



Agenda Date: 2/8/24
Agenda Item: 2A

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 PROVISION OF BASIC) ORDER
GENERATION SERVICE (BGS) FOR THE PERIOD)
BEGINNING JUNE 1, 2024) DOCKET NO. ER23030124

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Philip J. Passanante, Esq., Associate General Counsel for Atlantic City Electric Company
James Meehan, Esq., on behalf of Jersey Central Power & Light Company
Aaron Karp, Esq., on behalf of Public Service Electric and Gas Company
Margaret Comes, Esq., Senior Attorney for Rockland Electric Company

BY THE BOARD:¹

By Order dated November 17, 2023, the New Jersey Board of Public Utilities (“Board”) approved the joint Basic Generation Service (“BGS”) proposal by Atlantic City Electric Company (“ACE”), Jersey Central Power & Light Company (“JCP&L”), Public Service Electric and Gas Company (“PSE&G”), and Rockland Electric Company (“RECO”) (collectively, “EDCs”), to hold two (2) descending clock auctions to secure the EDCs’ BGS electricity requirements for the period beginning June 1, 2024.² To mitigate risk to ratepayers, the Board directed the EDCs to procure, through the auction, approximately one-third of their BGS residential and small commercial pricing (“BGS-RSCP”) customers’ load for a 36-month period via a single clearing price for each EDC’s BGS supply requirements.³ The Board also directed the EDCs to use a 12-month procurement period for their hourly load BGS commercial and industrial energy pricing (“BGS-CIEP”) customers.

¹ Commissioner Marian Abdou did not participate.

² In re the Provision of Basic Generation Service (BGS) For the Period Beginning June 1, 2024, BPU Docket No. ER23030124, Order dated November 17, 2023 (“November 2023 Order”).

³ Approximately two-thirds of the EDCs’ BGS-RSCP requirements are already under contract through May 31, 2025, and one-third through May 31, 2026 as a result of the 2022 and 2023 BGS-RSCP Auctions.

In the November 2023 Order, the Board committed to reviewing the results of both the BGS-RSCP Auction and the BGS-CIEP Auction (collectively, “BGS Auctions” or “Auctions”) in their entirety and certify the results of each auction for all EDCs, or for no EDC, no later than the second business day following the close of the last Auction. If approved, those results would be converted into customers’ revised BGS rates beginning June 1, 2024. This is the 23rd year the Board will consider a similar process to secure BGS supply.

The Auction Manager responsible for conducting the 2024 BGS Auctions is National Economic Research Associates (“NERA”). NERA, an expert in conducting simultaneous descending clock auctions in the energy and telecommunications industries, was the Auction Manager for each prior BGS Auction. Board Staff (“Staff”) and the Board’s consultant, Bates White, LLC (“Bates White”), continuously monitored the 2024 Auctions. Bates White has a history of monitoring simultaneous descending clock auctions and consulting within the energy industry.

On January 5, 2024, the EDCs filed a letter requesting that they be required to file post-BGS-Auction Tariff sheets seven (7) days after the results of the Third Incremental Reliability Pricing Model (“RPM”) Auction become available. The EDCs noted this would permit them to account for the actual Capacity Price for the 2024/2025 Delivery year, thus avoiding duplicative filings and allowing each EDC’s final rate design to better match its actual payment to suppliers.

BGS-CIEP AUCTION SUMMARY

The BGS-CIEP Auction was conducted on February 2, 2024; it ended the same day after 25 rounds with 38 total tranches secured, resulting in the following closing prices for each EDC:⁴

EDC	Closing Price (\$/Mw-day)	Total Tranches Sold
ACE	370.86	4
JCP&L	357.14	12
PSE&G	378.21	21
RECO	300.84	1

A list of the BGS-CIEP Auction winners is included in Attachment A to this Order.

