

**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**

**Rate Counsel's Proposed Issues List
November 16, 2010**

1. The legality of charging discounted gas utility distribution rates based on a customer's ability to bypass the utility's gas distribution system.
2. 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.
3. 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.
4. The applicability of SBC, RGGI and CAC charges prospectively to electric generating customers that purchase gas from the utility to produce electricity that is sold to electric public utility customers.
5. 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.