



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

CLEAN ENERGY

ORDER

IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, THE SOLAR ACT OF 2012;)	
)	DOCKET NO. EO12090832V
)	
IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, N.J.S.A. 48:3-87(T) – A PROCEEDING TO CERTIFIED BROWNFIELD, HISTORIC FILL AND LANDFILL FACILITIES;)	
)	DOCKET NO. EO12090862V
)	
IN THE MATTER OF THE PETITION OF HESP SOLAR, LLC SEEKING PARTICIPATION IN THE TRANSITION INCENTIVE PROGRAM (MOUNT ARLINGTON BOROUGH SOLAR PROJECT);)	
)	DOCKET NO. QO20060395
)	
IN THE MATTER OF THE PETITION OF HESP SOLAR, LLC SEEKING PARTICIPATION IN THE TRANSITION INCENTIVE PROGRAM (JACKSON LEGLER LANDFILL); AND)	
)	DOCKET NO. QO20060396
)	
IN THE MATTER OF THE PETITION OF AERO HAVEN SOLAR LLC FOR A DETERMINATION THAT THE COMPANY'S APPLICATION PURSUANT TO SUBSECTION (T) OF THE SOLAR ACT OF 2012 IS ELIGIBLE TO PARTICIPATE IN THE TRANSITION INCENTIVE PROGRAM)	
)	DOCKET NO. QO20060398

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Stephen B. Perlman, Esq., Pearlman and Miranda, LLC, for HESP Solar
John G. Valeri, Esq., Chiesa, Shahinian and Giantomasi, PC, for Aero Haven Solar

BY THE BOARD:

In this Order the Board considers the requests of two solar developers to have their projects deemed eligible for the Transition Incentive program ("Transition Incentive"). The three projects in question applied for conditional certification pursuant to N.J.S.A. 48:3-87(t) ("Subsection t")

prior to October 29, 2018, but now seek to enter the Transition Incentive program. The Board grants these requests and provides guidance for similarly situated projects to receive comparable treatment.

BACKGROUND

The Subsection t Program

On July 23, 2012, the Solar Act was signed into law. The Solar Act amended certain aspects of the statute governing generation, interconnection, and financing of renewable energy. Among other actions, the Solar Act required the Board to conduct proceedings to establish new standards and to develop new programs to implement the statute's directives.

Subsection t of the Solar Act provides that:

No more than 180 days after [July 23, 2012], the board shall, in consultation with the Department of Environmental Protection and the New Jersey Economic Development Authority, and, after notice and opportunity for public comment and public hearing, complete a proceeding to establish a program to provide SRECs to owners of solar electric power generation facility projects certified by the board, in consultation with the Department of Environmental Protection, as being located on a brownfield, on an area of historic fill or on a properly closed sanitary landfill facility. . . . Projects certified under this subsection shall be considered "connected to the distribution system" [and] shall not require such designation by the board [.]

[N.J.S.A. 48:3-87(t). (emphasis added)]

The Solar Act also added specific definitions for the term "connected to the distribution system."¹ These definitions emphasized the special status of facilities approved pursuant to Subsection t. The only definition that turned upon the type of land on which a solar facility was located dealt with the types of properties identified in that subsection: "Connected to the distribution system" means, for a solar electric power generation facility, that the facility : . . . (6) is certified by the board, in consultation with the Department of Environmental Protection, as being located on a brownfield, on an area of historic fill, or on a properly closed sanitary landfill facility." N.J.S.A. 48:3-51.

The Board approved a certification process for projects seeking approval pursuant to Subsection t that provided for full certification, conditional certification, or denial of certification.² Conditional certification may be granted for projects located on sites that the NJDEP has determined require further remedial action or, in the case of properly closed sanitary landfill facilities, additional protective measures, and full certification may be granted for projects located on sites for which the NJDEP has determined no further remedial or protective action is necessary.

¹ The Board has made connection to the distribution system a prerequisite for eligibility to SRECs. N.J.A.C. 14:8-2.4.

² In re the Implementation of L. 2012, c. 24, The Solar Act of 2012; I/M/O the Implementation of L. 2012, c. 24, N.J.S.A 48:3-87(t) – A Proceeding to Establish a Program to Provide SRECS to Certified Brownfield, Historic Fill and Landfill Facilities; and In re the Implementation of L.2012, c.24, N.J.S.A 48:3-87(u) – A Proceeding to Establish a Registration Program for Solar Power Generation Facilities, 2013 N.J. PUC LEXIS 27 (Jan. 24, 2013).

