

records subject to public access pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented:

1. (No change.)
2. Records, including standard operating procedures, manuals, and training, or investigative materials, that may reveal: **the existence or nature of a criminal or civil investigation, except where the Department has publicly disclosed the existence or nature of the investigation;** the identity of a confidential informant[,]; a confidential source[,]; a citizen informant[,]; or undercover personnel; or an agency's surveillance, security, tactical, investigative, or operational techniques, measures, [or] procedures, which, if disclosed, would create a risk to the safety of persons, property, electronic data, or software, or compromise an agency's ability to effectively conduct investigations;
3. (No change.)
4. **Records of the New Jersey Attorney General Advocacy Institute including, but not limited to, all written training materials, webinars, recordings, and other class materials;**
Recodify existing 4.-7. as **5.-8.** (No change in text.)

PUBLIC UTILITIES

(a)

BOARD OF PUBLIC UTILITIES

All Utilities

Proposed New Rule: N.J.A.C. 14:3-3A.10

Proposed Amendments: N.J.A.C. 14:3-3A.2, 3A.3, 3A.5, 3A.6, 3A.9, and 7.5

Authorized By: New Jersey Board of Public Utilities, Christine Guhl-Sadovy, President, Dr. Zenon Christodoulou, Michael Bange, Emma Rebhorn, and Joseph Coviello, Commissioners.

Authority: P.L. 2023, c. 293 (N.J.S.A. 48:3-122 through 127); and P.L. 2025, c. 145 (N.J.S.A. 48:2-29.56b.).

Calendar Reference: See Summary below for explanation of exception to the calendar requirement.

BPU Docket Number: AX26040107.

Proposal Number: PRN 2026-031.

The deadline for comments on this matter is 5:00 P.M. ET on September 4, 2026. Please submit comments directly by using the Board of Public Utilities' Public Document Search tool, search for the specific docket listed above, and post by utilizing the "Post Comments" button. Comments may also be submitted by email or mail. Please include subject matter and docket number and submit to:

Sherri L. Lewis
Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350
Attn: BPU Docket Number: AX26040107
Email: board.secretary@bpu.nj.gov
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All comments are considered "public documents," for purposes of the State's Open Public Records Act. Commenters may identify information that they seek to keep confidential by submitting it in accordance with the confidentiality procedures set forth at N.J.A.C. 14:1-12.3.

The agency proposal follows:

Summary

P.L. 2025, c. 145, enacted on September 24, 2025, and codified at N.J.S.A. 40A:5A-31 through 32 and 48:2-29.56b, directs the New Jersey Board of Public Utilities (Board) to establish a Summer Termination Program that prohibits the State's regulated public utilities from discontinuing electric, sewer, or water service during the period of June 15 through August 31 to a residential customer eligible for the Summer Termination Program. Pursuant to the statute, those who are eligible for participation in the Winter Termination Program pursuant to N.J.A.C.

14:3-3A.5 are also eligible for participation in the Summer Termination Program. This includes those who self-certify that they are unable to pay a residential utility bill due to certain circumstances that are beyond their control, including, but not limited to: unemployment, illness, medically related expenses, the recent death of an immediate family member, and any other circumstances, as determined by the Board, that might cause financial hardship. The statute also requires that the utilities restore service to an eligible customer who has previously been disconnected for nonpayment and shall not charge a reconnection fee, except that a utility may verify that the customer continues to reside at the address. The utilities shall also discuss deferred payment arrangements with participating customers.

As the Board has provided a 60-day comment period on this rulemaking, the notice of proposal is excepted from the rulemaking calendar requirement set forth at N.J.A.C. 1:30-3.3(a)5.

Following is a section-by-section summary of the proposed new rule and amendments at N.J.A.C. 14:3.

Subchapter 3A. Discontinuance and Restoration of Service

The Board proposes to amend existing N.J.A.C. 14:3-3A.2(e), which sets forth the time periods during which a utility cannot discontinue a customer's service for nonpayment, to clarify that protection from discontinuance of service during high temperatures includes customers protected by the Summer Termination Program, and to clarify that electric, water, and wastewater utilities may not discontinue service to customers eligible for the Summer Termination Program except as provided at new N.J.A.C. 14:3-3A.10.

