



Agenda Date: 4/21/17
Agenda Item: 8A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

DIVISION OF ENERGY AND
OFFICE OF CLEAN ENERGY

IN THE MATTER OF THE PETITION OF PIVOTAL)
UTILITY HOLDINGS, INC. D/B/A ELIZABETHTOWN)
GAS FOR AUTHORITY TO EXTEND THE TERM OF)
ENERGY EFFICIENCY PROGRAMS WITH)
CERTAIN MODIFICATIONS AND APPROVAL OF)
ASSOCIATED COST RECOVERY MECHANISM)
ORDER ADOPTING)
STIPULATION)
DOCKET NOS. GR16070618)
AND GO15050504)

Parties of Record:

Stefanie A. Brand Esq., Director, New Jersey Division of Rate Counsel
Kenneth T. Maloney, Esq., Cullen and Dykman LLP
Deborah M. Franco Esq., Cullen and Dykman LLP
Mary Patricia Keefe, Esq., on behalf of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas

BY THE BOARD:

By this Decision and Order, the New Jersey Board of Public Utilities ("Board") considers a stipulation of settlement ("Stipulation") executed by Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas ("ETG" or the "Company"), the New Jersey Division of Rate Counsel ("Rate Counsel") and Board Staff ("Staff") (collectively, "Parties"), which resolves the above-captioned matter.

BACKGROUND AND PROCEDURAL HISTORY

On January 13, 2008, the Global Warming Response Act L. 2007, c. 340 ("Act") was signed into law based on the New Jersey Legislature's findings that energy efficiency and conservation measures must be essential elements of the State's energy future, and that greater reliance on energy efficiency and conservation will provide significant benefits to the citizens of New Jersey. The Legislature also found that public utility involvement and competition in the conservation and energy efficiency industries are essential to maximize efficiencies. N.J.S.A. 26:2C-45.

Pursuant to Section 13 of the Act, codified as N.J.S.A. 48:3-98.1(a)(1), an electric or gas public utility may, among other things, provide and invest in energy efficiency and conservation programs in its service territory on a regulated basis. Such investment in energy efficiency and conservation programs may be eligible for rate treatment approved by the Board, including a return on equity, or other incentives or rate mechanisms that decouple utility revenue from sales of electricity and gas. N.J.S.A. 48:3-98.1(b). Ratemaking treatment may include placing appropriate technology and program cost investments in the utility's rate base, or recovering the utility's technology and program costs through another ratemaking methodology approved by the Board. An electric or gas public utility seeking cost recovery for any energy efficiency and conservation programs pursuant to N.J.S.A. 48:3-98.1 must file a petition with the Board.

By Order¹ dated August 3, 2009 in Docket Nos. EO09010056 and GO09010060 the Board approved a stipulation authorizing ETG to administer six energy efficiency programs (collectively, "EE Program") for a 17-month period ending on December 31, 2010. The total EE Program expenditures, including operating and maintenance ("O&M") expenses were estimated to be \$14,673,100. The August 2009 Order also authorized ETG to recover costs associated with its EE Programs through a rider ("EEP Rider") in ETG's tariff.

By Order² dated January 19, 2011 in Docket Nos. GO10070446 and GO10100735, the Board approved a stipulation authorizing ETG to extend its EE Program for a one-year period ending on December 31, 2011. By Order dated November 30, 2011 in Docket No. GO11070399, the Board authorized ETG to continue the Company's EE Programs through April 29, 2012.³

By Order dated April 11, 2012 in Docket No. GO11070399, the Board authorized ETG to continue three sub-programs of its EE Program:

1. Residential Expanded Gas Heating Ventilation and Air Conditioning ("HVAC") and Gas Hot Water Heater Incentive Program
2. Small Commercial Customer Energy Efficiency Program
3. Large Commercial Customer Energy Efficiency Program

¹ In re the Matter of Energy Efficiency Programs and Associated Cost Recovery Mechanisms AND In re the Petition of Pivotal Holdings, Inc. d/b/a Elizabethtown Gas Company for Approval of Energy Efficiency Programs and a Regional Greenhouse Gas Initiative Cost Recovery Rider, BPU Docket Nos. EO09010056 and GO09010060, Order dated August 3, 2009. ("August 2009 Order")

² In re the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas to Revise its Regional Greenhouse Gas Initiative Rider Rate AND In re the Matter of the Petition of Pivotal Utility Holdings Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs with Certain Modifications and Approval of Associated Cost Recovery Mechanism and Deferral Accounting Treatment, BPU Docket Nos. GO10070446 and GO10100735, Order dated January 19, 2011.

³ In re the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs with Certain Modifications and Approval of Associated Cost Recovery, BPU Docket No. GO11070399, Order dated November 30, 2011.

The Company's current programs were authorized by Order dated August 21, 2013.⁴ The Board authorized ETG to extend the term of the following EE Programs for a period of two years through September 1, 2015:

1. Residential Expanded HVAC and Gas Hot Water Heater Incentive Program
2. Commercial Customer Energy Efficiency Program
3. Customer Education and Outreach/Dashboard Program

By Order dated December 16, 2015,⁵ in Docket Nos. GO150150504 and GO12100946, the Board approved a stipulation authorizing ETG to extend the programs through December 31, 2016.⁶

July 1, 2016 Petition

On July 1, 2016, the Company filed the instant petition, which was assigned Docket No. GO16070618 to extend the term of the energy-efficiency program made available to ETG customers pursuant to N.J.S.A. 48:3-98.1 for a four year period effective January 1, 2017. The programs ETG sought to offer during this period included:

1. Residential Gas HVAC and Gas Hot Water Heater Incentive Program;
2. Residential Home Energy Assessment Program;
3. Residential Home Energy Report (OPower) Program;
4. Residential Home Weatherization for Income Qualified Customers Program
5. Residential Financing Program;
6. Commercial Financing Program; and
7. Commercial Steam Trap Survey and Repair Program

These proposed programs were intended to replace the individual programs that comprise ETG's currently effective EE Programs as authorized in the December 2015 Order.

By Order dated July 29, 2016 ("July 29 Order"), the Board designated Commissioner Dianne Solomon as the presiding officer who is authorized to rule on all motions and modify schedules.

⁴ In re the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs with Certain Modifications and Approval of Associated Cost Recovery Mechanism, BPU Docket No. GO12100946, Order dated August 21, 2013.

⁵ In re the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs with Certain Modifications and Approval of Associated Cost Recovery Mechanism and In re the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas for Authority to Extend the Term of Energy Efficiency Programs with Certain Modifications and Approval of Associated Cost Recovery Mechanism, BPU Docket Nos. GO12100946 and GO15050504, Order dated December 16, 2015. ("December 2015 Order")

⁶ The December 2015 Order authorized ETG to continue the following programs: 1) Residential Expanded HVAC and Gas Hot Water Heater Incentive Program; 2) Commercial Customer Energy Efficiency Program; and 3) Dashboard Program.

By Order dated August 17, 2016, Commissioner Solomon issued a Pre-Hearing Order that approved a procedural schedule applicable to this proceeding. On September 15, 2016, Public Service Electric and Gas Company ("PSE&G") moved to participate in this proceeding, which by letter dated September 16, 2016, ETG indicated it did not oppose.

Discovery was conducted in this proceeding and public hearings were held on October 17, 2016 in Flemington, New Jersey and October 19, 2016 in Union, New Jersey. No members of the public attended.

On October 14, 2016, a stipulation to extend the 180-day period was filed and subsequently withdrawn by letter dated November 29, 2016 to enable the Parties to establish a new procedural schedule. A new 180-day stipulation was filed with the Board on November 29, 2016 and approved by the Board by Order dated December 12, 2016. ("December 2016 Order") The December 2016 Order also established a procedural schedule applicable to this case and extended the current EE Programs through July 2017 and granted PSE&G's motion to participate. At the request of the parties, Commissioner Solomon subsequently suspended the procedural schedule.

STIPULATION

The Parties have engaged in settlement discussions and executed a Stipulation on March 30, 2017, which is the subject of this Order. The Parties agree and stipulate as follows:

B. Extension of EE Programs. ETG is authorized to offer the individual EE Programs described in Appendix A of the Stipulation through December 31, 2018 ("Extension Period") at a total budget of approximately \$3.8 million as set forth in Appendix B of the Stipulation, based on an effective date of May 1, 2017. Appendix A of the Stipulation includes the following programs (collectively, "2017 EE Program"):

- (i) Residential Gas HVAC and Gas Hot Water Heater Incentive Program;
- (ii) Residential Home Energy Assessment Program;
- (iii) Residential Home Energy Report (Opower) Program;
- (iv) Residential Home Weatherization for Income Qualified Customers Program; and
- (v) Commercial Steam Trap Survey and Repair Program.

Actual therm savings for projects participating in the Steam Trap Program will be determined and verified as part of the program evaluation to be submitted in the Company's 2018 EEP true-up filing. At a minimum, the evaluation will include therms saved annually and over the lifetime of each measure(s) installed at each participating customer's facility.