Subsection t Applications

HESP Jackson

HESP Solar, LLC (“HESP”) submitted a complete application for a project proposed to be located on the Jackson Legler Landfill in Jackson Township pursuant to Subsection t on April 16, 2018.

On August 29, 2018, based on the information provided in the application and NJDEP’s determination that the solar project as proposed is a “properly closed sanitary landfill facility” under the Solar Act, the Board conditionally certified the HESP Jackson application pursuant to Subsection t of the Solar Act.³ The HESP Jackson Order directed Petitioner to demonstrate that it had satisfied all outstanding NJDEP requirements and had received a final determination from the New Jersey Pinelands Commission that it met the minimum requirements of the Comprehensive Management Plan and/or any other Pinelands Commission requirements. HESP’s acceptance letter from the Solar Registration Program (“SRP”) set a deadline to submit a final as-built registration package of September 19, 2020. In the petition under review, HESP seeks a Board determination of eligibility for the Jackson Legler Landfill project for the Transition Incentive Program.

HESP Mount Arlington

HESP submitted a complete application for a project proposed to be located on the Mt. Arlington Borough Landfill in Mount Arlington Borough pursuant to Subsection t on April 16, 2018. On December 18, 2018, based on the information provided in the application and the NJDEP’s determination that the proposed solar array, as rendered in the drawing titled “Overall Proposed Site Plan,” is located on a “properly closed sanitary landfill facility” under the Solar Act, the Board conditionally certified the HESP Mount Arlington application pursuant to Subsection t of the Solar Act.⁴ The HESP Mt. Arlington Order directed Petitioner to demonstrate that it had satisfied all outstanding NJDEP requirements and had satisfied the requirements of the New Jersey Highlands Commission. HESP’s acceptance letter from the SRP set an expiration date of February 1, 2021. In the petition under review, HESP seeks a Board determination of eligibility for the Mount Arlington Borough Landfill project in the Transition Incentive Program.

Aero Haven

Aero Haven submitted a complete application pursuant to Subsection t on March 28, 2018.

On November 19, 2018, based on the information provided in the application and the NJDEP’s determination that the proposed solar project as rendered on drawing C-1, Aero Haven Sanitary Landfill, Conceptual Site Plan Layout for Solar dated August 9, 2018, is located on a portion of the landfill that qualifies as a “properly closed sanitary landfill facility” under the Solar Act, the

³In re Implementation of L. 2012, c. 24, the Solar Act of 2012: I/M/O Implementation of L. 2012, N.J.S.A. 48:3-87(t) – A Proceeding to Establish a Program to Provide SRECs to Certified Brownfield, Historic Fill, and Landfill Facilities: HESP Solar, LLC Jackson Legler Landfill, BPU Docket Nos. EO12090832V, EO12090862V and QO18040428, Order dated August 29, 2018 (“HESP Jackson Order”).

⁴In re Implementation of L. 2012, c. 24, the Solar Act of 2012: In re Implementation of L. 2012, N.J.S.A. 48:3-87(t) – A Proceeding to Establish a Program to Provide SRECs to Certified Brownfield, Historic Fill, and Landfill Facilities: HESP Solar, LLC Jackson Legler Landfill, BPU Docket Nos. EO12090832V, EO12090862V and QO18040428, Order dated August 29, 2018 (“HESP Mt. Arlington Order”).

Board conditionally certified the AC Power Aero Haven application pursuant to Subsection t of the Solar Act.⁵ The Aero Haven Order directed Petitioner to demonstrate that it had satisfied all outstanding NJDEP requirements and had received a final determination from the New Jersey Pinelands Commission that it met the minimum requirements of the Comprehensive Management Plan and/or any other Pinelands Commission requirements. Aero Haven's acceptance letter from the SRP set a deadline to submit a final as-built registration package of February 19, 2021. In the petition under review, Aero Haven seeks a Board determination of its eligibility for the Transition Incentive Program. Additionally, the Aero Haven petition seeks an additional extension beyond the deadline proposed in the Transition Incentive rules described above for similarly situated projects. The Petitioner argues the extension is necessary to accommodate revised interconnection requirements and distribution system protective equipment upgrades mandated by PJM Interconnection, LLC ("PJM"), the regional transmission organization, and Atlantic City Electric Company ("ACE"), the local Electric Distribution Company.