Existing N.J.A.C. 14:3-3A.3 sets forth communication required for the utility for all notices of discontinuance for nonpayment provided to customers. In order to ensure that customers are aware of the protections that they are entitled to pursuant to the Summer Termination Program, the Board proposes new subsection (h), to require that all notices of discontinuance of residential service during the cooling season be accompanied by a Summer Termination Program fact sheet.

Existing N.J.A.C. 14:3-3A.5 sets forth the conditions of the Winter Termination Program. In order to provide protections to customers during the heating season that are comparable to those provided pursuant to the Summer Termination Program, the Board is proposing to require that utilities not charge a fee for reconnection of service to customers protected during the Winter Termination Program. In addition, the Board is proposing to remove the requirement that customers who seek protection pursuant to the Winter Termination Program enroll in a budget billing plan and instead enter into a Winter Termination Program payment plan that more adequately fits a customer's specific current financial situation. This also provides alignment with the Summer Termination Program requirements reducing customer and utility confusion. The Board proposes an amendment that prior to restoring service, a public utility may verify the residential customer's continued residence or occupation of the premises. Finally, the Board is proposing to update a reference to the New Jersey Department of Human Services to refer to the New Jersey Department of Community Affairs, which currently is responsible for the Home Energy Assistance Program, and to make other proposed amendments for clarity, style, and usage.

The Board proposes to amend N.J.A.C. 14:3-3A.6(a), which describes the notifications utilities must give to landlords before discontinuing service, to include a reference to the provision of the Summer Termination Program, where the Winter Termination Program is currently referenced.

The Board proposes to amend N.J.A.C. 14:3-3A.9(e), which describes when customers must have service reconnected, to include a reference to the Summer Termination Program along with the existing reference to the Winter Termination Program.

Proposed new N.J.A.C. 14:3-3A.10 sets forth the conditions of the Summer Termination Program, which under certain circumstances prohibits the discontinuance of service for residential customers from June 15 through August 31 by all electric, water, and wastewater utilities. In accordance with P.L. 2025, c. 145, proposed new N.J.A.C. 14:3-3A.10 mirrors existing N.J.A.C. 14:3-3A.5, which sets forth the conditions of the Winter Termination Program, with revisions (which are also reflected at existing N.J.A.C. 14:3-3A.5, as noted above) to require that reconnection fees not be charged and to allow the utility to verify that the customer who

was terminated for nonpayment still resides at the address, before restoring service in accordance with the statute, and not to require that customers enroll in a budget billing plan.

Subchapter 7. Bills and Payments for Service

Proposed amendments at N.J.A.C. 14:3-7.5(c) and (j) remove the requirement that customers protected pursuant to the Winter Termination Program participate in budget billing. Customers are still afforded the right to enter into a budget billing plan, but are not required, because specific financial circumstances may not support it.

Social Impact

Extreme heat is the leading cause of weather-related death in the United States, worsens health conditions, compromises air and water quality, and drives up energy costs. New Jersey is the fastest-warming state in the northeast, experiencing heat waves with increasing frequency and less cooling. See *In re the Establishment of an Urban Heat Island (UHI) Mitigation Program*, BPU Docket No. QO24100834, Order dated July 16, 2025. In June 2025, multiple cities across New Jersey reached record high temperatures, while in 2024, New Jersey recorded its second-hottest June–July period on record, with eight of the warmest months of July occurring since 2010, based on records dating back to 1895. *Id.* at 2. These impacts are exacerbated in New Jersey’s overburdened communities and lower-income urban areas, which have minimal natural cooling and high concentration of impervious surfaces due to systemic inequities, including historic redlining and ongoing disinvestment. *Ibid.* Additionally, residents in these communities are disproportionately vulnerable to extreme heat due to facing high energy burdens, which limit their ability to spend on the electricity needed for cooling, and lack of control over their building conditions due to renting or economic limitations, or both. *Id.* at 3. Accordingly, the proposed amendments and new rule will have a beneficial social impact by protecting eligible residential customers from the effects of extreme heat by allowing them to maintain residential electric service, water service, and waste-water service, which is critical for cooling and hydration, during the summer months from June 15 through August 31.

