



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 January 28, 2026 at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and online @ <https://www.youtube.com/live/b3Y2fsRe5r0?si=vdBcPqz9ZQK-4sSU>.

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 February 18, 2026, 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. QO22040234 – In the Matter of Energy Efficiency Evaluation Study Team.

BACKGROUND: This item would amend the contract for DNV Energy Insights USA Inc. (“DNV”), which is currently the Evaluation Study Team (“EST”) for the New Jersey Board of Public Utilities (“Board”) assisting Board Staff (“Staff”) with evaluation, measurement, and verification (“EM&V”) studies for energy efficiency (“EE”) programs.

This budget and scope modification would:

- Fund an expanded scope of work for evaluation activities; and
- Provide funding for evaluation activities for this contract through December 31, 2027.

Staff recommends approval of the amended contract.

CONSENT AGENDA

I. AUDITS

There were no items in this category.

II. ENERGY

There were no items in this category.

III. CABLE TELEVISION

A. Docket No. CE23100736 – In the Matter of the Petition of Comcast of Ocean County, LLC, for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Brick, County of Ocean, State of New Jersey.

BACKGROUND: On October 17, 2023, Comcast of Ocean County, LLC (“Comcast”) filed a petition for an Automatic Renewal Certificate of Approval for the Township of Brick (“Township”), for a term to expire on November 7, 2033. The petition is based on the Township’s ordinance granting renewal municipal consent, which was adopted January 26, 2010. The Township’s ordinance granted a term of fifteen (15) years with an automatic renewal term of ten (10) years. The initial term expired on November 7, 2023.

Board Staff recommended approval of the proposed Automatic Renewal Certificate of Approval. This Certificate shall expire on November 7, 2033.

B. Docket No. CE23110796 – 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 Vernon, County of Sussex, State of New Jersey.

BACKGROUND: On or about April 15, 2022, CSC TKR, LLC (“Cablevision”) filed an application with the Township of Vernon (“Township”) for renewal of municipal consent. The township adopted an ordinance granting renewal municipal consent to Cablevision on March 13, 2023. On April 25, 2023, Cablevision formally accepted the terms and conditions of the ordinance. On November 14, 2023, Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township.

After review, Board Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on February 4, 2036.

C. Docket No. CE24050314 – In the Matter of the Petition of Comcast of South Jersey, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate, and Maintain a Cable Television System in and for the City of Egg Harbor, County of Atlantic, State of New Jersey.

BACKGROUND: On December 22, 2021, Comcast of South Jersey, LLC (“Comcast”) filed an application with the City of Egg Harbor (“City”) for renewal of municipal consent. The City adopted an ordinance granting renewal municipal consent to Comcast on December 15, 2022. On January 13, 2023, Comcast formally accepted the terms and conditions of the ordinance. On May 9, 2024, Comcast filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the City.

After review, Board Staff (“Staff”) recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on September 6, 2033.

D. Docket No. CE24060416 – In the Matter of the Verified Petition of CSC TKR, LLC dba Cablevision of Morris for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in Township of Jefferson, County of Morris, State of New Jersey.

BACKGROUND: On March 10, 2023, CSC TKR, LLC d/b/a Cablevision of Morris (“Cablevision”) filed an application with the Township of Jefferson (“Township”) for renewal of municipal consent. The Township adopted an ordinance granting renewal municipal consent to Cablevision on December 13, 2023. On February 13, 2024, Cablevision formally accepted the terms and conditions of the ordinance. On April 30, 2024, Cablevision filed with the New Jersey Board of Public Utilities (“Board”) for a renewal of its Certificate of Approval for the Township.

After review, Board Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on February 4, 2033.

