



Agenda Date: 01/17/06  
Agenda Item: 2A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**www.bpu.state.nj.us**

ENERGY

IN THE MATTER OF A FILING BY  
JERSEY CENTRAL POWER & LIGHT D/B/A AS  
FIRSTENERGY CORPORATION REQUESTING  
APPROVAL OF REVISED TARIFF SHEETS

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ORDER

DOCKET NO. ET06120850

(SERVICE LIST ATTACHED)

BY THE BOARD:

By letter dated September 1, 2006, Jersey Central Power & Light d/b/a/ FirstEnergy Corporation (JCP&L or Petitioner) filed revised tariff sheets with the Board of Public Utilities (Board) to conform the tariff to the requirements of the New Jersey Administrative Code. Petitioner submitted the revisions on September 1, 2006. With this filing, JCP&L seeks approval of Revised Sheet No. 31, amending Section 9.03 of its tariff.

Revised and Original Sheet No. 31 and Original Sheet No. 31A are appended hereto as attachments.

Background

In 2003 JCP&L amended Section 9.03 of its tariff, which governs connections of the Company's distribution lines and facilities to the Customer's facilities. Prior to the 2003 revision, the tariff provided that even in areas where overhead service connections were permissible, a customer could install, own and maintain an underground service connection rather than an overhead service connection. The customer could require the Company to undertake the necessary underground service extension activity, provided the customer made a non-refundable contribution equal to the cost differential of furnishing an underground service extension rather than overhead service.

As modified in 2003, Section 9.03 required residential customers located in areas wherein individual residences are served by overhead lines, and who wish or are required to have underground service connections, to install, own and maintain these

connections themselves, thus eliminating JCP&L's responsibility to be involved in the service extension process. The tariff sheets under consideration here, as originally filed, provided customers with the option of owning their underground service lines, but in the course of discussions subsequent to the filing, it was agreed that the regulation required the Company to assume ownership in all instances.

## DISCUSSION

The Board recently completed revisions to N.J.A.C. 14:3-8 to ensure that its rules governing extensions of service were consistent with the Smart Growth initiatives being undertaken state-wide. The rules address whether and how a regulated entity may contribute financially to an extension made in response to an application for service by a person, as these terms are defined at N.J.A.C. 14:3-1.1 and 8.2. The rules also include provisions regarding whether an extension shall be placed overhead or underground, and the extent to which a regulated entity may pay for or financially contribute to the costs of an extension. How much a regulated entity is authorized to pay for or financially contribute to an extension varies based on whether the customers that the extension will serve are located in an area not designated for growth, a designated growth area, a smart growth infrastructure incentive program (SGIIP) area, or a targeted revitalization incentive program (TRIP) area, as described at N.J.A.C. 14:3-8.12 and 14:3-10, respectively. Specifically, N.J.A.C. 14:3-8.5(b) requires that "[a]n extension shall become the property of the regulated entity upon its completion. If an extension is paid for by an applicant in accordance with this chapter, a regulated entity shall include the extension in its contribution in aid of construction (CIAC) accounts, for accounting purposes only."

Pursuant to N.J.A.C. 14:3-8.1B, each regulated entity, including JCP&L, was to submit to the Board a modified tariff that complies with the revised subchapter 8 by January 19, 2005 to be operative March 20, 2005. Although JCP&L timely submitted, discussions with staff indicate that JCP&L's tariff was ambiguous as to the issue of ownership options for extensions. Based upon review and discussion, it appears that JCP&L had removed from its tariff the requirement that it obtain ownership of an extension upon completion of residential underground extensions of electric service that are voluntary (i.e. not required).

A residential customer's secondary service connection meets the Board's definition of an extension:

'Extension' means the construction or installation of plant and/or facilities by a regulated entity to convey service from existing or new plant and/or facilities to one or more new customers, and also means the plant and/or facilities themselves. This term includes all plant and/or facilities for . . . distribution, whether located overhead or underground, or on a private property . . . including the wire, poles of supports, cable, pipe, conduit or other means of conveying service from existing plant and/or facilities to each unit or

structure to be served, except as excluded at 1 through 6 below.

