



Agenda Date: 6/29/22

Agenda Item: 2H

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE VERIFIED PETITION OF) ORDER APPROVING
ROCKLAND ELECTRIC COMPANY CONCERNING THE) STIPULATION
SETTING OF THE ADMINISTRATIVE FEE AND THE)
REGIONAL GREENHOUSE GAS INITIATIVE (“RGGI”))
RECOVERY CHARGE FOR 2022 ASSOCIATED WITH)
ITS SOLAR RENEWABLE ENERGY CERTIFICATE) DOCKET NO. ER21091108
 (“SREC II”) PROGRAM)

Parties of Record:

Margaret Comes, Esq., for Rockland Electric Company
Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

On September 1, 2021, Rockland Electric Company (“RECO” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board”) seeking authority to maintain the Administrative Fee and Regional Greenhouse Gas Initiative Surcharge (“RGGI Surcharge”) associated with the Company’s Solar Renewable Energy Certificate (“SREC”) Program (“SREC II Program”) for calendar year 2022 (“September 2021 Petition”). By this Decision and Order, the Board considers a stipulation of settlement (“Stipulation”) executed by RECO, the New Jersey Division of Rate Counsel (“Rate Counsel”), and Board Staff (“Staff”) (collectively, “Parties”) intended to resolve the Company’s requests related to the September 2021 Petition.

Background and Procedural History

By Order dated August 7, 2008, the Board directed RECO to file with the Board a solar financing plan by January 31, 2009.¹ RECO filed its SREC-based financing program on February 2, 2009, and by Order dated July 31, 2009, the Board authorized the Company to implement the program.² The costs for the SREC financing program were to be recovered through the Company’s existing RGGI Surcharge.

¹ In re the Renewable Energy Portfolio Standard, BPU Docket No. EO06100744, Order dated August 7, 2008.

² In re the Verified Petition of Rockland Electric Company Concerning a Proposal for an SREC-Based Program Under N.J.S.A 48:3-98.1, BPU Docket No. EO09020097, Order dated July 31, 2009.

On November 8, 2011, the Board directed the Office of Clean Energy to initiate an assessment of New Jersey's renewable energy programs, as well as address issues raised by the Solar Energy Advancement and Fair Competition Act (L. 2009, c. 289), and the 2011 Energy Master Plan.³ On May 23, 2012, the Board issued an Order directing RECO "to file within, 5 business days of service of [the May 23, 2012] Order, a notice of their intention to participate or not to participate in the Extended Electric Distribution Company SREC Programs consistent with Staff's recommendations adopted by the Board herein."⁴ On September 5, 2012, RECO submitted a petition for Board approval of the Company's SREC II Program. By Order dated December 18, 2013, the Board authorized RECO to offer an SREC II Program with a total program size of up to 4.5 MW.⁵ The December 2013 Order set the Administrative Fee for SREC II Program participants at \$30.00 per SREC, and further ordered that after five (5) years there would be a true-up of administrative costs and program participant fees, and the program participant fees would be adjusted on a prospective basis beginning January 1, 2019. Additionally, the December 2013 Order directed RECO to "assess Application Fees, Assignment and Administrative Fees (collectively, "Program Participant Fees") to program participants."

Through a series of Board Orders dated December 20, 2019, December 16, 2020, and July 14, 2021, the Board approved the maintenance of the Company's SREC II Administrative Fee at the Board's previously approved rate of \$30.00, and maintained the RGGI Surcharge applicable to the SREC II Program Direct Costs at its current rate of \$0.000000 per kWh.⁶

September 2021 Petition

In the September 2021 Petition, RECO proposed the continue modification of its SREC II cost recovery mechanism. According to RECO, using the cost recovery provisions from the December 2013 Order, the Company would need to decrease the Administrative Fee from \$30.00 to \$26.16 per SREC. RECO provided that notwithstanding yearly fluctuation of actual administrative costs, a reduction of the Administrative Fee could result in an under-recovery in 2022 and subsequent calendar years. Accordingly, RECO requested authorization to carry forward its current over-recovered administrative fee balances, and to maintain the Administrative Fee at \$30.00 for calendar year 2022. Additionally, RECO sought approval to maintain its RGGI Surcharge for the recovery of the SREC II Program Direct Costs at \$0.000000 per kWh.⁷

³ The Office of Clean Energy was subsequently renamed the Division of Clean Energy.

