



**STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
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Trenton, New Jersey 08625-0350
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 September 10, 2025 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and online @ https://www.youtube.com/live/bO_Ad5YxMX4?si=pjWdIA0wpCLpgZwv.

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 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 September 25, 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.

Late Starter A

Clean Energy

Docket No. QO25060329 – In the Matter of Mini-bid Request for Proposal for Contractor Support to Study New Jersey’s Long-Term Options to Address Resource Adequacy.

BACKGROUND: On June 16, 2025, the New Jersey Board of Public Utilities (“Board” or “BPU”) approved the release of a Request for Proposal (“RFP”) Mini-bid under the M4010 for services related to a study of New Jersey’s long-term options to address resource adequacy (“Study”).

CONSENT AGENDA

I. AUDITS

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

EE25050287L	Baldr Energy & Utility Partners, LLC	I – EA
EE25050224L GE25050225L	Magik Energy LLC	I – EA/EC

Electric Power and/or Natural Gas Supplier Initial Licenses

EE25050296L GE25050297L	Horizon Power and Light, LLC	I – ESL/GSL
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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. Annually thereafter, third party suppliers, 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:

- Baldr Energy & Utility Partners, LLC
- Magik Energy LLC

In addition, Staff recommended that the following applicant be issued initial licenses as an electric power and natural gas supplier:

- Horizon Power and Light, LLC

B. **Docket No. TE25030104 – In the Matter of Petition of Metro Fibernet, LLC for Authorization to Provide Local Exchange and Interexchange 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 March 3, 2025, Metro Fibernet, LLC ("Petitioner") filed a verified petition with the Board seeking authority to provide competitive telecommunications/local exchange and interexchange telecommunications service throughout 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 June 30, 2025, the New Jersey Division of Rate Counsel ("Rate Counsel") indicated that it did not oppose the Petitioner's waiver/accounting relief requests or a Board grant of Petitioner's requests in this matter.

Following the review, Board Staff ("Staff") recommended that the Board approve Petitioner's request for authorization to provide local exchange and interexchange 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

A. Docket No. GF25040188 – In the Matter of the Petition of South Jersey Gas Company to Issue Long-Term Debt and Security Therefor and for Authority to Issue and Sell Short-term Indebtedness, All Through December 31, 2028.

BACKGROUND: On April 3, 2025, South Jersey Gas Company ("Company"), a public utility of the State of New Jersey filed a petition requesting that the New Jersey Board of Public Utilities ("Board") grant authorization through December 31, 2028 to make, execute and deliver pursuant to N.J.S.A. 48:3-7 a Supplemental Mortgage Indenture and any such additional Supplemental Mortgage Indentures as may be advisable providing for the issuance of a First Mortgage Bond or First Mortgage Bonds ("Bonds") ("Petition"). These Bonds would have a maturity or maturities of not more than forty (40) years from the respective dates of issuance, in an aggregate principal amount of not more than \$1,300,000,000 ("Financing Cap") less the aggregate principal amount of any other long-term indebtedness issued pursuant to the Petition payable in more than twelve (12) months.

The Company sought authorization, through December 31, 2028, to engage in a transaction or series of transactions, the net result of which will be the issuance and sale of up to the Financing Cap in aggregate principal amount of First Mortgage Bonds or Unsecured Bonds plus any other evidence of indebtedness payable more than twelve (12) months from the date or dates thereof. The net proceeds of this transaction or series of transactions would be utilized to fund capital expenditure requirements; to fund gas supply acquisitions; for other general corporate purposes; and, potentially, to redeem, refinance (without regard to and unaffected by the Financing Cap), or defease any or all of the Company's indebtedness or debt securities as

long as such redemption, refinancing or defeasance is financially advantageous to the Company. The Company's construction program has been financed, in part, by short-term debt, and periodically Petitioner is required to retire such debt.

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. GF25040189 – In the Matter of the Petition of Elizabethtown Gas Company to Issue Long-Term Debt and Security Therefor and for Authority to Issue and Sell Short-Term Indebtedness, All Through December 31, 2028.

BACKGROUND: On April 3, 2025, Elizabethtown Gas Company ("Company" or "Elizabethtown"), a public utility of the State of New Jersey filed a petition requesting that the New Jersey Board of Public Utilities ("Board") grant authorization through December 31, 2028 to make, execute and deliver pursuant to N.J.S.A. 48:3-7 a Supplemental Mortgage Indenture and any such additional Supplemental Mortgage Indentures as may be advisable providing for the issuance of a First Mortgage Bond or First Mortgage Bonds ("Bonds") ("Petition"). These Bonds would have a maturity or maturities of not more than forty (40) years from the respective dates of issuance, in an aggregate principal amount of not more than \$1,300,000,000 ("Financing Cap") less the aggregate principal amount of any other long-term indebtedness issued pursuant to the Petition payable in more than twelve (12) months.

