



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

A regular board meeting of the New Jersey Board of Public Utilities was held on November 21, 2025 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and online @ <https://www.youtube.com/live/s2laqq4I6XU?si=peoyRslzBhzt4wrA>.

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 December 17, 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.

### **8. CLEAN ENERGY**

#### **A. Docket No. QO20110700 – In the Matter of the Contract for a Statewide Evaluator of New Jersey’s Energy Efficiency and Peak Demand Reduction Programs.**

**BACKGROUND:** Staff of the New Jersey Board of Public Utilities (“Board”) (“Staff”) seeks approval to issue a Request for Quotation (“RFQ”) to engage a contractor to serve as a Statewide Evaluator (“SWE”) that oversees the evaluation, measurement, and verification (“EM&V”) of New Jersey’s expanded energy efficiency (“EE”) and peak demand reduction (“PDR”) programs. The role of the SWE is to ensure that program evaluations are robust, accurate, transparent, consistent, and replicable across territories. Staff also seeks approval for the use of the Fiscal Year 2026 Clean Energy Program (“FY26 CEP”) funding under the “Program Evaluation/Analysis” line item to fund any engagement that results from the proposed RFQ.

#### **D. Docket No. QO25090542 – In the Matter of a Memorandum of Understanding Between Board of Public Utilities and Department of Environmental Protection to Fund DEP’s FY26 Electric School Bus Program Year Three.**

**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.

Board Staff (“Staff”) recommends that the Board approve the proposed MOU and authorize President Guhl-Sadovy to execute the MOU for distribution of the Funds on behalf of the Board.

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

**BACKGROUND:** This matter concerns a recommendation by Staff of the New Jersey Board of Public Utilities (“Board”) (“Staff”) to award a contract (“Contract”) for an administrator of many of New Jersey’s Clean Transportation Programs (“Program Administrator”).

Following the review, evaluation, and scoring by an evaluation committee (“Evaluation Committee”), Staff recommends as follows:

- 1) Pending Treasury approval, the Board award the Contract for a period of two (2) years, with no extensions.

- 2) In the event the Contract ends prior to the two (2) year term, the total amount of this Contract be adjusted accordingly; and
- 3) The Contract will receive funding from the New Jersey Clean Energy Program's ("NJCEP") budget for Fiscal Year ("FY") 2026.

**F. Docket No. QO19091282 – In the Matter of Clean Energy Program Release of the Request for Quotation (RFQ) EV Program Administrator.**

**BACKGROUND:** On August 22, 2025, Staff of the New Jersey Board of Public Utilities ("NJBPU" or "Board") ("Staff") released a 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 the existing programs and to recommend new electric vehicle ("EV") Programs to help achieve New Jersey's clean transportation goals ("2025 RFQ").

While the Board is in the process of procuring a contractor in connection with the 2025 RFQ, Staff seeks Board approval to utilize a no-cost contract transition period extension of the Center for Sustainable Energy's ("CSE") existing contract for the administration of the Charge Up New Jersey EV Incentive ("CUNJ") Program, the Multi-Unit Dwelling Incentive ("MUD") Program, the Clean Fleet EV and EV Charging Incentive ("Clean Fleet") Program, the EV Tourism Corridor Incentive ("EVT Corridor") Program, and the Caret Knowledgebase Project, ("Contract"), for a period of six (6) months from January 31, 2026 through July 31, 2026.

In addition to utilizing the transition period extension, Staff seeks Board approval to modify the budget of the Contract to reflect a pass-through line item that tracks the EV Program monies that are provided to CSE in connection with its administration of the various EV Programs. This pass-through line item does not reflect dollars paid to CSE, but instead reflect total dollars spent on the various incentives for the EV Programs, such as CUNJ, MUD, Clean Fleet and the EVT Corridor Program. Those incentive budgets were approved by the Board as part of the Clean Energy budget in June 2025.

Funding for this transition period extension is covered under the current and final year of CSE's Contract, and will cover the transition period following the January 31, 2026 expiration of the current CSE contract and the start date of the contractor who is selected by the Board for a contract pursuant to the 2025 RFQ.

## CONSENT AGENDA

### I. AUDITS

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

EE25070381L	EIQdigital, Inc. d/b/a Personalized.energy	I – EA
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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 applicant be issued an initial registration as an energy agent:

A. EIQdigital, Inc. d/b/a Personalized.energy

### II. ENERGY

#### A. Docket No. EF02030185 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Authorization Pursuant to N.J.S.A. 48:3-7.2 for Approval to Participate in the FirstEnergy Corp. Intra System Money Pool – Amendment No. 12 to the Petition.

**BACKGROUND:** On December 20, 2024, Jersey Central Power & Light Company (“JCP&L”), a public utility corporation of the State of New Jersey, having offices in Morristown, New Jersey and Holmdel, New Jersey, filed a petition with the New Jersey Board of Public Utilities seeking (i) a 12th extension of the time during which JCP&L may participate in the FirstEnergy Intersystem Utility Money Pool (“Money Pool”), through December 31, 2028, and (ii) authorization of its limitation on its Money Pool borrowings to an aggregate principal amount not to exceed \$750 million outstanding at any one (1) time.

The Office of the Economist, after review of the information submitted in this proceeding, determined that the action requested is in accordance with the law and in the public interest and therefore recommended approval.

#### B. Docket Nos. BPU ER25060374 and OAL PUC 13561-2025 N – In the Matter of the Verified Petition of Rockland Electric Company for Approval of Changes in Electric Rates, its Tariff for Electric Service, and its Depreciation Rates; and for Other Relief.

**BACKGROUND:** On June 30, 2025, pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:1-5.12, Rockland Electric Company (“RECO” or “Company”), a public utility of the State of New Jersey subject to the jurisdiction of the New Jersey Board of Public Utilities (“Board”), filed a petition for approval of an increase in its current base rates for electric service of approximately \$18.74 million, excluding Sales and Use Tax (“SUT”), to be effective for electric service provided on and after July 30, 2025, but in no event later than March 30, 2026 (“Petition”). The Company also sought Board approval, pursuant to N.J.S.A. 48:2-18 to implement new depreciation rates. RECO requested a return on equity of 10.3%.

By Order dated July 16, 2025, the Board suspended the proposed rates until November 30, 2025, and denied without prejudice, the Company’s request to consolidate two (2) other pending petitions with this matter. This matter was subsequently transmitted to the Office of Administrative Law for hearings as a contested case and assigned to Administrative Law Judge Irene Jones.