C. Cost Recovery Mechanism. The Company will continue to recover EE Program costs through its existing EEP Rider rate. The revenue requirement recovered through the EEP Rider rate will be calculated to include a return on program investments and a return of the Company's investments through amortization of the program costs, as well as associated carrying costs. The revenue requirement recovered through the EEP Rider rate for the programs and budget agreed to in this Stipulation will be calculated to include the following components:

- Return on the unamortized portion of the EE Program investments utilizing the after tax weighted average cost of capital (“WACC”) of 5.68% established in the Company’s most recent base rate case, inclusive of a 9.75% return on equity, grossed up for a revenue expansion factor of 1.71565 which reflects an uncollectible ratio of 1.459%. The unamortized portion of the EE Program investments are net of accumulated amortization and accumulated deferred income taxes associated with the EE Program investments. The Opower Program will be considered a capitalizable EE program expenditure upon which Elizabethtown will be able to earn a return at the WACC of 5.68%, inclusive of a 9.75% return on equity. The capitalization of the Opower Program and application of the WACC to Opower expenditures during the extension term does not provide precedential support for applying this treatment in future proceedings, nor does it affect the rights of any Party to take any position it deems appropriate in connection with this issue in future proceedings;
- The Company shall update the WACC applied to EE Program unamortized investments in future reconciliation proceedings to reflect any Board-approved WACC used to set rates in a subsequent Company base rate case. The Stipulation does not affect the rights of any Party to take any position it deems appropriate in connection with this issue in a future base rate case, reconciliation proceeding or otherwise. However, the Parties have agreed that any change in the WACC authorized by the Board in a subsequent base rate case and applied to EE Program unamortized investments in future reconciliation proceedings will be reflected in the subsequent monthly revenue requirement calculations. The Parties have further agreed that any change in the revenue requirement resulting from the change in the WACC will not be included in the monthly interest calculation for over- and under- recoveries until the date of the filed annual true up in which the WACC change is proposed and approved by the Board;
- Amortization expense calculated using a four-year amortization period;
- Prudent and reasonable O&M expenses, including customer education and outreach costs, and internal labor costs; the labor allocation will not include incentive compensation costs; and
- Carrying costs on over- and under-recovery balances calculated in the manner set forth below.

A sample calculation of the EEP Rider rate as well as projected rates inclusive of the Extension Period costs are set forth in Appendix C of the Stipulation that will be included in the Company’s Annual Filings as discussed below.

- D. Carrying Costs.** In calculating the monthly interest on net over-recoveries and under-recoveries, the interest rate shall be based upon the Company’s interest rate obtained on its commercial paper and/or bank credit lines. If both commercial paper and bank credit lines have been utilized, the weighted average of both sources of capital shall be used. The Company shall accrue simple interest with an annual roll-in at the end of each 12-month period. The interest rate shall not exceed the Company’s WACC as

defined above. Interest shall be calculated based on the net-of-tax average monthly balance. The true-up calculation for over-recoveries and under-recoveries will be included in the Company's Annual Filing as defined below.

- E. Rate Design.** Rate recovery through the EEP Rider rate will be effectuated through the assessment of a non-bypassable volumetric surcharge on all customer service classes, except customers exempt from such charges by law, or specifically and expressly exempted from such charges under special contracts previously filed with and approved by the Board. Any new or existing large volume customer who participates in any EE Program will be subject to the EEP Rider rate.
- F. Annual Filing.** As is currently the case, the Company will file an annual petition ("Annual Filing") to adjust its EEP Rider rate on an annual basis, with copies provided to Board Staff and Rate Counsel with a proposed implementation of the revised EEP Rider rate in October of each year. Each Annual Filing will contain a reconciliation of the projected EEP Rider rate costs and recoveries and actual revenue requirements. Actual costs incurred through June 2017 and projected through June 2018 will be reflected in the Company's 2017 annual EEP Rider rate reconciliation filing. Commencing with its next annual filing, Elizabethtown will provide separate information for each approved program and extension.
- G. Rate Impact.** There is no impact to the annual bill of a typical residential heating customer using 1,000 therms as a result of the Stipulation.
- H. Procedural Requirements.** Unless otherwise ordered by the Board, any future petition for an extension in the duration of and/or a budget increase for the EE Programs must be filed as a new petition in accordance with the provisions of the Board's RGGI Order dated May 12, 2008 (BPU Docket. No. EO08030164), including, but not limited to, conducting a 30-day pre-filing meeting and the submittal of all Minimum Filing Requirements, no later than 180 days prior to the expiration date of the Extension Period. The Company's filing shall include cost-benefit analyses ("CBA") of each proposed measure, and of the program as a whole, applying the following five cost-benefit tests: the Participant Cost Test ("PCT"), the Program Administrator Cost ("PAC") Test, the Ratepayer Impact Measure ("RIM") Test, the Total Resource Cost ("TRC") Test, and the Societal Cost Test ("SCT"), as defined in the most current version of the California Standard Practice Manual. Furthermore, in any future petition to extend ETG's EE Programs or for approval of new programs, ETG will use its best efforts to endeavor to be consistent with New Jersey's Clean Energy Program's ("NJCEP's") future Strategic Plan pending issuance by the Board.
- I. Reporting.** The Company will provide monthly reports ("Monthly Activity Reports") to Board Staff and Rate Counsel on EE Program activity and estimated impacts for each calendar month from the Board's approval of the program through December 2018, or such date as the Board approves for the end of the program. The Company will submit detailed data regarding the EE programs and expenses within thirty (30) days of the end of the calendar month covered by the report or consistent with the timing set by Board Staff. The Company will report, on a Quarterly basis: (i) the number of full-time equivalents that the Company hires to perform work associated with EE programs; (ii) the number of full-time equivalents that entities under contract with the Company hire to perform work with the EE programs; (iii) the number of EE program participants; and (iv) EE program expenditures and commitments.

- J. Opower Reporting.** Specific to the Opower program, the Company will report on a quarterly basis: (i) projected and actual participation rates; (ii) nature of behavioral changes; (iii) baseline and actual energy savings; and (iv) all other metrics collected from the control group. The Company will provide a description of all metrics proposed to be collected from the control group to BPU staff for approval at least 30 days prior to the launch of the pilot program.
- K. Coordination.** The Company agrees to work collaboratively with the Parties and meet on a regular basis over the next 16 months, but no less than quarterly, to discuss future EE program design, measurement and verification, and data acquisition. The following issues to be addressed in this collaborative process include, but are not limited to, the following: i) Standardization of program elements among utilities offering similar programs, including a goal for percentage of projects to be completed in distressed communities; ii) Standardization of evaluation processes and schedules; iii) Standardization of data collection and reporting requirements; iv) Development of energy savings targets; v) Development of standardized inputs and methodologies for cost-benefit analyses ("CBAs") including a standardized method for determination of avoided electric capacity costs and avoided electric and gas distribution costs; vi) Assuring that utility programs provide incremental benefits that exceed their incremental costs; vii) Consideration of the revenue and cost impacts resulting from providing incentives to customers converting to natural gas from other fuels; and viii) Focusing utility programs on markets that are not adequately served by NJCEP programs.
- L. Evaluation.** The Parties agree that the Company will commence an independent evaluation of the EE programs to be completed no later than March 1, 2018, which will include, but is not limited to, analyses of the following issues:
- a) What is the incremental benefit of the EE Program incentives, over and above the NJCEP-provided incentives?
 - b) What modifications to the budgets, marketing approaches, and/or target participation rates would enhance the effectiveness and cost-effectiveness of the programs?
 - c) Are programs effective at encouraging customers into whole-house or whole-facility programs? Are there ways the realization rate for this transition could be improved?
 - d) What insight can be gained into the true magnitudes of the free-ridership and spillover effects?

As part of the pending NJCEP Strategic Plan and NJCEP's ongoing evaluation of its clean energy programs, the Parties acknowledge that modifications may be made to NJCEP programs and policy directions. The Company agrees to review the approved programs in cooperation with Board Staff and Rate Counsel to ensure alignment with NJCEP programs and administration and, if necessary, may propose revisions to the EE programs to align with the NJCEP programs. To propose a modification, the Company shall file with the Board, with a copy to Board Staff and Rate Counsel, a

description of its proposed modifications, including the rationale for its proposed modifications, within sixty (60) days of the BPU Order approving the modifications to the NJCEP program, or a date as determined by the BPU unless a longer transition time is necessary to perform the required implementation activities by the Company or if it may better align with NJCEP implementation dates as determined by the BPU. If a longer transition time is needed, the Company will notify Board Staff and Rate Counsel and explain the reasoning and need for the longer timeframe. The Company may implement the proposed modifications if no objections are received from Board Staff or Rate Counsel within sixty (60) days. All modifications must remain within the previously Board-approved budget or EE Program costs.

