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NOTICE¹

IN THE MATTER OF THE IMPLEMENTATION OF THE ADVANCED GRID TECHNOLOGIES ACT

REQUEST FOR INFORMATION

Docket No. [QO26090528](#)

Pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., Staff of the New Jersey Board of Public Utilities ("NJBP" or "Board") hereby invites all interested parties and members of the public to provide written responses to a Request for Information ("RFI") informing the development of rules and regulations establishing a Certificate of Public Convenience and Necessity ("CPCN") requirement pursuant to the Advanced Grid Technologies Act ("AGTA" or "Act"). The AGTA directs the Board to adopt rules and regulations establishing a CPCN application and review process, as well as grid performance benchmarks, within 270 days of July 7, 2026.

Staff also gives notice of a virtual public stakeholder meeting to discuss the implementation of the AGTA. Staff seeks comments from members of the public and relevant stakeholders on the questions provided in the RFI.

Stakeholder Meeting

All interested parties are also invited to a stakeholder meeting which will be conducted virtually. This public stakeholder meeting is a structured public comment session and provides an opportunity for members of the public, industry stakeholders, developers, customers, and other interested parties to provide feedback on the questions issued in the RFI. Stakeholders and members of the public may participate after registering at the registration link provided below. If you wish to reserve a speaking opportunity (up to 3 minutes), please designate this during the online registration process.

¹ Not a paid legal advertisement.

STAKEHOLDER MEETING	
DATE: Wednesday, September 30, 2026	
TIME: 9:00 a.m. – 10:30 am	
LOCATION: Zoom Virtual Webinar	
REGISTER:	https://us06web.zoom.us/webinar/register/WN_z30_Ko8bQ-yha1X1Wls3iA

Please submit your registration for the meeting at least 48 hours prior to the scheduled date. To encourage full participation, please submit any requests for needed accommodations, such as interpreters and/or listening assistance, at least 48 hours prior to the above meeting dates to the Secretary of the Board at board.secretary@bpu.nj.gov. After registering, you will receive a confirmation email containing information about joining the meeting and information about checking your system requirements in advance of the meeting. Please check your access devices in advance of the meeting to ensure that they will properly connect.

COMMENTS

The Board is accepting written and/or electronic responses regarding this Request for Information. All public responses should be filed under Docket No. [QO26090528](#).

Stakeholders and members of the public are encouraged to submit comments in response to RFI or related to the stakeholder meeting. The deadline for comments on this matter is 5 p.m. on October 16, 2026.

Please submit responses directly to the specific docket, QO26090528, using the “Post Comments” button on the Board’s [Public Document Search tool](#). Comments are considered “public documents” for purposes of the State’s Open Public Records Act (“OPRA”). Commenters may identify any information that they seek to keep confidential by submitting in accordance with the procedures set forth in N.J.A.C. 14:1-12.3. In addition to hard copy submissions, confidential information may also be filed electronically via the Board’s e-filing system or by email to the Secretary of the Board. Please include “Confidential Information” in the subject line of any email. Instructions for confidential e-filing are found on the Board’s webpage, <https://www.nj.gov/bpu/agenda/efiling/>

Emailed and/or written comments may also be submitted to:

Sherri L. Lewis

Sherri L. Lewis

Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350
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Email: board.secretary@bpu.nj.gov

BACKGROUND AND PROCEDURAL HISTORY

The AGTA, enacted July 7, 2026, tasks the NJBPU with establishing a CPCN application and review process for supplemental projects. These transmission projects, whose costs are ultimately passed down to ratepayers via Federal Energy Regulatory Commission (“FERC”) formula rates, have historically received limited regulatory oversight. In enacting the AGTA, the New Jersey legislature recognized that existing federal review processes fail to properly incentivize utilities to choose the most cost-effective projects. The Act notes that advanced transmission technologies (“ATTs”) in particular have demonstrated significant consumer savings in certain situations. Therefore, the overarching goal of the AGTA is to incentivize utilities to plan more efficiently by, among other things, ensuring that they meaningfully consider the use of ATTs.

The Act envisions a two-track review process for supplemental projects: an expedited track for projects that materially incorporate ATTs, and a regular review track for all other projects. NJBPU has until April 2027, to adopt rules and regulations necessary to implement this act which includes establishing the application and review process as well as grid performance benchmarks.

QUESTIONS

Respondents are encouraged to answer any of the following questions they consider relevant to the best of their ability. These questions are intended to help the NJBPU formulate sound policies and programs around key aspects of the CPCN requirement. Respondents are not required to answer all questions for their submission to be considered. Answers are understood to be preliminary and non-binding. Respondents may expand beyond the scope of these questions and/or structure responses as necessary to increase clarity and efficiency. Additional information deemed relevant may also be submitted, including past responses to relevant Board proceedings.