Clean Energy Act

On May 23, 2018, Governor Murphy signed P.L. 2018, c. 17, codified at N.J.S.A. 48:3-51 to -87 into law ("Clean Energy Act" or "CEA" or "Act"), effective immediately. The CEA effected many changes to the legal and regulatory framework for solar development, including directing the closure of the SREC program no later than June 2021, reducing the SREC term or "qualification life" to 10 years, and imposing a cap on the cost to ratepayers of certain Class I renewable energy requirements.

The CEA mandates that the Board close the SRP to new applications once it determines that 5.1% of the kilowatt-hours sold in the State have been generated by solar electric power generators connected to the distribution system ("5.1% Milestone"), or in the alternative by no later than June 2021. On December 18, 2018, the Board approved the adoption of rule amendments to close the SREC market to new applications upon attainment of the 5.1% Milestone. The new rules took effect upon publication in the New Jersey Register on January 22, 2019.⁶ On January 8, 2020, the Board adopted N.J.A.C. 14:8-2.4(b)(7)(ii), which clarified that solar facilities that submitted a complete registration or application for designation or conditional certification on or before October 29, 2018, but had not commenced commercial operations prior to the 5.1% Milestone will be eligible for a 15-year SREC qualification life subject to its maintaining all other eligibility requirements. The new rules took effect upon publication in the New Jersey Register on February 3, 2020.⁷

Transition Incentive

On December 6, 2019, the Board established a Transition Incentive Program to provide a bridge between the legacy SREC program and a Successor Incentive program in an orderly and efficient manner.⁸ The Transition Incentive Program provides eligible projects with Transition Renewable

⁵ In re Implementation of L. 2012, c. 24, the Solar Act of 2012; I/M/O Implementation of L. 2012, N.J.S.A. 48:3-87(t) – A Proceeding to Establish a Program to Provide SRECs to Certified Brownfield, Historic Fill, and Landfill Facilities: Aero Haven Solar, LLC, Aero Haven Landfill, BPU Docket Nos. EO12090832V, EO12090862V and QO18040432, Order dated November 19 2018 ("Aero Haven Order").

⁶ 51 N.J.R. 138(e).

⁷ 52 N.J.R. 146(b).

⁸ In re a New Jersey Solar Transition Pursuant to P.L. 2018 c. 17, BPU Docket No. QO19010068, Order dated December 6, 2019.

Energy Certificates (“TRECs”) for each megawatt hour of electricity produced. Incentives are tailored to specific project types by the use of factors, which are applied to a base incentive rate to provide a particular project type the full incentive amount or a set percentage of that amount depending on the costs and anticipated revenue streams for the project type. Projects certified pursuant to Subsection t receive a factor of 1.0 and thus the full amount of the base incentive.

On March 27, 2020, the Board issued an Order addressing additional aspects of the SRP closure and the transfer of solar projects to the Transition Incentive program.⁹ In this Order, consistent with past Orders and rulemaking related to the SRP closure, the Board differentiated between projects which applied for conditional certification pursuant to Subsection t on or before October 29, 2018 and those which applied after October 29, 2018. Projects that had applied on or before October 29, 2018 and received a conditional registration for two years retained their SREC eligibility regardless of the date of attainment of the 5.1% Milestone, so long as they submit post-construction certification packages within two years of their SRP conditional registration. The SRP Closure Order also stated that projects that had applied for SRECs after October 29, 2018 and had yet to commence commercial operations by the date the 5.1% Milestone would not be eligible for SRECs, but would be able to transfer their registration to the Transition Incentive Program. However, this Order was silent on the ability of projects that applied prior to October 29, 2018 to transfer to the Transition Incentive Program.

At a Special Agenda Meeting held on April 27, 2020, the Board approved an amended Transition Incentive rule proposal¹⁰ that codified this treatment and which was published on May 18, 2020.¹¹ Proposed N.J.A.C. 14:8-10. The rule proposal provides that the transition incentive “shall be available to projects that submitted a complete SREC Registration Program registration or a complete subsection t application after October 29, 2018” (emphasis added) but that have not received a Permission to Operate at the time that the 5.1% Milestone is achieved. The rule proposal, like the SRP Closure Order, is silent as to the ability projects that had submitted a complete Subsection t application before October 29, 2018 to transfer to the Transition Incentive program.