Economic Impact

The proposed amendments and new rule are not likely to have a significant economic impact, in that they continue existing requirements that ensure that public utilities provide safe, adequate, and proper service at reasonable rates. Specifically, because of the increasing frequency of extreme heat during the summer, restricting shutoffs during the summer, consistent with the proposed amendments and new rule, is now necessary for utilities to provide safe, adequate, and proper service. Any utility costs incurred in complying with the proposed new rule, if determined to be reasonable, are recognized by the Board for ratemaking treatment and the utility will, therefore, recoup these costs through customer charges. The Board believes that the obligations imposed by the rulemaking are reasonable and necessary to ensure that utilities continue to provide safe, adequate, and proper service, both in the near- and long-term.

Federal Standards Statement

N.J.S.A. 52:14B-1 et seq., requires State agencies that adopt, readopt, or amend State rules that exceed any Federal standards or requirements to include in the rulemaking document, a Federal standards analysis. The proposed amendments and new rule are not promulgated pursuant to the authority of, or in order to implement, comply with, or participate in any program established pursuant to Federal law or pursuant to a State statute that incorporates or refers to Federal law, Federal standards, or Federal requirements. Accordingly, the proposed amendments and new rule do not exceed the standards or requirements imposed by Federal law and are not promulgated to comply with a Federal requirement.

Jobs Impact

The Board anticipates that the proposed amendments and new rule will not result directly in the creation of new jobs or the loss of existing jobs. The proposed amendments and new rule are not expected to have any impact on the number of jobs currently supported by New Jersey utilities. The proposed amendments and new rule will not have an impact on any other sector of the economy of the State of New Jersey.

Agriculture Industry Impact

The proposed amendments and new rule will have no impact on the agriculture industry.

Regulatory Flexibility Statement

There are no small businesses, as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., to which the proposed amendments and new rule would apply. Additionally, none of the proposed amendments and new rule impose any additional reporting, recordkeeping, or other compliance requirements on small businesses.

Housing Affordability Impact Analysis

The proposed amendments and new rule will not have an impact on the affordability of housing in New Jersey. The proposed amendments and new rule will not evoke a change in the average costs associated with housing because the scope of the rulemaking is limited to the regulation of the public utility industry.

Smart Growth Development Impact Analysis

The proposed amendments and new rule will not have an impact on achieving the goal of smart growth and the implementation of the State Development and Redevelopment Plan in New Jersey. As the scope of the rulemaking is limited to the regulation of the utility industry, there is an extreme unlikelihood that the proposed amendments and new rule would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The proposed amendments and new rule will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in New Jersey. Accordingly, no further analysis is required.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3A. DISCONTINUANCE AND RESTORATION OF SERVICE

14:3-3A.2 Discontinuance for nonpayment

(a)-(d) (No change.)

(e) A utility shall not discontinue a customer’s service for nonpayment [under] **pursuant to** the following circumstances:

1.-2. (No change.)

3. Whenever the high temperature is forecast to be 90 degrees Fahrenheit or more at any time during the following 48 hours, electric, gas, water, and wastewater utilities shall not discontinue residential service to a customer for reasons of nonpayment, failure to pay a cash security deposit or guarantee, or failure to comply with a deferred payment agreement[;]. **This limit applies to all residential customers, including those eligible for or enrolled in the Summer Termination Program as provided at N.J.A.C. 14:3-3A.10;**

4. If a customer meets the conditions for a medical emergency [in] at (i) below, a utility shall not discontinue service except in accordance with (i) below; [and]

5. A utility shall not discontinue service because of nonpayment in cases where a charge is in dispute, provided the undisputed charges are paid and the customer has requested that the Board investigate the disputed charge, in accordance with N.J.A.C. 14:3-7.6(b)[;]; **and**

6. If a customer is eligible for the Summer Termination Program in accordance with N.J.A.C. 14:3-3A.10, electric, water, and wastewater utilities shall not discontinue residential service to the customer from June 15 through August 31, except as provided at N.J.A.C. 14:3-3A.10.

(f)-(l) (No change.)

14:3-3A.3 Notice of discontinuance for nonpayment

(a)-(g) (No change.)

(h) During the period June 15 through August 31, all notices of discontinuance of residential electric, water, and wastewater utility services shall be accompanied by a Summer Termination Program

fact sheet, printed in both English and Spanish, setting forth all terms and conditions of the Summer Termination Program. Each electric, water, and wastewater utility shall submit drafts of its proposed fact sheets to Board staff no later than April 1 of each year, for approval for use during the upcoming cooling season.