On August 1, 2025, RECO updated the Petition to include nine (9) months of actual information and three (3) months of estimated information (“9+3 Update”). By the 9+3 Update, RECO modified its requested revenue requirement increase to \$23.32 million, excluding SUT.

On October 29, 2025, RECO updated the Petition to include twelve (12) months of actual information (“12+0 Update”). By the 12+0 Update, RECO modified its requested revenue requirement increase to \$31.8 million, excluding SUT.

Because a review of this matter would not be complete prior to November 30, 2025, Staff recommended that the Board issue an order suspending the proposed rate increase until March 30, 2026.

**C. Docket No. EF25060333 – In the Matter of the Petition of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-13 and N.J.S.A. 48:3-9 for Authority to Issue up to \$350 Million of Short-Term Indebtedness Prior to January 1, 2028.**

**BACKGROUND:** On June 6, 2025, Atlantic City Electric Company (“Petitioner”), a public utility of the State of New Jersey, filed a petition with the New Jersey Board of Public Utilities (“Board”) requesting authority pursuant to N.J.S.A. 48:2-13 and N.J.S.A. 48:3-9 to continue to issue, renew or extend unsecured short-term indebtedness (“Short-Term Debt”) from time to time prior to January 1, 2028, in an aggregate principal amount outstanding at any one time not in excess of \$350 million. The Board, in an Order issued in connection with BPU Docket No. EF23070447, dated December 20, 2023, authorized Petitioner to issue similar Short-Term Debt prior to January 1, 2026.

Board Staff recommended that the Board issue an Order approving the petition subject to certain conditions.

**D. Docket No. EF25070383 – In the Matter of the Petition of Public Service Electric and Gas Company Pursuant to N.J.S.A. 48:3-7 and 48:3-9 for Authority, from January 1, 2026 Through December 31, 2027, to Sell and/or Encumber Property and Purchase, Issue and Sell Debt.**

**BACKGROUND:** On July 9, 2025, Public Service Electric and Gas Company (“Petitioner”) filed a petition requesting that the New Jersey Board of Public Utilities (“Board”) grant Petitioner authority from January 1, 2026, through December 31, 2027, to:

- (1) execute and deliver pursuant to N.J.S.A. 48:3-7 one (1) or more indentures or supplemental indentures and/or one (1) or more pledges, Uniform Commercial Code financing statements and related agreements and instruments, creating one or more encumbrances and/or liens on the property and/or assets of Petitioner and providing for pledges, transfers or sales of assets and/or issuance of its First and Refunding Mortgage Bonds and/or Medium-Term Notes and/or debenture bonds and/or promissory notes and/or other debt instruments and/or evidences of indebtedness, secured or unsecured (collectively, “New Long-Term Debt”), having maturities of from one (1) to forty (40) years;
- (2) purchase through tender offer, open market or negotiated transactions, redeem, including at a premium, or defease any or all of its currently outstanding debt payable more than twelve (12) months after the date of original issuance (“Outstanding Long-Term Debt Securities”) at or above par to achieve cost savings or more efficient management of its capital structure; and
- (3) issue and sell, pursuant to N.J.S.A 48:3-9, New Long-Term Debt in aggregate principal amount (a) of not more than \$4,575,000,000 and (b) as necessary to cover principal, premiums and expenses incurred to refinance Outstanding Long-Term Debt Securities acquired as described in (2), above.

Board Staff recommended that the Board enter an Order approving the Petition subject to certain conditions.

**III. CABLE TELEVISION**

**A. Docket No. CE24030188 – In the Matter of the Verified Petition of CSC TKR, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Blairstown, County of Warren, State of New Jersey.**

**BACKGROUND:** On March 10, 2023, CSC TKR, LLC (“Cablevision”) filed an application with the Township of Blairstown (“Township”) for renewal of municipal consent. The Township adopted an ordinance granting renewal municipal consent to Cablevision on September 27, 2023. Cablevision formally accepted the terms and conditions of the ordinance on October 10, 2023. On March 7, 2024, Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township, which was amended on August 22, 2025

After review, Board Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on November 28, 2035.

**B. Docket No. CE24120867 – In the Matter of the Verified Petition of Cablevision of Monmouth, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in Township of Upper Freehold, County of Monmouth, State of New Jersey.**

**BACKGROUND:** On or about June 29, 2021, Cablevision of Monmouth, LLC (“Cablevision”) filed an application with the Township of Upper Freehold (“Township”) for renewal of municipal consent. The Township adopted an ordinance granting renewal municipal consent to Cablevision on September 5, 2024. On October 2, 2024, Cablevision formally accepted the terms and conditions of the ordinance. Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township on December 4, 2024.

After review, Board Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on November 28, 2040.

**C. Docket No. CE24090625 – In the Matter of the Petition of Comcast of New Jersey II, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate, and Maintain a Cable Television System in and for the Borough of New Providence, County of Union, State of New Jersey.**

**BACKGROUND:** On March 12, 2023, Comcast of New Jersey II, LLC (“Comcast”) filed an application with the Borough of New Providence (“Borough”) for renewal of municipal consent. The Borough adopted an ordinance granting renewal municipal consent to Comcast on March 12, 2024. On June 10, 2024, Comcast formally accepted the terms and conditions of the ordinance. Comcast filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Borough on September 3, 2024.

After review, Board Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on December 14, 2033.

**IV. TELECOMMUNICATIONS**

**A. Docket No. TF25040203 – In the Matter of the Verified Petition of GC Pivotal, LLC for Approval of Certain Financing Arrangements.**

**BACKGROUND:** On April 11, 2025, GC Pivotal, LLC (“Petitioner”), submitted a verified petition to the New Jersey Board of Public Utilities (“Board”) pursuant to N.J.S.A. 48:3-7 and N.J.S.A. 48:3-9, requesting approval for Petitioner to enter into or participate in financing arrangements up to \$625 million with an accordion agreement which allows the Petitioner to borrow up to the capped amount of \$765 million (“Petition”).

Petitioner is an indirect wholly owned subsidiary of GTT Communications, Inc. ("GTT Communications"). GTT Communications is refinancing its existing financing agreements with certain lenders and will be signing new financing agreements; as such, Petitioner sought approval to enter into or participate in financing arrangements as a guarantor or co-guarantor and to pledge its assets as security for the financing arrangements. Petitioner stated that the aggregate principal amount of the financing arrangements is \$625 million with a \$765 accordion agreement. The debt instruments are a senior secured term loan facility and a senior secured revolving credit facility; and the maturity term is six (6) years and five (5) years, respectively. The funds will be used to refinance existing debt and for general corporate purposes.

