I/M/O a Generic Stakeholder Proceeding to Consider Prospective Standards for Gas Distribution Utility Rate Discounts and Associated Contract Terms and Conditions

BPU Docket Nos. GR10100761 and ER10100762

IMM's Suggested Revisions to Rate Counsel's Proposed Issues List

November 16, 2010 (Revised 11/23/2010)

1. The establishment of a policy on rates for delivery of natural gas in New Jersey to electric generating facilities that promotes competition in the wholesale and retail markets based on the economic fundamentals associated with providing the service.

2. The legality of charging discounted gas utility distribution rates based on a customer's ability to bypass the utility's gas distribution system.

3. The legality of establishing discounted gas utility distribution rates through contracts and whether such contracts may be "evergreened," i.e., extended for additional terms, without Board approval.

4. The criteria and process that the Board should establish to determine whether or not an entity has an ability to bypass the utility's gas distribution system and what rates should be charged to such entity; and whether the criteria and process must be established in a rulemaking.

5. The applicability of SBC, RGGI and CAC charges prospectively to electric generating customers that purchase gas delivery from the utility to produce electricity that is sold to electric public utility customers, including whether waiver of these charges would best serve the state's interests in competitive electricity markets and lower overall energy prices for consumers.

6. The applicability of SBC, RGGI and CAC charges prospectively to customers with an ability to bypass the utility's gas distribution system and the legality of any waiver or reduction of those charges.

7. The potential to uniformly apply SBC, RGGI and CAC charges prospectively to all electric generating customers that purchase gas delivery services regardless of whether the delivery comes through a utility gas distributin system or an interstate pipeline.

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