- M. Transfer of Funds.** Based on market response, spending on the aggregate EE programs or any of the individual programs may be accelerated and completed sooner than the proposed period. To provide flexibility to changing market conditions and customer demand, the Parties agree that the Company may transfer EE program funds between its sub-program components to maximize energy savings subject to certain conditions. The Company shall file with the Board, with a copy to Board Staff and Rate Counsel, a description of its proposed transfer of funds, including the rationale for such transfer. The Company may implement the proposed transfer if no objections are received from Board Staff or Rate Counsel within thirty (30) days.

DISCUSSION AND FINDING

Although much has changed since the Board initially approved ETG's EE Program on August 3, 2009, the Board remains committed to the principles stated in that Order. Energy efficiency investments, if properly implemented, serve to help the State meet its environmental needs, serve the need to provide jobs in the short term, and can enhance the State's competitiveness, business climate, and economic prospects in the long term. As indicated by the public response to the Company's current program, ETG has been able to build on its relationships with customers to help those customers improve the energy efficiency of existing residential and commercial buildings, and by proposing the extension of the programs, shows that it is committed to continuing that effort.

While the Board remains committed to the principles stated in the August 3, 2009 Order, it is equally committed to achieving the State's goals in a cost effective and efficient manner. The Stipulation calls for the parties to work collaboratively on a regular basis over the next sixteen months to discuss program design, measurement and verification, so that a thorough and meaningful assessment results, providing guidance on how the EE Programs can improve, ensure cost effectiveness and incremental benefits that exceed its incremental costs while aligning ETG's 2017 EE Program with the State's energy policy goals and developing a better understanding of how the ETG 2017 EE Program shall operate in tandem with the NJCEP. To assist in this collaborative effort among the Parties, the Stipulation also calls for an independent evaluation of the ETG 2017 EE Program.

The Board **FINDS** that ETG's 2017 EE Program has assisted in achieving the State's energy efficiency goals. With the independent evaluation and the collaborative review process to assess the EE Programs required by the Stipulation, the Board is **SATISFIED** that this review process will lead to improvements in both the ETG EE Programs and in the State's overall energy efficiency programs to the benefit of the State as whole, participants in energy efficiency programs and utility ratepayers.

The Board has carefully reviewed the record in this matter, including the petition and the Stipulation. The Board **HEREBY FINDS** that the Stipulation represents a fair and reasonable resolution of the issues and is in public interest. The Board **FURTHER FINDS** that: (1) the Parties have voluntarily agreed to the Stipulation; and (2) the Stipulation fully disposes of all issues in controversy and is consistent with the law. Therefore, the Board **HEREBY ADOPTS** the attached Stipulation as its own, incorporating by reference its terms and conditions as if fully set forth herein. The Board **HEREBY DIRECTS** the Parties to comply with the terms and conditions incorporated within the Stipulation.

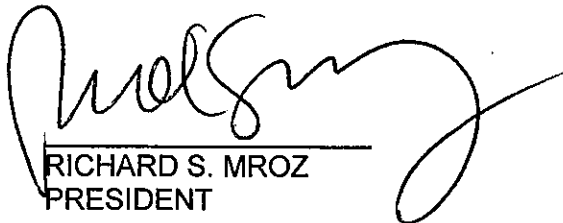
The Board **HEREBY RATIFIES** the decisions made by Commissioner Solomon during the pendency of this proceeding for the reasons stated in her decisions and Orders.

The Company's rates and costs, including EE Program costs, remain subject to audit. This Decision and Order shall not preclude nor prohibit the Board from taking any actions determined to be appropriate as a result of such audit.

This Order shall be effective on May 1, 2017.

DATED: 4/21/17

BOARD OF PUBLIC UTILITIES
BY:



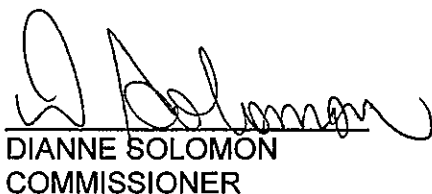
RICHARD S. MROZ
PRESIDENT



JOSEPH L. FIORDALISO
COMMISSIONER



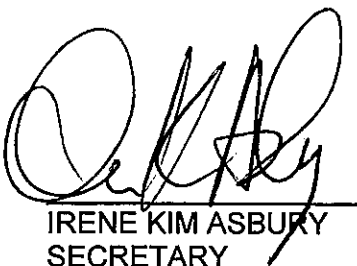
MARY-ANNA HOLDEN
COMMISSIONER



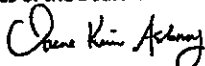
DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
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



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ELIZABETHTOWN GAS FOR AUTHORITY TO EXTEND THE TERM OF ENERGY
EFFICIENCY PROGRAMS WITH CERTAIN MODIFICATIONS AND APPROVAL OF
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AND

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BPU Docket No. GO15050504

SERVICE LIST

Erica McGill
Regulatory Counsel
AGL Resources Inc.
Ten Peachtree Place
Atlanta, GA 30309
emcgill@aglresources.com

Susan Buck
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
sbuck@aglresources.com

Dan Nikolich
AGL Resources
Ten Peachtree Place
Atlanta, GA 30309
dnikolic@aglresources.com

Kenneth T. Maloney, Esq.
Cullen and Dykman
1101 14th Street NW
Suite 550
Washington, DC 20005
kmaloney@cullenanddykman.com

Archie Hickerson
Southern Company Gas
520 Green Lane
Union, NJ 07083
ahickers@aglresources.com

Irene Kim Asbury, Esq.
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Irene.Asbury@bpu.nj.gov

Marisa Slaten, Director
Office of Clean Energy
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Marisa.Slaten@bpu.nj.gov

Thomas Walker, Director
Division of Energy
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Thomas.walker@bpu.nj.gov

Stacy Peterson, Deputy Director
Division of Energy
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Stacy.Peterson@bpu.nj.gov

Thomas Kaufmann
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
Tom.Kaufmann@aglresources.com

Deborah Franco, Esq.
Cullen and Dykman
Garden City Center
100 Quentin Roosevelt Blvd.
Garden City, NY 11530
dfranco@cullenanddykman.com

Mary Patricia Keefe, Esq.
Pivotal Holdings d/b/a Elizabethtown Gas
520 Green Lane
Union, New Jersey 07083
pkeefe@aglresources.com

Kevin Kirby
AGL Resources
1844 Ferry Road
Naperville, IL 60563
kkirby@aglresources.com

Patricia A. Krogman, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Patricia.Krogman@dol.lps.state.nj.us

Susan Potanovich
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
spotanov@aglresources.com

Jim Herndon
Nexant, Inc.
1255 Crescent Green, Suite 460
Cary, NC 27518
jherndon@nexant.com

Brian MacLean
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
bmaclean@aglresources.com

Mahogany A. Hall
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Mahogany.Hall@bpu.nj.gov

Sherri Jones
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Sherri.Jones@bpu.nj.gov

Michael Winka
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Michael.Winka@bpu.nj.gov

Bart Kilar
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Bart.Kilar@bpu.nj.gov

Andrea Reid
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Andrea.Reid@bpu.nj.gov

Rachel Boylan, Esq.
Counsel's Office
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350
Rachel.Boylan@bpu.nj.gov

Caroline Vachier, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Caroline.Vachier@dol.lps.state.nj.us

Stefanie A. Brand, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
sbrand@rpa.state.nj.us

Brian Lipman, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
blipman@rpa.state.nj.us

Maura Caroselli
State of New Jersey
Division of Rate Counsel
140 East Front Street, 4th Fl.
Post Office Box 003
Trenton, NJ 08625-003
mcaroselli@rpa.state.nj.us

Felicia Thomas-Friel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
fthomas@rpa.state.nj.us

Kurt Lewandowski, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
klewando@rpa.state.nj.us

Sarah Steindel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
Post Office Box 003
Trenton, NJ 08625-003
ssteindel@rpa.state.nj.us

Alex Moreau, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Alex.Moreau@dol.lps.state.nj.us

Geoffrey Gersten, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Geoffrey.gersten@lps.state.nj.us

Renee Greenberg, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029
Renee.Greenberg@dol.lps.state.nj.us

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

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In the Matter of the Petition of Pivotal : **BPU Docket No. GR16070618**
Utility Holdings, Inc. d/b/a Elizabethtown :
Gas for Authority to Extend the Term of :
Energy Efficiency Programs with Certain :
Modifications and Approval of Associated :
Cost Recovery Mechanism :
:
In the Matter of the Petition of Pivotal : **BPU Docket No. GO15050504**
Utility Holdings, Inc. d/b/a Elizabethtown :
Gas for Authority to Extend the Term of : **STIPULATION**
Energy Efficiency Programs with Certain :
Modifications and Approval of Associated :
Cost Recovery Mechanism :
:
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APPEARANCES:

Kenneth T. Maloney and Deborah M. Franco (Cullen and Dykman LLP), Attorneys for the Petitioner, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas
Mary Patricia Keefe, Vice President for Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas

Felicia Thomas-Friel, Esq., Managing Attorney – Gas, Division of Rate Counsel,
Maura Caroselli, Esq., Kurt S. Lewandowski, Esq., and Sarah H. Steindel, Esq., Assistant Deputy Rate Counsels, Division of Rate Counsel (Stefanie A. Brand, Director, Division of Rate Counsel)

Alex Moreau, Patricia A. Krogman, and Renee Greenberg, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (Christopher S. Porrino, Attorney General of New Jersey)

TO THE NEW JERSEY BOARD OF PUBLIC UTILITIES:

1. Pursuant to the New Jersey Regional Greenhouse Gas Initiative (“RGGI”) legislation, an electric or natural gas utility can offer and invest in regulated energy efficiency and conservation programs within its service territory. *N.J.S.A.* 48:3-98.1. Furthermore, utilities are authorized to seek approval from the New Jersey Board of Public Utilities (“Board” or “BPU”) for recovery of costs related to such programs. *Id.*

2. On July 1, 2016, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas (“Elizabethtown” or “Company”) filed a petition (“Petition” or “July 1 Petition”) in BPU Docket No. GO16070618 to extend the term of the energy-efficiency program (“EE Program”) made available to Elizabethtown’s customers pursuant to *N.J.S.A.* 48:3-98.1 for a four-year period effective January 1, 2017. The programs Elizabethtown sought to offer during this period included:

- (i) Residential Gas Heating Ventilation and Air Conditioning (“HVAC”) and Gas Hot Water Heater Incentive Program;
- (ii) Residential Home Energy Assessment Program;
- (iii) Residential Home Energy Report (Opower) Program;
- (iv) Residential Home Weatherization for Income Qualified Customers Program;
- (v) Residential Financing Program;
- (vi) Commercial Financing Program; and
- (vii) Commercial Steam Trap Survey and Repair Program.

These proposed programs were intended to replace the individual programs that comprise Elizabethtown’s existing EE Program, described more fully below, which were first authorized by an August 3, 2009 Board Order (“August 3 Order”) in Docket Nos. EO09010056, and GO09010060 *et al.*, which approved a Stipulation of Settlement (“Stipulation”) among Elizabethtown, Board Staff and the Division of Rate Counsel (“Rate Counsel”). In that Stipulation, the parties agreed to the implementation of the EE Program and the establishment of a surcharge to enable the Company to recover the costs associated with its EE Program. The Board subsequently authorized a number of extensions of Elizabethtown’s EE Program in BPU Docket Nos. GO11070399,

GO12100946 and GO15050504. The currently effective EE Program, which was authorized in GO15050504 by BPU Order dated December 16, 2015 (“December 16 Order”), was to be effective through December 31, 2016. The individual programs, which comprise Elizabethtown’s existing EE Program as approved by the December 16 Order, include the Residential Gas Heating Ventilation and Air Conditioning and Gas Hot Water Heater Incentive Program, Commercial Customer Energy Efficiency Program and Customer Education and Outreach Program. Recovery of the costs necessary to deliver these programs, including grants, incentives, incremental O&M expenses and carrying costs, is provided through Rider G to the Company’s Tariff (“EE Program Rate”).

3. By Order dated July 29, 2016 (“July 29 Order”), the Board designated Commissioner Dianne Solomon as the presiding officer who is authorized to rule on all motions and modify schedules. The July 29 Order further authorized Commissioner Solomon to render a decision on a stipulation to extend the 180-day review period applicable to these proceedings to the extent the stipulation is signed by all parties and it is limited to a single extension of the 180-day review period, with any further extension to be directed by the Board. The parties to this proceeding are the Company, Board Staff and Rate Counsel (collectively, “Parties”). By Order dated August 17, 2016 (“August 17 Order”), Commissioner Solomon approved a procedural schedule applicable to this proceeding which the Parties requested be held in abeyance to allow the development of a new schedule as reflected in this Stipulation. On September 15, 2016, Public Service Electric and Gas Company moved to participate in this proceeding, which by letter dated September 16, 2016, Elizabethtown indicated it did not oppose. On October 14, 2016, a Stipulation to extend the 180-day period was filed and subsequently withdrawn by letter

dated November 29, 2016 to enable the Parties to establish a new procedural schedule. A new 180-day Stipulation was filed with the Board on November 29, 2016 and approved by the Board by Order (“December 2016 Order”) dated December 12, 2016. The December 2016 Order also established a procedural schedule applicable to this case and extended the current EE Programs through July 2017. By letter dated February 16, 2017 to Commissioner Solomon, the Parties sought a modification of the procedural schedule to provide an extension of the deadline for the filing of Rate Counsel and Intervenor testimony from February 17, 2017 to March 3, 2017. Discovery was conducted in this proceeding and public hearings were held on October 17, 2016 in Flemington, New Jersey and October 19, 2016 in Union, New Jersey. No members of the public attended.

4. In a letter to Commissioner Solomon dated March 2, 2017, the Company requested that the procedural schedule in this case be suspended, including the deadline of March 3, 2017 for the filing of Intervenor/Rate Counsel testimony. In a letter dated March 6, 2017, Commissioner Solomon granted the Company’s request to suspend the procedural schedule.

5. The Parties have engaged in settlement discussions and as a result of these efforts have reached this Stipulation.

STIPULATION

Based upon and subject to the terms and conditions set forth herein, the Stipulating Parties agree as follows:

A. **Effective Date.** A Board Order approving this Stipulation will become effective upon the service of said Board Order, or upon such date after the service thereof as the Board may specify, in accordance with N.J.S.A. 48:2-40.

B. **Extension of EE Programs.** Elizabethtown is authorized to offer the

individual EE Programs described in Appendix A through December 31, 2018 (“Extension Period”) at a total budget of approximately \$3.8 million as set forth in Appendix B, based on an effective date of May 1, 2017. Appendix A includes the following programs:

- (i) Residential Gas Heating Ventilation and Air Conditioning (“HVAC”) and Gas Hot Water Heater Incentive Program;
- (ii) Residential Home Energy Assessment Program;
- (iii) Residential Home Energy Report (Opower) Program;
- (iv) Residential Home Weatherization for Income Qualified Customers Program; and
- (v) Commercial Steam Trap Survey and Repair Program.

Actual therm savings for projects participating in the Steam Trap Program will be determined and verified as part of the program evaluation to be submitted in the Company's 2018 EEP true-up filing. At a minimum, the evaluation will include therms saved annually and over the lifetime of each measure (s) installed at each participating customer's facility.

C. Cost Recovery Mechanism. The Company will continue to recover EE Program costs through its existing EEP Rider rate. The revenue requirement recovered through the EEP Rider rate will be calculated to include a return on program investments and a return of the Company's investments through amortization of the program costs, as well as associated carrying costs. The revenue requirement recovered through the EEP Rider rate for the programs and budget agreed to in this Stipulation will be calculated to include the following components:

- Return on the unamortized portion of the EE Program investments utilizing

the after tax weighted average cost of capital (“WACC”) of 5.68% established in the Company’s most recent base rate case, inclusive of a 9.75% return on equity, grossed up for a revenue expansion factor of 1.71565 which reflects an uncollectible ratio of 1.459%. The unamortized portion of the EE Program investments are net of accumulated amortization and accumulated deferred income taxes associated with the EE Program investments. The Opower Program will be considered a capitalizable EE program expenditure upon which Elizabethtown will be able to earn a return at the WACC of 5.68%, inclusive of a 9.75% return on equity. The capitalization of the Opower Program and application of the WACC to Opower expenditures during the extension term does not provide precedential support for applying this treatment in future proceedings, nor does it affect the rights of any Party to take any position it deems appropriate in connection with this issue in future proceedings;

- The Company shall update the WACC applied to EE Program unamortized investments in future reconciliation proceedings to reflect any Board-approved WACC used to set rates in a subsequent Company base rate case.
- This Stipulation does not affect the rights of any Party to take any position it deems appropriate in connection with this issue in a future base rate case, reconciliation proceeding or otherwise. However, the Parties have agreed that any change in the WACC authorized by the Board in a subsequent base rate case and applied to EE Program unamortized investments in future reconciliation proceedings will be reflected in the subsequent monthly revenue requirement calculations. The Parties have further agreed that any

change in the revenue requirement resulting from the change in the WACC will not be included in the monthly interest calculation for over- and under-recoveries until the date of the filed annual true up in which the WACC change is proposed and approved by the Board;

- Amortization expense calculated using a four-year amortization period;
- Prudent and reasonable O&M expenses, including customer education and outreach costs, and internal labor costs; the labor allocation will not include incentive compensation costs; and
- Carrying costs on over- and under-recovery balances calculated in the manner set forth below.