⁴ In re the Review of Utility Supported Solar Programs, BPU Docket No. EO11050311V, Order dated May 23, 2012 at page 28.

⁵ In re the Matter of the Verified Petition of Rockland Electric Company for Approval to Implement an Extended Solar Renewable Energy Certificate-Based Financing Program Pursuant to NJ.S.A. 48: 3-98.1 (SREC II Program), BPU Docket No. EO13020118, Order dated December 18, 2013 ("December 2013 Order").

⁶ In re the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and The Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2019 Associated with Its Solar Renewable Energy Certificate (SREC II) Program, BPU Docket No. ER19020156, Order dated December 20, 2019.

In re the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and The Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2021 Associated with Its Solar Renewable Energy Certificate (SREC II) Program, BPU Docket No. ER20100691, Order dated December 16, 2020 and Order dated July 14, 2021.

⁷ All rates quoted herein are inclusive of New Jersey Sales and Use Tax.

By Order dated December 15, 2021, the Board approved the continuation of the Company's SREC II Administrative Fee of \$30.00 for the remainder of calendar year 2022.⁸

Through the course of the proceeding, RECO updated its exhibits to reflect actual data through December 31, 2021 ("Update"). As a result of the Update, and by using the cost recovery provisions from the December 2013 Order, the Company's calculated Administrative Fee decreased from \$26.16 to \$25.44.

Since the Company's September 2021 Petition did not propose an increase in rates, public hearings were not required or held in this matter, nor were written comments received by the Board.

STIPULATION

Following a review of the September 2021 Petition, the Update and discovery, the Parties executed the Stipulation, which provides for the following:⁹

1. The Parties agree that the Administrative Fee for the SREC II Program for calendar year 2022 shall continue at the previously approved level of \$30. The Parties further agree that the RGGI Surcharge associated with the SREC II Program shall continue by tariff at \$0.000000 per kWh. Exhibit A, attached to the Stipulation, provides the proposed updated tariff pages that shall be applicable upon the Board's approval of the Stipulation.
2. The Parties agree that through December 31, 2021, the Company incurred total Administrative Costs of \$74,770, and collected Administrative Fees of \$77,630, for a net over-recovery \$2,860. The interest on the \$2,860 net over-recovery is a credit of \$23.00. Given estimated 2022 Administrative Costs of \$26,512, the total amount to be collected in 2022 is \$23,629, which also includes the 2021 interest of \$23.00 and the net over-recovery of \$2,860.¹⁰
3. The Parties agree that through December 31, 2021, the Company incurred Direct Costs for SRECs of \$385,851 and received auction proceeds of \$522,470, for a net over-recovery of \$136,619, excluding interest. In its next SREC II filing, the Company will update these Direct Costs and auction proceeds, and identify the amount of interest accrued to date.
4. The Parties recognize and acknowledge that the Board's December 2013 Order provides that, "After five years, there will be a true-up of Administrative Costs (including interest, if

⁸ In re the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and The Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2022 Associated with Its Solar Renewable Energy Certificate (SREC II) Program, BPU Docket No. ER21091108, Order dated December 15, 2021.

⁹ Although summarized in this Order, should there be any conflict between this summary and the Stipulation, the terms of the Stipulation control, subject to the finding and conclusion in this Order. Paragraphs are lettered and/or numbered to coincide with the Stipulation.

