



Agenda Date: 7/29/20  
Agenda Item: 2A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE PETITION OF )  
PRINCETON UNIVERSITY IN SUPPORT OF ITS )  
REQUEST FOR A WAIVER OF BOARD )  
JURISDICTION PURSUANT TO N.J.S.A. 48:2-13 )  
AND FOR A WAIVER OF B.P.U.N.J. NO.: 16, )  
ELECTRIC, ORIGINAL SHEET NO. 27, STANDARD )  
TERMS AND CONDITIONS NO. 9.2.2 )  
ORDER DESIGNATING )  
PRESIDING COMMISSIONER )  
BPU DOCKET NO. EW20040288

**Parties of Record:**

**William Harla, Esq.**, Decotiis, Fitzpatrick, Cole and Giblin, LLP on behalf of Princeton University  
**Stefanie A. Brand, Esq., Director**, Division of Rate Counsel

BY THE BOARD:

**BACKGROUND:**

On April 9, 2020, Princeton University (“Princeton”) filed a petition with the New Jersey Board of Public Utilities (“Board”) seeking a waiver of Board jurisdiction pursuant to N.J.S.A. 48:2-13 to permit electrical sub-metering of facilities to be constructed on the Lake Campus and potentially the proposed geexchange system for the heating and chilling of water. Princeton also seeks a waiver from Public Service Electric and Gas Company’s (“PSE&G’s”) utility tariff prohibiting sub-metering.

In the petition, Princeton provides that it is in the process of constructing a new substation that it will own and operate on its Lake Campus located south of Lake Carnegie. Princeton is considering several different scenarios to effectuate providing power, and possibly the geexchange of heated and chilled water, from the substation to a number of facilities to be constructed on the Lake Campus, including facilities owned and operated by Princeton and potentially facilities owned and operated by third parties.

Princeton is designing and building a central geexchange plant to supply hot and chilled water to each new Lake Campus building. Princeton proposes to submeter the graduate housing apartments. Princeton asserts that when powered by renewable electricity, the Lake Campus will have negligible fossil fuel use and carbon emissions. Princeton has contemplated three (3) scenarios to provide electricity to the Lake Campus.

In the petition, Princeton asserts that, absent the issuance of a waiver, the contemplated three scenarios would place Princeton in a position of being considered a “utility” or “regulated entity”

by the Board and would subject Princeton to full Board jurisdiction. Therefore, Princeton asserts that a waiver of the Board's regulations and PSE&G's tariff is necessary because otherwise, they would present a substantial hardship to Princeton and its operations.

**DISCUSSION AND FINDINGS**

The Board has determined that the petition should be retained by the Board for hearing pursuant to N.J.S.A. 48:2-32. The Board **HEREBY DESIGNATES** Commissioner Mary-Anna Holden as the presiding officer. The Board **FURTHER ORDERS** that Commissioner Mary-Anna Holden, as the presiding Commissioner, is **HEREBY AUTHORIZED** to establish and modify schedules, decide all motions, and otherwise control the conduct of this case, without the need for full Board approval, subject to subsequent Board ratification.

The Board **HEREBY DIRECTS** that all entities seeking to intervene or participate in this matter file the appropriate application with the Board by August 19, 2020. Commissioner Mary-Anna Holden will render a decision on any motions filed. Any party wishing to file a motion for admission of counsel, pro hac vice, should do so concurrently with any motion to intervene or participate.

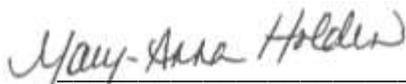
In addition, in compliance with the Board's Order in Docket No. EO20030254,<sup>1</sup> all parties are **HEREBY DIRECTED** to serve all documents electronically. No hard copies shall be filed until the Board lifts the restrictions imposed in that Order. The Board **HEREBY DIRECTS** Staff to post this Order to the Board's website.

DATED: July 29, 2020

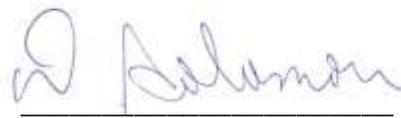
BOARD OF PUBLIC UTILITIES  
BY:



JOSEPH L. FIORDALISO  
PRESIDENT



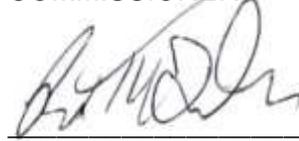
MARY-ANNA HOLDEN  
COMMISSIONER



DIANNE SOLOMON  
COMMISSIONER

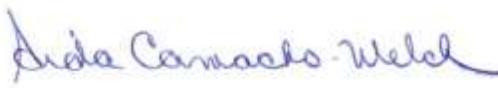


UPENDRA J. CHIVUKULA  
COMMISSIONER



ROBERT M. GORDON  
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH  
SECRETARY

<sup>1</sup> In re the New Jersey Board Of Public Utilities' Response to the Covid-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket. No. EO20030254, Order dated March 19, 2020.

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REQUEST FOR A WAIVER OF BOARD JURISDICTION PURSUANT TO N.J.S.A. 48:2-13  
AND FOR A WAIVER OF B.P.U.N.J. NO.: 16, ELECTRIC, ORIGINAL SHEET NO. 27,  
STANDARD TERMS AND CONDITIONS NO. 9.2.2**

**BPU DOCKET NO. EW20040288**

**SERVICE LIST**

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