14:3-3A.5 Winter Termination Program

(a) Electric, gas, water, and wastewater utilities shall not discontinue service during the period from November 15 through March 15 (referred to in this [section] **subchapter** as the “heating season”), unless otherwise ordered by the Board, to those residential customers who demonstrate, at the time of the intended termination, that they are:

1. Recipients of benefits [under] **through** the Lifeline Credit Program;
2. Recipients of benefits [under] **through** the Federal Home Energy Assistance Program (HEAP), or certified as eligible [therefore under] **therefor, pursuant to** standards set by the New Jersey Department of [Human Services] **Community Affairs**;

- 3.-7. (No change.)

8. Applicants of the [Low Income] **Low-Income** Household Water Assistance Program (**LIHWAP**) or any other State, local, or utility program that provides assistance or discounted rates specifically to help eligible customers pay wastewater or water bills that may exist at that time; or

9. (No change.)

(b) Residential electric and gas customers whose service has been discontinued for [non-payment] **nonpayment** and not reconnected as of November 15, and who are otherwise eligible for protection [under] **through** the Winter Termination Program, shall be required to make a down payment of up to 25 percent of the outstanding balance as a condition of receiving electric and gas service during the current heating season. The customer shall be notified, at the time of enrollment in a [budget billing plan, as required pursuant to (d) below, that the down payment shall represent a maximum required amount and is not to be regarded as a minimum required payment. The] **Winter Termination Program payment plan that the** utility shall consider the customer’s ability to pay in determining the appropriate level of the required down payment, but in no instance shall such required payment exceed 25 percent of the outstanding balance. **The utility shall charge no reconnection fee for reconnection of services during the Winter Termination Program for customers protected through the Winter Termination Program.** The utility shall refer to the Board for resolution, [of] all disputes regarding the appropriate amount of a down payment. **Prior to restoring service, a public utility may verify that the residential customer continues to reside in or occupy the place of residence for which service was terminated for nonpayment, in accordance with N.J.A.C. 14:3-3A.9.**

(c) Residential water and wastewater customers whose service has been discontinued for [non-payment] **nonpayment** and not reconnected as of November 15, **and who are otherwise eligible for protection through the Winter Termination Program**, and who provide proof to the public utility that they have submitted an application for assistance [under] **through** the [Low Income] **Low-Income** Household Water Assistance Program or any other State, local, or utility program that provides assistance or discounted rates specifically to help eligible customers pay wastewater or water bills, shall be reconnected before such application has been approved, denied, or withdrawn, unless there is a utility emergency, and shall not be required to make a down payment on the outstanding balance as a condition of receiving water and wastewater service during the current heating season. Upon request, the residential customer shall provide the utility with an update on the status of the application.

[(d) All residential electric, gas, water, and wastewater customers who are eligible for and seek the protection of the Winter Termination Program shall enroll in a budget billing plan on an annual basis.]

[(e)] (d) (No change in text.)

[(f)] (e) If an eligible customer [has the ability to] **can** make a good-faith payment but refuses to do so, or if there is any other dispute related to good-faith payments, the utility shall refer [said] **the** dispute to the Board for a determination. In addition, the utility shall inform each eligible customer involved in such a dispute that the matter has been

forwarded to the Board for a determination and that the customer may also notify the Board of the dispute [if he or she so chooses] **at the customer’s discretion.** Until the Board has rendered a determination in such an instance, the utility shall not unilaterally discontinue service during the heating season.

[(g)] (f) If a customer receives financial assistance, such as Home Energy Assistance Program (HEAP) heating benefits, or [low income water assistance (LIWAP)] **Low-Income Household Water Assistance (LIHWAP)**, the customer shall forward all of the benefits to their electric, gas, water, or wastewater utility.

[(h)] (g) (No change in text.)

[(i)] (h) An electric, gas, water, and wastewater utility may terminate service to a residential customer who is eligible for the Winter Termination Program in accordance with [(j)] (i) and [(k)] (j) below, if [said] **the** customer connects, disconnects, or otherwise tampers with the meters, pipes, wires, or conduits of the utility for the purpose of obtaining electric, gas, water, and wastewater service without payment.

[(j)] (i) No discontinuance shall occur [at] **pursuant to [(i)] (h)** above until the customer has been afforded all reasonable due process considerations, including an opportunity to be heard. To this end, electric, gas, water, and wastewater utilities shall comply with the following requirements prior to discontinuing service to any residential customer who has allegedly tampered with the meter or other utility facilities:

1. (No change.)