¹⁰ Since the Administrative Costs of \$74,770 do not include accumulated interest, the interest of \$23.00, the over-recovery of \$2,860, and the total Administrative Costs to be recovered in 2022 may change. The Company will update its filing for 2022 with accumulated interest.

applicable) and Program Participant Fees, and Program Participant Fees will be adjusted accordingly on a prospective basis. Beginning January 1, 2019, RECO will implement annual Program Participant Fee adjustments that will reflect any prior year under-recovery/over-recovery as well as a projection of Administrative Costs over the next annual period.” Additionally, the Parties recognize and acknowledge, that the December 2013 Order provides in paragraph 11 on page 9: “If, at the end of the SREC II Program cost amortization (which would not be earlier than the end of the ten-year contract terms of any SREC-PSAs executed during Year 3 of the SREC II Program), there is a net over-recovery of SREC Sales Revenue relative to Direct Costs of purchasing SRECs, then this over-recovery will be, in the first instance, used to offset any under-recovered Administrative Costs. Thereafter, any over-recovery will be returned to ratepayers through the RGGI Surcharge.” The Parties agree that the Stipulation does not modify any provisions contained in the Board’s December 2013 Order. However, the Parties agree that RECO is authorized to carry forward any unrecovered administrative fee balance for recovery from Program Participants in future annual periods with interest.

5. Should the Board approve the Stipulation, the Company will submit updated tariff sheets within 10 business days of the effective date of the Board's Order conforming to the agreed upon rates and terms set forth in the Stipulation or on such other schedule as the Board shall determine. Additionally, the Company shall make its next SREC II filing establishing its proposed Administrative Fees of its RGGI surcharge for calendar year 2023 by no later than September 1, 2022. As stated in Board Order dated June 9, 2021 (BPU Docket Nos. QO19010040 and EO20090623) in paragraph 29 on page 12: “The Company’s filings as it relates to its RGGI Surcharge shall be combined into one annual filing.” The Company shall incorporate its SREC II filing, establishing its proposed Administrative Fees and SREC II component of its RGGI Surcharge for calendar year 2024, into its consolidated RGGI filing due no later than February 1, 2023.

DISCUSSION AND FINDINGS

After review of the record in this matter, including the September 2021 Petition, the Update and the Stipulation, the Board **HEREBY FINDS** that the Stipulation is reasonable, in the public interest, and in accordance with the law. Therefore, the Board **HEREBY ADOPTS** the Stipulation in its entirety, and **HEREBY INCORPORATES** its terms and conditions as though fully set forth herein.

The Board **HEREBY ORDERS** the Company to: 1) continue the SREC II Administrative Fee of \$30.00 for the remainder of calendar year 2022, which may be adjusted annually beginning January 1, 2023; and 2) maintain the RGGI Surcharge applicable to the SREC II Program Direct Costs at its current rate of \$0.000000 per kWh.

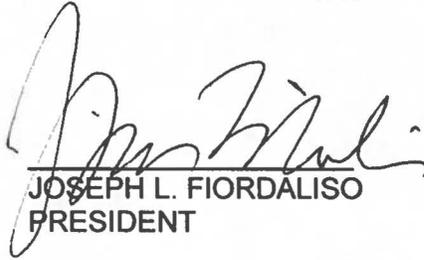
The Board **HEREBY DIRECTS** the Company to file revised tariff sheets conforming to the terms of the Stipulation by June 30, 2022.

The Company's costs, including those related to the program described above, remain subject to audit by the Board. This Decision and Order shall not preclude or prohibit the Board from taking any actions determined to be appropriate as a result of any such audit.

The effective date of this Order is June 29, 2022.

