



Agenda Date: 6/10/26  
Agenda Item: 7A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
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CUSTOMER ASSISTANCE

IN THE MATTER OF A RATE DESIGN AND POLICY )  
STUDY REGARDING DRIVING EQUITY IN THE CLEAN )  
ENERGY TRANSITION )  
)  
) ORDER AMENDING USF  
PROCESS  
) DOCKET NO. QO24110853

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BY THE BOARD:

By this Decision and Order, the New Jersey Board of Public Utilities ("Board" or "BPU") considers Board Staff's ("Staff") recommended updates to the Universal Service Fund ("USF") program to address energy affordability for New Jersey's low- and moderate-income ("LMI") residential customers.<sup>1</sup>

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<sup>1</sup> The USF program is administered by the New Jersey Department of Community Affairs ("DCA").

## **BACKGROUND AND PROCEDURAL HISTORY**

By Order dated June 18, 2025, the Board ordered, among other things, the State's electric and gas public utilities ("Utilities") to increase utility engagement with LMI customers through targeted utility outreach and USF enrollment efforts.<sup>2</sup> Specifically, the Board required the Utilities to:

- a. Increase USF enrollment in their service territories by:
  - i. Five percent (5%) in program year one (1) compared to the prior program year of October 1, 2024 through September 30, 2025 ("Base Year");
  - ii. Three percent (3%) in year two (2) compared to the prior program year of October 1, 2025 through September 30, 2026; and
  - iii. Two percent (2%) in year three (3) compared to the prior program year of October 1, 2026 through September 30, 2027.
- b. Assist customers with USF application intake at payment centers, in-person events, and/or other customer-accessible outreach endeavors the respective Utility pursues based on the unique needs of their service territory.
- c. Provide tablets and scanners and other equipment necessary to Utility personnel and/or subcontractors for completing application intake in an efficient manner.<sup>3</sup>
- d. Invest in the necessary staffing to pre-screen customers for USF income eligibility, walk the customer through the application process, upload any required application documents, and submit applications to the DCA for final benefit approval. Each Utility should endeavor to assist customers to the point of application completion through methods it deems best.
- e. Participate in all DCA and BPU trainings, conferences, and meetings to enable appropriate and sufficient personnel the necessary access, knowledge transfer, and reporting capabilities to efficiently carry out the requirements of the June 2025 Order.
- f. File annual USF outreach plans ("Annual Outreach Plan") no later than September 30 each year, beginning September 30, 2025. The Annual Outreach Plan includes: 1) the results of any internal or third party analysis on the Utility's customers targeted for outreach including, but not limited to, customers in arrears for a certain amount of time, customers with arrears over a certain dollar amount, customers who have received a disconnect notice, customers who have submitted but not completed their USF application in the past, or past USF enrollees; 2) how the Utility plans to meet its USF enrollment targets in the coming year; and 3) how the Utility plans to promote all energy assistance and energy efficiency programs available in the Utility's service territory. All outreach materials must be made available to customers, at a minimum, in the languages of English and Spanish.
- g. File annual USF outreach reports ("Annual Outreach Report") no later than

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<sup>2</sup> In re a Rate Design and Policy Study Regarding Driving Equity in the Clean Energy Transition, BPU Docket No. QO24110853, Order dated June 18, 2025 ("June 2025 Order").

<sup>3</sup> Equipment that operates with Microsoft Windows operating systems is required for application intake with the USF program.

November 30 each year, beginning November 30, 2026. The Annual Outreach Report must include details including, but not limited to: 1) the Utility's success in meeting its enrollment targets in the prior year; 2) any performance gaps; 3) how the aspects of the Annual Outreach Plan were carried out in the prior year; 4) improvement goals; 5) processes in need of improvement; and 6) process improvement techniques.

- h. File any *ad hoc* reports requested by Staff regarding the Utilities' administration of USF application intake efforts.