Petitions

Petitioners note that while more than one Board Order affirms the ability of projects for which a complete application was submitted prior to October 29, 2018 to remain in the SRP, no Order prohibits such a project transferring to the Transition Incentive program. However, Petitioner Aero Haven asks the Board to reconsider the Transition Incentive Rule proposal insofar as that proposal expressly links Transition Incentive eligibility to a Subsection t application submitted after October 29, 2018. See Transition Incentive Rule proposal at N.J.A.C. 14:8-2.2, 14:8-10.4(a); Aero Haven petition at Pars. 20-29.

Aero Haven also requests an extension of time to submit final as-built paperwork later than the April 30, 2021 date contemplated by the Transition Incentive Rule Proposal. The petitioner argues that an extension is necessary and justified because of unique circumstances regarding its interconnection arrangements with ACE and PJM. According to Petitioner, in February 2019,

⁹ In re the Closure of the SREC Registration Program Pursuant to P.L. 2018, c. 17, BPU Docket No. QO19010068, Order dated March 27, 2020 (“SRP Closure Order”).

¹⁰ In re the Matter of a Rulemaking Proceeding to Amend the Renewable Portfolio Standard Rules and Create New Rules Establishing a Transition Incentive Program Pursuant to P.L. 2018, c.17, BPU Docket No. QX20030253 (“TI Rule Proposal”).

¹¹ 52 NJR 1048(a).

PJM provided an estimate of interconnection costs of approximately \$172,500 and a timeline of six to nine months. However, in December 2019 PJM issued a Facilities Report that quoted upgrade costs of approximately \$650,000 and a timeline of twelve to twenty-four months. Aero Haven petition at Pars. 35-38. Petitioner states that while it continued with permitting, it did not commit to the increased upgrade costs “as the COVID-19 pandemic commenced.” Therefore, Aero Haven believes that under the “best case” scenario of twelve months from the Interconnection Agreement, the interconnection would not be completed until July 2021, while if twenty-four months are required it would not be completed until July 2022. In either scenario, the interconnection completion would take place after the expiration of the conditional certification provided for in the TI Rule Proposal, April 30, 2021. Petitioner requests an extension of the time to July 22, 2022 or, in the alternative, to October 18, 2021.

Finally, Aero Haven advises that ACE informed it that the upgrade quote must be accepted within thirty days after the Governor’s stay-at-home Order was lifted and, as such, Aero Haven urgently requests a response to the petition on the July 15, 2020 agenda at the latest. Aero Haven petition at Par. 47.

STAFF RECOMMENDATION

Staff agrees with Petitioners that the silence of prior Board Orders and the Transition Incentive Rule Proposal about the treatment of Subsection t projects with applications submitted prior to October 29, 2018 does not evidence an intention to preclude these projects from transferring into the Transition Incentive program if they so desire. Staff recommends that the Board find that Petitioners can register their projects in the Transition Incentive Program with the goal of establishing eligibility for the project to receive TRECs. Staff also recommends that the Board direct Petitioners to submit registrations in the TREC portal, in order to facilitate compliance with the Transition Incentive rules at proposed N.J.A.C. 14:8-10.4(d). Should Staff determine that a registration submitted in the TREC portal meets the program requirements, Staff recommends that the Board require that project to commence commercial operations by the later of: the date in the Order granting conditional certification plus any extensions or April 30, 2021, consistent with the Transition Incentive Rule Proposal at N.J.A.C. 14:8-2.10(d).

In addition, Staff recommends that the Board reiterate its direction in the Aero Haven Order, the HESP Jackson Order, and the HESP Mt. Arlington Order that all conditions in the original conditional certification orders must be addressed and that the property owner and operator of the solar facility is responsible for ensuring that all future operations continue to protect the integrity of the landfill cap.

Staff believes that the significant extension of the forecast for the time required has caused delays justifying Aero Haven’s request for an extension. In light of this unique factor and the progress that this petitioner has made on its project in other respects, Staff recommends that the Board grant Aero Haven’s request for an extension to October 18, 2021.