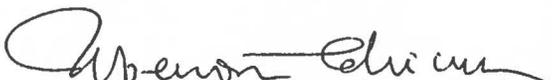
DATED: June 29, 2022

BOARD OF PUBLIC UTILITIES
BY:


JOSEPH L. FIORDALISO
PRESIDENT

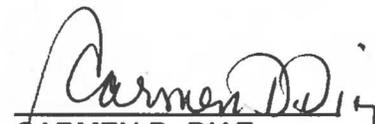

MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER


UPENDRA J. CHIVUKULA
COMMISSIONER


ROBERT M. GORDON
COMMISSIONER

ATTEST:


CARMEN D. DIAZ
ACTING SECRETARY

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

IN THE MATTER OF THE VERIFIED PETITION OF ROCKLAND ELECTRIC COMPANY CONCERNING THE SETTING OF THE ADMINISTRATIVE FEE AND THE REGIONAL GREENHOUSE GAS INITIATIVE ("RGGI") RECOVERY CHARGE FOR 2022 ASSOCIATED WITH ITS SOLAR RENEWABLE ENERGY CERTIFICATE ("SREC II") PROGRAM

DOCKET NO. ER21091108

SERVICE LIST

<p><u>Board of Public Utilities</u> 44 South Clinton Avenue, 1st Floor Post Office Box 350 Trenton, NJ 08625-0350</p> <p>Carmen D. Diaz, Acting Secretary board.secretary@bpu.nj.gov</p> <p>Stacy Peterson, Deputy Executive Director stacy.peterson@bpu.nj.gov</p> <p><u>Counsel's Office</u></p> <p>Heather Weisband, Esq., Senior Counsel heather.weisband@bpu.nj.gov</p> <p><u>Division of Energy</u></p> <p>Mike Kammer, Director mike.krammer@bpu.nj.gov</p> <p>Paul Lupo paul.lupo@bpu.nj.gov</p> <p>Bart Kilar bart.kilar@bpu.nj.gov</p> <p><u>Division of Rate Counsel</u> 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08625-0003</p> <p>Brian O. Lipman, Esq., Director blipman@rpa.nj.gov</p> <p>Maura Caroselli, Esq., Managing Attorney mcaroselli@rpa.nj.gov</p> <p>Sarah H. Steindel, Esq. ssteinde@rpa.nj.gov</p>	<p><u>Rate Counsel Consultant</u></p> <p>Andrea C. Crane The Columbia Group, Inc. 2805 East Oakland Park Boulevard, #401 Ft. Lauderdale, FL 33306 ctcolumbia@aol.com</p> <p><u>Division of Law</u> NJ Department of Law and Public Safety Richard J. Hughes Justice Complex Public Utilities Section 25 Market Street, P.O. Box 112 Trenton, NJ 08625</p> <p>Pamela Owen, DAG pamela.owen@law.njoag.gov</p> <p>Darren Eppley, DAG darren.eppley@law.njoag.gov</p> <p>Michael Beck, DAG michael.beck@law.njoag.gov</p> <p>Terel Klein, DAG terel.klein@law.njoag.gov</p> <p><u>Rockland Electric Company</u> 4 Irving Place New York, NY 10003</p> <p>John Carley, Esq. icarley@coned.com</p> <p>Margaret Comes, Esq. comesm@coned.com</p> <p>Michael DiGravina digravinam@coned.com</p> <p>Andrew Howard howardan@oru.com</p> <p>Cheryl Ruggiero ruggieroc@coned.com</p>
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proposed Solar Renewable Energy Certificate (“SREC”) II Administrative Fee and applicable Regional Greenhouse Gas Initiative (“RGGI”) Surcharge for calendar year 2022.¹

In the Rockland SREC II Order the Board approved a Stipulation of Settlement, which set forth how Rockland would participate in an SREC-based financing plan with Jersey Central Power & Light Company (“JCP&L”) and Atlantic Electric Company (“ACE”). Pursuant to this Board-approved Stipulation, Rockland agreed to implement an SREC II Program whereby it would enter into SREC Purchase and Sale Agreements (“SREC-PSAs”) with solar project owners or developers (“Program Participants”) selected through a competitive process. Specifically, Rockland agreed to enter into SREC-PSAs with selected Program Participants for up to 4.5 MW of installed solar capacity in Rockland's service territory, allocated among three (3) program segments and solicited over a three (3)-year period.