The Board ordered the Utilities to begin this effort no later than October 1, 2025. Further, the Board indicated that it may consider Utility achievement of enrollment targets when reviewing future cost recovery for administration of USF application intake activities. By Order dated September 25, 2025, the Board approved the Utilities' request for the authority to defer, for accounting purposes only, incremental USF administrative costs associated with the USF Modification Order and stated that these incremental costs will be subject to review for prudence in the next annual USF filing.<sup>4</sup>

From October 1, 2025 through April 2026, the Utilities pre-approved 6,368 first time USF customers, which is forty-eight percent (48%) of the statewide annual target for year 1 of the pilot program. However, due to the time necessary to ramp up operations throughout their service territories, some Utilities did not hire and train for the application intake roles until multiple months into the start of the USF program year. Additionally, the Utilities have voluntarily provided application intake assistance for customers seeking federal Low Income Home Energy Assistance Program ("LIHEAP") medically necessary cooling grants and LIHEAP emergency assistance grants. Furthermore, while the Utilities' targets are tied to new enrollments, the Utilities have voluntarily assisted customers reapplying for the program who preferred being serviced through their utility company rather than their local LIHEAP agency. These factors combined have impacted some of the Utilities' projected ability to meet the year one (1) five percent (5%) enrollment target.

Additionally, by the June 2025 Order, the Board directed that the Utilities handle application intake and submit their applications to the DCA for final benefit approval. However, there followed a significant increase in applications submitted by the Utilities to DCA for final approval beginning in January, which has since grown. This increase, in addition to the DCA's staffing shortage which prevented expedient handling of USF applications, created a backlog of USF applicants waiting for final approval. While the DCA is working diligently to address the backlog, and the Utilities have agreed to protect certain customers with pending applications from disconnection, there remains processing delays for customers that have submitted all the required eligibility documentation and who may not receive their benefits in a timely manner.

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<sup>4</sup> In re the 2025/2026 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors Within the Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, BPU Docket No. ER25060371, Order dated September 25, 2025 ("September 2025 Order").

## **STAFF'S RECOMMENDATION**

To address issues with USF application intake, Staff recommends the Board:

1. Authorize and direct the Utilities to approve payments resulting from the USF applications the Utilities intake for the remainder of the current program year, ending September 30, 2026. Staff further recommends the Board direct the Utilities to take over responsibility for approving payments for applications the Utilities intake beginning on October 1, 2026.<sup>5</sup>
  - a. To address handling of sensitive customer data, Staff recommends the Board allow the Utilities to submit applications to the DCA for final approval when they require sending of sensitive personal customer data outside the DCA's USF application portal and Customer Relationship Management system to which the Utilities already have access.
  - b. To address potential application errors, Staff recommends the Board require the Utilities to ensure their staff is properly trained and establish a standard of internal controls. Furthermore, Staff recommends the DCA be tasked with checking a sampling of applications processed by the Utilities each week to ensure consistency and accuracy.
  - c. The Utilities may use discretion when referring customers to their local LIHEAP application agency for LIHEAP assistance.
2. Due to the increase in workload, Staff recommends the Board amend the Utility performance targets to be on an increasing scale, as outlined below, rather than the decreasing scale prescribed in the June 2025 Order. This will still set the same ten percent (10%) enrollment target over the total three (3)-year period, but will allow the Utilities to increase outreach and enrollment more gradually over the next two (2) years and will give the Utilities time to increase staffing for the additional work required by their new role approving applications:
  - a. Increase USF enrollment in Utility service territories by:
    - i. Two percent (2%) in program year one (1), October 1, 2025 through September 30, 2026 compared to the Base Year of October 1, 2024-September 30, 2025;
    - ii. Three percent (3%) in year two (2), October 1, 2026 through September 30, 2027, compared to the prior program year of October 1, 2025-September 30, 2026; and
    - iii. Five percent (5%) in year three (3), October 1, 2027 through September 30, 2028, compared to the prior program year of October 1, 2026-September 30, 2027.
    - iv. While the Utility performance targets are designed to incentivize new enrollment into the USF program, the overall number of applications processed by the Utilities, which can result in multiple types of utility assistance benefits for customers, should be taken into consideration when ascertaining the value of the Utilities' work effort in providing these services.

Staff further recommends the Board direct that the Utilities not be held responsible for delays in

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<sup>5</sup> The Utilities may also deny applications found to be ineligible.

approval of applications during Year 1 because the Utilities were not the entity charged with approving applications at that time.