Finally, Staff notes that there is a limited universe of projects that are similarly situated to Aero Haven and HESP. In order to ensure comparable treatment of all similarly situated entities, Staff recommends that the Board authorize Staff to administratively accept future requests from pre-October 2018 Subsection t projects to move into the Transition Incentive Program, which will ensure fair treatment, and conserve administrative resources. These similarly situated entities are those that: 1) submitted a Subsection t application for conditional certification on or before October 29, 2018; 2) were granted conditional certification by the Board that has not yet expired; and 3) have not yet achieved commercial operation. Further, Staff sees any financial impact on

the SREC market as *de minimus*, but views it as advantageous to promote the ability of project developers to bring these important solar generation resources to fruition by making it easier for these projects to receive financing on attractive terms.

DISCUSSION AND FINDINGS

The Board **FINDS** that Petitioners submitted complete applications pursuant to Subsection t prior to October 29, 2018.

The Board **FINDS** that it is in the public interest to allow projects that submitted applications for conditional certification pursuant to Subsection t prior to October 29, 2018 that retain a valid (i.e. not yet expired) conditional certification and have not yet reached commercial operation to be treated comparably to Subsection t projects that were filed later by allowing these projects to transfer into the Transition Incentive Program and receive TRECs. As discussed above, the Legislature codified a policy preference for solar projects located on properly closed sanitary landfill facilities, brownfields, and areas of historic fill. N.J.S.A. 48:3-51, -87(t). The Board Orders that address the treatment of Subsection t applications with respect to the closure of the SRP and the opening of the Transition Incentive program also evidence the policy preference for Subsection t solar facilities, repeatedly affirming the ability of Subsection t projects that submitted complete applications prior to October 29, 2018 to remain in the SRP regardless of the attainment of the 5.1% Milestone.

The Board **AFFIRMS** its previous orders granting conditional certification to these projects. All conditions and requirements for these projects and their host properties remain in full force and effect.

In addition, to obtain full certification, the Board **DIRECTS** Aero Haven and HESP to transfer their SRP registrations to the Transition Incentive program prior to the Board's announcement of the opening of the Successor Incentive program, in accordance with proposed N.J.A.C. 14:8-10.4(d). The Board **FURTHER DIRECTS** Petitioners to commence commercial operations on the later of the date set by the Board Order granting the project conditional certification, plus any extensions that have been granted, or April 30, 2021, in accordance with proposed N.J.A.C. 14:8-10.4(d). The Board **ORDERS** all other persons with similarly situated projects that choose to transfer into the Transition Incentive program to transfer their SRP registrations to the Transition Incentive program prior to the Board's announcement of the opening of the Successor Incentive program, in accordance with proposed N.J.A.C. 14:8-10.4(d); these similarly situated entities are those that: 1) submitted a subsection t application for conditional certification on or before October 29, 2018; 2) were granted conditional certification by the Board that has not yet expired; and 3) have not yet achieved commercial operation. The Board **FURTHER ORDERS** that these projects must commence commercial operations on the later of the date set by the Board Order granting the project conditional certification, plus any extensions that have been granted, or April 30, 2021, in accordance with proposed N.J.A.C. 14:8-10.4(d).

The Board **DIRECTS** Staff to issue full certification to each project upon the respective Applicant's demonstration that all requirements for full certification have been satisfied, provided that the project achieves commercial operation prior to the later of the date set by the Board Order granting the project conditional certification, plus any extensions that have been granted, or April 30, 2021, in accordance with proposed N.J.A.C. 14:8-10.4(d) and is otherwise in compliance with applicable law. After the Applicant has received full certification, the Board **DIRECTS** Staff to issue a New Jersey Certification Number to the project for purposes of TREC creation for a fifteen-year Qualification Life.

The Board **DIRECTS** Petitioners to submit registrations in the TREC portal.

The Board **ORDERS** that developers and owners of similarly situated Subsection t projects seeking eligibility for the Transition Incentive should submit registrations in the TREC portal. Should Staff determine that such a registration meets the program requirements, the project shall commence commercial operations by the later of the date set by the Board Order granting the project conditional certification, plus any extensions that have been granted, or April 30, 2021, in accordance with proposed N.J.A.C. 14:8-10.4(d) and be eligible to receive TRECs.

Finally, the Board **FINDS** that Aero Haven has pointed to very specific factors that justify an extension, including a change in the estimated timeline for the interconnection process that is largely out of its control. The Board **ALSO FINDS** that Aero Haven demonstrated significant progress on its project. Therefore, the Board **GRANTS** Aero Haven's request for an extension to October 18, 2021. However, the Board cautions that these type of extension requests will be handled on a case-by-case basis for projects in the Transition Incentive Program. In any future extension request the Board expects to see concrete evidence from potential petitioners that points to specific issues causing delays that are outside of the control of the petitioner.