IV. TELECOMMUNICATIONS

A. Docket No. TM25080473 – In the Matter of the Verified Petition of SQF, LLC for Approval of a Corporate Restructuring.

BACKGROUND: On August 13, 2025, SQF, LLC (“SQF” or “Petitioner”), pursuant to N.J.S.A. 48:2-51.1 and regulations of the New Jersey Board of Public Utilities (“Board”), filed a petition requesting approval for transactions that will introduce new intermediate parents in the chain of SQF’s ownership, without changing its ultimate ownership and control (“Petition”). The transactions requested in the Petition would (1) insert multiple intermediate holding companies as direct and indirect owners of SQF and (2) interpose a new intermediate ownership structure between the ultimate controlling parties in SDC DIOF I GP, LLC (“SDC Fund I GP”), the general partner of SDC Digital Infrastructure Opportunity Fund I, LP (“SDC Fund I”), the investment fund that indirectly holds the equity interests in SQF, and SDC Fund I GP (“Restructuring”).

According to the Petition, the Restructuring will serve the public interest since SQF will remain technically and managerially qualified to provide competitive telecommunications services in New Jersey. The Restructuring will not result in any change in SQF’s management, services or its operations, nor will it change the day to day working control of SQF, which will continue to be

overseen by its existing management team. The telecommunications services provided by Petitioner and the rates, terms, and conditions of those services will not change and New Jersey customers will not be affected in any way by the Restructuring. Petitioner stated that there will be no impact on its employees. Petitioner stated that it will continue to possess the requisite resources to provide high-quality telecommunications services in New Jersey. Petitioner stated that it has no New Jersey employees. The Petitioner further stated the Restructuring will be virtually seamless to customers and will not result in any change to their services and that rates, terms, and conditions of SQF's services will not change as a result of the Restructuring, and there will be no impact on SQF's provision of safe and adequate utility service at just and reasonable rates.

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 record in this matter, Board Staff recommended approval of the Petition.

B. Docket No. TF25070445 – In the Matter of the Verified Petition of Greenlight Networks NJ, LLC for Approval to Participate in Certain Financing Arrangements.

BACKGROUND: On July 25, 2025, Greenlight Networks NJ, LLC ("GLN-NJ" or "Petitioner") submitted a verified petition to the New Jersey Board of Public Utilities ("Board"), pursuant to N.J.S.A. 48:3-7, N.J.S.A. 48:3-9, and the regulations of the Board requesting Board approval for GLN-NJ to participate in certain financing arrangements ("Financing Arrangements").

Petitioner is seeking Board approval to participate in Financing Arrangements up to an aggregate amount of \$500 million and thereby to incur debt as a borrower, co-borrower or guarantor and to pledge its assets as security for the Financing Arrangements up to the aggregate amount. Some or all of the Financing Arrangements may be secured facilities, which may include a grant of a security interest in the assets of GLN-NJ. A portion of the Financing Arrangements may be unsecured facilities. For the secured facilities, the equity of GLN-NJ may be pledged as additional security. Additionally, GLN-NJ may provide a guaranty as security for the full aggregate amount of the Financing Arrangements. The Financing Arrangements may be used for acquisitions, repaying existing debt, refinancing then existing debt, working capital requirements and general corporate purposes of the company.

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

There were no items in this category.

VI. RELIABILITY AND SECURITY

There were no items in this category.

VII. CUSTOMER ASSISTANCE

There were no items in this category.

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

- A. Approval for the September 10, 2025 Minutes;
Approval for the October 8, 2025 Minutes; and
Approval for the November 21, 2025 Minutes.**

After appropriate motion, consent agenda items IIIA, IIIB, IIIC, IIID, IVA, IVB, and IXA:

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

There were no items in this category.

2. ENERGY

A. Docket No. ER24120005 – In the Matter of the Petition of Jersey Central Power and Light Company for Approval of a Zero Emission Certificate Recovery Charge; and

Docket No. ER25100556 – In the Matter of the Petition of Jersey Central Power and Light Company for Approval of a Zero Emission Certificate Recovery Charge.

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

BACKGROUND: On December 20th, 2024, JCP&L filed a petition constituting the annual reconciliation of its ZEC Recovery Charge. In that filing, JCP&L sought to maintain the ZEC Reconciliation Charge rate at zero per kilowatt-hour.