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.

## **V. WATER**

### **A. Docket Nos. BPU WR25060372 and OAL PUC 12680-25S – In the Matter of the Joint Petition for an Approval of an Increase in Rates for Water and Wastewater Service and Other Tariff Changes for Middlesex Water Company, Pinelands Water Company, and Pinelands Wastewater Company.**

**BACKGROUND:** On June 30, 2025, Middlesex Water Company, Pinelands Water Company, , and Pinelands Wastewater Company (collectively, "Joint Petitioners") filed a petition with the New Jersey Board of Public Utilities ("Board") seeking approval of an increase in its base water rates of approximately \$24.9 million ("Petition").

By Order dated July 16, 2025, the Board suspended the proposed rates until December 1, 2025. This matter was subsequently transmitted to the Office of Administrative Law for hearings as a contested case and assigned to Administrative Law Judge Jacob S. Gertsman.

On September 26, 2025, the Joint Petitioners updated the Petition to include nine (9) months of actual information and three (3) months of estimated information ("9+3 Update"). By the 9+3 Update, the requested revenue requirement was modified to approximately \$24.3 million.

Because a review of this matter will not be complete prior to December 1, 2026, Board Staff recommended that the Board issue an Order further suspending the proposed rate increase until April 1, 2026.

## **VI. RELIABILITY AND SECURITY**

There were no items in this category.

## **VII. CUSTOMER ASSISTANCE**

There were no items in this category.

## **VIII. CLEAN ENERGY**

### **A. Docket No. QO21101186 – In the Matter of the Competitive Solar Incentive (“CSI”) Program Pursuant to P.L. 2021, c. 169 – Amended Order Addressing the Participation of Withdrawn CSI Projects.**

**BACKGROUND:** By Order dated December 7, 2022, the New Jersey Board of Public Utilities (“Board”) established the Competitive Solar Incentive (“CSI”) Program. The CSI Program covers qualifying grid supply solar installations, grid supply solar installations in combination with energy storage, and non-residential net metered solar installations with a capacity greater than five (5) MW. The CSI Program awards Solar Renewable Energy Certificates (“SREC-IIIs”) based on bid price only, to projects competing in five (5) separate market tranches. Following Board awards, projects have thirty (30) days to register with the program administrator and receive notice of conditional registration in the Program that sets the project commercial operation deadline (“COD”) thirty-six (36) months from the registration date. Projects that miss their COD without receiving an extension, or that receive an extension and miss their extended COD deadline, lose their SREC-II qualification. Expired projects are eligible to compete in subsequent procurement rounds but must wait at least one (1) CSI cycle after the expiration of their conditional registration before submitting a substantially similar project.

By Order dated April 23, 2025, the Board set the prequalification window for the third CSI Program solicitation to open on May 14, 2025, and to close to bids on July 23, 2025, at 11:59:59 PM EST. By Order dated July 16, 2025, the Board extended the solicitation window until September 30, 2025 to allow time for applicants to consider updated information on federal policy around project eligibility for qualification for the federal Investment Tax Credit (“ITC”).

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

By Order dated September 10, 2025, the Board granted CSI projects awarded in the third solicitation the ability to terminate the award after receiving notice of conditional registration and to remain eligible to participate in a subsequent solicitation with the same or substantially similar project (“September 10 Order”). The Board provided the relief to applicants that demonstrate that: 1) 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 2) At the time of bid submission, the project had a reasonable expectation that it would have achieved and maintained ITC eligibility by the project COD at the time of submitting its bid.

Following issuance of the September 10 Order, Board Staff (“Staff”) became aware that the Order was missing a recommendation to evaluate whether the submission of a new bid is fiscally responsible by requiring that the applicant provide documentation of the project revenue and cost assumptions justifying the re-bid.

Staff recommended that the Board issue an amended order which includes the above-described omission.

## IX. MISCELLANEOUS

There were no items in this category.

**After appropriate motion, consent agenda items IA, IIA, IIB, IIC, IID, IIIA, IIIB, IIIC, IVA, VA, VIIIA:**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

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

## AGENDA

### 1. AUDITS

**A. Docket No. EO25090525 – In the Matter of the Alleged Non-Compliance of ResCom Energy LLC d/b/a NextVolt Energy with Certain Provisions of N.J.S.A. 48:3-78 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq; and**

**Docket No. EE24080591L – ResCom Energy LLC d/b/a NextVolt Energy – Application for Initial Electric Power Supplier License.**

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

**BACKGROUND:** Agenda item 1A involves a third-party supplier who failed to comply with certain provisions of New Jersey Statutes and the New Jersey Administrative Code. Rescom Energy, LLC, doing business as NextVolt Energy, did not file a renewal application to maintain its electric power supplier license before its license expired and continued to operate as a third-party supplier. Following a review of this matter and discussions, on July 17, 2025 Staff and Rescom executed a stipulation to resolve Rescom's alleged violations. As part of the stipulation, Rescom will pay the State of New Jersey \$15,000.00 within 15 days of the Board Order approving the stipulation.

Also before you today is Rescom Energy, LLC, doing business as NextVolt Energy's initial application for approval to be a licensed third-party supplier in New Jersey.

This agenda item involves two separate matters on which you will vote. Regarding the first matter, Staff believes that the stipulation is reasonable based upon the alleged violations by Rescom and recommends that the Board accept the stipulation subject to the conditions set forth in the draft order.

Regarding the second matter, given there are no investigations pending with regard to Rescom's service provided to New Jersey, Staff recommends that the Board approve the initial license application for Rescom Energy, LLC, doing business as NextVolt Energy to be a third-party supplier contingent upon the timely receipt of the \$15,000.00 settlement payment.

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

<b>Roll Call Vote #1:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>
 <b>Roll Call Vote #2:</b>		
	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

## 2. ENERGY

### A. Docket NoS. BPU EC24080613 and OAL PUC 16946-2024 N – Lee Widman v. Atlantic City Electric Company.

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

**BACKGROUND:** This matter involves an August 19, 2024 petition filed by Mr. Lee Whitman alleging poor condition of utility poles, wiring and equipment owned by Atlantic City Electric Company (“ACE”). On November 22, 2024 the matter was transferred to the Office of Administrative Law for hearing as a contested case, where it was assigned to Administrative Law Judge Tama Hughes. On May 30, 2025 ACE filed a motion for summary decision seeking dismissal of the petition. On June 27, 2025 the petitioner filed an opposition to the motion for summary decision, and ACE filed reply July 11, 2025.