2. Board staff shall have seven days after receipt of [said] **the** information **provided pursuant to (i)1 above** to complete an impartial and informal investigation of the matter. In the event that a utility comes forward with sufficient credible evidence that shows that the meters, pipes, wires, conduits, or attachments through which a customer is [thus being] furnished with service have been tampered with, Board staff shall immediately notify the customer and the burden shall shift to the customer to come forward with sufficient evidence to rebut the **utility’s** charges [of the utility]. Failure to do so will result in a finding that tampering did occur for the purpose of obtaining the utility service without payment and that the customer is responsible for the tampering;

3. Upon a finding by Board staff that tampering did occur, the utility shall give written notification to the customer, by certified mail, return receipt requested; and to the local public welfare agency and the local municipal health agency, by regular mail, as to the date upon which service to the customer shall be terminated. [Said] **Such** notification shall be made at least seven days prior to the date of the proposed service termination. The utility shall further advise the customer in the written notification that if he or she claims to be dependent on life-sustaining equipment, the customer must comply with the procedures for medical emergencies at N.J.A.C. 14:3-3A.2[(i)](h) and [(j)] (i) within the aforementioned seven-day period. Any customer that wishes to dispute a discontinuance based on a finding that tampering has occurred may file a petition with the Board in accordance with N.J.A.C. 14:1-1.5; and

4. Any relief requested pursuant to N.J.A.C. 14:3-3A.2[(i)](h) regarding medical emergencies shall be reviewed on a case-by-case basis.

[(k)] (j) A customer, otherwise eligible for the Winter Termination Program, whose electric, gas, water, or wastewater service had been discontinued prior to the start of the heating season and who has subsequently caused the unauthorized restoration of [said] **such** service shall, when [said] **such** unauthorized service has been registered on the meter, be required to make a down payment of up to 25 percent of the outstanding account balance as of the most current meter reading as a pre-condition for the continuation of service during the heating season.

14:3-3A.6 Discontinuance of service to tenants

(a) Electric, gas, water, and wastewater public utilities shall make every reasonable attempt to determine when a landlord-tenant relationship exists at premises being serviced. If such a relationship is known to exist, and if the tenants are not the customers of record but are end-users, as these terms are defined at N.J.A.C. 14:3-1.1, discontinuance of service is prohibited unless the utility has, notwithstanding the **applicable program elements and time periods provided** at N.J.A.C. 14:3-3A.5 and 3A.10, given a 30-day written notice to the owner of the premises or to the customer of record to whom the last preceding bill was rendered. Further, the utilities shall use their best efforts to determine the names and

addresses of each tenant, in order to provide such notice, for example, through mailings to landlords requesting a list of tenants. The utility shall use its best efforts to provide copies of the discontinuance notice to all tenants. In addition, the utility shall provide the tenant(s) with a 30-day written notice, which shall be hand-delivered, mailed, or posted in a conspicuous area of the premises and in the common areas of multiple family premises.

(b)-(e) (No change.)

14:3-3A.9 Basis for restoration

(a)-(d) (No change.)

(e) For [non-Winter Termination Program customers and Winter Termination Program customers outside the Winter Termination Program period of November 15 through March 15, a residential] **all residential customers not actively protected by the Summer Termination Program or the Winter Termination Program, an electric, gas, water, or wastewater customer who has been disconnected shall have their service reconnected, upon request, if the following conditions are met:**

1.-2. (No change.)

(f) (No change.)

14:3-3A.10 Summer Termination Program

(a) Electric, water, and wastewater utilities shall not discontinue service during the period of June 15 through August 31 (referred to in this subchapter as the “cooling season”), unless otherwise ordered by the Board, to those residential customers who demonstrate at the time of the intended termination that they are:

1. Recipients of benefits through the Lifeline Credit Program;
2. Recipients of benefits through the Federal Home Energy Assistance Program (HEAP), or certified as eligible therefor pursuant to standards set by the New Jersey Department of Community Affairs;
3. Recipients of Temporary Assistance to Needy Families (TANF);
4. Recipients of Federal Supplemental Security Income (SSI);
5. Recipients of Pharmaceutical Assistance to the Aged and Disabled (PAAD);
6. Recipients of General Assistance (GA) benefits;
7. Recipients of the Universal Service Fund (USF);
8. Applicants of the Low-Income Household Water Assistance Program (LIHWAP) or any other State, local, or utility program that provides assistance or discounted rates specifically to help eligible customers pay wastewater or water bills that may exist at that time; or

9. Residential customers who are unable to pay their utility bills because of circumstances beyond their control. Such circumstances shall include, but shall not be limited to, unemployment, illness, medically related expenses, recent death of an immediate family member, and any other circumstances that might cause financial hardship. These residential customers shall be permitted to self-certify to the utility or the Division of Customer Assistance of the Board of an inability to pay their public utility bill.

