Local Government Services, New Jersey Attorney General's Office, the New Jersey Division of Rate Counsel, the electric and gas public utility companies and others to develop recommendations on a DI program pathway offered by the utilities using a direct contracting model that complies with the exception to the advertisement requirement for public contracting and thereby makes it possible for contracting units to participate in the DI program and accept related utility financing subject to certain conditions.

This order would require the utilities to file for approval by the Board proposed tariff sheet that describe all public sector DI-related service categories and associated prices. The utilities and their public sector customers shall be bound by other requirements of applicable New Jersey law.

Staff recommends that the Board direct the utilities to file the proposed tariffs regarding DI program the conform to the parameters outlined in the order.

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

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

B. Docket No. QO22100663 – In the Matter of the Wave and Tidal Energy Feasibility Study – Executive Session.

Kevin Nedza, Division of Legal, presented in this matter.

BACKGROUND: On July 12, 2023 the Board approved a two year engagement with Rutgers University to undertake the Wave and Tidal Energy Feasibility study. This engagement will include a comprehensive analysis of the feasibility of using waves and tidal energy as sources of clean energy in the State of New Jersey. This feasibility study represents an important first step for engaging the potential for marine hydrokinetic resources to contribute the State's Clean Energy portfolio.

On May 5, 2025, Rutgers University submitted a request for three month no cost extension to the current memorandum of understanding.

Staff recommends that the Board approve this three month no cost extension with Rutgers University as discussed in executive session.

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

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

C. Docket No. QO25020063 – In the Matter of Request for Quotation for Consulting Services and Program Administration for the Electric Vehicle Incentive Program of New Jersey – Executive Session.

This item was deferred at the bench.

D. Docket No. QX25050283 – In the Matter of a Rulemaking Proceeding to Establish the Garden State Energy Storage Program Pursuant to P.L. 2018, c. 17.

Michael Hornsby, Office of Policy and Planning, presented in this matter.

BACKGROUND: This item involves new rules that will be codified as Subchapter 14 of Chapter 8, Renewable Energy and Energy Efficiency in Title 14. The proposed new rules govern the Garden State Energy Storage Program, or GSEP. The GSEP will offer incentives to expand energy storage and increase electricity capacity resources and reduce electricity costs, as well as transitioning towards achieving our clean energy goals.

Transmission-scale projects currently comprise a vast majority of shovel-ready bulk capacity that can quickly enter service and contribute to reliability during stressed system conditions. Consequently, deploying energy storage is also one of the fastest available means to alleviate the tight capacity supply conditions that are driving dramatic electric bill increases. The GSEP is, therefore, essential for enhancing the reliability and resilience of New Jersey's electric grid, as well as lowering electricity costs for residents.

On May 23, 2018 the Clean Energy Act of 2018, or CEA, was signed into law. The CEA mandates the deployment of 600 megawatts of energy storage by 2021 and 2,000 megawatts of energy storage by 2030. Following two years of stakeholdering, on November 7, 2024, Staff released a revised straw proposal for the GSEP or 2024 NJ SIP Straw and the associated draft program rules and subsequently conducted a stakeholder process. These publications present the revised energy storage incentive program and solicit additional stakeholder feedback. The GSEP and associated draft program rules being presented today are the culmination of that process.

The proposed rule is a significant step in implementing the CEA in advancing New Jersey's energy storage and clean energy goals. The proposed rules are expected to benefit ratepayers by reducing electricity capacity costs.

Staff recommends the Board approve the rule proposal for publication in the New Jersey Register.

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

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

E. Docket No. QO22080540 – In the Matter of the Garden State Energy Storage Program.

Michael Hornsby, Office of Policy and Planning, presented in this matter.

BACKGROUND: This item involves the development and implementation of the Garden State Energy Program, or GSEP. This agenda item involves the launch of phase one of the GSEP. By establishing the GSEP, the Board will implement the Clean Energy Act of 2018's, CEA, directive to establish a mechanism to ensure the deployment of 2,000 megawatts of energy storage by 2030. The GSEP, formerly known as the New Jersey Storage Incentive Program, or

NJ SIP, while it was under development will also support the rapid development of the most shovel-ready source of new electric capacity available in New Jersey.