When answering the following questions, please include the section letter and the question number (e.g., *Answer 1.a.* and *Answer 3.b.i.*).

Section 1: Definitions

1. In a supplemental project review, what work should qualify as routine maintenance?
2. Are there other ATTs not explicitly included in the AGTA that the Board should consider for inclusion in regulations? Are there technologies that the Board should consider excluding from the definition of ATTs?
3. What definitions require further clarification in the Board’s adopted regulations or are there additional definitions the Board should consider?
4. What factors are most important for the Board to consider when determining what a “material” deployment of ATTs should be?

Section 2: CPCN Application and Review Process

1. What standards exist to determine if a project is reasonable and cost-effective?
2. Are there any different standards or items the Board should consider when evaluating the cost effectiveness of projects materially deploying ATTs versus projects that do not?
3. What information should the Board require as part of the utility's justification and third-party analysis of the decision not to deploy ATTs?
4. What tools are available to standardize the way electric public utilities quantify cost effectiveness, given that the law requires consideration of central and distributed generation interconnections, reduced line losses, reduced curtailment, reduced transmission congestion, reductions in energy or capacity prices, reliability and resilience improvements, and potential for future reductions in energy prices or price volatility?
5. What type of information should the Board require electric public utilities to submit for the Board to make its determination that the utility "can efficiently manage and supervise the construction process?"
6. What type of information should the Board require electric public utilities to submit to make its determination that the utility has taken "sufficient action to ensure adequate and efficient construction and supervision of the construction?"
7. What type of information should the Board require electric public utilities to submit to determine whether "the utility can finance the proposed construction without significant adverse financial consequences?"
8. What information should the Board consider when determining whether a non-ATT project is necessary to provide safe, adequate, and reliable service?
9. Aside from what is already required by the AGTA, what information should the Board require in applications for a CPCN?
10. What, if any, modeling will be required to determine the effect on the reliability/resilience of the transmission or distribution system? Are there different potential methods for approaching this modeling? How can inputs and outputs to modeling be captured in a transparent manner so as not to require the Board or, potentially, the public to have access to specialized software to view them?
11. What methods could be used to quantify current and potential future effects on energy and capacity prices?
12. Are there other quantifiable benefits to customers in the State, besides those listed in Section 6.b.4, which the Board should require in its evaluation of the non-ATT projects?
13. What format(s) should the Board consider for standardizing the way information is received or presented by the electric public utilities?
14. The Board may condition its approval of a certificate on changes to the utility's application. If an application's approval is subject to conditions which would require a change in the project proposal, what are some external actions or consequences the Board should be aware of?
 - a. What types of conditions would require the project to undergo or repeat external reviews?
15. What areas of the law present the most challenges to system design, transmission planning, or other internal utility processes and what should the Board consider to address those challenges?
16. What should be considered the trigger that identifies PJM's review of the supplemental project

to be concluded? After the do-no-harm analysis? After presentation of solution at TEAC/RTEP? Inclusion in the local plan?

17. What information is provided to, and received from, PJM as part of the complete record of the M-3 process?
18. What information and analysis are provided in the M-3 process for alternative solutions? What are the criteria used to select the proposed project over the alternative solutions?
19. What are the considerations for the Board in evaluating potential alternative projects as part of the evaluation of submitted projects?
 - a. What processes and information are needed to effectively evaluate alternative projects?
20. Please describe the general timelines for executing a supplemental project, from initial identification of a need through completion of construction, including the PJM M-3 process, development of underlying assumptions, typical state or local approvals processes, etc. Please describe the degree to which these timelines are predictable/variable among different types of supplemental projects.
21. How do the effective dates in the AGTA impact supplemental projects that are already in process? Please quantify the number of projects that could potentially be impacted. Are different considerations necessary for customer service, end-of-life, resilience, reliability, or other project types?
22. Would any of the information required by law to be provided to the BPU/rate counsel/IMM require the signing of NDAs? If so, is it possible to create a more standard process that would not require individual NDAs for every application?

Section 3: Grid Performance Benchmarks

1. What federal guidance and industry consensus standards should the Board consult in developing Grid Performance Benchmarks, in addition to NERC reliability standards, FERC Order 1920, and the USDOE National Transmission Planning Study?
2. What industry consensus standards are used by the electric public utilities to meet applicable reliability standards for transmission planning and reliability and for end-of-life criteria?
3. Where do NERC requirements and FERC Order 1920 intersect with the requirements of the law?
4. What potential Grid Performance Benchmarks should the Board adopt and how should those Benchmarks be set? What data is available, both publicly and through the electric public utilities, to set benchmarks?
5. What technical tools or systems will the electric public utilities need to implement to conduct its own calculations for successfully demonstrating compliance with the grid performance benchmarks?

Section 4: Additional Comments

A. Comments on the CPCN requirement

1. **For all stakeholders:** Please add additional comments that you wish to make that were not addressed above.