(b) Residential electric customers whose service has been discontinued for nonpayment and not reconnected as of June 15, and who are otherwise eligible for protection through the Summer Termination Program, shall be required to make a down payment of up to 25 percent of the outstanding balance as a condition of receiving electric service during the current cooling season. The customer shall be notified, at the time of enrollment in a Summer Termination Program payment plan that the utility shall consider the customer's ability to pay in determining the appropriate level of the required down payment, but in no instance shall such required payment exceed 25 percent of the outstanding balance. The utility shall charge no reconnection fee for reconnection of services during the Summer Termination Program for customers protected through the Summer Termination Program. The utility shall refer to the Board for resolution of all disputes regarding the appropriate amount of a down payment. Prior to restoring service, a public utility may verify that the residential customer continues to reside in or occupy the place of residence for which service was terminated for nonpayment, in accordance with N.J.A.C. 14:3-3A.9.

(c) Residential water and wastewater customers whose service has been discontinued for nonpayment and not reconnected as of June 15, and who are otherwise eligible for protection through the Summer Termination Program, and who provide proof to the public utility that they have submitted an application for assistance through the Low-Income Household Water Assistance Program or any other State, local, or utility program that provides assistance or discounted rates specifically to help eligible customers pay wastewater or water bills, shall be reconnected before such application has been approved, denied, or withdrawn, unless there is a utility emergency, and shall not be required to make a down payment on the outstanding balance as a condition of receiving water and wastewater service during the current cooling season. Upon request, the residential customer shall provide the utility with an update on the status of the application.

(d) All residential electric, water, and wastewater customers who are eligible for and seek the protection of the Summer Termination Program shall make good-faith payments during the cooling season, if they have the ability to do so. These payments shall be equal to the amount that the customer would be required to pay under a payment plan, except that the utility shall accept a lesser amount from those customers who do not have the ability to pay.

(e) If an eligible customer can make a good-faith payment but refuses to do so, or if there is any other dispute related to good-faith payments, the utility shall refer the dispute to the Board for a determination. In addition, the utility shall inform each eligible customer involved in such a dispute that the matter has been forwarded to the Board for a determination and that the customer may also notify the Board of the dispute at the customer's discretion. Until the Board has rendered a determination in such an instance, the utility shall not unilaterally discontinue service during the cooling season.

(f) If a customer receives financial assistance, such as Home Energy Assistance Program (HEAP) heating benefits, or Low-Income Household Water Assistance Program (LIHWAP), the customer shall forward all of the benefits to their electric, gas, water, or wastewater utility.

(g) During the cooling season, a residential electric, water, and wastewater utility shall not request a security deposit or an addition to an existing security deposit from a customer who is eligible for and seeks the protection of the Summer Termination Program.

(h) An electric, water, and wastewater utility may terminate service to a residential customer who is eligible for the Summer Termination Program in accordance with (i) and (j) below, if the customer connects, disconnects, or otherwise tampers with the meters, pipes, wires, or conduits of the utility for the purpose of obtaining electric, water, and wastewater service without payment.

(i) No discontinuance shall occur pursuant to (h) above until the customer has been afforded all reasonable due process considerations, including an opportunity to be heard. To this end, electric, water, and wastewater utilities shall comply with the following requirements prior to discontinuing service to any residential customer who has allegedly tampered with the meter or other utility facilities:

1. The utility shall notify the Board of all pertinent facts related to the alleged tampering;

2. Board staff shall have seven days after receipt of the information provided pursuant to (i)1 above to complete an impartial and informal investigation of the matter. In the event that a utility comes forward with sufficient credible evidence that shows that the meters, pipes, wires, conduits, or attachments through which a customer is furnished with service have been tampered with, Board staff shall immediately notify the customer and the burden shall shift to the customer to come forward with sufficient evidence to rebut the utility's charges. Failure to do so will result in a finding that tampering did occur for the purpose of obtaining the utility service without payment and that the customer is responsible for the tampering;