On March 5th, 2025, Rate Counsel filed comments indicating that it did not object to the company's request. On October 1st, 2025, JCP&L filed a second petition constituting its annual reconciliation of its ZEC Recovery Charge. Rate Counsel also filed comments on the 2025 petition.

Staff recommends that the Board direct JCP&L to eliminate its ZEC Recovery Charge tariff, including the ZEC Reconciliation Charge. Direct JCP&L to transfer the remaining cumulative balance due to customers to the Universal Service Fund component of its SBC, and direct JCP&L to file revised tariffs by February 15th.

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

A. Docket No. CE23030148 – In the Matter of the Notice of Comcast of New Jersey II, LLC Regarding the Conversion of its Municipal Franchise in the City of Perth Amboy to a System-wide Franchise; and

In the Matter of the Application of Comcast of New Jersey II, LLC for a System-wide Cable Television Franchise Borough of Metuchen, Middlesex County, New Jersey.

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

BACKGROUND: This matter involves the addition of the Borough of Metuchen to Comcast Systemwide Cable Television Franchise.

By way of background, on September 18th, 2023, the Board issued a Systemwide Franchise to Comcast, New Jersey II, LLC, following the conversion of its Municipal Franchise for the City of Perth Amboy.

Thereafter, on March 20th, 2024, the Board issued an order of amendment to Comcast Systemwide Franchise to allow the company to provide service to the Township of Edison. On December 11th, 2025, Comcast filed an application to amend the current Systemwide Franchise to extend its service territory to add the Borough of Metuchen to its existing franchise to provide service.

The Comcast application requested approval for the issuance of an amendment to expand its service territory into a municipality which Comcast currently does not serve. On January 5th, 2026, two virtual public hearings were held to receive public comment on the application, at which comments were provided by Comcast and the New Jersey Division of Rate Counsel.

Rate Counsel filed written comments on January 12th, 2026, which provided that, upon review, it found that the parameters of the Board's statutory criteria for review of the application outlined in N.J.S.A. 48:5A-17 and N.J.S.A. 48:5A-28, appear to have been substantially met, and it did not object to the approval of the application. No other comments were received. Pursuant to statute, the applicant must meet the specific requirements for operating a Systemwide Franchise as delineated in subsections N.J.S.A. 48:5A-28(h)-(n). Comcast certified that it will comply with these commitments, and Comcast also asserted that it has gained approval from the Borough's governing body to place its equipment within the rights of way to provide service.

Upon review, Staff finds that Comcast's application has met the necessary statutory requirements, and therefore recommends that the Board approve Comcast's request to amend its Systemwide Franchise to add Metuchen to its service territory, and that an amendment to the Systemwide Franchise be issued, subject to all applicable state and federal laws, the rules and regulations of the Office of Cable Television and Telecommunications, and the conditions outlined in the order.

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

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

4. TELECOMMUNICATIONS

A. Docket No. TO25120630 – In the Matter of the Broadband Equity, Access and Deployment Grant Approved Final Proposal.

Valarry Bullard, Division of Telecommunications, presented in this matter.

BACKGROUND: This matter is in relation to the Broadband Equity, Access and Deployment (BEAD) Final Proposal approved by the National Telecommunication Information Administration. By way of background, the BEAD program was established by the Bipartisan Infrastructure Law (the Infrastructure Investment and Jobs Act of 2021, Public Law of 117-58).

On June 26, 2023, the Biden Administration announced New Jersey's BEAD allocation, with the State formally awarded \$263,689,548.65. To receive its full allocation, New Jersey was required to prepare, submit, and obtain NTIA's approval for several required documents, plans, and proposals. Through the Board and the Office of Broadband Connectivity, the State submitted its BEAD five-year action plan on August 28, 2023, followed by its BEAD Initial Proposal, volumes one and two, on December 21, 2023.

The NTIA approved New Jersey's Initial Proposal on August 28, 2024, allowing the state to begin its competitive sub-grantee selection process.