A sample calculation of the EEP Rider rate as well as projected rates inclusive of the Extension Period costs are set forth in Appendix C that will be included in the Company's Annual Filings as discussed below.

D. Carrying Costs. In calculating the monthly interest on net over-recoveries and under-recoveries, the interest rate shall be based upon the Company's interest rate obtained on its commercial paper and/or bank credit lines. If both commercial paper and bank credit lines have been utilized, the weighted average of both sources of capital shall be used. The Company shall accrue simple interest with an annual roll-in at the end of each 12-month period. The interest rate shall not exceed the Company's WACC as defined above. Interest shall be calculated based on the net-of-tax average monthly balance. The true-up calculation for over-recoveries and under-recoveries will be included in the Company's Annual Filing as defined below.

E. Rate Design. Rate recovery through the EEP Rider rate will be effectuated through the assessment of a non-bypassable volumetric surcharge on all

customer service classes, except customers exempt from such charges by law, or specifically and expressly exempted from such charges under special contracts previously filed with and approved by the Board. Any new or existing large volume customer who participates in any EE Program will be subject to the EEP Rider rate.

F. **Annual Filing.** As is currently the case, the Company will file an annual petition (“Annual Filing”) to adjust its EEP Rider rate on an annual basis, with copies provided to Board Staff and Rate Counsel with a proposed implementation of the revised EEP Rider rate in October of each year. Each Annual Filing will contain a reconciliation of the projected EEP Rider rate costs and recoveries and actual revenue requirements. Actual costs incurred through June 2017 and projected through June 2018 will be reflected in the Company’s 2017 annual EEP Rider rate reconciliation filing. Commencing with its next annual filing, Elizabethtown will provide separate information for each approved program and extension.

G. **Rate Impact.** There is no impact to the annual bill of a typical residential heating customer using 1,000 therms as a result of this Stipulation.

H. **Procedural Requirements.** Unless otherwise ordered by the Board, any future petition for an extension in the duration of and/or a budget increase for the EE Programs must be filed as a new petition in accordance with the provisions of the Board’s RGGI Order dated May 12, 2008 (BPU Docket. No. EO08030164), including, but not limited to, conducting a 30-day pre-filing meeting and the submittal of all Minimum Filing Requirements, no later than 180 days prior to the expiration date of the Extension Period. The Company’s filing shall include cost-benefit analyses (“CBA”) of each proposed measure, and of the program as a whole, applying the following five cost-benefit tests: the Participant Cost Test (“PCT”), the Program Administrator Cost (“PAC”)

Test, the Ratepayer Impact Measure (“RIM”) Test, the Total Resource Cost (“TRC”) Test, and the Societal Cost Test (“SCT”), as defined in the most current version of the California Standard Practice Manual. Furthermore, in any future petition to extend Elizabethtown’s EE Programs or for approval of new programs, Elizabethtown will use its best efforts to endeavor to be consistent with New Jersey’s Clean Energy Program’s future Strategic Plan pending issuance by the Board.

I. **Reporting.** The Company will provide monthly reports ("Monthly Activity Reports") to Board Staff and Rate Counsel on EE Program activity and estimated impacts for each calendar month from the Board's approval of the program through December 2018, or such date as the Board approves for the end of the program. The Company will submit detailed data regarding the EE programs and expenses within thirty (30) days of the end of the calendar month covered by the report or consistent with the timing set by Board Staff. The Company will report, on a Quarterly basis: (i) the number of full-time equivalents that the Company hires to perform work associated with EE programs; (ii) the number of full-time equivalents that entities under contract with the Company hire to perform work with the EE programs; (iii) the number of EE program participants; and (iv) EE program expenditures and commitments.

J. **Opower Reporting.** Specific to the Opower program, the Company will report on a quarterly basis: (i) projected and actual participation rates; (ii) nature of behavioral changes; (iii) baseline and actual energy savings; and (iv) all other metrics collected from the control group. The Company will provide a description of all metrics proposed to be collected from the control group to BPU staff for approval at least 30 days prior to the launch of the pilot program.

K. Coordination. The Company agrees to work collaboratively with the Parties and meet on a regular basis over the next 16 months, but no less than quarterly, to discuss future EE program design, measurement and verification, and data acquisition. The following issues to be addressed in this collaborative process include, but are not limited to, the following: i) Standardization of program elements among utilities offering similar programs, including a goal for percentage of projects to be completed in distressed communities; ii) Standardization of evaluation processes and schedules; iii) Standardization of data collection and reporting requirements; iv) Development of energy savings targets; v) Development of standardized inputs and methodologies for cost-benefit analyses ("CBAs") including a standardized method for determination of avoided electric capacity costs and avoided electric and gas distribution costs; vi) Assuring that utility programs provide incremental benefits that exceed their incremental costs; vii) Consideration of the revenue and cost impacts resulting from providing incentives to customers converting to natural gas from other fuels; and viii) Focusing utility programs on markets that are not adequately served by NJCEP programs.

L. Evaluation. The Parties agree that the Company will commence an independent evaluation of the EE programs to be completed no later than March 1, 2018, which will include, but is not limited to, analyses of the following issues:

- a) What is the incremental benefit of the EE Program incentives, over and above the NJCEP-provided incentives?
- b) What modifications to the budgets, marketing approaches, and/or target participation rates would enhance the effectiveness and cost-effectiveness of the programs?
- c) Are programs effective at encouraging customers into whole-house or whole-facility programs? Are there ways the realization rate for this transition could be improved?

- d) What insight can be gained into the true magnitudes of the free-ridership and spillover effects?

As part of the pending NJCEP Strategic Plan and NJCEP's ongoing evaluation of its clean energy programs, the Parties acknowledge that modifications may be made to NJCEP programs and policy directions. The Company agrees to review the approved programs in cooperation with Board Staff and Rate Counsel to ensure alignment with NJCEP programs and administration and, if necessary, may propose revisions to the EE programs to align with the NJCEP programs. To propose a modification, the Company shall file with the Board, with a copy to Board Staff and Rate Counsel, a description of its proposed modifications, including the rationale for its proposed modifications, within sixty (60) days of the BPU Order approving the modifications to the NJCEP program, or a date as determined by the BPU unless a longer transition time is necessary to perform the required implementation activities by the Company or if it may better align with NJCEP implementation dates as determined by the BPU. If a longer transition time is needed, the Company will notify Board Staff and Rate Counsel and explain the reasoning and need for the longer timeframe. The Company may implement the proposed modifications if no objections are received from Board Staff or Rate Counsel within sixty (60) days. All modifications must remain within the previously Board-approved budget or EE Program costs.

M. Transfer or Funds. Based on market response, spending on the aggregate EE programs or any of the individual programs may be accelerated and completed sooner than the proposed period. To provide flexibility to changing market conditions and customer demand, the Parties agree that the Company may transfer EE program funds between its sub-program components to maximize energy savings subject to certain

conditions. The Company shall file with the Board, with a copy to Board Staff and Rate Counsel, a description of its proposed transfer of funds, including the rationale for such transfer. The Company may implement the proposed transfer if no objections are received from Board Staff or Rate Counsel within thirty (30) days.

N. **Entirety Of Stipulation.** This Stipulation is intended to be accepted and approved in its entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, then any Party aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right to litigate all issues addressed herein to a conclusion. More particularly, in the event this Stipulation is not adopted in its entirety by the Board in its Order in this matter, then any Party hereto is free to pursue its then available legal remedies with respect to all issues addressed in this Stipulation, as though this Stipulation had not been signed.

O. **Binding Effect.** It is the intent of the Stipulating Parties that the provisions hereof be approved by the Board. The Stipulating Parties further agree that they consider this Stipulation to be binding on them for all purposes herein.

P. **General Reservation.** It is specifically understood and agreed that this Stipulation represents a negotiated agreement and, except as otherwise expressly provided for herein, is intended to be binding only in this proceeding and only as to the matters specifically addressed herein. Except as expressly provided herein, Elizabethtown, Board Staff, and Rate Counsel shall not be deemed to have approved, agreed to, or consented to any principle or methodology underlying or supposed to underlie any agreement provided herein, in total or by specific item, and is in no way binding upon them in any other proceeding, except to enforce the terms of this Stipulation.

WHEREFORE, the Stipulating Parties hereto do respectfully submit this Stipulation to the Board and request the Board to issue a Decision and Order approving this Stipulation in its entirety in accordance with the terms hereof.

PIVOTAL UTILITY HOLDINGS, INC.
D/B/A ELIZABETHTOWN GAS

STEFANIE A. BRAND,
DIRECTOR, DIVISION OF
RATE COUNSEL

By: Mary Patricia Keefe / KB
Mary Patricia Keefe, Esq.
Vice President, Regulatory
Affairs and Assistant Corporate
Secretary

By: [Signature]
Kurt S. Lewandowski, Esq.
Assistant Deputy Rate Counsel

Dated: 3/29/17

Dated: 3/30/17

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the New Jersey Board of Public Utilities

By: [Signature]
Alex Moreau
Deputy Attorney General

Dated: 3/30/17

Elizabethtown Gas Residential HVAC and Gas Hot Water Heater Incentive Program

Description Of Program

This program is designed to enhance the existing New Jersey Clean Energy Program ("NJCEP") gas HVAC and hot water heater incentive program by supplementing the incentives offered through NJCEP. The name of the NJCEP program being supplemented by this Elizabethtown Gas (ETG) Program is WARMADVANTAGE.