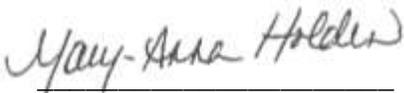
This Order shall be effective immediately.

DATED: July 15, 2020

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

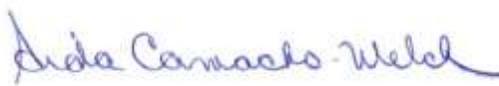


UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

I/M/O THE IMPLEMENTATION OF L. 2012, C. 24, THE SOLAR ACT OF 2012

I/M/O THE IMPLEMENTATION OF L. 2012, C. 24, N.J.S.A. 48:3-87(T) – A
PROCEEDING TO CERTIFIED BROWNFIELD, HISTORIC FILL AND LANDFILL FACILITIES

IN THE MATTER OF THE
PETITION OF HESP SOLAR, LLC SEEKING PARTICIPATION IN THE TRANSITION
INCENTIVE PROGRAM (MOUNT ARLINGTON BOROUGH SOLAR PROJECT)

IN THE MATTER OF THE
PETITION OF HESP SOLAR, LLC SEEKING PARTICIPATION IN THE TRANSITION
INCENTIVE PROGRAM (JACKSON LEGLER LANDFILL)

I/M/O THE PETITION OF AERO HAVEN SOLAR LLC FOR A DETERMINATION THAT THE
COMPANY'S APPLICATION IN THE SRP PURSUANT TO SUBSECTION (T) OF THE SOLAR
ACT OF 2012 IS ELIGIBLE TO APPLY
PETITION OF HESP SOLAR, LLC SEEKING PARTICIPATION IN THE TRANSITION
INCENTIVE PROGRAM

DOCKET NOS. EO12090832V, EO12090862V, QO20060395, QO20060396
and QO20060398

SERVICE LIST

HESP

Stephen B. Pearlman
Pearlman and Miranda
110 Edison Place, Ste. 301
Newark, New Jersey 07102
spearlman@pearlmanmiranda.com

Aero Solar

John G. Valeri, Jr.
Chiesa, Shahinian, and Giantomasi
One Boland Drive
West Orange, New Jersey 07052
jvaleri@csglaw.com

DIVISION OF RATE COUNSEL

140 East Front Street, 4th Floor
Post Office Box 003
Trenton, New Jersey 08625

Stefanie A. Brand, Esq., Director
sbrand@rpa.nj.gov

PSE&G

Terrance J. Moran
PSE&G
80 Park Plaza, T-13
Newark, NJ 07102-4194
Terrance.moran@pseg.com

Joseph A. Shea, Esq.
PSE&G
80 Park Plaza, T-5
Newark, NJ 07102-4194
Joseph.shea@pseg.com

ATLANTIC CITY ELECTRIC CO.

500 N. Wakefield Drive
Pepco Holdings, LLC – 92DC56
PO Box 6066
Newark, DE 19714-6066

Susan DeVito
Susan.devito@pepcoholdings.com

Joseph F. Janocha
joseph.janocha@pepcoholdings.com

Celeste Clark
cclark@rpa.nj.gov

James Glassen
jglassen@rpa.nj.gov

Debra Layugan
dlayugan@rpa.nj.gov

Brian Lipman
blipman@rpa.nj.gov

Ami Morita
amorita@rpa.nj.gov

Diane Schulze
schulze@rpa.nj.gov

Lisa Gurkas
Lgurkas@rpa.nj.gov

NJLEUC

Paul F. Forshay, Partner
Eversheds-Sutherland, LLP
700 Sixth Street, NW, Suite 700
Washington, D.C. 20001-3980
paul.forshay@eversheds-sutherland.com

Steven S. Goldenberg, NJLEUC, Esq.
Fox Rothschild LLP
Princeton Corporate Center
997 Lenox Drive, BLDG. 3
Lawrenceville, NJ 08648-2311
SGoldenberg@foxrothschild.com

Third Party Suppliers

Murray E. Bevan, Esq.
Bevan, Mosca, Giuditta and Zarillo, P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920
mbevan@bmgzlaw.com

Dana Swieson
EPEX
717 Constitutional Drive
Suite 110
Exton, PA 19341
dana.swieson@epex.com