During NTIA's review of the BEAD Final Proposal, the agency notified the State on September 17, 2025, that one project exceeded the \$11,500 per location cost threshold with the proposed subsidy of \$12,877.93 per location.

Working with the OBC, the provider reduced costs to \$11,499 per location, bridging all projects and bringing them into compliance. This resulted in a savings of \$1,366,920.

The final step to receiving the full BEAD allocation was the submission of the BEAD Final Proposal, which NTIA approved on December 2nd, 2025. This approval authorizes New Jersey to make awards under the BEAD grant program.

This program is a historic investment in broadband infrastructure to expand high-speed internet access throughout New Jersey.

Staff recommends that the Board approve and adopt New Jersey's Broadband Equity, Access and Deployment Final Proposal, which was reviewed and approved by the National Telecommunication and Information Administration on December 2nd, 2025. Staff further

recommends that the Board authorize the issuance of New Jersey's BEAD program grant funds to 35 projects, a total award amount of \$62,184,235.53.

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

5. WATER

A. Docket No. WR25050323 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of the Gross Receipts Tax on Water and Sewer Utilities – Atlantic City Sewerage Company.

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

BACKGROUND: In November, 2024, the State's water and wastewater utilities were notified by the Division of Taxation that an error was discovered in August, 2024. As a result of the error, the gross receipts tax had been charged at the incorrect rate.

By order dated March 19th, 2025, the Board directed affected utilities to defer the effects of the required reduction on its books and records effective immediately.

On May 30th, 2025, Atlantic City Sewer Company filed a petition seeking approval of deferred accounting treatment of the gross receipts tax on sewer revenues, as well as the related reduction of the excess tax levied. Following review of the petition, conducting discovery and discussions, the parties have executed a stipulation recommending that the Board authorize the company to use deferred accounting and propose a method to refund to customers in its next base rate case.

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.

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

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 – Order Approving Budget Adjustment.

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

BACKGROUND: This matter concerns a request from the New Jersey Department of Community Affairs for approval of an adjustment to the Universal Service Fund program's administrative cost budget for state fiscal year 2026. The DCA administers the USF program on the Board's behalf.

At the board's November 21st, 2025 agenda meeting, the Board approved the DCA's fiscal year 2026 USF administrative budget in the amount of \$11,560,199.

On January 2nd, 2026, the DCA submitted a request to increase its USF budget by \$292,697 for a total adjusted budget amount of \$11,852,896. If approved, this would be a budget increase of approximately two and a half percent. DCA indicated that the budget increase is due to an extension of certain consulting services by IBM, which is estimated to cost \$178,368, and an increase of \$114,329 to make payment in fiscal year 2026 to Insight public sector billing services for costs incurred in fiscal '25.

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, the Staff recommends that the amended fiscal year 2026 USF administrative cost budget be approved. Staff also recommends that the Board direct the DCA to file with the Board an updated accounting of all fiscal year 2026 program expenditures on or before April 30th, 2027 for review in accordance with the 2024 memorandum of understanding between our two agencies.

Finally, Staff recommends the Board direct Staff to subsequently propose for Board approval, a final disposition of all DCA USF fiscal year 2026 program expenditures.

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

8. CLEAN ENERGY

A. Docket No. QO22040234 – In the Matter of Energy Efficiency Evaluation Study Team – Executive Session.

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

BACKGROUND: This matter pertains to the contract for the Evaluation Study Team or (“EST”) of New Jersey’s Energy Efficiency or (“EE”) and Peak Demand Reduction or (“PDR”) programs.

The EST currently assists with evaluation, measurement, and verification or (“EM&V”) efforts associated with the EE programs offered by the investor-owned utilities and New Jersey’s Clean Energy Program or (“NJCEP”).

