



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

ENERGY

IN THE MATTER OF THE PROVISION OF BASIC)
GENERATION SERVICE AND THE)
COMPLIANCE TARIFF FILING REFLECTING)
CHANGES TO SCHEDULE 12 CHARGES IN PJM)
OPEN ACCESS TRANSMISSION TARIFF- JUNE)
2018 AEP TEC FILING)
)
) BPU DOCKET NO. ER18070758

Parties of Record:

Hesser G. McBride, Jr., Esq. on behalf of Public Service Electric and Gas Company
Gregory Eisenstark, Esq. (Windels Marx Lane & Mittendorf, LLP) on behalf of Jersey Central Power & Light Company
John L. Carley, Esq. on behalf of Rockland Electric Company
Philip J. Passanante, Esq., on behalf of Atlantic City Electric Company
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:¹

By petition dated June 25, 2018, Atlantic City Electric Company (“ACE”), Jersey Central Power & Light Company (“JCP&L”), Public Service Electric & Gas Company (“PSE&G”), and Rockland Electric Company (“Rockland”) (collectively, the “EDCs”) filed a joint petition (“June 2018 AEP TEC Filing”) with the New Jersey Board of Public Utilities (“Board”) requesting recovery of Federal Energy Regulatory Commission (“FERC”) approved changes in firm transmission service related charges. The EDCs request that the changes in rates, if approved, be effective for service rendered on or after September 1, 2018.

The EDCs’ proposed tariff changes reflect changes to the Basic Generation Service (“BGS”) Residential and Small Commercial Pricing (“BGS-RSCP”) and Commercial and Industrial Energy Pricing (“BGS-CIEP”) rates to customers resulting from changes in the PJM Interconnection, LLC (“PJM”) Open Access Transmission Tariff (“OATT”) made in response to a formula rate filing made by American Electric Power Service Corporation (“AEP”) in FERC Docket No. ER18-1202 and ER17-405.

¹ Commissioner Robert M. Gordon did not participate.

The Transmission Enhancement Charges (“TECs”) detailed in Schedule 12 of the PJM OATT were implemented to compensate transmission owners for the annual transmission revenue requirements for “Required Transmission Enhancements” that are requested by PJM for reliability or economic purposes. TECs are recovered by PJM through an additional transmission charge in the transmission zones assigned cost responsibility for Required Transmission Enhancement projects.

On March 10, 2017, in Docket No. ER17-405-000 (“AEP Order”), FERC issued an Order, effective January 1, 2017 which authorized AEP’s Formula Rate transition from “historic” to “forward looking.” The AEP Order approved AEP’s proposed tariff revisions subject to hearing and settlement procedures. By Order² dated July 26, 2017, the Board authorized the EDCs to begin collecting the TEC charges based on the AEP Order and track such collections until receipt of a Final FERC Order in the matter.

June 2018 Petition

The proposed rates included in the amended tariff sheets for each EDC reflect costs effective on April 1, 2018 retroactive to January 1, 2018 for TECs resulting from the above listed FERC-approved filing.

The EDCs also requested that the BGS suppliers be compensated for the changes to the OATT resulting from the implementation of the updates to formula rates which became effective April 1, 2018 retroactive to January 1, 2018. The EDCs represent that suppliers will be compensated subject to the terms and conditions of the applicable Supplier Master Agreements (“SMAs”). Any differences between payments to BGS-RSCP and BGS-CIEP suppliers and charges to customers will flow through BGS Reconciliation Charges.

According to the EDCs, this filing satisfies the requirements of paragraph 15.9(a)(i) and (ii) of the BGS-RSCP and BGS-CIEP SMAs, which mandate that BGS-RSCP and BGS-CIEP suppliers be notified of rate increases for firm transmission service, and that the EDCs file for and obtain Board approval for an increase in retail rates commensurate with the FERC-implemented rate increase.

Each EDC is allocated a different amount of TECs from PJM based on the cost for Required Transmission Enhancements in each EDC’s transmission zone. Based on the allocation of the TEC Filings transmission costs among the service classes, the monthly bill for a residential customer using 650 kWh per month will change by approximately the following amounts (including Sales and Use Tax): a decrease of \$0.01 or 0.01% for ACE; a decrease of \$0.01 or 0.01% for JCP&L, a decrease of \$0.02 or 0.02% for PSE&G; and a decrease of \$0.01 or 0.01% for Rockland.

