

too costly for each New Jersey citizen to defend themselves against such “scammers” in a post-disaster situation.

In accordance with N.J.A.C. 11:1-15.3(b), the Department mailed to the petitioner, and filed with the Office of Administrative Law, a notice of action on the petitioner’s request. Notice of the Department’s receipt of the petition was published in the July 7, 2014, issue of the New Jersey Register at 46 N.J.R. 1654(c).

Take further notice that this petition was considered by the Department. The Department is still reviewing the merits of the petitioner’s suggested amendments. Therefore, pursuant to N.J.A.C. 1:30-4.2 and 11:1-15.3, the Department has determined to refer this matter for further deliberation and will, within 90 days, finalize a notice of action on the petition for rulemaking. A copy of this public notice has been mailed to the petitioner.

PUBLIC UTILITIES

(a)

BOARD OF PUBLIC UTILITIES

Notice of Action of Petition for Rulemaking

Energy Competition Standards

Proposed New Rules and Amendments: Third Party

Suppliers of Retail Electric and Gas Service

Petitioner: Division of Rate Counsel

Take notice that on May 27, 2014, the Board of Public Utilities (Board) received a petition for rulemaking from the Division of Rate Counsel (“Rate Counsel”) requesting that the Board modify existing rules

and adopt new rules requiring third party suppliers (TPSs) of retail electric and gas supply services to modify or expand contract terms and make clear and unequivocal disclosures of contract terms in TPS contracts and marketing materials. Rate Counsel also requests that the Board collect data regarding retail shoppers by residential and small business customers.

Rate Counsel states that the current rules at N.J.A.C. 14:4 are inadequate to address the concerns of TPS customers and require reexamination and modification.

In accordance with N.J.A.C. 1:30-4.1(a), the Board mailed to the petitioner and filed with the Office of Administrative Law, a notice of receipt of the petitioner’s request. Notice of the Board’s receipt of the petition was published in the July 7, 2014, issue of the New Jersey Register at 46 N.J.R. 1656(c).

Take further notice that, at its open public session on July 23, 2014, the Board denied the petition for rulemaking for the reasons set forth below. On June 24, 2014, the Board announced a stakeholder meeting to solicit input from all interested parties for: the implementation of the Special Rule Adoption in compliance with P.L. 2013, c. 263, concerning interim advertising and marketing standards for TPS; and a review of consumer protection related provisions of the Board’s rules at N.J.A.C. 14:4-7. The Board believes that these two rulemaking proceedings are sufficient and are the proper forum for the petitioner and all interested parties to provide their comments as the Board reviews its rules concerning TPS practices. Therefore, the granting of this petition, and the commencement of a separate rulemaking process to address the specific issues raised in the petition, would detract from this more global review.

A copy of this notice has been mailed to the petitioner consistent with the requirements of N.J.A.C. 1:30-4.2.