The EM&V in this context is the study and analysis of EE and demand response program performance; it is a process to track and improve program efficiency. The Board’s Triennium 1 EE regulatory framework established an EM&V Working Group or (“EM&V WG”) to coordinate this process among the New Jersey Board of Public Utilities or (“Board”), the New Jersey Division of Rate Counsel, the utilities, their independent program evaluators, and a broad set of market stakeholders.

EM&V activities provide critical information upon which to base program theory, establish program budgets, and regulate training and spending. On October 12th, 2022, the Board awarded DNV the contract to perform the EST work over a period of three years.

The investment in EE programs significantly increased between Triennium 1 (fiscal year 2022 through 2025) and Triennium 2 (fiscal year 2025 through 2027), which necessitates a comparable increase in funding dedicated to EM&V to plan, prioritize, and optimize programmatic investments.

As assessed in executive session, Staff recommends that the Board approve a contract scope of work change and budget modification with respect to the EST contract, subject to treasury approval.

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. QO25110600 – In the Matter of the Large-Scale Thermal Energy Network Study.

Jesse Kolodin, Division of Clean Energy, presented in this matter.

BACKGROUND: On January 16th, 2024, Governor Murphy signed Public Law 2023 Chapter 328 into law, which required the Board to conduct a study on the feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in the state, and to prepare and submit a written report to the Governor and a summary of the report to the Legislature.

Pursuant to this statutory requirement, Board Staff collaborated with the Rutgers Center for Urban Policy Research or (“CUPR”) to conduct the large-scale thermal energy network study.

The Rutgers CUPR study finds that large-scale thermal energy networks or (“TENs”) are technically feasible across multiple sectors of New Jersey and can deliver substantial long-term energy savings, resilience benefits, and emissions reductions.

The study further concludes that TENs can moderate rising winter peak loads associated with building electrification and reduce summer peak demand through high-efficiency geothermal heating and cooling, therefore, lowering grid stress, deferring new electric capacity investments, including generation, and avoiding costly future gas infrastructure.

Staff recommends that the Board accept the Large-Scale Thermal Energy Network Study and authorize it for release to the Governor's Office and submission to the Legislature.

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. QW25070448 – In the Matter of the Verified Petition of Ameresco, Inc. for a Waiver of the Board's Rules at N.J.A.C. 14:8-11.4(i) to Permit the Joint Base Solar Project to Participate in the Competitive Solicitation Incentive Program.

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

BACKGROUND: This item regards a petition filed on July 25th, 2025, by Ameresco Inc., or Petitioner, seeking a waiver of the Board's rules at N.J.A.C. 14:8-11.4(i) that restrict eligibility for participation in the Competitive Solar Incentive or CSI program to projects that have not commenced commercial operation.

By order dated April 23rd, 2025, the Board set the solicitation window for the third CSI program solicitation to open for prequalification applications on May 14th, 2025, and close to bid submissions on July 23rd, 2025, 11:59:59 p.m. By order dated July 16th, 2025, the Board extended the solicitation window for the third solicitation to September 30th, 2025 to provide participants in the third CSI solicitation with additional time to consider the financial impacts of changes to federal policy regarding the Investment Tax Credit and to submit informed bids.

The Petitioner stated that the project, an 8.75 Megawatt net metered project located on Joint Base MacGuire/Dix/Lakehurst, was anticipated to commence commercial operation in October 2025. Petitioner argued that the board's timeline for opening the third CSI program solicitation, as well as the extension of the solicitation window, meant that the project was likely to reach commercial operation before receiving an award in the CSI program and sought a waiver of the Board's rules to allow participation.

On September 29th, 2025, following the submission of the petition, and based on information submitted therein, Board Staff issued a prequalification denial letter for the project in the CSI program. This letter cited a violation of the Board's rules at N.J.A.C. 14:8-11.4(i), specifically the portion that states that a CSI project must receive a letter of conditional registration prior to commencing construction. On September 30th, 2025, Staff issued a second letter reversing the denial until the Board could rule on the petition.

On January 12th, 2026, Petitioner filed a supplement to the petition to notify the Board that the project has not yet commenced commercial operation and thus argued that the project should be deemed eligible to participate in the third solicitation without a waiver.