BGS-RSCP AUCTION SUMMARY

The BGS-RSCP Auction began on February 5, 2024, and ended on February 6, 2024 after 29 rounds with 57 total tranches secured, resulting in the following closing prices for each EDC:⁵

EDC	Closing Price (cents/kWh)	Total Tranches Sold
ACE	8.142	7
JCP&L	8.295	20
PSE&G	8.088	29
RECO	8.555	1

⁴ Tranche sizes are approximate amounts of BGS-CIEP eligible load as follows: ACE- 81.50 MW, JCP&L- 73.06 MW, PSE&G- 74.34 MW and RECO- 49.30 MW.

⁵ Tranche sizes are approximate amounts of BGS-RSCP eligible load for a three (3)-year term as follows: ACE- 104.60 MW, JCP&L- 91.47 MW, PSE&G- 92.21 MW and RECO- 82.68 MW.

A list of the BGS-RSCP Auction winners is included in Attachment A to this Order.

BGS AUCTION OVERSIGHT

NERA provided a confidential post-Auction checklist form evaluating the BGS Auctions. NERA concluded that the Board should accept the Auction results, indicating, in part, that:

- no issues or questions unresolved prior to the Auctions created bidder uncertainty;
- neither procedural problems nor errors occurred during the Auctions;
- all prescribed communication protocols were followed;
- neither hardware, software, nor communication system problems occurred;
- no security breaches were observed during the Auction process;
- all guidelines for setting or changing the Auction parameters were followed;
- there was no evidence of confusion or misunderstanding on the part of bidders that materially delayed or impaired the Auctions;
- communication between the Auction Manager and bidders was timely and effective;
- there was no evidence showing the bidders were rushed;
- no complaints were received from the bidders;
- the Auctions were carried out in a fair and transparent manner;
- there was no evidence of collusion or gaming by the bidders;
- public and sensitive information was treated appropriately;
- there were no exogenous factors that materially affected the Auctions; and
- the Auctions generated a result consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-RSCP and BGS-CIEP loads.

Bates White provided the Board with a confidential post-Auction evaluation form and a supplemental checklist reviewing how the Board conducted the Auctions. Bates White's analysis is consistent with NERA's analysis. Both NERA and Bates White recommend that the Board accept the final Auction results.

FINDINGS AND CONCLUSIONS

The independent NERA and Bates White analyses both conclude that the Auctions proceeded without meaningful interruption, according to the Board-approved Auction Rules, and in a fair and transparent manner. As such, both NERA and Bates White recommend that the Board certify the Auction results. Staff charged with overseeing the Auctions briefed the Board regarding the procedure and results of each Auction.

After reviewing the checklists and evaluation forms from NERA and Bates White, discussing the results and the conduct of the Auctions with Staff, NERA and Bates White, and observing the Auctions, the Board **HEREBY FINDS** that:

- all bidders received sufficient information to prepare for the Auctions;
- information was generally provided to bidders in accordance with the published timetable, and the timetable was adjusted appropriately as needed;
- there were no Auction issues or questions that created material bidder uncertainty unresolved prior to the Auctions;
- there occurred neither procedural problems nor errors throughout the Auctions, including with the electronic bidding process, the back-up bidding process, and communications between bidders and the Auction Manager;

- the bidders and the Auction Manager adhered to communication protocols;
- appropriate data back-up procedures were planned and carried out;
- no security breaches were observed during the Auction process;
- the EDCs, NERA, Staff, the Board, and Bates White followed the prescribed communication protocols during the Auctions;
- protocols were followed for decisions regarding changes in the Auction parameters (e.g. volume, load cap, bid decrements);
- the Auction Manager double-checked or reproduced calculations (e.g. for bid decrements or bidder eligibility) produced by the Auction software off-line;
- there is no evidence of confusion or misunderstanding on the part of bidders that delayed or impaired the Auctions;
- communications between the Auction Manager and bidders were timely and effective;
- there were no complaints about the process from the bidders;
- the Auctions were carried out in an acceptably fair and transparent manner;
- there was no evidence of gaming on the part of bidders;
- there was no evidence of collusion among bidders;
- information was made public in an appropriate manner and, from what could be observed, sensitive information was treated appropriately;
- there are no concerns regarding the Auctions' outcome as to any specific EDC(s); and
- the Auctions generated a result consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-RSCP and BGS-CIEP loads.

