



Agenda Date: 8/19/15
Agenda Item: 2G

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

I/M/O MERRILL CREEK RESERVIOR PROJECT –)
JCP&L SUBLEASE OF A PORTION OF ITS)
WATER STORAGE AND RELEASE)
ENTITLEMENTS TO GRANITE WATER SUPPLY)
COMPANY)
)
) BPU DOCKET NO. EM15070855

Parties of Record:

Michael J. Connolly, Esq., Windels Marx ,Lane & Mittendorf, LLP, for petitioner Jersey Central Power & Light Company
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD: ¹

BACKGROUND

By letter dated June 19, 2015, Jersey Central Power and Light Company (“JCP&L” or “Company”) filed an Amended and Restated Sublease Agreement (“Renewal Sublease”) which is a renewal of an existing sublease agreement dated as of May 1, 1993 (“ Original Sublease”) approved by Board Order dated December 30,1992 (“the December Order”).² Under the Original Sublease, JCP&L subleased a portion of its leasehold interest in the reservoir area of the Merrill Creek project, along with related water storage and release entitlements of storage capacity for a 20 year period expiring on July 30, 2015.

According to the letter filing, since JCP&L has no need for this capacity, it will enter into the Renewal Sublease with the Granite Water Supply Company (“Granite”) with a commencement date of July 31, 2015. Also according to JCP&L, the December Order only requires that the Company file a copy of any new agreements or amendments at least ten days prior to the

¹ Commissioner Upendra J. Chivukula recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter.

² In re Jersey Central Power & Light Company to Sublease a Portion of Its Water Storage and Release Entitlements to Keystone Energy Service Company. BPU Docket No. EF921111065

effective date. Based on that understanding, JCP&L requested that the Board inform the Company as soon as reasonably possible after the ten day period that the Renewal Sublease has been accepted and authorized consistent with the December Order. Alternatively, if the Board is unable to confirm acceptance and authorization of the Renewal Sublease or issue an Order approving the Renewal Sublease prior to July 31, 2015, JCP&L requested that the Board authorize extension of the Original Sublease on a month-to-month basis pending Board approval of the Renewal Sublease.

DISCUSSION AND FINDINGS

Having reviewed the letter filing and supporting exhibits including the proposed Renewal Sublease, the Board **HEREBY FINDS** that as the Renewal Sublease contains revisions to the Original Sublease, additional time is required for Board review. Therefore, the Board **HEREBY AUTHORIZES** the extension of the Original Sublease on a month-to-month basis pending completion of the Board's review of the Renewal Sublease.

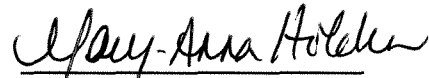
The effective date of this Order is August 29, 2015.


DATED: 8/19/15


BOARD OF PUBLIC UTILITIES
BY:


RICHARD S. MROZ
PRESIDENT

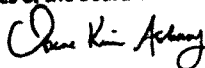

JOSEPH L. FIORDALISO
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MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER

ATTEST: 
IRENE KIM ASBURY
SECRETARY

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



In the Matter of Merrill Creek Reservoir Project – JCP&L Sublease of a Portion of its Water
Storage and Release Entitlements to Granite Water Supply Company –
BPU Docket EM15070855

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