This program will be available to all residential customers as follows:

Customers will be informed via outreach opportunities of the energy efficiency offerings of both the NJCEP and ETG's energySMART Program.

If qualifying energy efficient units are installed, ETG will supplement the NJCEP incentive in an amount of \$250 for furnaces and \$300 for boilers.

ETG will supplement the NJCEP incentive in an amount up to \$200 for the installation of an energy efficient gas hot water heater, including power vented gas hot water heaters.

In no event will the combined NJCEP and ETG incentive exceed the total project cost.

The specific types of equipment that qualify for incentives under this program are as follows:

Gas Fired Boilers

Gas Boiler – Hydronic AFUE* 90% or greater

Gas Furnaces

Tier 1 – AFUE 95% or greater

Tier 2 - AFUE 97% or greater

Gas Water Heater

Energy Factor (EF) .82 or greater and ENERGY STAR

Thermal Efficiency (TE) 90% or greater with sealed combustion

Power Vented (EF) .67 or greater

*AFUE (Annual Fuel Utilization Efficiency)

Only those customers who are in good standing and subject to the EEP surcharge are eligible to participate in and receive the incentives associated with this program.

ETG will offer this program through December 31, 2018

The equipment standards reflected in this program description track the standards utilized by the NJCEP. To the extent these standards are modified by NJCEP during the term of the program, the ETG own equipment standard will reflect such modified standard.

Summary of Program Description As Set Forth Above:

		ETG Rebates	NJCEP Rebates	Total
HEATING	Furnace – Tier 1 AFUE* 95% or greater	\$250	\$250	\$500
	Furnace – Tier 2 AFUE 97% or greater	\$250	\$500	\$750
	Boiler – Hydronic* AFUE 90% or greater <i>Steam boilers do not qualify for rebate</i>	\$300	\$300	\$600
WATER HEATING	Gas On-Demand Water Heater EF* .82 or greater	\$200	\$300	\$500
	Gas Water Heater Thermal Efficiency (TE) 90% or greater with sealed combustion	\$200	\$300	\$500
	Gas Power-Vented Water Heater EF 0.67 or greater	\$100	\$300	\$400
COMBINATIONS	Furnace and Water Heater Combination (1) Qualifying Tier 1 gas furnace and a qualifying water heater above	\$450	\$700	\$1,150
	(2) Qualifying Tier 2 gas furnace and a qualifying water heater above	\$450	\$950	\$1,400
	Boiler and Water Heater Combination Qualifying boiler (above) and water heater (above): • Integrated water heating and boiler unit (Combi Boilers) • OR a qualifying water heater • OR an indirect water heater attached to a qualifying boiler	\$500	\$700	\$1,200

The NJCEP incentives may be subject to change. The change in an NJCEP incentive level will not impact the ETG incentive level, but may impact the total grant amount.

Participation in this program does not require an energy audit, however ETG will refer participants to the ETG Home Energy Assessment Program and the NJCEP Home Performance with Energy Star (“HPwES”) Program in order to promote a whole house solutions approach to energy efficiency.

Delivery Method

HVAC installation and/or quality control work will be performed by trained heating, home improvement and energy service providers, including contractors providing such services for the NJCEP.

Estimated 20-Month Program Participants (May 1, 2017 – December 31, 2018)

Total: 2,500

1,800 Participants (HVAC – Furnaces & Boilers); 100 Participants monthly
200 Participants (Hot Water Heaters); 10 Participants monthly

20-Month Budget Information (May 1, 2017 – December 31, 2018)

Total Rebates: \$662,414

Averages \$33,120 per month

Total Rebate Processing: \$23,320

Averages \$1,166 per month

Elizabethtown Gas Residential Home Energy Assessment Program

Description Of Program

Elizabethtown Gas' Home Energy Assessment Program is available to all residential customers and provides a 75-minute home energy assessment, free direct installs and educational information on additional energy-saving measures and activities. A customized report provides details on specific measures the homeowner can take to reduce their energy consumption.

The incentive for this program covers 100% of the assessment fee. Although not mandatory, customers who apply for a rebate will be referred to this program as an additional incentive.

Direct install energy-saving measures and activities include:

- A programmable thermostat, if needed
- Programmable thermostat education
- Faucet aerators
- Low-flow shower heads
- Water heater pipe wrap insulation
- Water heater setback

The assessor will evaluate the age and functionality of gas-related energy consuming equipment within the home and provide the customer with details on eligible rebates the customer can receive as a result of upgrading their furnace, boiler or hot water heater. Rebates are available from both the NJ Clean Energy Warm Advantage Program and the Elizabethtown Gas energySMART Program.

If needed, assessors will recommend additional measures for air sealing & insulation. An implementation contractor will qualify a select group of contractors to provide air sealing and insulation services. These contractors will receive an incentive for which they can provide customers an "instant rebate" on the work completed. The on-site assessor will provide a listing of the pre-qualified contractors to the customer. Incentives include:

- | | |
|--------------------------------|---------------------------------------|
| • Air Sealing | \$250-\$500/unit (average \$375/unit) |
| • Duct Sealing | \$350/unit |
| • Attic Insulation r5-r38 | \$600/unit |
| • Attic Insulation r11-r38 | \$520/unit |
| • Attic Insulation r19-r38 | \$400/unit |
| • Attic Knee Wall Insulation | \$250/unit |
| • Wall Insulation | \$200/unit |
| • Basement Sidewall Insulation | \$300/unit |

Assessors will focus on the “whole-house” approach and if needed, will recommend the NJCEP’s Home Performance with Energy Star (HPwES) Program.

Elizabethtown Gas will contract with a third-party vendor to schedule and perform the home energy assessment and to provide quality assurance.

The Elizabethtown Gas Home Energy Assessment is similar to Home Energy Assessments offered by New Jersey Natural Gas and South Jersey Gas. Key differences include:

- Not required to receive a rebate – Required by NJNG and SJG

Delivery Method

Home Energy Assessment services will be provided by a third party vendor . This includes the scheduling of appointments, answering of inquiries and quality control. Air sealing/insulation work will be performed by trained heating, home improvement and energy service providers, including contractors providing such services for the NJCEP.

Estimated 20-Month Program Participants (May 1, 2017 – December 31, 2018)

950 Home Energy Assessment Participants, 50 per month

285 Air Sealing & Insulation Participants, approximately 15 per month (30% take rate)

20-Month Budget Information (May 1, 2017 – December 31, 2018)

\$534,850 (\$197,050 May 1, 2017-Dec 31, 2017; \$337,800 Jan 1, 2018-Dec 31, 2018)

Elizabethtown Gas Residential Home Energy Report (Opower) Program

Description Of Program

Elizabethtown Gas (ETG) will partner with Opower to run a 20-month program designed to provide a sample population of residential customers with Home Energy Reports that compare energy usage against that of their neighbors. Home Energy Reports are user-friendly, detailed, and informative messages that provide personalized information to customers about their natural gas energy usage and easy to follow tips that can quickly lead to energy savings.

The Home Energy Reports have proven results in influencing customer behavior in the reduction of energy usage and is a means to leverage customer participation in other energy efficiency programs offered by both ETG and the New Jersey Clean Energy Program (NJCEP).

At the heart of each report is a “neighborhood comparison,” that compares a participating customer’s energy use against their neighbor’s energy use, so they have meaningful context regarding their overall energy consumption. Comparisons are based on “like” homes and excludes homes that are not the same home type, use a different heating fuel, are not of similar size, are far away, or are vacant. Customers in the test group are provided with an energy efficiency score that are calculated through comparisons with these neighbors.

Energy consumption is monitored for the test group and is measured against a control group who do not receive the reports. The use of test and control groups has proven to be highly successful Worldwide in reducing customer energy usage cost-effectively through information, education, and also by increasing customer participation rates in other energy efficiency programs.

Participating customers are also given the opportunity to access a customized portal, where they can change profile information, track energy usage, access tips, find out more about our other energy-saving programs and learn about rebate opportunities.

All ETG customers have access to and are encouraged to use an Online Home Energy Audit. This interactive tool provides suggestions on how to improve home energy usage. Customers enter specifics about their home and the tool determines where the most energy is being utilized and recommends ways to reduce energy usage.

In addition, a dedicated call center phone number is provided on all reports, where participating customers can ask questions or opt out of the program at any time.