On February 4, 2019, the Company filed a Verified Petition seeking Board approval of (i) the true-up of the Administrative Costs incurred and Program Participant Fees collected from July 2014 to December 2018 pursuant to the SREC II Program, and (ii) Rockland's proposal regarding the adjustment of the SREC II Program's Administrative Costs and Program Participant Fees effective January 1, 2019 (“February 2019 Petition”). In its February 2019 Petition, the Company proposed no changes to the Program Participant Fees. By Order dated December 20, 2019, the Board approved the following: (i) continuation of the SREC II Administrative Fee at \$30 per SREC for calendar year 2019; (ii) to maintain the Administrative Fee for calendar year 2020 at \$30 since Rockland will not have filed a petition for the Parties to review related to the Administrative Fee;

¹ Order Approving Stipulation *In the Matter of the Verified Petition of Rockland Electric Company for Approval to Implement an Extended Solar Renewable Energy Certificate-Based Financing Program Pursuant to N.J.S.A. 48:3-98.1 (SREC II Program)*, Docket No. EO13020118 Order, dated December 18, 2013 (“Rockland SREC II Order”).

and (iii) to continue the RGGI Surcharge to recover SREC II Financing Program's Direct Charges at \$0.000000 per kWh.²

On October 30, 2020, the Company filed a Verified Petition seeking Board approval of a proposed SREC II Administrative Fee and applicable RGGI Surcharge for calendar year 2021 ("2020 Petition"). In the 2020 Petition, the Company stated that from the inception of its SREC II Program through 2020, RECO's under-recovered balance of Administrative Costs was \$68,952 excluding interest. RECO projected its administrative costs through calendar year 2021, with interest, to be \$159,037. The 2020 Petition provided that the Administrative Fees and Administrative Costs in the 2020 Petition for October 2020 through December 2020 were estimated. The Company also explained that using the recovery mechanism set out in the Rockland SREC II Order, its Administrative Fee would be \$45.28 per SREC. The Company stated that based upon SREC II Program Direct Costs and SREC II Auction Revenues through 2020, and its projected SREC II Program Direct Costs and SREC II Auction Revenues through calendar year 2021, there was projected to be an over-recovered balance of Direct Costs, excluding interest, of \$189,848. The Company also explained that Direct Costs and Auction revenues in the 2020 Petition for October through December 2020 were estimated. Accordingly, the Company proposed that its RGGI Surcharge be continued at its current charge of \$0.000000 per kWh.

By Order dated December 16, 2020, the Board approved the Company's request to continue the SREC II Program's Administrative Fee for calendar year 2021 at the then applicable

² Decision and Order Approving Stipulation, *In the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and the Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2019 Associated with Its Solar Renewable Energy Certificate (SREC II) Program*, Docket No. ER19020156, Order dated December 20, 2019.

charge of \$30 per SREC.³ The Board's December 2020 SREC II Order did not address the RGGI Surcharge for the direct costs associated with the SREC II Financing Program, and accordingly did not approve a specific tariff provision for such charge.

On March 19, 2021, the Company updated its SREC II Administrative Costs and projected Administrative Costs, and calculated an under-recovery of Administrative Costs in 2020 of \$67,599, and Projected Administrative Costs for 2021 including interest of \$61,261 ("March 2021 Update"). Based upon the March 2021 Update, the Company's Administrative and projected Administrative Costs to be recovered in 2021, with interest, was \$128,860, and its updated Administrative Fee was \$43.14.