On August 25, 2025 ALJ Hughes issued an initial decision finding that the petitioner failed to demonstrate any of the requisite ailments or standing or provide any evidence to support any claims raised in the petition. Notably, ALJ Hughes found that the subject utility poles are not located on the petitioner's property and the telecommunications wires referenced in the petition are not owned by ACE. Accordingly, ALJ Hughes granted ACE's motion for summary decision.

Having reviewed the record and finding no basis to disagree with any of ALJ Hughes's findings, Staff recommends that the Board adopt the initial decision and grant ACE's motion for summary decision dismissing the petition in its entirety.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

### B. Docket No. GR23030102 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Cost Recovery Mechanism (“GSMP III”).

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

**BACKGROUND:** On March 1, 2023, Public Service Electric and Gas Company filed a petition seeking approval of the next phase of its gas system modernization program called GSMP-3 and associated cost recovery mechanism. The company proposed, proposal was for a three year program with a total investment level of approximately \$2.54 million for investments in a hydrogen blending project, a renewable natural gas project, and the replacement of 1,140 miles of deep prone gas main.

By order dated October 11, 2023, the Board approved this stipulation holding the petition in abeyance and authorizing a two year extension of PSE&G's GSMP-2 program beginning on January 1, 2024 and ending on December 31, 2025.

Following a review of the petition, discovery, and discussions, the parties executed a stipulation resolving this matter. The stipulation would authorize PSE&G to invest \$1.05 billion to replace a minimum of 525 miles of utilization pressure cast iron and unprotected steel mains over a three year period from January 2026 through December of 2028. PSE&G will spend an additional \$360 million, within stipulated base spending, which would include a minimum of an additional 75 miles of cast iron and unprotected steel main replacement for which PSE&G may request cost recovery in a future base rate case. Additionally, PSE&G may file up to three periodic rate adjustment filings to recover the costs of this program. PSE&G will provide monthly reports to Staff and Rate Counsel detailing program costs and the quantity of work completed, as well as retain an independent monitor to review and report on the program. While there is no immediate rate impact upon approval of this program, the estimated cumulative monthly bill impact to the average residential customer using 1,040 therms annually is expected to be \$4.32 or a 4.2 percent per month increase by the end of the program.

Staff recommends that the Board issue an order approving the stipulation.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**C. Docket No. ER25040190 – In the Matter of the Provision of Basic Generation Service (“BGS”) for the Period Beginning June 1, 2026.**

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

**BACKGROUND:** This item is a recommendation for securing electric power supplies for Basic Generation Service customers for the period beginning June 1st of 2026.

By way of background, the Board issued an order on April 23 opening a proceeding to determine how to procure the remaining one third of the state's BGS-RSCP and the annual BGS-CIEP requirements for the period beginning June 1, 2026. The EDCs made a joint filing on July 1, 2025. The Board received initial and final comments on this matter and a legislative type hearing was held on September 18. Staff's full recommendations have been set forth in the Board's agenda memo and Commissioner briefings, but there are a few issues I will describe here.

While the vast majority of the proposal is consistent with the BGS process over the last several years, there were a few modifications proposed by some of the Electric Distribution Companies, including PSE&G's proposal to modify its BGS three period time-of-use pilot, and Atlantic City Electric's proposal to modify its, the frequency of its reconciliation charge filings. Additionally,

three of the four EDCs requested, proposed to eliminate their DCFC pilot programs. JCP&L did propose to extend this program through May of 2027.

Additionally, there were two parties, Morgan Stanley Capital Group, Incorporated and NextEra Energy Marketing who sought modifications to the supplier master agreement to address certain issues, including compliance with the qualified financial contract state rules and provisions related to DOE emergency orders. Staff notes that no party took issue with any of the proposals.

Accordingly, with certain modifications, Staff recommends the Board approve the descending clock auction process, auction rules, Board approval process, and supplier master agreements that were proposed by the EDCs. Staff also recommends that the Board require each of the EDCs to file amended BGS compliance filings by December 5 and authorize Staff to review these compliance filings and request that the Board Secretary issue a compliance letter if the filings are found to be compliant.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**D. 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 Company filed a petition seeking review and approval of changes to its Nonutility Generation Charge and the Clean Energy Program and Uncollectible Accounts Components of its Societal Benefits Charge. By order dated May 21st of this year, the Board approved the stipulation authorizing ACE to implement modified NGC, CEP and UNC rates on a provisional basis, subject to refund. The same order also authorized ACE to terminate its NGC charge effective June 1st of 2025 and authorized the transfer of the remaining balance to the company's Uncollectible Component in its next SBC petition.

As a result of that order, a typical residential customer was expected to experience a monthly decrease of \$3.75. The parties have now executed a stipulation for final rates requesting that the Board approve these changes on a final basis. As a result, customers will experience no additional change to their rates.

Staff recommends the Board issue an order approving the stipulation and directing ACE to file revised tariffs by December 15.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**E. Docket No. ER25070461 – 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 (2025).**

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

**BACKGROUND:** On July 31 of this year, Atlantic City Electric filed a petition seeking to adjust its Conservation Incentive Program rates. Following an initial review of the petition and discovery, the parties have executed a stipulation agreeing that while additional time is needed, it is reasonable for the company to implement provisional rates. Accordingly, the parties executed a stipulation for provisional rates, subject to refund. Based on the stipulation, the monthly bill for a typical residential customer would decrease by \$1.01.

Staff recommends the Board approve the provisional stipulation and direct ACE to file revised tariffs by December 1.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**F. Docket Nos. BPU ER24110854 and OAL PUC 17805-2024 S – In the Matter of the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, to Implement Deferred Accounting, and for Other Appropriate Relief.**

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

**BACKGROUND:** On November 21st of 2024, Atlantic City Electric (“ACE”) filed a petition seeking approval of an increase in its base rates for electric service of approximately \$120 million. Following extensive discovery and settlement negotiations, the parties have executed a stipulation resolving the matter which was approved by Administrative Law Judge Gertsman.

Some key terms of the stipulation are an overall net revenue requirement of \$54 million and an agreed upon ROE of 9.6 percent. Additionally, ACE will implement customer service performance based metrics with potential ROE penalties for not achieving improvements related to certain metrics and will also report interconnection metrics. Based upon the stipulation, the monthly bill of a typical residential customer would increase by \$6.77.