Atlantic City Electric Company – 92DC42
500 N. Wakefield Drive
PO Box 6066
Newark, DE 19714-6066

Philip J. Passanante, Esq.
philip.passanante@pepcoholdings.com

Alison L. Regan
alison.regan@pepcoholdings.com

Thomas M. Hahn
Pepco Holdings, LLC-63ML38
5100 Harding Highway
Mays Landing, NJ 08330
Thomas.hahn@pepcoholdings.com

Daniel A. Tudor
Pepco Holdings, Inc.
701 Ninth Street NW
Washington, DC 20001
datudor@pepco.com

JCP&L

Jersey Central Power and Light Co.
300 Madison Avenue
Morristown, NJ 07962-1911

Sally J Cheong
scheong@firstenergycorp.com

Jennifer Spricigo
jspricigo@firstenergycorp.com

Greg Eisenstark
Windels, Marx and Mittendorf, LLP
120 Albany Street, 6th Floor
New Brunswick, NJ 08901
geisenstark@windelsmarx.com

ROCKLAND

John L. Carley, Esq.
Consolidated Edison Co. of NY
Law Dept., Room 1815-S
4 Irving Place
New York, NY 10003
carleyj@coned.com

Marc A. Hanks
Senior Manager, Government and
Regulatory Affairs
Direct Energy Services, LLC
Marc.Hanks@directenergy.com

Stacey Rantala
National Energy Marketers Association
3333 K Street, N.W., Suite 110
Washington, D.C. 20007
srantala@energymarketers.com

David B. Applebaum
Director, Regulatory Affairs
NextEra Energy Resources, LLC
21 Pardee Place
Ewing, New Jersey 08628
david.applebaum@nexteraenergy.com

David Gil
Manager, Regulatory Affairs
NextEra Energy Resources, LLC
700 Universe Boulevard
Juno Beach, Florida 33408
david.gil@nexteraenergy.com

Kathleen Maher
Constellation NewEnergy
810 Seventh Avenue, Suite 400
New York, NY 10019-5818
kathleen.maher@constellation.com

BGS SUPPLIERS

Steven Gabel - IEPNJ
Gabel Associates
417 Denison Street
Highland Park, NJ 08904
steven@gabelassociates.com

James Laskey, Esq. - IEPNJ
Norris McLaughlin and Marcus
721 Route 202-206
Bridgewater, NJ 08807
jlasky@nmmlaw.com

James C. Meyer, Esq.
Riker, Danzig, Scherer, Hyland
and Perretti
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962
jmeyer@riker.com

William A. Atzl, Jr.
Rockland Electric Company
4 Irving Place – Room 515-S
New York, NY 10003
atzlw@coned.com

Margaret Comes, Esq.,
Consolidated Edison Co. of NY
Law Department, Room 1815-S
4 Irving Place
New York, NY 10003
comesm@coned.com

OTHER PARTIES

Chrissy Buteas
NJBIA
102 West State Street
Trenton, NJ 08608-1199
cbuteas@njbja.org

John Holub
NJ Retail Merchants Assoc.
332 West State Street
Trenton, NJ 08618
John@njrma.org

Holly Minogue
Gabel Associates
Energy, Environmental, and Public Utility
Consulting
417 Denison Street
Highland Park, NJ 08904
holly.minogue@gabelassociates.com

Larry Spielvogel, PE
L. G. Spielvogel, Inc.
190 Presidential Blvd # 310
Bala Cynwyd, PA 19004-1151
spielvogel@comcast.net

Raymond Depillo
PSEG Services Corporation
80 Park Plaza, T-19
P.O. Box 570
Newark, NJ 07101
raymond.depillo@pseg.com

Shawn P. Leyden, Esq.
PSEG Energy Resources and Trade
80 Park Plaza, T-19
P. O. Box 570
Newark, NJ 07101
shawn.leyden@pseg.com

Mark Haskell
Cadwalader, Wickersham and Taft LLP
700 Sixth Street, SW
Washington, DC 20001
mark.haskell@cwt.com

David K Richter, Esq.
PSEG
Regulatory Department
80 Park Plaza, T-5C
P. O. Box 570
Newark, NJ 07101
david.richter@pseg.com

Craig S. Blume
Director, Power Marketing
UGI Energy Services / UGI Development
Company
One Meridian Boulevard, Suite 2C01
Wyomissing, PA 19610
cblume@ugies.com