By the Petition, Elizabethtown sought authorization through December 31, 2028 to engage in a transaction or series of transactions, the net result of which will be the issuance and sale of up to the Financing Cap in aggregate principal amount of First Mortgage Bonds or Unsecured Bonds plus any other evidence of indebtedness payable more than twelve (12) months from the date or dates thereof. The net proceeds of this transaction or series of transactions would be utilized to fund capital expenditure requirements; to fund gas supply acquisitions; for other general corporate purposes; and, potentially, to redeem, refinance (without regard to and unaffected by the Financing Cap), or defease any or all of the Company's indebtedness or debt securities as long as such redemption, refinancing or defeasance is financially advantageous to Elizabethtown. Elizabethtown's construction program has been financed, in part, by short-term debt, and periodically the Company Petitioner is required to retire such debt.

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. TM25050299 – In the Matter of Verified Joint Petition of Crown Castle Operating Company, Transferor, Crown Castle Fiber LLC, Licensee, and Small Cells HoldCo Inc., Transferee, for Approval of the Transfer of Control of Licensee to Transferee.

BACKGROUND: On May 15, 2025, Crown Castle Fiber LLC (“CCF” or “Licensee”), Crown Castle Operating Company (“CCOC” or “Transferor”), and Small Cells HoldCo Inc. (“Transferee” or “Small Cells HoldCo”) (collectively with Transferee and Licensee, “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 seeking approval for the transfer of control of Licensee, a wholly owned indirect subsidiary of CCOC, to Small Cells HoldCo (the “Small Cell Transaction”) (“Petition”).

According to the Petition, the transaction will serve the public interest by facilitating the reorganization of Crown Castle’s network business into discrete fiber network and small cell segments, resulting in more efficient, streamlined operations that focus on serving customers in their respective sectors. Small Cells HoldCo and its owners are managerially, technically, and financially qualified to complete the Small Cell Transaction and assume ownership and control of the small cells business.

Joint Petitioners stated that, collectively, Licensee and its affiliates have no employees in the state of New Jersey and that employees’ existing rights in any other retirement plan offered by CCF will be retained upon completion of the Transaction. Further, the Joint Petitioners stated that the proposed Transaction does not raise competition concerns.

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 proceeding, Board Staff recommended approval of the Petition.

V. WATER

A. Docket No. WE25030175 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval of a Municipal Consent Granted by South Orange Village, County of Essex.

BACKGROUND: On March 26, 2025, New Jersey-American Water Company, Inc. (“NJAWC” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5, for approval of municipal consent granted by South Orange Village (“Village”), permitting the Company to provide water service to the Village and to construct, lay, maintain, and operate the necessary water mains, pipes and appurtenances throughout the Village (“Proposed Franchise Area”). The Village granted the Municipal Consent

on March 24, 2025, via Ordinance No. 2025-03 (“Municipal Consent”) for a period not exceeding fifty (50) years.

The Proposed Franchise Area would be incorporated into the Company’s service area and subject to all rules and regulations contained in the Company’s tariff.

On June 26, 2025, a duly noticed virtual hearing was held on the petition.

By letter dated June 30, 2025, the New Jersey Division of Rate Counsel filed comments stating that it does not object to the determination requested in this matter, subject to certain conditions.

Board Staff recommended that the Board approve the Municipal Consent, subject to certain conditions.

B. Docket No. WE25030177 – In the Matter of Petition of Veolia Water New Jersey, Inc. for Approval of Municipal Consent to Own and Operate a Water System in Manalapan Township and the Issuance of Revised Tariff Sheets to Set Forth its Expanded Service Area and Rates from the Transfer of Water Assets by Manalapan Township to Veolia Water New Jersey, Inc.

BACKGROUND: On March 28, 2025, Veolia Water New Jersey, Inc. (“VWNJ” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.S.A. 48:2-14 and N.J.A.C. 14:1-5.5, seeking approval of a municipal consent from the Township of Manalapan (“Township”) granting the Company authority to provide water services to the Township following the sale of the Township’s water system to the Company (“Petition”). The Township granted the municipal consent on February 26, 2025, via Ordinance No. 2025-01 (“Ordinance” or “Municipal Consent”) for a period not exceeding fifty (50) years.