Analysis performed by Staff indicates that quickly deploying storage, transmission scale energy storage systems will lead to material net savings to ratepayers within the next few years, while also helping to maintain system reliability. This is because increasing the supply of capacity at a time when there may be barely enough capacity to reliably serve load will help to put downward pressure on capacity prices in addition to improving reliability.

The GSEP will therefore form a part of the Board's multiprong strategy to address the ratepayer impacts of the recent surge in capacity prices.

After consideration of stakeholder comments, Staff recommends the Board establish the GSEP via Board order per the following recommendations. Establish phase one of the GSEP to provide incentives competitively to eligible transmission-scale energy storage projects and qualifying Successor Solar Initiatives Incentive, SuSI program, projects. Direct Staff to conduct a tranche one solicitation for 350 to 750 megawatts of energy storage capacity. To enable the Board to issue awards for tranche one's projects no later than October 31, 2025. This timing will enable awarded projects to participate in the May 2026 base residual auction.

Awarded tranche one projects shall receive fixed incentive pavements distributed over a period of 15 years. Staff recommends the pre-qualifications window opening on June 25, 2025 and closing on August 20, 2025. A number of pre-qualifications measures have been established to help ensure that only viable and shovel-ready projects may apply to the program.

Direct Staff to prepare a tranche two solicitation in the first half of 2026 for the remaining capacity needed to meet the overall phase one procurement target of at least 1,000 megawatts.

Staff recommends the Board approve the order which details phase one tranche one program requirements thereby establishing phase one of the GSEP.

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

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

F. Docket No. QO24020120 – In the Matter of New Jersey Board of Public Utilities Disbursement of Clean Energy Program Funds for the Residential Energy Assistance Payment.

David Titus, Division of clean Energy, presented in this matter.

BACKGROUND: This matter relates to the proposed second iteration of the Residential Energy Assistance Payment, or REAP. The goal of the REAP is to provide energy bill assistance in the

form of bill credits to qualifying residents in New Jersey. The first iteration of the REAP totaling \$51,831,897.00 was approved by the board on May 22, 2024. Approximately 262,000 accounts were credited as part of the first iteration of the REAP. Those accounts received a one-time bill credit of \$175.00.

Staff is proposing a second iteration of the REAP credit wherein eligible residents would receive bill credits spread over seven months. Staff recommends allocation of \$48,742,925.00 for this initiative. The same screening process will be used for the second iteration. Eligible residents would be identified for participation using categorical eligibility. This would significantly reduce burdens to participation in the REAP by removing barriers to entry, including the need to fill out in-depth application and providing supporting materials to be considered eligible. Because the Board's Winter Termination Program, or WTP, reaches those customers in need of forbearance and/or utility assistance that the Board intends the REAP to reach and because the utilities already track WTP program enrollment, Staff recommends that each of the electric and gas public utilities use the WTP eligibility criteria to determine eligibility for the REAP.

To ensure to the greatest extent feasible that the REAP credit is only applied once per eligible New Jersey household, Staff recommends that each public utility employ the eligibility procedures described in the order.

The utilities certification forms included as part of this order detail the total number of eligible accounts identified, a timeline for disbursement of funds, a requirement for the return of unused funds, and reporting requirements as detailed in the order.

Staff recommends that the \$48,742,925.00 in available funds be used to administer bill credits of \$25.00 a month spread across seven months. Specifically, the bill credits will start in August 2025 and go through February 2026. Staff recommends that the funds be provided to participating electric and gas public utilities based on the number of eligible accounts identified through the eligibility procedures as detailed in the order. Staff recommends that thereafter and as outlined in the order, the credits would then be applied by both gas and electric public utility companies to all REAP eligible accounts.

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

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