By Order dated July 14, 2021, the Board approved a Stipulation signed by the Parties whereby the Parties agreed that the Administrative Fee for the SREC II Program for calendar year 2021 would continue at the previously approved level of \$30.00, and the RGGI Surcharge associated with the SREC II Program would continue at a rate of \$0.000000 per kWh.⁴

On September 1, 2021, the Company filed a Verified Petition seeking Board approval of a proposed SREC II Administrative Fee and applicable RGGI Surcharge for calendar year 2022 ("2021 Petition"). In the 2021 Petition, the Company stated that from the inception of its SREC II Program, RECO will have collected in administrative fees \$73,880 based upon actual data through July 2021, and \$3,750 in estimated administrative fees from August 2021 through

³ Decision and Order Setting Administrative Fee, *In the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and the Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2021 Associated with Its Solar Renewable Energy Certificate (SREC II) Program*, Docket No. ER20100691, Order dated December 16, 2020 ("December 2020 SREC II Order").

⁴ Decision and Order Approving Stipulation, *In the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and the Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2021 Associated with Its Solar Renewable Energy Certificate (SREC II) Program*, Docket No. ER20100691, Order dated July 14, 2021.

December 2021. Correspondingly, from the inception of the SREC II Program through July 2021, RECO has incurred administrative costs of \$65,843 based upon actual data through July 2021, and \$9,000 in estimated administrative fees from August 2021 through December 2021. The Company's estimated over-recovered balance of administrative costs from initiation of the SREC II Program through December 2021 is \$2,787, which included actual balance through July 2021 and estimated balance from August 2021 through December 2021, but without interest of \$1,797. The Company's estimated administrative costs for calendar year 2022 are \$27,000. In the 2021 Petition, the Company proposed that the Administrative Fee remain at \$30 per SREC.

By Order dated December 15, 2021, the Board approved the Company's request to continue the SREC II Program's Administrative Fee for calendar year 2021 at the then applicable charge of \$30 per SREC.⁵ The Board's December 2021 SREC II Order did not address the RGGI Surcharge for the direct costs associated with the SREC II Financing Program, and accordingly did not approve a specific tariff provision for such charge.

On February 17, 2022, the Company updated its SREC II Administrative Fees, Administrative Costs, and projected Administrative Costs based upon actual data through December 2021 and projected data through December 2022. Accordingly, since the inception of the SREC II Program, the Company collected \$77,630 in Administrative Fees and incurred \$74,770 of Administrative Costs based upon actual data through December 2021.⁶ The Company's over-recovered balance of Administrative Costs from initiation of the SREC II Program through December 2021, is \$2,860. The Company's projected 2022 Administrative

⁵ Decision and Order Setting Administrative Fee, *In the Matter of the Verified Petition of Rockland Electric Company Concerning the Setting of the Administrative Fee and the Regional Greenhouse Gas Initiative Recovery Charge ("Rider RGGI") for 2022 Associated with Its Solar Renewable Energy Certificate (SREC II) Program*, Docket No. ER21091108, Order dated December 15, 2021 ("December 2021 SREC II Order").

⁶ The \$74,770 does not include accumulated interest.

Costs are \$26,512, when incorporating the over-recovered balance of \$2,860 and including a credit interest of \$23 accrued in calendar year 2021, the total projected Administrative Costs to be recovered in calendar year 2022 is \$23,629.⁷

STIPULATION

Since Rockland's submission of the 2021 Petition, Rate Counsel and Staff have propounded, and the Company has responded to, detailed discovery requests. As a result, the Parties have executed the following Stipulation, which provides for the following:

1. The Parties agree that the Administrative Fee for the SREC II Program for calendar year 2022 shall continue at the previously approved level of \$30. The Parties further agree that the RGGI Surcharge associated with the SREC II Program shall continue by tariff at \$0.000000 per kWh, inclusive of New Jersey Sales and Use Tax. Exhibit A, attached to the Stipulation, provides the proposed updated tariff pages that shall be applicable upon the Board's approval of the Stipulation.
2. The parties agree that through December 31, 2021, the Company incurred total Administrative Costs of \$74,770, and collected Administrative Fees of \$77,630, for a net over-recovery \$2,860. The interest on the \$2,860 net over-recovery is a credit of \$23.00. Given estimated 2022 Administrative Costs of \$26,512, the total amount to be collected in

⁷ The Administrative Costs of \$74,770 do not include accumulated interest, the interest of \$23.00, the over-recovery of \$2,860, and the total Administrative Costs to be recovered in 2022 may change. The Company will update its filing for 2022 with accumulated interest.