The proposed franchise area would be incorporated into the Company’s service area and subject to all rules and regulations contained in the Company’s tariff.

On June 26, 2025, a duly noticed virtual municipal consent hearing on the Petition.

By letter dated June 23, 2025, the New Jersey Division of Rate Counsel filed comments stating that it does not object to the determination requested in this matter, subject to certain conditions.

Staff recommended that the Board approve the Municipal Consent, subject to certain conditions.

C. Docket No. WF25050288 – In the Matter of the Petition of the Atlantic City Sewerage Company for Authority for the Issuance of Long-Term Debt in an Amount Up to \$15,000,000 Through June 30, 2029.

BACKGROUND: On May 13, 2025, the Atlantic City Sewerage Company (“Petitioner”), a public utility of the State of New Jersey, submitted a petition requesting authority pursuant to N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9 to: (1) issue and sell in one or more offerings from time to time, and not later than June 30, 2029, in an aggregate principal amount not to exceed up to \$15,000,000 consisting of one or more series of First Mortgage Bonds, or other evidences of indebtedness such as term loan agreements, loan agreements or similar instruments (“Long-Term Debt”); (2) to execute and deliver one or more supplemental mortgage indentures and such other documents as may be necessary or appropriate to effectuate the issuance of Long-Term Debt; and (3) to take such actions as Petitioner determines may be necessary or appropriate to effectuate the transactions described in the petition.

Petitioner stated that the proceeds from issuance of new Long-Term Debt would be used for the construction, rehabilitation, upgrade, and expansion of various sections and components of its sanitary sewer system, as may be required to meet the needs and demands of its service territory, Atlantic City, while maintaining the environmental integrity of the region.

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

VI. RELIABILITY AND SECURITY

There were no items in this category.

VII. CUSTOMER ASSISTANCE

There were no items in this category.

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

There were no items in this category.

After appropriate motion, consent agenda items IA, IB, IIA, IIB, IVA, VA, VB, and VC

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

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

AGENDA

1. AUDITS

- A. Docket No. EO25080464 – In the Matter of the Verified Petition of Astral Energy, LLC, Debtor for Claims Against the Surety Bond Filed Pursuant to N.J.S.A. 48:3-78(c)(4) and N.J.S.A. 48:3-79(c)(4).**

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

BACKGROUND: This matter involves the April 26, 2024 petition filed on behalf of Astral Energy, LLC by Donald B. Biase, the Chapter 7 bankruptcy trustee requesting that the Board disperse surety bonds held pursuant to New Jersey Statutes in to Astral's Chapter 7 bankruptcy estate for the benefit of Astral's creditors.

The purpose of the surety bond requirement is to ensure against a supplier's failure to pay New Jersey taxes or assessments or a supplier's failure to meet contractual commitments under electric generation service or gas supply service to New Jersey customers. The trustee failed to sufficiently identify claimants/creditors that are New Jersey customers who received gas or electric supply from Astral pursuant to a service or product contract or third-party supplier agreement for service and claimants/creditors for failure to pay New Jersey taxes or assessments. Most of the creditors listed in the claims registry include individuals or entities located outside of New Jersey and former employees of Astral.

Accordingly, Staff recommends the Board deny the petition as the trustee's claims that Astral's surety bond obligations were breached are inconsistent with the surety bond terms and purpose of their party supplier surety bonds.

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 Bange	Aye

2. ENERGY

- A. Docket No. QO25060360 – In the Matter of a Temporary Extension to New Jersey Department of Environmental Protection's ("NJDEP") Greenhouse Gas Rule for Certain Generation Facilities to Maintain Electric Reliability.**

BACKGROUND: This item was deferred at the bench.

- B. Docket No. ER25070380 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2025 Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff.**

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

BACKGROUND: On July 3, 2025 the electric distribution companies filed a joint petition requesting recovery of FERC approved changes in firm transmission service related charges. Based upon the allocation of these charges, the monthly bill for a residential customer using 650 kWh per month will change by approximately the following amounts. A decrease of \$3.80 for ACE, no change for JCP&L, a decrease of \$1.22 for PSE&G, and a decrease of 4 cents for Rockland.

Staff recommends that the Board approve the changes to the BGS transmission rates requested by each EDC effective September 15. Staff further recommends that the Board authorize the EDCs to collect from, or refund to BGS customers, the cost associated with the FERC approved changes and waive the 30 day filing requirement. Finally, Staff recommends that the Board direct the EDCs to file revised tariffs by September 15.