Proven results for the Opower offering show a 60% participation lift in energy efficiency programs and a 5% increase in customer satisfaction. In addition, New Jersey Natural Gas has utilized Opower’s offerings since 2010 claiming successful results and South Jersey Gas contracted and successfully launched this offering with Opower in 2015.

The Home Energy Reports and Online Energy Audits recommend other programs to customers such as the ETG Home Energy Assessment & the NJCEP Home Performance with Energy Star Program.

Delivery Method

The Home Energy Reports and Online Energy Audits are provided by Opower, a company who specializes in behavioral science, data analytics, and user-centric software design, currently working with over 100 utilities in nine countries.

Estimated 20-Month Program Participants (May 1, 2017 – December 31, 2018)

155,000 Residential Customers in the Test Group / 25,000 Residential Customers in the Control Group

20-Month Budget Information (May 1, 2017 – December 31, 2018)

Program Costs:

Total: \$1,247,500 (\$425,000 May 1, 2017 - Dec 31, 2017; \$822,500 Jan 1, 2018 - Dec 31, 2018)

Elizabethtown Gas Residential Home Weatherization for Income Qualified Customers Program

Description Of Program

This program is an energy saving and energy education program provided to those residential customers with low to moderate income who based on household salary, would not qualify for the Comfort Partners Program.

Participants of this program are provided with a free Home Energy Assessment, as well as energy-saving information and measures. A certified contractor will evaluate the home's energy efficiency, provide comprehensive, personalized information that educates customers on their energy usage and educates them on how to save energy daily. If eligible, participants will also be provided with systems testing and the direct install of energy-saving measures (determined on a home-specific basis) which can include:

- A programmable thermostat
- Programmable thermostat education
- Faucet aerators
- Low-flow shower heads
- Pipe wrap insulation
- Air sealing
- Insulation
- Efficient lighting products
- Heating/cooling equipment maintenance
- Combustion safety testing

The maximum approved measures cannot exceed \$6000 per home. *Note: Any exceptions made to rectify safety issues *must* have pre-approval from ETG Program Manager prior to completing the project.*

Comfort Partners qualification level includes household income that falls in the category of up to 225% over the Federal Income Poverty Level. The Home Weatherization for Income Qualified Customers Program qualification includes household income that falls in the category of over 225% up to 400% over the Federal Income Poverty Level for the number of family members living in the home. *The Federal Income Poverty Level is updated yearly and Elizabethtown Gas will update our requirements to show the appropriate income levels with each update.*

Gas appliance replacement will be provided to those participants who fail safety testing who are unable to purchase the replacement product on their own. Approved energy efficient gas appliances only will be installed by qualified technicians provided by the program.

Other requirements:

- The customer must also use the home as a primary residence and be the ratepayer of record with the electric or gas utility.
- The customer must be an Elizabethtown Gas customer to qualify for this program.

Delivery Method

Elizabethtown Gas will partner with Green Life Energy Solutions to provide this offering to the Company's qualified residential customers. Green Life Energy Solutions will provide all in-home work and will also provide income verification, quality control and a phone contact for customer inquiries.

Estimated 20-Month Program Participants (May 1, 2017 – December 31, 2018)

Total: 72
(4 customers per month)

20-Month Budget Informatio (May 1, 2017 – December 31, 2018)

Total Program Costs: \$450,000
(Approximately \$25,000 per month starting in month 3 of the program)

Total Program Administrative Fees: \$45,000
(\$2,500 per month starting in month 3 of the program)

Elizabethtown Gas Commercial Steam Trap Survey and Repair Program

Description Of Program

Steam trap surveys test and document the operational status of steam traps, utilizing both ultrasound and temperature differentials. In steam systems that have not been maintained for 3 to 5 years, between 15% to 30% of the installed steam traps fail allowing live steam to escape into the condensate return system. In systems with a regularly scheduled maintenance program, leaking traps should account for less than 5% of the trap population.

Customers eligible for this program are hospitals, municipalities and schools. The goal of this program is to incorporate a steam trap survey and repair cycle to a sample population of hospitals, municipalities, and/or schools, who use steam heating to ensure their leaking traps account for no more than 5% of the total number of traps.

A goal of the program is to change the equipment maintenance behavior of hospitals, municipalities and schools such that these customers will continue with regular maintenance regardless of whether incentives are available. Toward this end, customers will be advised that regular maintenance has the potential to provide consistent therms savings and significantly reduce the cost for future repairs.

A surveyor completes a comprehensive survey and provides a detailed steam-trap functionality report. Survey documentation details a complete trap inventory including location, type, and application engineering. Survey reports also include a full economic analysis (return on investment) and recommendations for overall system improvements. The goal of the report is to document recommendations aimed at improving energy/emission losses, steam generation and distribution, engineering practices/correct applications, health and safety, and heat recovery/return of condensate.

Qualified and fully experienced technicians will repair or replace the defective steam traps as required. Since this program places the building on a yearly maintenance cycle, each year the building is surveyed and repairs are made. It is the cycle of maintenance that reduces the number of failing steam traps yearly, ensuring that ultimately no more than 5% of the trap population fail.

Incentives include:

- Incentive covers 50% of survey costs
- Incentive pays \$0.50 per therm saved up to 50% of total project costs

Note: The project must include a natural gas boiler system to be eligible for this project.

Elizabethtown Gas will work with the company performing the surveys to identify and recommend hospitals, municipalities, schools, etc.

Delivery Method

Steam trap surveys and the repair/replacement of steam traps will be performed by American Plant Maintenance, Inc., an independent steam trap and repair company . Their independent gives them the ability to perform unbiased surveys and recommend the optimum solution for our customers regardless of the manufacturer.

Estimated 20-Month Program Participants (May 1, 2017 – December 31, 2018)

Total: 15 surveys includes repairs and/or replacement of steamtraps as needed
2017 = 5 participants (total 5 surveys); 2018 = 5 (*from 2017*) add 5 (total 10 surveys)
This program will include up to 10 participants who must be either a hospital, municipality or school.

20-Month Budget Information (May 1, 2017 – December 31, 2018)

Total: \$90,000
2017 = \$30,000; 2018 = \$60,000

PIVOTAL UTILITY HOLDINGS, INC. d/b/a ELIZABETHTOWN GAS ENERGY EFFICIENCY PROGRAM ("EEP")

PROGRAM ESTIMATE	MAY2017-DEC2017	JAN2018-DEC2018	Total
O&M EXPENDITURES			
Labor	\$ 171,416	\$ 257,124	\$ 428,540
Customer Education, Outreach	\$ 136,000	\$ 204,000	\$ 340,000
Program Evaluation	\$ -	\$ 30,000	\$ 30,000
TOTAL O&M	\$ 307,416	\$ 491,124	\$ 798,540
PROGRAM EXPENDITURES			
Residential Gas HVAC/WH :			
Rebates, Grants, Incentives	\$ 262,414	\$ 400,000	\$ 662,414
-Rebate Processing	\$ 9,328	\$ 13,992	\$ 23,320
Home Energy Assessments	\$ 197,050	\$ 337,800	\$ 534,850
Home Weatherization for Income Qualified	\$ 150,000	\$ 300,000	\$ 450,000
-HW for IQC Administrative Fees	\$ 15,000	\$ 30,000	\$ 45,000
Home Energy Report - Opower	\$ 425,000	\$ 822,500	\$ 1,247,500
	\$ 1,058,792	\$ 1,904,292	\$ 2,963,084
Commercial Gas			
Steam Trap Survey, Cleaning & Repair Pilot Program	\$ 30,000	\$ 60,000	\$ 90,000
	\$ 30,000	\$ 60,000	\$ 90,000
Total Program Expenditures	\$ 1,088,792	\$ 1,964,292	\$ 3,053,084
Total RGGI Expenditures	\$ 1,396,208	\$ 2,455,416	\$ 3,851,624

PIVOTAL UTILITY HOLDINGS, INC. d/b/a ELIZABETHTOWN GAS
ENERGY EFFICIENCY PROGRAM ("EEP")

CALCULATION OF THE EEP RATE
PROFORMA RATES PER KNOWN ACTUALS
Data to June 30th to Set Rate For

Before Rate Date Implementation Adjustments

	October 1, 2017 June-17	October 1, 2018 June-18	October 1, 2019 June-19	October 1, 2020 June-20	October 1, 2021 June-21	October 1, 2022 June-22	October 1, 2023 June-23	October 1, 2024 June-24	October 1, 2025 June-25	October 1, 2026 June-26	October 1, 2027 June-27	October 1, 2028 June-28
1	Prior Year (Over)/ Under Balance (Sch. TK-2)	(\$244,032)	\$76,478	\$54,312	(\$44,817)	(\$42,185)	(\$51,786)	(\$17,927)	(\$12,453)	(\$12,681)	(\$12,661)	(\$12,681)
2	Monthly Revenue Requirement (Sch. TK-2)	\$737,827	\$1,077,885	\$970,200	\$834,552	\$438,264	\$38,195	(\$156)	(\$156)	(\$156)	(\$156)	(\$156)
3	O&M Expenditures (Sch. TK-2)	\$476,124	\$245,552	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4	Total Proposed Recoveries (Sum L1+L2+L3)	\$969,919	\$1,399,925	\$1,024,512	\$789,735	\$396,079	(\$13,591)	(\$18,063)	(\$12,609)	(\$12,837)	(\$12,837)	(\$12,837)
5	Projected Firm Sales (1) (Sch. TK-5) Therms	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703	448,300,703
6	Rate, before taxes (L4/L5)	\$0.0022	\$0.0031	\$0.0023	\$0.0018	\$0.0009	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
7	BPU & RC Assessment Factor times L6	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
7	Sales & Use Tax @ 7.00%	\$0.0002	\$0.0002	\$0.0002	\$0.0001	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
8	Rate (L6+L7) per Therm	\$0.0024	\$0.0033	\$0.0025	\$0.0019	\$0.0010	(\$0.0001)	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
9	Projected Rates excluding the Extension	\$0.0009	\$0.0024	\$0.0025	\$0.0019	\$0.0010	(\$0.0001)	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
10	Average and Incremental Rate Changes:											

(1) All therms excluding NJBPU approved special contracts.