Based upon the foregoing, the Board **HEREBY CERTIFIES** the final results of the BGS Auctions in their entirety, and **HEREBY APPROVES** the closing prices for each EDC. The Board **HEREBY APPROVES** the EDCs' request to file post-BGS Auction Tariff sheets seven (7) days after the results of the Third Incremental RPM Auction are known, but no later than April 1, 2024. Furthermore, the Board **HEREBY ORDERS** the EDCs to: 1) execute the necessary documents, including the BGS Supplier Master Agreements, with the winning bidders; 2) implement the BGS rates resulting from the Auctions beginning June 1, 2024; and 3) file tariff sheets reflecting those rates seven (7) days after the results of the Third Incremental RPM Auction are known, but no later than April 1, 2024.

Additionally, by Order dated January 31, 2024, the Board certified the final results of the RECO Request for Proposal ("RFP") in its entirety and approved the winning bid price for RECO's non-PJM BGS load to be rolled into the final BGS-RSCP Auction prices approved by the Board.⁶ The Board further directed RECO to execute the necessary documents with the winning bidder. Accordingly, Staff recommends that the Board direct RECO to: 1) implement the BGS rates resulting from the RFP as blended with the approved auction prices beginning June 1, 2024; and 2) file tariff sheets reflecting those blended rates no later than April 1, 2024.


Consistent with past Board practice, the Board is releasing the names of the winning bidders at this time. However, the Board will not release the specific tranche and service area details for each successful bidder to avoid compromising the winning bidders' positions in the marketplace. The Board plans to make this additional information public prior to June 1, 2024.

⁶ In re the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2024 - Decision and Order on RECO RFP, BPU Docket No. ER23030124, Order dated January 31, 2024.

The effective date of this Board Order is February 8, 2024.

DATED: February 8, 2024

BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUHL-SADOVY
PRESIDENT


DR. ZENON CHRISTODOULOU
COMMISSIONER


MICHAEL BANGE
COMMISSIONER

ATTEST:


SHERRI L. GOLDEN
BOARD SECRETARY

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

ATTACHMENT A

In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2024

Docket No. ER23030124

Auction Winners Approved by the Board of Public Utilities on February 8, 2024

BGS-RSCP Auction Winners

Axpo U.S. LLC
BP Energy Company
Calpine Energy Services LP
ConocoPhillips Company
Constellation Energy Generation, LLC
DTE Energy Trading, Inc.
DXT Commodities North America Inc.
Five Elements Energy II LLC
Hartree Partners, L.P.
Macquarie Energy, LLC
NextEra Energy Marketing, LLC
Shell Energy North America (US), L.P.
Vitol Inc.

BGS-CIEP Auction Winners

Boston Energy Trading and Marketing, LLC
ConocoPhillips Company
Constellation Energy Generation, LLC
DTE Energy Trading, Inc.
NextEra Energy Marketing, LLC

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(BGS) FOR THE PERIOD BEGINNING JUNE 1, 2024

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Service List

BPU

44 South Clinton Ave., 1st Floor
Post Office Box 350
Trenton, NJ 08625-0350

Sherri L. Golden, Secretary
board.secretary@bpu.nj.gov

Robert Brabston, Esq.
Executive Director
robert.brabston@bpu.nj.gov

Stacy Peterson
Deputy Executive Director
stacy.peterson@bpu.nj.gov

Heather Weisband, Senior Counsel
heather.weisband@bpu.nj.gov

Division of Law

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

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

Matko Ilic, DAG
matko.ilic@law.njoag.gov

Terel Klein, DAG
terel.klein@law.njoag.gov

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

BPU's BGS CONSULTANTS

Frank Mossburg, Managing Director
Bates White, LLC
2001 K Street, NW
North Building, Suite 500
Washington DC, 20006
frank.mossburg@bateswhite.com