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 Bange	Aye

C. Docket No. EO25070453 – In the Matter of Jersey Central Power & Light Company’s Attainment of Minimum Reliability Levels.

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

BACKGROUND: By order dated August 13, 2025, the Board ordered, the Board directed JCP&L to show cause why the Board should not impose certain penalties upon the company for failure to meet its Board required minimum reliability levels and comply with other Board standards.

On August 21, 2025, JCP&L submitted a letter requesting that the Board grant a one month extension of time for the company to more effectively and completely file an answer to the August 2025 order.

Staff recommends that the Board grant the company's request for an extension and order JCP&L to file its answer by October 10, 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 Bange	Aye

3. CABLE TELEVISION

There were no items in this category.

4. TELECOMMUNICATIONS

There were no items in this category.

5. WATER

There were no items in this category.

6. RELIABILITY AND SECURITY

There were no items in this category.

7. CUSTOMER ASSISTANCE

There were no items in this category.

8. CLEAN ENERGY

**A. Docket No. QO25060328 – In the Matter of the Clean Energy Program
Authorization of Commercial and Industrial Energy Efficiency Incentives
Exceeding \$500,000 – Beta Plastic Corporation.**

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

BACKGROUND: The Beta Plastic Corporation submitted an application under the Large Energy Users Program requesting Board approval of a financial incentive of \$555,000.00 for energy upgrades at its facility in Carlstadt, New Jersey. This proposed project has an anticipated total cost of \$740,000.00. If approved, this application would cover the replacement of the existing production line motors, which have an efficiency rating of approximately 65 to 67 percent, with new motors that have an efficiency rating of around 95 to 98 percent. Annually, this project would conserve 1,738,720 kilowatt hours of electricity and 145.6 kilowatts of peak demand. The proposed project has an estimated annual energy cost savings of \$229,862.00.

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.

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

B. Docket No. QO21060946 – In the Matter of Medium and Heavy Duty Electric Vehicle Charging Ecosystem;

Docket No. QO25020097 – In the Matter of the Petition of Atlantic City Electric Company for Approval of its Medium-and-Heavy-Duty Electric Vehicle Plan;

Docket No. QO25020100 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Approval of a Medium and Heavy-Duty Electric Vehicle Charging Ecosystem Program and an Associated Cost Recovery Mechanism (“JCP&L MHD EV Program”);

Docket No. QO25020101 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of its Clean Energy Future-Electric Vehicle Medium Heavy-Duty (“CEF-EV MHD”) Program on a Regulated Basis; and

Docket No. QO25020096 – In the Matter of the Petition of Rockland Electric Company for Approval of a Medium and Heavy Duty Electric Vehicle Plan, and for Other Relief.

Kathleen Lewis, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter concerns re-designation of the Presiding Commissioner in the matters concerning the State's electric distribution companies medium and heavy-duty electric vehicle program filings.

On October 23, 2025 the Board adopted minimum filing requirements that require the EDCs to file those medium and heavy-duty EV plans with the Board for review. On February 27, 2025 each of the State's EDCs filed those plans and on April 23, 2025 the Board retained the petitions for review and appointed Commissioner Abdou as the Presiding Commissioner over those filings. On July 31, 2025 Commissioner Abdou issued orders ruling on motions to seeking leave to intervene and participate. And on August 1, Commissioner Abdou's resignation became effective from the Board.

Staff recommends that the Board ratify all the decisions and orders made by Commissioner Abdou to date and designate a new Commissioner to preside over the MHD EV plan proceedings.

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 Bange	Aye

C. 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.

Philip Chao, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter addresses revisions to the evaluation, measurement, and verification framework, EM&V framework, for the Second Triennium Energy Efficiency and Peak Demand Reduction Programs under the New Jersey Clean Energy Act of 2018. The Board approved the Triennium 2 order dated May 24, 2023. The EM&V framework guides the operations of the EM&V working group. The working group was established by the Board on June 10, 2020 to facilitate the collaboration for a standard, transparent, and replicable approach to evaluating the EE and Peak Demand Reduction programs.

The framework defines the following: The roles and responsibilities of all the working group members; the products and deliverables, such as the valuation studies and Triennium goal setting study; and it also defines the processes, such as the cycles, the steps we take to revise the technical reference manual, and the steps we take to review and approve each evaluation study.