Staff recommends that the Board approve the initial decision and approve the stipulation for services rendered on and after December 1. Staff further recommends the Board direct ACE to file revised tariffs by November 28.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**G. Docket No. EO24090624 – Letter Petition of Jersey Central Power & Light Company Proposing to Refund Overcharged Amounts Due to Incorrect TRA-86 Gross-Up Applied to Customer Invoices.**

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

**BACKGROUND:** On August 30th of 2024, Jersey Central Power and Light Company filed a letter petition proposing to refund overcharged amount due to an application of an incorrect tax gross-up factor to invoices for requested work, including contributions in aid of construction and refundable advances. Where the refund would be \$25.00 or more, JCP&L proposed to refund the overcharged amounts that have not already been refunded. For refund amounts that would be less than \$25.00, JCP&L proposed to make a donation to an energy-related, nonprofit entity. On July 2 Rate Counsel filed comments with the Board.

Following a review of the letter petition and comments submitted, Staff recommends that the Board direct JCP&L to conduct the necessary reconciliations related to refundable deposits 252 account, direct JCP&L to comply with specific deadlines set forth in the Board Order, direct JCP&L to issue refunds where it would be more than \$25.00, and direct JCP&L to donate to the Payment Assistance For Gas and Electric Program to the total overcharges of less than \$25.00 per invoice.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**H. Docket No. GR24060482 – In the Matter of Rate Schedule CSG Transportation Service Agreement Between Public Service Electric and Gas Company and Eagle Point Power Generation LLC.**

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

**BACKGROUND:** On June 26th of 2024, PSE&G filed a letter petition requesting approval of a contract gas service agreement with Eagle Point Power Generation, LLC for its facilities in Westville, New Jersey. By order dated August 14th of 2024, the Board approved a temporary reinstatement of the previous CSG agreement while the parties reviewed this matter. Following Minutes for November 21, 2025

a review of the petition and discussions, PSE&G and Eagle Point further amended the agreement and filed it with the Board in this docket. Rate Counsel has provided comments on the matter and does not oppose Board approval.

Staff recommends the Board issue an order approving the amended CSG agreement and its terms for a term of ten years following the issuance of a Board Order.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**I. Docket No. GR25040222 – In the Matter of the Petition of Elizabethtown Gas Company for Approval of a Rate Adjustment Pursuant to the Infrastructure Investment Program (“IIP”).**

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

**BACKGROUND:** On April 30, 2025 Elizabethtown Gas Company filed a petition seeking approval of a rate adjustment to recover investments related to the company's Infrastructure Investment Program Extension, which the company subsequently updated. The parties have executed a stipulation recommending that the Board authorize Elizabethtown to recover a revenue requirement of approximately \$8.8 million, consistent with the update. Based on the stipulation, a typical residential heating customer will see an increase in their monthly bill of \$2.28.

Staff recommends that the Board issue an order approving the stipulation and directing Elizabethtown to file revised tariffs by November 28 for service rendered on and after December 1.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**J. Docket No. GR25050315 – In the Matter of the Petition of Elizabethtown Gas Company to Review its Periodic Basic Gas Supply Service Rate and Conservation Incentive Program Rates for the Year Ended September 30, 2026.**

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

**BACKGROUND:** On May 30th of 2025 Elizabethtown filed a petition seeking authorization to increase the level of its periodic Basic Gas Supply Service Rate (“BGSS”), increase the rate of the monthly BGSS capacity cost component, and modify its Conservation Incentive Program rates. In July Elizabethtown filed amended CIP schedules to reflect more recent information. Minutes for November 21, 2025

Following an initial review and discussion, the parties have agreed that while additional time is needed to complete a review of the petition, it's reasonable and in the public interest for Elizabethtown to implement provisional CIP rates only, subject to refund and interest. As a result of the stipulation, an average residential customer would see a decrease in their monthly bill of \$2.53.

Staff recommends that the Board adopt the stipulation for rates effective December 1. Staff further recommends that the Board direct Elizabethtown to file revised tariffs by November 28 and transmit this matter to the Office of Administrative Law.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**K. Docket No. GR25040221 – In the Matter of the Petition of South Jersey Gas Company for Approval of a Rate Adjustment Pursuant to the Infrastructure Investment Program (“IIP”).**

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

**BACKGROUND:** On April 30, South Jersey Gas Company filed a petition seeking approval of a rate adjustment to recover costs associated with its Infrastructure Investment Program, which the company subsequently updated. The parties have executed a stipulation recommending that the Board authorize South Jersey Gas to recover a revenue requirement of approximately \$4.2 million, consistent with the update. As a result of the stipulation, a typical residential heating customer will experience an increase in their monthly bill of \$1.14.

Staff recommends that the Board issue an order approving the stipulation and directing South Jersey Gas to file revised tariffs by November 28 for services rendered on and after December 1.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**L. Docket No. GR25050316 – In the Matter of the Petition of South Jersey Gas Company to Revise the Level of its Periodic Basic Gas Supply Service Rate and Conservation Incentive Program Rates for the Year Ending September 30, 2026.**

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

**BACKGROUND:** On May 30, 2025, South Jersey Gas filed a petition seeking approval to increase its periodic BGSS charge, modify its Balancing Charge Rates, and revise the level of its Conservation Incentive Program rates. Through discovery, South Jersey Gas updated several components of the petition, including the proposed CIP rates. Following an initial review, the parties have agreed that while additional time is needed to complete a review of the petition, it is reasonable for South Jersey Gas to implement provisional CIP only rates on a provisional basis, subject to refund and interest. As a result, an average residential customer would see a decrease in their monthly bill of \$3.28.

Staff recommends that the Board adopt the stipulation for rates effective December 1. Staff further recommends that the Board direct South Jersey Gas to file revised tariffs by November 28 and transmit this matter to the Office of Administrative Law.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

### 3. CABLE TELEVISION

#### A. Docket No. CE17040432 – In the Matter of Cablevision of Rockland/Ramapo, LLC for the Renewal of its System-Wide Cable Television Franchise.

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

**BACKGROUND:** This matter pertains to the Office of Cable Television and Telecommunications (“OCTV&T”) proposed release of its ascertainment report for the first phase of the renewal of the systemwide franchise for Cablevision of Rockland Ramapo, LLC.