2022 is \$23,629, which also includes the 2021 interest of \$23.00 and the net over-recovery of \$2,860.⁸

3. The parties agree that through December 31, 2021, the Company incurred Direct Costs for SRECs of \$385,851 and received auction proceeds of \$522,470, for a net over-recovery of \$136,619, excluding interest. In its next SREC II filing, the Company will update these Direct Costs and auction proceeds, and identify the amount of interest accrued to date.
4. The Parties recognize and acknowledge that the Board's Rockland SREC II Order provides that, "After five years, there will be a true-up of Administrative Costs (including interest, if applicable) and Program Participant Fees, and Program Participant Fees will be adjusted accordingly on a prospective basis. Beginning January 1, 2019, RECO will implement annual Program Participant Fee adjustments that will reflect any prior year under-recovery/over-recovery as well as a projection of Administrative Costs over the next annual period." Additionally, the Parties recognize and acknowledge that the Rockland SREC II Order provides in paragraph 11 on page 9: "If, at the end of the SREC II Program cost amortization (which would not be earlier than the end of the ten-year contract terms of any SREC-PSAs executed during Year 3 of the SREC II Program), there is a net over-recovery of SREC Sales Revenue relative to Direct Costs of purchasing SRECs, then this over-recovery will be, in the first instance, used to offset any under-recovered Administrative Costs. Thereafter, any over-recovery will be returned to ratepayers through the RGGI Surcharge." The Parties agree that the Stipulation does not modify any provisions

⁸ See footnotes 6 and 7 above. Since the Administrative Costs of \$74,770 do not include accumulated interest, the interest of \$23.00, the over-recovery of \$2,860, and the total Administrative Costs to be recovered in 2022 may change. The Company will update its filing for 2022 with accumulated interest.

contained in the Rockland SREC II Order. However, the Parties agree that Rockland is authorized to carry forward any unrecovered administrative fee balance for recovery from Program Participants in future annual periods with interest.

5. Should the Board approve this Stipulation, the Company will submit updated tariff sheets within 10 business days of the effective date of the Board's Order conforming to the agreed upon rates and terms set forth in this Stipulation or on such other schedule as the Board shall determine. Additionally, the Company shall make its next SREC II filing establishing its proposed Administrative Fees of its RGGI surcharge for calendar year 2023 by no later than September 1, 2022. As stated in Board Order dated June 9, 2021 (BPU Docket Nos. QO19010040 and EO20090623) in paragraph 29 on page 12: "The Company's filings as it relates to its RGGI Surcharge shall be combined into one annual filing." The Company shall incorporate its SREC II filing, establishing its proposed Administrative Fees and SREC II component of its RGGI Surcharge for calendar year 2024, into its consolidated RGGI filing due no later than February 1, 2023.
6. This Stipulation represents a negotiated compromise resolution that has been made exclusively for the purpose of the above-referenced proceedings. The Parties agree that this Stipulation contains mutual balancing and interdependent clauses and is intended to be accepted and approved in its entirety. In the event any particular provision of this Stipulation is not accepted and approved in its entirety by the Board, or is modified by a court of competent jurisdiction, then any Party aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right, upon written notice to be provided to all other Parties within 10 days after receipt of any such adverse decision, 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 an appropriate Order, or is modified by a court of competent jurisdiction, then any Party hereto is free, upon the timely provision of such written notice, to pursue its then available legal remedies with respect to all issues addressed in this Stipulation, as though this Stipulation had not been signed. The Parties agree that this Stipulation shall be binding on them for all purposes herein.