The statewide evaluator drafted the framework, developed in consultation with the working group, and it was revised to reflect the Board approvals concerning the Triennium 2 programs.

The order also includes two memoranda written by Staff to clarify the calculation and application of interactive effects and the energy savings carryover.

Staff recommends adoption of the framework and the two accompanying memoranda.

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 Bange	Aye

D. Docket No. QO24100834 – In the Matter of the Establishment of an Urban Heat Island (UHI) Mitigation Program.

Isabel Molina, Division of Clean Energy, presented in this matter.

BACKGROUND: This matter pertains to the publishing of a Notice of Funding Availability, or NOFA, for the opening of the Urban Heat Island, or UHI, Mitigation program. The Board approved the establishment of the UHI Mitigation program on July 16, 2025. In order to officially open the new program, a NOFA needs to be published in the New Jersey Register. The NOFA will include all necessary information as required by N.J.S.A. 52:14-34.4. This information will help eligible applicants understand what the program is and what is required to have an administratively complete application. The tentative publication date in the New Jersey Register is October 6, 2025. After sufficient time has elapsed for the public to review the conditions of the program as outlined in the NOFA, the UHI Mitigation program application window will open.

Staff recommends that the Board approve the Notice of Funding Availability for the UHI Mitigation program.

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 Bange	Aye

E. Docket No. EM24020105 – In the Matter of the Petition of Trenton Renewable Power, LLC for Approval of a Renewable Energy Power Purchase Agreement with Public Service Electric and Gas Company.

Michael Hornsby, Division of Clean Energy, presented in this matter.

BACKGROUND: This item was deferred at the bench.

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 Bange	Aye

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

Diane Watson, Division of Clean Energy, presented in this matter.

BACKGROUND: This item regards the third solicitation of the Competitive Solar Incentive program, or CIS program. The CSI program is open to qualifying grid supply solar installations, grid supply solar installations in combination with energy storage, and nonresidential net metered solar installations with a capacity greater than 5 megawatts.

By order dated April 23, 2025, the Board set the solicitation window for the third CSI program solicitation to open for pre-qualification applications on May 14, 2025, and on July 16, 2025 the Board extended the pre-qualification window to close to bid submissions on September 30 at 11:59:59 p.m. The Board extended this deadline to provide potential CSI program applicants with the opportunity to access complete information on federal changes to the Investment Tax Credit, or ITC, qualifications that may impact their bid.

On August 15, 2025 the Internal Revenue Service issued Notice 2025-42 to provide updated guidance on the beginning of construction and project construction continuity for purposes of determining whether a facility is eligible for the ITC.

Board Staff considers that bidders in the third CSI solicitation may reasonably assume eligibility and consider ITC revenue in their project bid, accounting for changes reflected in construction guidance issued in Notice 2025-42. However, projects participating in this third CSI solicitation remain vulnerable to potential future changes that impact projects' ability to retain eligibility for the ITC.

When the CSI program launched, the Board ordered that if an awarded project withdraws after receiving conditional registration, the project could not rebid for at least one CSI cycle after the expiration of the project's registration. Staff recommends that the Board relax this waiting period for projects awarded in the third solicitation that considered ITC eligibility and revenue as a part of their awarded bid and subsequently lose ITC eligibility.

Staff recommends that the Board allow such a project to terminate the award after receiving notice of conditional registration and remain eligible to participate in a subsequent solicitation with the same or substantially similar project. Staff recommends that the relaxation of the rebid timing should only apply to projects awarded in this solicitation for which ITC eligibility is still a possibility and be conditioned upon demonstrating certain facts, specifically: That the awarded bid reflected ITC revenues and the bidder's reasonable expectation of ITC qualification based on information available at the time of the award and at the time of bid submission the project had a reasonable expectation that it would have achieved and maintained ITC eligibility by the project expiration at the time of submitting its bidding.

Staff further recommends that with the submission of a new bid in a subsequent solicitation, the Board require the applicant to provide documentation of the assumed project revenues and costs justifying the rebid.

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 Bange	Aye

9. MISCELLANEOUS

There were no items in this category.

LATE STARTER A

CLEAN ENERGY

Docket No. QO25060329 – In the Matter of Mini-bid Request for Proposal for Contractor Support to Study New Jersey's Long-Term Options to Address Resource Adequacy – Executive Session.

BACKGROUND: This item was deferred at the bench.

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

A handwritten signature in cursive script, reading "Sherri L. Lewis".

Sherri L. Lewis
Board Secretary

Date: 1/28/2026