Staff considers that, while the Petitioner has not yet reached commercial operation, the Petitioner is nonetheless in violation of the SuSI Program rules at N.J.A.C. 14:8-11.4(i) as the project began construction prior to conditional registration, and is therefore ineligible to participate in the third CSI Program solicitation. Staff recommends that the Board deny the petition and not consider the Petitioner's bid. Staff recommends that the Board return the petitioner's bid fee.

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. QO25090546 – In the Matter of the Petition of GreenPower Developers, LLC for Emergent Relief Permitting its Bell Works Solar Project to Participate in CSI Solicitation with September 30, 2025 Deadline and Be Approved as Net-Metered Project in Excess of 5 MW.

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

BACKGROUND: This item regards a petition filed September 29th, 2025, by GreenPower Developers, LLC, the Petitioner, seeking a waiver of the Board's rules at N.J.A.C. 14:8-11.4(d) that require a net metered project to submit written authorization from the Electric Distribution Company as evidence of eligibility for the CSI program.

The third CSI Program solicitation opened to prequalification applications on May 14th, 2025, and was set to close to bid submissions on July 23rd, 2025. By order dated July 16th, 2025, the Board extended the solicitation window to September 30th, 2025, to provide participants in the

third CSI solicitation additional time to consider the financial impact of changes to federal policy regarding the Investment Tax Credit (“ITC”) and to bid accordingly.

The Petitioner argued that the project, a 12.9 Megawatt net meter project located in Holmdel, New Jersey, should be able to participate in the solicitation as the federal changes to the ITC construction commencement deadlines and placed in service deadlines otherwise imperiled the project. Petitioner argued that a conceptual load study performed in 2024 should sufficiently demonstrate the feasibility of the project.

On September 30th, 2025, Staff issued a letter stating that, pending the Board's decision on the petition, the Petitioner's bid was accepted into the solicitation.

Staff considers that the Board establish prequalification criteria and maturity requirements to ensure that projects bidding into a CSI solicitation would have a complete understanding of interconnection costs, ensuring that incentives go to projects that have a clear path to completion within the required timeline.

Staff recommends that the Board deny Petitioner's request for a waiver of the CSI eligibility rules at N.J.A.C. 14:8-11.4(d) and find the Petitioner ineligible to participate in the third CSI Program solicitation. Staff recommends that the Board return the Petitioner's bid fee and notes that once eligibility criteria are met, the project may participate in a future solicitation.

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. QW25070384 – In the Matter of the Verified Petition of Harmony Plains Solar I, LLC for Approval of a Waiver and Extension of the Competitive Solar Incentive Program Commercial Operation Deadline and EPC Agreement Requirement for the Harmony Plains Solar I, LLC Project.

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

BACKGROUND: This item regards a petition filed July 9th, 2025, by Harmony Plains Solar 1, LLC, the Petitioner, seeking a two-year extension of their commercial operation deadline and an extension of the engineering procurement and construction contract deadline in the Competitive Solar Incentive Program.

By order dated April 17th, 2024, the Board approved awards in the second CSI Program solicitation for eight projects. In that solicitation, Petitioner was awarded an SREC-II value of \$71.90 per Megawatt hour for the 95 Megawatt solar generation facility, and an adder of \$16.80 per Megawatt hour for 80 Megawatt hours of paired energy storage. The project registered with the CSI program and was provided a commercial operation deadline (COD) of May 23rd, 2027.

Based on information submitted in the petition and supporting documentation, Staff considers that the Petitioner has actively pursued the project through permitting and interconnection obstacles, but has faced significant delays outside of its control. These obstacles include unforeseen and unforeseeable changes to the town and county permitting requirements and extensive delays in the project interconnection timeline provided by the electric distribution company.