### **DISCUSSION AND FINDINGS**

Pursuant to N.J.S.A. 48:3-60(b), the Board has the authority to determine the level of funding, administration, use of funds, social programs to be provided by Utilities for public benefit, and other conditions related to the USF. Accordingly, the Board periodically updates certain aspects of the USF, including the yearly program budget, affordability thresholds, monthly benefit caps, and others.<sup>6</sup> In this instance, Staff recommended an update to the USF program to require the Utilities to handle USF application approvals and make the resulting necessary staffing adjustments to reduce application processing times.

The Board, having considered Staff's recommendations, **HEREBY FINDS** that Staff's recommendation to shift the responsibility to approve USF applications to the Utilities will directly benefit the State's low- and moderate-income residents by reducing application processing time and further insulate the public from the uncertainty of federal LIHEAP funds, to which the USF program is linked through shared administrative costs and program infrastructure.

The Board **FURTHER FINDS** Staff's recommendations will enhance the reach and effectiveness of the USF program and streamline and improve enrollment access because the Utilities possess sufficient resources and flexibility to process USF applications. As such, the Board **FURTHER FINDS** that employing the Utilities' efforts to increase enrollment will ultimately benefit customers and the Utilities by reducing utility uncollectibles, reducing disconnections, and subsequently increasing energy affordability.

The Board recognizes that the Utilities' performance targets for USF enrollment were set prior to the issuance of this Order. The Board also recognizes that the Utilities have acted in good faith during the course of the current USF program year, undertaking an entirely new role that required: hiring; training; planning of extensive outreach campaigns; and expansions of customer payment center, call center and field representative responsibilities, among other financial commitments. The Board additionally acknowledges that while the Utilities' performance targets are tied to new enrollments, the Utilities have assisted additional customers that seek their help, including returning USF and LIHEAP enrollees, LIHEAP medically necessary cooling applicants, and LIHEAP emergency assistance applicants seeking protection from disconnection. Therefore, the Board **FURTHER FINDS** that modifying the Utilities' enrollment targets to follow an ascending structure, rather than a descending structure, is more appropriate to permit the Utilities time to successfully expand enrollment and ensure effective processing of USF applications.

As such, in light of the above considerations, the Board **HEREBY ADOPTS** Staff's recommendations as set forth above.

The Board **HEREBY DIRECTS** the DCA to make any necessary changes to the USF program database system, online application portal, and Customer Relationship Management system in order to provide the Utilities with the access and training they need to comply with this Order on or before June 29, 2026. The Board **FURTHER DIRECTS** the DCA to establish the relevant reporting metrics, reporting schedule and methodology necessary to track the Utilities' work effort and the

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<sup>6</sup> See, e.g., In re the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic, BPU Docket No. AO20060471, Order dated June 29, 2023.

resulting benefits to customers for the USF and LIHEAP programs no later than August 1, 2026. The Board **FURTHER DIRECTS** the Utilities to assign staff, on or before July 1, 2026, to fully process USF applications and receive any training offered by the DCA necessary to assist in reducing the USF application backlog for the current year. The Board **FURTHER DIRECTS** the Utilities to make the necessary changes to staffing resources, training, equipment purchases, and reporting requirements necessary to meet their annual enrollment targets and timely approve payments resulting from all USF applications the Utilities intake on and after October 1, 2026.

The Board **FURTHER DIRECTS** that the Utilities that employ subcontractors for these activities must employ subcontractors not under contract with the DCA for administration of the USF.

The Board **FURTHER DIRECTS** the Utilities to submit to Board Staff, on or before July 1, 2026, their respective plans for training and establishing internal controls as they take on this additional role.

The Utilities' costs will remain subject to audit by the Board. This Decision and Order shall not preclude nor prohibit the Board from taking any actions determined to be appropriate as a result of any such audit.

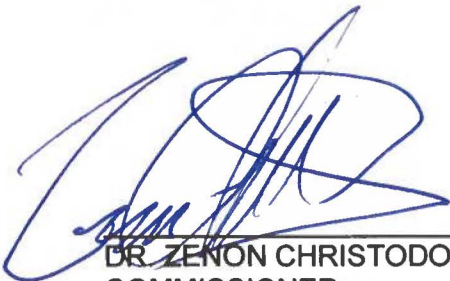
This Order shall be effective June 17, 2026.

DATED: June 10, 2026

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IN THE MATTER OF A RATE DESIGN AND POLICY STUDY REGARDING DRIVING EQUITY IN THE CLEAN ENERGY TRANSITION

DOCKET NO. QO24110853

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