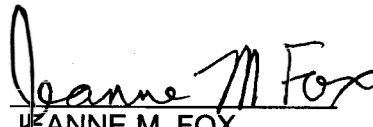
Based upon this, the Board HEREBY FINDS that JCP&L is not authorized to require the customer to become the owner of the extension, but must take ownership itself. In order to facilitate this, JCP&L has submitted the proposed revision to Sec. 9.03 that brings the tariff into conformance with the Board's rules.

Accordingly, the Board HEREBY ORDERS that Revised Sheet Number 31 be approved and that insofar as its provisions differ from those of Original Sheet Number 31A the revisions take effect immediately.

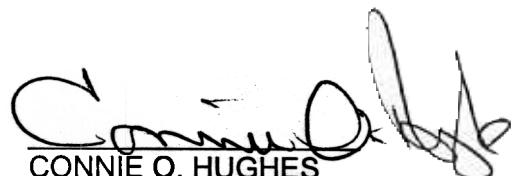
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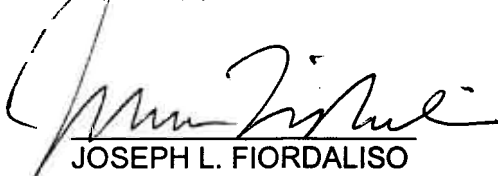
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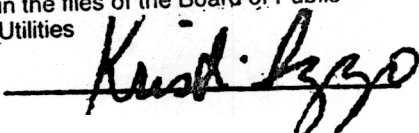
  
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ATTEST:

  
KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities



**JERSEY CENTRAL POWER & LIGHT COMPANY**  
**Original Sheet No. 31**  
**BPU No. 9 ELECTRIC - PART II**

**Section 9 - Service Connections**

**9.03 Underground Secondary Service Connection (other than a man-hole duct system) to Serve an Individual Residential Customer/Applicant:** A residential Customer or Applicant electing an underground Service Connection instead of an overhead Service Connection can install, own, and maintain such connection at his own cost and expense in accordance with the Company's specifications for such construction. At the Customer's option, the Company will install, connect and maintain such underground Service Connection, upon the Customer making a non-refundable contribution equal to the predetermined unit cost differential of furnishing such facilities underground instead of overhead. If the Customer provides the trench, the underground Service Connection charge will be credited accordingly.

**Issued: July 6, 1999 Effective: August 1, 1999**  
**Issued by Earl Carey, Senior Vice President-Energy Delivery & Customer Service**  
**c/o Michael J. Filippone**  
**300 Madison Avenue, Morristown, NJ 07962-1911**  
**Filed pursuant to Order of Board of Public Utilities**  
**In Docket Nos. EO97070458, EO97070459, EO97070460 dated May 24, 1999**

**JERSEY CENTRAL POWER & LIGHT COMPANY**

**BPU No. 10 ELECTRIC - PART II**  
**Original Sheet No. 31**

**Section 9 - Service Connections**

**9.03 Underground Secondary Service Connection (other than a man-hole duct system) to Serve an Individual Residential Customer/Applicant:** A residential Customer or Applicant electing an underground Service Connection instead of an overhead Service Connection can install, own, and maintain such connection at his own cost and expense in accordance with the Company's specifications for such construction. The Company will not furnish an underground Service Connection for an individual residential customer in an overhead area.

**Issued: July 30, 2003 Effective: August 1, 2003**  
**Filed pursuant to Order of Board of Public Utilities**  
**Docket Nos. ER02080506, ER02080507, ER02030173 and EO02070417 dated August 1, 2003**

**Section 9 - Service Connections**

**9.01 General:** This Section governs situations in which the Company's distribution lines and facilities are of adequate capacity to serve the Customer's load and are located adjacent to the Customer's premises. In these situations, the connection between the Company's system and the Customer's installation shall be made by the Company and established in accordance with the provisions of this Section.

**9.02 Overhead Service Connection:** The Company will install, connect, and maintain at its own cost and expense not more than one Service Drop for each contract location. The Company shall not be required to install a Service Drop where its length would exceed the safe distance over which a single span of Service Drop conductors can be placed.