Staff therefore recommends that the Board waive the project timelines to permit a two-year extension of the project commercial operation deadline from May 23rd, 2027, to May 23rd, 2029. Staff also recommends that the Board waive its rules at N.J.A.C 14:8-11.5(d)(2)(1) for the submission of a contract between the primary installer or the third party owner, as applicable, and the bidder or customer of record submitted within one year of the date of conditional registration and require instead that the executed engineering procurement and construction contract be submitted with a project milestone reporting form.

Moving forward, Staff will be implementing more stringent communication practices across the CSI Program, including mandatory quarterly developer meetings to ensure any potential delays or development challenges are identified as early as possible. These changes will ensure that Staff can support developers in improving timeline accountability, including that of electric distribution companies. Staff will provide additional guidance for CSI developers upon project registration and will meet regularly with projects to provide oversight.

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

A. Docket No. EO18080899 – In the Matter of the Implementation of L. 2018, c. 16 Regarding the Establishment of a Zero Emission Certificate Program for Eligible Nuclear Power Plants;

Docket No. ER20080557 – In the Matter of the Application of PSEG Nuclear, LLC and Exelon Generation Company, LLC for the Zero Emission Certificate Program – Salem Unit 1;

Docket No. ER20080558 – In the Matter of the Application of PSEG Nuclear, LLC and Exelon Generation Company, LLC for the Zero Emission Certificate Program – Salem Unit 2; and

Docket No. ER20080559 – In the Matter of the Application of PSEG Nuclear, LLC for the Zero Emission Certificate Program – Hope Creek.

Diane Crilly, Economist’s Office, presented in this matter.

BACKGROUND: This item pertains to revenue reviews for double payments as defined in the ZEC Act and the Board's ZEC Program. By order dated April 18th, 2019, the Board awarded Zero Emission Certificates or ZECs to three New Jersey nuclear generating plants: Salem 1, Salem 2, and Hope Creek, for the first ZEC eligibility period, for ZEC 1.

By order dated May 20th, 2020, the Board finalized the forward requirements for implementing the ZEC program. One forward requirement requires the Board to ensure that a nuclear unit awarded ZECs does not receive double payment for its fuel diversity, resilience, air quality, or other environmental attributes. The Board, therefore, directed ZEC recipients to annually submit to the Board financial documents, data, information, and certifications pertaining to payments, credits, and revenues received by nuclear units in the prior energy year.

By the same order, May, 2020, the Board directed Staff to analyze the information submitted by ZEC recipients and conduct an annual revenue review and identify any payments, credits, or revenue duplicative for the purposes of fuel, diversity, resilience, air quality, or other environmental attributes.

On April 27th, 2021, for the second ZEC eligibility period, June 1st, 2022, through May 31st, 2025, the Board awarded ZECs to Salem 1, Salem 2, and Hope Creek. As has been done for prior years, Staff reviewed and analyzed certified data submitted by owners of the units selected to receive ZECs for the energy year 2025. Staff found no evidence of double payments related to resilience, fuel diversity, air quality, or environmental attributes having been received by the select units in energy year 2025.

Staff's findings were posted for public review and comment on September 19th, 2025. No commenters disagreed with Staff's findings of no double payments received in the energy year 2025.

Staff did find nuclear units receiving New Jersey ZECs are also eligible for a federal production tax credit for the same zero-emission attributes as defined in the New Jersey ZEC Act beginning in calendar year 2024. However, none of the New Jersey selected units filed with the IRS for the production tax credit prior to the end of energy year 2025. Subsequently, the selected units have filed for the federal production tax credit.

Staff recommends that the Board accept and adopt Staff's revenue review findings that qualified nuclear units awarded ZECs for energy year 2025 did not receive double payments for energy year 2025 for attributes as defined in the ZEC Act.

Staff further recommends that the Board direct owners of the selected units to file with the Board the amounts included in their tax filings for production tax credits for each selected unit and direct Staff to review these filings and determine the amount of the tax credit that may constitute, a double payment, and recommend a process to refund any such double payment.

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

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

Sherri L. Lewis

Sherri L. Lewis
Board Secretary

Date: 4/22/2026