On September 17, 2010, Cablevision converted its franchise in the Borough of Montvale into a systemwide cable television franchise as provided in the 2006 amendments to the New Jersey Cable Television Act. An order memorializing the conversion of the Montvale franchise was issued by the Board on December 16, 2010, which granted Cablevision a systemwide cable television franchise for a term of seven years. That franchise was renewed on September 22, 2017 and expired on September 17, 2024. At present, Montvale is the sole municipality in the subject Cablevision systemwide franchise.

On October 27, 2021, Cablevision notified the Board of its intention to renew its systemwide cable television franchise and on March 25, 2025 the OCTV&T notified Cablevision of its intention to review its performance under the franchise pursuant to federal and state guidelines and invited Cablevision to file comments on its performance and also assess how it will meet the future needs of Montvale. Cablevision filed its comments on May 5, 2025, which were amended on July 9, 2025.

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

Board Staff, therefore, recommends that the Board approve release of the report to remain compliant with the systemwide franchise renewal process.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

#### **4. TELECOMMUNICATIONS**

There were no items in this category.

#### **5. WATER**

**A. Docket No. WO25090526 – Intent to Enter into a Contract for the Rehabilitation and Ongoing Maintenance of the Borough of Butler's Water Storage Tanks with Utility Service Group Water Solutions via a Private-Public Contract.**

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

**BACKGROUND:** On September 4, 2025 the Borough of Butler filed a petition seeking authorization to enter into a contract with Utility Service Group Water Solutions for water storage tank maintenance. Rate Counsel has filed comments on the petition indicating that it did not oppose Board approval.

Therefore, Staff recommends that the Board approve the contract subject to certain conditions.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**B. Docket No. WR25060367 – In the Matter of the Petition of Aqua New Jersey, Inc. for Approval of a Resiliency and Environmental System Investment Charge and Foundational Filing and Related Surcharge.**

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

**BACKGROUND:** On June 26, 2025 Aqua New Jersey filed a petition seeking approval to implement a Resiliency and Environmental System Assessment Charge, or RESAC, for the recovery of costs of investments for the period of 2025 through 2028. Following analysis of the foundational filing in discovery, the company, Rate Counsel and Board Staff executed a stipulation resolving all issues in this matter. By the stipulation, the maximum amount of annual RESAC revenues that may be collected is \$1,234,168.00 or no more than two and a half percent of Aqua's combined water and wastewater revenues established in the company's most recent base rate case. While there is no immediate rate impact upon approval of the foundational filing, the average residential customer with a five-eighth inch meter will see a maximum monthly RESAC surcharge of approximately \$1.42 per month.

Staff recommends that the Board issue an order approving the stipulation.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

## 6. RELIABILITY AND SECURITY

There were no items in this category.

## 7. CUSTOMER ASSISTANCE

### A. Docket No. EO25110585 – In the Matter of the Department of Community Affairs’ State Fiscal Year 2026 Universal Service Fund Administrative Cost Budget.

**Maureen Clerc, Division of Customer Assistance**, presented in this matter.

**BACKGROUND:** This matter concerns a request for the New Jersey Department of Community Affairs for approval of the Universal Service Fund program's administrative cost budget for state fiscal year 2026. The DCA administers the USF program on the Board's behalf and during the past year has provided monthly credits on the electric and natural gas bills of approximately 225,000 New Jersey households.

For fiscal year 2026, the DCA is requesting \$11,560,199.00, which is 4 percent of the current year's \$329 million budget. Included in the budget request are the DCA's costs for administering the program, as well as costs from the DCA subgrantees, which process USF applications and provide outreach to the public at the local level. It should be noted that this is only a budget. Board Staff will return to the Board with an accounting of actual fiscal year 2026 expenditures for Board approval.

Board Staff has thoroughly reviewed the budget and found it appropriate and necessary for administering the USF program. Therefore, Staff recommends that the fiscal year 2026 USF administrative cost budget be approved.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

## 8. CLEAN ENERGY

### A. Docket No. QO20110700 – In the Matter of the Contract for a Statewide Evaluator of New Jersey’s Energy Efficiency and Peak Demand Reduction Programs – Executive Session.

**Alexis Trasutman, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** The New Jersey Clean Energy Act of 2018 set in motion a comprehensive redesign of the state's energy efficiency, or EE, and peak demand reduction, or PDR, programs. It established an aggressive EE resource standard of at least 2 percent and 0.75 percent in annual energy reductions by customers of public electric and natural gas utilities, respectively, in the prior three years within five years of implementation of the utilities' EE and PDR programs.

The Board outlined the framework of the first program cycle of New Jersey's EE and PDR programs in the Triennium I EE framework order dated June 10, 2020. A key part of this updated framework was the development of a consistent standard and transparent approach of Evaluation, Measurement, and Verification ("EM&V") for EE programs pursuant to the CEA. The Triennium I EE framework order also calls for an establishment of an EM&V working group to develop recommendations for the Board's considerations on the state's EM&V practices. The Board directed Staff to solicit professional services of a Statewide Evaluator ("SWE") to facilitate and lead the EM&V working group.

Staff recommends that the Board authorize the release of an RFQ to procure a SWE for a two-year term as discussed in executive session subject to Treasury approval.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

### B. 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.

**Cathleen Lewis, Division of Clean Energy**, presented in this matter.

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**BACKGROUND:** This matter concerns CALSTART's August 15, 2025 motion for the reconsideration of Commissioner Marian Abdou's July 31, 2025 order denying CALSTART's motion to intervene in this matter and in the alternative awarding CALSTART participation status.

By the motion, CALSTART argued that Commissioner Abdou erred in her denial of the motion to intervene and that the Board should reverse the decision, thereby awarding CALSTART intervenor status in this matter.

The New Jersey Division of Rate Counsel and the Environmental Intervenors filed a response to the motion, indicating support for the motion and CALSTART's inclusion as an intervenor.

Staff recommends that the Board deny the motion and uphold Commissioner Abdou's motion to intervene.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**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.**

**Stacy Richardson, Division of Clean Energy**, presented in this matter.

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

Pursuant to the Clean Energy Act of 2018, many EE programs including DI were transferred from New Jersey's Clean Energy Program to the electric and gas public utilities. Following this transfer, the need for local governments, boards of education, and county colleges, together called contracting units, to comply with public contracting laws became a barrier to these entities' utilization of DI.