DIVISION OF RATE COUNSEL

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

Brian Lipman, Esq., Director
blipman@rpa.nj.gov

David Wand, Esq., Managing Attorney
dwand@rpa.nj.gov

Debra Layugan, Paralegal
dlayugan@rpa.nj.gov

Rate Counsel Consultant

Patricio Silva
Synapse Energy Economics, Inc.
485 Massachusetts Ave., Suite 2
Cambridge, MA 02139
psilva@synapse-energy.com

PSE&G

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

Aaron Karp, Esq.
80 Park Plaza, T-5
Newark, NJ 07102-4194
aaron.karp@pseg.com

Myron Filewicz, BGS Manager
80 Park Plaza, T-5
myron.filewicz@pseg.com

ACE

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

Susan DeVito
susan.devito@pepcoholdings.com

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

Solomon David, Esq.
solomon.david@exelopcorp.com

Peter Samuel
peter.samuel@pepcoholdings.com

Deborah Sears
deborah.sears2@exeloncorp.com

JCP&L

300 Madison Avenue
Morristown, NJ 07962-1911

Jennifer Spricigo
jspricigo@firstenergycorp.com

Yongmei Peng
ypeng@firstenergycorp.com

James Meehan, Esq.
jameehan@firstenergycorp.com

341 White Pond Drive
A-WAC-C2
Akron, OH 44320

Randy Feucht
rfeucht@firstenergycorp.com

Courtney Luff
caluff@firstenergycorp.com

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Service List

ROCKLAND

4 Irving Place
New York, NY 10003

John L. Carley, Esq.
carleyj@coned.com

William A. Atzl, Jr.
atzlw@coned.com

Margaret Comes, Esq.,
comesm@coned.com

NERA

1255 23rd Street NW, Suite 600
Washington, DC 20037

Chantale LaCasse
chantale.lacasse@nera.com

Rachel Northcutt
rachel.northcutt@nera.com

NERA Economic Consulting
777 S. Figueroa, Suite 1950
Los Angeles, CA 90017

Kathleen Orlandi
kathleen.orlandi@nera.com

Paul Cardona
paul.cardona@nera.com

Third Party Suppliers

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

Marc A. Hanks
Senior Manager, Government &
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

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, Esq.
Giordano, Halleran & Ciesla, P.A.
125 Half Mile Road, Suite 300
Red Bank, NJ 07701
sgoldenberg@ghclaw.com

BGS Suppliers

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

Holly Reed
Gabel Associates
417 Denison Street
Highland Park, NJ 08904
holly.reed@gabelassociates.com

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 & Trade
80 Park Plaza, T-19
P. O. Box 570
Newark, NJ 07101
shawn.leyden@pseg.com

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

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

Cynthia Klots, General Counsel
DTE Energy Trading, Inc.
414 South Main Street
Suite 200
Ann Arbor, MI 48104
cynthia.klots@dteenergy.com

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

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

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

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

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Service List

Glenn Riepl
AEP Energy Services
1 Riverside Plaza
14th Floor
Columbus, OH 43215-2373
gfriep1@aep.com

Howard O. Thompson
Russo Tumulty Nester Thompson
Kelly, LLP
240 Cedar Knolls Road
Suite 306
Cedar Knolls, NJ 07927
htompson@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

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
pietranicoa@conedsolutions.com

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

Joe Wadsworth
Vitol Inc.
2925 Richmond Ave, 11th Floor
Houston, TX 77098
jxw@vitol.com

Dinkar Bhatia
Hartree Partners LP
8 Market Place, Suite 500 A
Baltimore, MD 21202
dbhatia@hartreepartners.com

Other Parties

Ray Cantor
NJBIA
10 West Lafayette Street
Trenton, NJ 08608-2002
rcantor@njbja.org

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