7. By executing this Stipulation, no Party waives any rights it possesses under any prior Stipulation, except where the terms of this Stipulation supersede such prior Stipulation. The contents of this Stipulation shall not be considered, cited, or used by any of the undersigned Parties as an indication of any Party's position on any related or other issue litigated in any other proceeding or forum, except to enforce the terms of this Stipulation.
8. This Stipulation may be executed in any number of counterparts, each of which shall be considered one and the same agreement, and shall become effective when one or more counterparts have been signed by each of the Parties.

WHEREFORE, the Parties hereto have duly executed and do respectfully submit this Stipulation to the Board, and recommend that the Board issue a Final Decision and Order adopting and approving this Stipulation in its entirety in accordance with the terms hereof.

Dated: June 3, 2022

ROCKLAND ELECTRIC COMPANY

By *Margaret Comes*
Margaret Comes, Esq.

MATTHEW J. PLATKIN, ACTING ATTORNEY GENERAL OF NEW JERSEY
ATTORNEY FOR THE STAFF OF THE BOARD OF PUBLIC UTILITIES

By: *TK* 6/13/22
Terel Klein, Esq.
Deputy Attorney General

STATE OF NEW JERSEY, DIVISION OF RATE COUNSEL

BRIAN O. LIPMAN, ESQ.

DIRECTOR, DIVISION OF RATE COUNSEL

By: */s/ Sarah H. Steindel*

Sarah H. Steindel, Esq.

Assistant Deputy Rate Counsel

GENERAL INFORMATION

No. 34 REGIONAL GREENHOUSE GAS INITIATIVE (“RGGI”) SURCHARGE

The RGGI Surcharge shall be applied to the kWh usage on the bills of all customers served under this Schedule. The RGGI Surcharge shall include the costs related to the Company’s:

- (a) Energy Efficiency Stimulus Program (“EES Program”);
- (b) Low Income Audit and Direct Install Energy Efficiency Program (“Low Income Audit II Program”);
- (c) Low Income Audit and Direct Install Energy Efficiency Program (“Low Income Audit III Program”);
- (d) Solar Renewable Energy Certificate Program (“SREC Program”), including both the SREC I and SREC II Programs;
- (e) Transitional Renewable Energy Certificate Program (“TREC Program”); and
- (f) Clean Energy Act Energy Efficiency (“EE”) and Peak Demand Reduction (“PDR”) programs.

The RGGI Surcharge to be effective on and after the date indicated below shall be set at 0.1868 cents per kWh, including sales and use tax (“SUT”). The RGGI Surcharge includes the following rate components:

	RGGI Surcharge Rate Components (Cents per kWh)	
	Excluding SUT	Including SUT
EES Program	0.0124	0.0132
Low Income Audit II Program	0.0186	0.0198
Low Income Audit III Program	(0.0110)	(0.0117)
SREC I Program	0.0394	0.0421
SREC II Program	0.0000	0.0000
TREC Program	0.0426	0.0454
Clean Energy Act Program	0.0730	0.0780
Total RGGI Surcharge	0.1750	0.1868

(a) EES Program

The EES Program component of the RGGI Surcharge will be subject to deferred accounting, with interest, and reconciled annually by comparing the actual amounts subject to recovery to the actual amounts collected. Any difference will be included in the EES Program component of the following year’s RGGI Surcharge. The difference between the actual monthly revenue requirement associated with the EES Program and actual recoveries through the EES Program component of the RGGI Surcharge will be deferred, with interest, for future recovery.

On February 1 of each year, the Company shall file with the Board the EES Program component of the RGGI Surcharge to be effective for the twelve-month period commencing the following June 1. The EES Program component of the RGGI Surcharge shall be set to recover any prior period over- or under-recovered balances, including interest, and to provide current recovery of the forecasted EES Program revenue requirement over the twelve-month period commencing the following June 1.

(Continued)

ISSUED:

EFFECTIVE:

ISSUED BY: Robert Sanchez, President
 Mahwah, New Jersey 07430