As part of the current second three-year period of Triennium II of the EE programs, the utilities agreed to offer two public sector DI program pathways. On June 18, 2025, the Board issued an order directing the utilities to file tariffs that would enable contracting units to participate in the DI program pathway and employ the direct contracting model.

On July 18, 2025 Public Service Electric and Gas Company submitted proposed tariffs for this program under Rate Schedule Energy Efficiency Measures, or EEM.

Staff recommends that the Board find that the up to charges set forth in Rate Schedule EEM and the detailed pricing applicable to DI related services to be offered to contracting units are just and reasonable. Two, find that Rate Schedule EEM, the detailed pricing provided and availability of detailed pricing to contracting units signing a confidentiality agreement cause the filed tariffs to satisfy the exemption to public advertisement requirement applicable to contracting units. Three, approve the proposed tariffs. And four, direct PSE&G to submit its compliance tariffs within five days of the effective date of the order.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**D. Docket No. QO25090542 – In the Matter of a Memorandum of Understanding Between Board of Public Utilities and Department of Environmental Protection to Fund DEP's FY26 Electric School Bus Program Year Three – Executive Session.**

**Cathleen Lewis, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** This matter involves a proposed MOU with the Board of Public Utilities and the New Jersey Department of Environmental Protection. Pursuant to the proposed MOU and at the direction of the state's legislature, the Board would fund DEP's third year of its legislatively mandated electric school bus program. The staff recommends that the Board approve the proposed MOU and authorize President Guhl-Sadovy to execute the MOU for distribution of the funds on behalf of the Board.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

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

**Cathleen Lewis, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** On August 13, 2025 the New Jersey Board of Public Utilities approved the release of the request for quotation to procure a contractor to serve as the program

administrator to manage many of the Board's electric vehicle programs. Staff formed an evaluation committee that evaluated the bids.

Staff recommends that the Board approve the evaluation committee's recommendation as discussed in executive session.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**F. Docket No. QO19091282 – In the Matter of Clean Energy Program Release of the Request for Quotation (RFQ) EV Program Administrator – Executive Session.**

**Cathleen Lewis, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** This item would approve the utilization of the no cost transition period extension under the existing contract for the Center of Sustainable Energy for a period of six months to continue administration of the Board's clean transportation programs during the transition between the expiring contract and the newly awarded contract under the 2025 RFQ for the EV program administrator.

As discussed in executive session, Staff recommends approval.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**G. Docket No. QW25050302 – In the Matter of the Verified Petition of the Passaic Valley Sewerage Commission for Waivers of Certain Administratively Determined Incentive Program Requirements and Related Relief.**

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

**BACKGROUND:** This agenda concerns a petition for waivers of the rules of the Administratively Determined Incentive Program. The ADI Program opened to new registrations on August 28, 2021, and it is open to net metered residential facilities, net metered non-residential facilities of 5 MW 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 of multiple facilities sited on the same property or on contiguous properties.

The Passaic Valley Sewerage Commission, or PVSC, filed a petition on May 31, 2025, requesting five waivers of the Board's rules governing eligibility for the ADI Program: the requirement that ADI Projects must receive a notice of conditional registration prior to commencement of construction at N.J.A.C. 14:8-11.4(b), the requirement that co-located projects receive the lowest applicable incentive at N.J.A.C. 14:8-11.4(f), the combined capacity limitation of 5 MW for co-located net-metered projects at N.J.A.C. 14:8-11.4(f), and an expansion for the ADI Program capacity block for the Net Metered Non-Residential market segment, and the 5 MW capacity cap on co-located community solar projects. The waiver requests were for proposed projects that would serve PVSC's wastewater treatment facility in Newark, New Jersey, which is subject to a directive of the New Jersey Department of Environmental Protection.

Board Staff recommends the Board grant the co-location waivers for certain net-metered projects and certain community solar projects that would be located on properties separate from the PVSC facility. The record shows good cause because the projects would provide back-up power for a critical public facility and must be built pursuant to the Department of Environmental Protection's directive. Staff recommended the Board deny the waiver regarding incentive levels of co-located projects for PVSC's on-site net-metered facilities, as the record did not show the projects are not co-located or that a waiver is necessary. Staff also recommends that the Board deny the waivers for the capacity block expansion and the requirement of receipt of conditional registration prior to commencement of construction on the basis of being moot, or unnecessary.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

**H. Docket No. QO21010085 – In the Matter of Modernizing New Jersey's Interconnection Rules, Processes, and Metrics.**

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

**BACKGROUND:** This matter involves the approval of a notice of adoption, or NOA, pertaining to New Jersey Administrative Code Title 14, Chapter 8, Subchapter 5, sections 1 through 13. On April 30, 2024 the Board approved a notice of proposal that put forward proposed amendments to subchapters 4 and 5 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.

On May 21, 2025, the Board adopted much of the original proposal with non-substantial changes via approving a notice of adoption. On May 21, 2025, the Board also approved the publication of a notice of proposed substantial changes upon adoption incorporating stakeholder feedback, which was subject to further stakeholder feedback. The Board received nine sets of comments concerning the proposed substantial changes.

This NOA adopts amendments to detail acceptable export control methods and technologies for DERs; outlines core functional requirements for EDC's software platforms for smoother interconnection application experiences and appropriate cost recovery mechanisms for the implementation of the software platforms allocating the costs of these EDC software platforms to interconnection customers; and instills timelines for applicants to reduce queue friction.

Staff recommends that the Board approve all proposed amendments in a final notice of adoption for publication in the New Jersey Register.

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

<b>Roll Call Vote #1:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>
 <b>Roll Call Vote #2:</b>	 <b>President Guhl-Sadovy</b>	 <b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

## **9. MISCELLANEOUS**

There were no items in this category.

### **LATE STARTER A**

#### **CLEAN ENERGY**

##### **Docket No. QX24080597 – In the Matter of a Rulemaking Proceeding to Establish the Dual-Use Solar Energy Pilot Program Pursuant to P.L. 2021, c. 170.**

**Laura Scatena, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** This matter involves adoption of amendments and new rules to the New Jersey Administrative Code for agrivoltaics, or dual-use solar, primarily as amendments to Subchapter 11, Chapter 8, renewable energy and energy efficiency in Title 14 that governs the Successor Solar Incentive, or SuSI, program and new rules at Subchapter 13 of Chapter 8, renewable energy and energy efficiency at Title 14 that will set forth the provisions for a new segment within the Board's solar program for Agrivoltaics as a Dual-Use Solar Energy Pilot Program.