² In re the Provision of Basic Generation Service and Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff - May 12, 2017 Filing, BPU Docket No. ER17050499 (July 26, 2017). (“July 2017 Order”)

DISCUSSION AND FINDING

In the Board's Order dated December 2, 2003, in Docket No. EO03050394, the Board found that the pass through of any changes in the network integration transmission charge, and other charges associated with the FERC-approved OATT, is appropriate. Furthermore, by subsequent Orders, the Board approved Section 15.9 of the SMAs as filed by the EDCs which requires that the EDCs file for Board approval of any increases or decreases in their transmission charges that have been approved by FERC. The SMAs also authorize the EDCs to adjust the rates paid to suppliers for FERC-approved rates and increases to Firm Transmission Services once approved by the Board. The Board Orders further require that the EDCs review and verify any requested FERC authorized increases.

After review of the verifications and supporting documentation, the Board **HEREBY FINDS** that the June 2018 AEP TEC Filing satisfies the EDCs' obligations under paragraph 15.9(a)(i) and (ii) of the relevant SMAs, and **HEREBY APPROVES** the changes to the BGS-RSCP and BGS-CIEP rates requested by each EDC for its transmission charges resulting from the FERC-approved changes to the TECs effective as of September 8, 2018. However, with respect to the change to a "forward looking" rate approved in the AEP FERC Order, the Board notes that the AEP FERC Order is not a Final FERC Order and is still subject to challenges at FERC. The Board's December 22, 2006 Order³ at page 12 states, "Upon receipt of Board approval for the increase in the rates charged to BGS Customers, the EDCs would begin collecting the increase from BGS Customers, tracking that portion of the rates charged to BGS Customers attributable to the rate increase, and retaining such tracked amounts for the ultimate benefit of the BGS Suppliers. Upon approval by the FERC of a proposed rate increase, in a Final FERC Order not subject to refund, the EDCs would increase, by the amount approved by the Board, the BGS-FP auction price paid to BGS-FP Suppliers, and the BGS-CIEP Transmission Charge paid to BGS-CIEP Suppliers, and would pay each BGS Supplier, in proportion to its BGS Supplier Responsibility Share, the amounts tracked and retained for the benefit of BGS Suppliers until the date final FERC approval was received." Accordingly, the Board **DENIES** the EDCs' request to pay suppliers at this time and **AUTHORIZES** the EDCs to collect from BGS customers, the costs associated with the AEP FERC Order, and to track such collections until receipt of a Final FERC Order in the matter.

Further, the Board **HEREBY DIRECTS** the EDCs to file tariffs and rates consistent with the Board's findings by September 8, 2018.

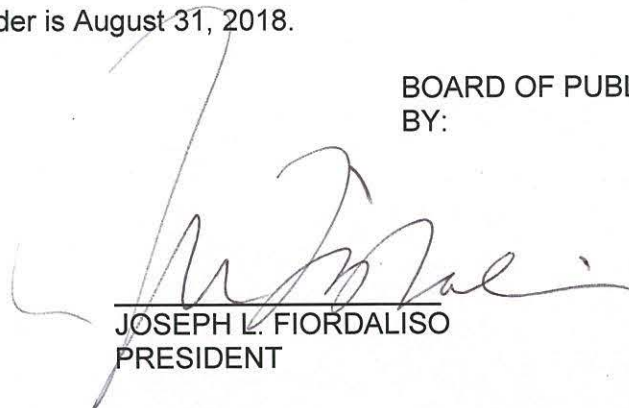
The EDCs' rates remain subject to audit by the Board. This Decision and Order does not preclude the Board from taking any actions deemed to be appropriate as a result of any Board audit.

³ In re the Provision of Basic Generation Service for the Period Beginning June 1, 2007, BPU Docket No. EO06020119 (December 22, 2006).

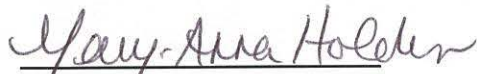
The effective date of this Order is August 31, 2018.

DATED: 8/29/18

BOARD OF PUBLIC UTILITIES
BY:



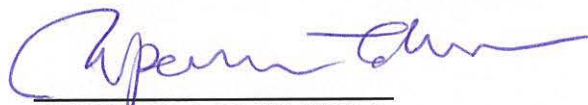
JOSEPH L. FIORDALISO
PRESIDENT



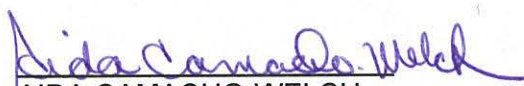
MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
AIDA CAMACHO-WELCH
SECRETARY

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

**THE MATTER OF THE PROVISION OF BASIC GENERATION SERVICE AND THE COMPLIANCE
 TARIFF FILING REFLECTING CHANGES TO SCHEDULE 12 CHARGES IN PJM OPEN ACCESS
 TRANSMISSION TARIFF- JUNE 2018 AEPTEC FILING
 BPU Docket No. ER18070758**

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