Determinates	Effective EEP Rate > (\$0.0007)	October 1, 2017 Prij. Billed Amt	October 1, 2018 Prij. Billed Amt	October 1, 2019 Prij. Billed Amt	October 1, 2020 Prij. Billed Amt	October 1, 2021 Prij. Billed Amt	October 1, 2022 Prij. Billed Amt	October 1, 2023 Prij. Billed Amt	October 1, 2024 Prij. Billed Amt	October 1, 2025 Prij. Billed Amt	October 1, 2026 Prij. Billed Amt	October 1, 2027 Prij. Billed Amt	October 1, 2028 Prij. Billed Amt
Residential Sales Service													
12 Service Charge	\$7.99												
1,000 Volumetric Change	\$0.7383												
Bill	\$834.18	\$837.28	\$838.18	\$836.78	\$835.88	\$834.88	\$834.88	\$834.78	\$834.88	\$834.88	\$834.88	\$834.88	\$834.88
Annual Bill Change		\$3.10	\$0.90	(\$0.60)	(\$0.90)	(\$1.00)	(\$0.10)	(\$0.10)	\$0.10	\$0.00	\$0.00	\$0.00	\$0.10
Percent Change		0.4%	0.1%	(0.1%)	(0.1%)	(0.1%)	(0.1%)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bill Change from Base		\$3.10	\$4.00	\$3.20	\$2.60	\$1.70	\$0.70	\$0.60	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
Cumulative Billed													
Small General Service													
12 Service Charge	\$16.13												
1,000 Volumetric Change	\$0.7522												
Bill	\$945.76	\$948.66	\$949.76	\$948.66	\$947.46	\$946.46	\$946.46	\$946.36	\$946.46	\$946.46	\$946.46	\$946.46	\$946.46
Annual Bill Change		\$3.10	\$0.90	(\$0.80)	(\$0.90)	(\$1.00)	(\$0.10)	(\$0.10)	\$0.10	\$0.00	\$0.00	\$0.00	\$0.10
Percent Change		0.3%	0.1%	(0.1%)	(0.1%)	(0.1%)	(0.1%)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bill Change from Base		\$3.10	\$4.00	\$3.20	\$2.60	\$1.70	\$0.70	\$0.60	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
Cumulative Billed													
General Delivery Service													
12 Service Charge	\$19.97												
1,300 Demand Charge	\$0.810												
13,000 Volumetric Charge	\$0.7862												
Bill	\$11,539.24	\$11,578.54	\$11,581.24	\$11,573.04	\$11,561.34	\$11,548.34	\$11,547.04	\$11,548.34	\$11,548.34	\$11,548.34	\$11,548.34	\$11,548.34	\$11,548.34
Annual Bill Change		\$40.30	\$11.70	(\$7.80)	(\$11.70)	(\$13.00)	(\$1.30)	(\$1.30)	\$0.00	\$0.00	\$0.00	\$0.00	\$1.30
Percent Change		0.3%	0.1%	(0.1%)	(0.1%)	(0.1%)	(0.1%)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bill Change from Base		\$40.30	\$52.00	\$41.60	\$33.60	\$22.10	\$7.80	\$6.70	\$9.10	\$9.10	\$9.10	\$9.10	\$9.10
Cumulative Billed													

**IN THE MATTER OF THE PETITION OF
PIVOTAL UTILITY HOLDINGS, INC. d/b/a ELIZABETHTOWN GAS
FOR AUTHORITY TO EXTEND THE TERM OF ENERGY EFFICIENCY
PROGRAMS WITH CERTAIN MODIFICATIONS AND
APPROVAL OF ASSOCIATED COST RECOVERY MECHANISM
BPU DOCKET NO. GR16070618**

SERVICE LIST

Susan Buck
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
sbuck@southernco.com

Mary Patricia Keefe, Esq.
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
pkeefe@southernco.com

Erica McGill
Southern Company Gas
Ten Peachtree Place
Atlanta, GA 30309
ermcgill@southernco.com

David Weaver
Southern Company Gas
Ten Peachtree Place
Atlanta, GA 30309
dweaver@southernco.com

Mark Beyer
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Mark.Beyer@bpu.nj.gov

Mahogany Hall
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Mahogany.Hall@bpu.nj.gov

Stacy Peterson
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Stacy.Peterson@bpu.nj.gov

Archie Hickerson
Southern Company Gas
520 Green Lane
Union, NJ 07083
ahickers@southernco.com

Kevin Kirby
Southern Company Gas
1844 Ferry Road
Naperville, IL 60563
kkirby@southernco.com

Dan Nikolic
Southern Company Gas
Ten Peachtree Place
Atlanta, GA 30309
dnikolic@southernco.com

Irene Kim Asbury, Secretary
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Irene.Asbury@bpu.nj.gov

Rachel Boylan
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Rachel.Boylan@bpu.nj.gov

Sherri Jones
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
sherri.jones@bpu.nj.gov

Andrea Reid
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Andrea.Reid@bpu.nj.gov

Thomas Kaufmann
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
tkaufman@southernco.com

Brian MacLean
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
bmaclean@southernco.com

Susan Potanovich
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
spotanov@southernco.com

Alice Bator
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Alice.Bator@bpu.nj.gov

Julie Ford-Williams
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Julie.Ford@bpu.nj.gov

Bart Kilar
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Bart.Kilar@bpu.nj.gov

Robert Schultheis
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Robert.Schultheis@bpu.nj.gov

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FOR AUTHORITY TO EXTEND THE TERM OF ENERGY EFFICIENCY
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APPROVAL OF ASSOCIATED COST RECOVERY MECHANISM
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SERVICE LIST

Marisa Slaten
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Marisa.Slaten@bpu.nj.gov

Elizabeth Teng
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
Elizabeth.Teng@bpu.nj.gov

John Zarzycki
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350
John.Zarzycki@bpu.nj.gov

Stefanie A. Brand
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
smassev@rpa.state.nj.us

Maura Caroselli
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
mcaroselli@rpa.state.nj.us

Kurt Lewandowski
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
klewando@rpa.state.nj.us

Brian Lipman, Litigation Manager
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
blipman@rpa.state.nj.us

Sarah Steindel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
ssteinde@rpa.state.nj.us

Felicia Thomas-Friel
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
ftomas@rpa.state.nj.us

Renee Greenberg, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Renee.Greenberg@dol.lps.state.nj.us

Patricia A. Krogman, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Patricia.Krogman@dol.lps.state.nj.us

Alex Moreau, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Alex.Moreau@dol.lps.state.nj.us

Caroline Vachier
Department of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Caroline.Vachier@dol.lps.state.nj.us

Deborah Franco, Esq.
Cullen and Dykman
Garden City Center
100 Quentin Roosevelt Blvd.
Garden City, NY 11530
dfranco@cullenanddykman.com

Kenneth T. Maloney, Esq.
Cullen and Dykman
1101 14th Street NW, Suite 750
Washington, DC 20005
kmaloney@cullenanddykman.com

Jim Herndon
Nexant, Inc.
1255 Crescent Green, Suite 460
Cary, NC 27518
jherndon@nexant.com

Robert J. Henkes
Henkes Consulting
7 Sunset Road
Old Greenwich, CT 06870
rhenkes@optonline.net

Ezra D. Hausman, Ph.D.
77 Kaposia Street
Newton, MA 02466
ezra@ezrahausman.com

Joseph F. Accardo Jr.
PSEG Services Corporation
80 Park Plaza T5E
Newark, NJ 07102
Joseph.AccardoJr@pseg.com

Samuel Wolfe
Public Service Electric and Gas Company
80 Park Plaza, T-5
Newark, NJ 07102
samuel.wolfe@pseg.com