Marcia Hissong, Director, Contract
Administration/Counsel
DTE EnergyTrading, Inc.
414 South Main Street
Suite 200
Ann Arbor, MI 48104
hissongm@dteenergy.com

Don Hubschman
American Electric Power
155 W. Nationwide Blvd.
Columbus, OH 43215
dmhubschman@aepes.com

Robert Macksoud, Jr, CEP
Director Energy Procurement
EnergySolve
One Executive Drive, Suite 401
Somerset, NJ 08873
rmacksoud@energysolve.com

Lyle Rawlings
Mid-Atlantic Solar Energy Industries
Association
Rutgers EcoComplex, Suite 208-B
1200 Florence-Columbus Road,
Bordentown, NJ 08505
lrawlings@mseia.net

Bruce H. Burcat, Esq.
Executive Director
Mid-Atlantic Renewable Energy Coalition
208 Stonegate Way
Camden, DE 19934
bburcat@marec.us

Sean Gallagher
Solar Energy Industries Association
575 7th Street, NW
Suite 400
Washington, DC 20005
sgallagher@seia.org

DIVISION OF LAW

25 Market Street
Post Office Box 112
Trenton, NJ 08625-0112

Pamela Owen, DAG
pamela.owen@law.njoag.gov

Michael Beck, DAG
michael.beck@law.njoag.gov

Daren Eppley, DAG
Daren.eppley@law.njoag.gov

Christine McGarvey
AEP Energy Partners, Inc.
Energy Trader
155 W Nationwide Blvd
Suite 500
Columbus, OH 43215
clmcgarvey@aepes.com

Matthew Davies
TransCanada Power Marketing Ltd.
110 Turnpike Road, Suite300
Westborough, MA 01581
Matthew_daview@transcanada.com

Glenn Riepl
AEP Energy Services
1 Riverside Plaza, 14th Floor
Columbus, OH 43215-2373
gfriepl@aep.com

Howard O. Thompson - BGS
Russo Tumulty Nester Thompson
Kelly, LLP
240 Cedar Knolls Road, Suite 306
Cedar Knolls, NJ 07927
hthompson@russotumulty.com

Sharon Weber
PPL Energy Plus
2 North 9th Street TW 20
Allentown, PA 18101
sjweber@pplweb.com

Glen Thomas
The P³ Group, GT Power Group LLC
1060 First Avenue, Suite 400
King of Prussia, PA 19406
Gthomas@gtpowergroup.com

Divesh Gupta, Esq.
Exelon Business Services Corp.
111 Market Place, Suite 1200C
Baltimore, Maryland 21202
divesh.gupta@constellation.com

Tom Hoatson
LS Power Development, LLC
2 Tower Center
East Brunswick, NJ 08816
thoatson@lspower.com

BPU

New Jersey Board of Public Utilities
44 South Clinton Ave. 9rd Floor
Post Office Box 350
Trenton, NJ 08625-0350

Paul Flanagan, Executive Director
Paul.flanagan@bpu.nj.gov

Aida Camacho-Welch, Secretary
board.secretary@bpu.nj.gov

Kelly Mooij, Director
kelly.mooij@bpu.nj.gov

B. Scott Hunter
B.hunter@bpu.nj.gov

Ariane Benrey
Ariane.benrey@bpu.nj.gov

Adam Kaufman
Executive Director
Independent Energy Producers of NJ
Five Vaughn Drive, Suite 101
Princeton, NJ 08540
akaufman@kzgrp.com

Anthony Pietranico
ConEdison Solutions Inc.
Electricity Supply Specialist
Tel: 732-741-5822 x204
pietranicoa@conedsolutions.com

Aundrea Williams
Director Regulatory Affairs
NextEra Power Marketing LLC
700 Universe Boulevard
Juno Beach, Fl. 33408
aundrea.williams@nexteraenergyservices.com

Ira G. Megdal
Cozen O'Connor
457 Haddonfield Road
Suite 300 P.O. Box 5459
Cherry Hill, NJ 08002
imegdal@cozen.com

Christi L. Nicolay
Division Director
Macquarie Energy LLC
500 Dallas St., Level 31
Houston, TX 77002
Christi.Nicolay@macquarie.com

Becky Merola
Noble Americas Energy Solutions, LLC
5325 Sheffield Avenue
Powell, OH 43065
bmerola@noblesolutions.com