**9.03 Underground Secondary Service Connection (other than a man-hole duct system) to Serve an Individual Residential Customer/Applicant:** (a) A residential Customer or Applicant electing an underground Service Connection instead of an overhead Service Connection can elect to install such connection at his/her own cost and expense in accordance with the Company's specifications for such construction. At the Customer's option, the Company will install and connect such underground Service Connection, upon the Customer making a non-refundable contribution, as described in (b) below. In either case, the Company will assume ownership and responsibility for maintenance, including replacement when appropriate, at the Company's expense, of the underground Service Connection upon connection to the Company's system (subject to receipt of requisite easements, rights of way or the like, at no cost to the Company). In addition, at the Customer's option, the Company will assume ownership and responsibility for maintenance, including replacement when appropriate, at the Company's expense, of all private residential underground Service Connections installed prior to the date of this tariff sheet (subject to receipt of requisite easements, rights of way or the like, at no cost to the Company). In connection with any Company work performed under this Section 9.03, whether on Company-owned or Customer-owned facilities, the Company must first be granted the right by the Customer to trim or remove vegetation and to remove structures or other obstructions that interfere with such work and the Company will not be responsible for the costs of repair, replacement or restoration thereof.

(b) If the Applicant's service location is in a designated growth area, the non-refundable contribution will be equal to the predetermined unit cost differential of furnishing such facilities underground instead of overhead. However, if the Applicant's service location is in an area not designated for growth, the non-refundable contribution will be equal to the entire cost of furnishing such facilities. If the Customer provides the trench, the underground Service Connection charge will be credited accordingly regardless of the location.

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**Issued:****Effective:****Filed pursuant to Order of Board of Public Utilities****Docket No.****dated**

Issued by Stephen E. Morgan, President  
300 Madison Avenue, Morristown, NJ 07962-1911

**Section 9 - Service Connections**

**9.04 Underground Distribution Service Connection to Serve a Non-Residential Customer:** Where a non-residential Customer or Applicant elects such underground Service Connection instead of an overhead Service Connection, or where an overhead or secondary network system is not available, the Customer or Applicant must install, own, and maintain such connection at his own cost and expense in accordance with the Company's specifications for such construction. The Service Connection will be made by the Company, and all conduit, cable, and other facilities must be installed, maintained, and when necessary, relocated at the expense of the Customer.

**9.05 Underground Distribution Service Connection (other than a man-hole duct system) in Residential Subdivision:** Where distribution circuits have been extended underground pursuant to Tariff Part II, Section 6, the Service Connection shall be installed underground as part of the entire electrical system for the development upon payment of the applicable charges computed in accordance with Appendix A of these Standard Terms and Conditions.

**9.06 Conventional Underground Service Connection (Secondary Network System):** If a Customer's or Applicant's facility is located in a designated network system, one conventional underground Service Connection to each contract location will be provided by the Company without cost to the Customer which shall terminate at a point not more than 30 feet distant from the curb, measured at right angles to the curb, nearest the point of connection to the Customer's facilities, provided, however, that the Company will not supply a Service Connection in whole or in part under or within a building except that portion extending through the building wall. When the required length of Service Connection exceeds the foregoing, the Customer shall have the option of terminating his facilities at either (1) a splice box acceptable to the Company installed, owned, and maintained by the Customer at a point within the distance limit described above, or (2) at the discretion of the Company, in the nearest available splice box or manhole provided in and as part of the Company's normal underground distribution system. All connections between the Customer's and Company's facilities shall be made by the Company.

Issued: July 30, 2003

Effective: August 1, 2003

Filed pursuant to Order of Board of Public Utilities

Docket Nos. ER02080506, ER02080507, ER02030173 and EO02070417 dated August 1, 2003

Issued by Stephen E. Morgan, President  
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In The Matter of a Filing by Jersey Central Power & Light D/B/A as  
Firstenergy Corporation Requesting Approval of Revised Tariff Sheets

Docket No. ET06120850

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