In line with New Jersey's ambitious clean energy goals, today's item is to continue implementation of a pilot program for dual-use solar facilities in New Jersey and bring forward expansions to our renewable energy initiatives, particularly within the solar sector.

Agrivoltaics is an exciting opportunity for the Garden State, since it offers the potential for farming to be combined with solar electricity generation to help meet our clean energy goals

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while preserving our farmland. Additionally, new generation is essential for ensuring grid reliability while providing more predictable and affordable electricity for consumers.

Published on December 2, 2024 in the New Jersey Register, the rule proposal established the pilot program based on the framework of the Dual-Use Solar Energy Act of 2021. The provisions establishing a pilot program and the notice of adoption and notice of proposed substantial changes upon adoption mirror those laid out in the next agenda item, the Board opening the first application period in the pilot program.

Staff formulated the recommendations for the design and implementation of the pilot program based on extensive stakeholder feedback on Staff's straw proposal, the rule proposal, as well as close collaboration in consultation with the Rutgers Agrivoltaics Program, or RAP, at Rutgers University and other state agencies, which included the New Jersey Department of Agriculture, the state Agriculture Development Committee, and the New Jersey Department of Environmental Protection.

Staff thanks the other agencies for their coordination in the amount of work undertaken to get to this point and especially thanks stakeholders for insightful and helpful feedback for participating in the stakeholder proceedings.

The first item is for the notice of adoption with non-substantial changes for publication in the New Jersey Register. The amendments and new rules are expected to have positive impacts on New Jersey by promoting the complementary legislative goals of Clean Energy Act of 2018 and the Solar Act of 2021 in encouraging the continued efficient and orderly development of solar energy generation in the state and promoting the investment of new solar facilities at the least cost of solar incentives to ratepayers while protecting farmland and other sensitive environmental resources.

The pilot program is designed to evaluate and approve dual-use solar facilities and set requirements for their installation and operation. It will also provide incentives within the SuSI program, which serves as the permanent program for providing solar incentives to qualified solar electric generation facilities. The pilot program will help remove barriers to participation in solar energy and allow the agricultural community to participate in the advantages of solar energy in areas where it may not have been possible to do so without abandoning active farming on unpreserved farmland.

After considering all comments, Staff is recommending several non-substantial changes to the rules to update language and definitions, clarify programmatic structural details, expand on required documentation and incorporate flexibility in project tracking. Staff recommends the Board approve the notice of adoption with non-substantial changes for publication in the New Jersey Register.

The second item is for the notice of proposed substantial changes upon adoption for publication in the New Jersey Register. As a result of comments received from stakeholders, Staff is recommending several changes to the original proposal that are substantial and, therefore, cannot be made upon adoption. These changes would impact language, definitions,

requirements, and monitoring and research requirements. All of these changes are documented in the notice of proposed substantial changes upon adoption. Stakeholders would be given the opportunity to comment on these substantial changes and the changes would be brought back to the Board for final approval.

Staff recommends the Board approve the 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.

<b>Roll Call Vote #1:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>
 <b>Roll Call Vote #2:</b>	 <b>President Guhl-Sadovy</b>	 <b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

#### **LATE STARTER B**

#### **CLEAN ENERGY**

#### **Docket No. QO23090679 – In the Matter of the Dual-Use Solar Energy Pilot Program.**

**Laura Scatena, Division of Clean Energy**, presented in this matter.

**BACKGROUND:** This item compliments the previous agenda item and also involves the development and implementation of a Dual-Use Solar Energy Pilot Program, or the Pilot Program, pursuant to the Dual-Use Energy Solar Energy Act of 2021.

By order dated October 23, 2024, and corrected on January 2, 2025, the Board established the Pilot Program. The Pilot Program is open to qualifying dual-use solar energy projects with a capacity no greater than 10 megawatts and hosted on unpreserved farmland in active or horticultural use. Per the Board's directive, Staff issued a Notice of Incentive Availability on January 6, 2025, inviting all interested parties to submit expression of interest, or EOIs, for prequalification into the Pilot Program with a deadline of February 14, 2025. Instructions and guidance for completing the EOI form present were provided as well.

Staff, in consultation with the evaluation committee, consisting of the Board's appointed research designee, the Rutgers Agrivoltaics Program, or RAP, at Rutgers University, the New Jersey Department of the Agricultural, the state Agricultural Development Committee and the New Jersey Department of Environmental Protection, evaluated 33 EOIs for administrative completeness and technical feasibility. Based on the analysis of the EOIs, in addition to comments on the Board's companion proceeding, Docket Number QX24080597, and other stakeholder inquiries, Staff recommends the Board open the first application of program year

one for the first solicitation of the Dual-Use Pilot Program with an adjusted capacity target of 65 megawatts.

Additionally, Staff recommends implementing an application fee of \$1,000.00 per megawatt for the purpose of preventing speculative projects with a potential for this fee being waived for an applicant who demonstrates undue financial hardship. Only pre-qualified projects that were approved by Staff to submit an application and were issued a letter of approval would be eligible to apply.

Staff recommends the Board's approval for opening the first ever application period for the Dual-Use Pilot Program.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

#### **LATE STARTER C**

#### **ENERGY**

**Docket No. ER25010001 – In the Matter of the Board of Public Utilities – Federal Energy Regulatory Commission (FERC) Items for 2025 – FERC Docket No. EL24-137, Mid Atlantic Offshore Development, LLC.**

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

**BACKGROUND:** On July 22, 2024, Mid-Atlantic Offshore Development, LLC, or MAOD, submitted a formula rate tariff filing to the Federal Energy Regulatory Commission, FERC, that would establish how it recovers the cost of transmission infrastructure it is developing in the State of New Jersey. The Board protested the filing, principally arguing that the proposed base return on equity, or ROE, of 10.26 percent was too high. FERC submitted the issue for settlement proceedings. Over the last year, Board Staff, Rate Counsel, and MAOD have worked to refine MAOD's formula rate filing. The parties reached a settlement in principle in July 2025.

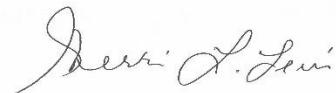
The settlement includes a base ROE of 9.88 percent for MAOD, which is in line with the ROE for the main New Jersey utilities. The settlement also establishes terms and issues such as depreciation rates and capital structure.

Staff recommends that the Board agree to the terms of the settlement.

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

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Bange</b>	<b>Aye</b>

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



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Sherri L. Lewis  
Board Secretary

Date: 1/28/2026