3. Upon a finding by Board staff that tampering did occur, the utility shall give written notification to the customer, by certified mail, return receipt requested; and to the local public welfare agency and

the local municipal health agency, by regular mail, as to the date upon which service to the customer shall be terminated. Such notification shall be made at least seven days prior to the date of the proposed service termination. The utility shall further advise the customer in the written notification that if he or she claims to be dependent on life-sustaining equipment, the customer must comply with the procedures for medical emergencies at N.J.A.C. 14:3-3A.2(h) and (i) within the aforementioned seven-day period. Any customer who wishes to dispute a discontinuance based on a finding that tampering has occurred may file a petition with the Board in accordance with N.J.A.C. 14:1-1.5; and

4. Any relief requested pursuant to N.J.A.C. 14:3-3A.2(h) regarding medical emergencies shall be reviewed on a case-by-case basis.

(j) A customer, otherwise eligible for the Summer Termination Program, whose electric, water, or wastewater service had been discontinued prior to the start of the cooling season and who has subsequently caused the unauthorized restoration of such service shall, when unauthorized service has been registered on the meter, be required to make a down payment of up to 25 percent of the outstanding account balance as of the most current meter reading as a precondition for the continuation of service during the cooling season.

SUBCHAPTER 7. BILLS AND PAYMENTS FOR SERVICE

14:3-7.5 Budget billing plans for residential accounts

(a)-(b) (No change.)

(c) The budget billing plan required by this section shall be optional[, except the utility shall ensure that residential electric or gas customers who apply for and are eligible for the Winter Termination Program under N.J.A.C. 14:3-3A.5 participate in a budget billing plan].

(d)-(i) (No change.)

(j) [Except for Winter Termination Program customers, a] A customer may go off a budget billing plan at any time, in which event the customer shall pay the amount owed for service rendered or, in the alternative, agree to a stipulated payment agreement according to N.J.A.C. 14:3-7.6.

(k) (No change.)

TREASURY—GENERAL

(a)

DIVISION OF PENSIONS AND BENEFITS

STATE POLICE RETIREMENT SYSTEM

State Police Retirement System Rules

Proposed Readoption with Amendments: N.J.A.C. 17:5

Authorized By: State Police Retirement System Board of Trustees,
William Tedder, Secretary.

Authority: N.J.S.A. 53:5A-30.h.

Calendar Reference: See Summary below for explanation of
exception to calendar requirement.

Proposal Number: PRN 2026-030.

Submit comments by September 4, 2026, to:

Danielle Schimmel, Assistant Director
Division of Pensions and Benefits
PO Box 295
Trenton, NJ 08625-0295
DPB.regulations@treas.nj.gov

The agency proposal follows:

Summary

The Board of Trustees of the State Police Retirement System (Board) is responsible for maintaining the administrative rules at N.J.A.C. 17:5. When there are statutory changes or court decisions that may affect the State Police Retirement System ("SPRS" or "System"), the Board reviews

the rules to determine whether amendments are necessary and proposes changes to ensure compliance with the new legal requirements.

The Division of Pensions and Benefits (Division) and Board staff also periodically review the rules to ensure they remain necessary, cost-effective, consistent with current policies and procedures, and compliant with Federal Internal Revenue Service (IRS) qualified-plan requirements. When clarification or revisions are necessary, the affected rules are amended accordingly. Additionally, prior to expiration, the rules must be reviewed, amended as appropriate, and readopted.

N.J.A.C. 17:5 was scheduled to expire on May 21, 2026, pursuant to N.J.S.A. 52:14B-5.1.c. As the Board filed this notice of readoption prior to that date, the expiration date is extended 180 days to November 17, 2026, pursuant to N.J.S.A. 52:14B-5.1.c(2). The Board proposes to readopt the current rules at N.J.A.C. 17:5, with amendments to address the administration of the SPRS, including enrollment, contributions, withdrawals, insurance and death benefits, membership, eligible service, service credit purchases, retirements, and transfers.

Subchapter 1. Administration

N.J.A.C. 17:5-1 sets forth the administrative practices, standards, and procedures followed by the Division of Pensions and Benefits in implementing the SPRS. At N.J.A.C. 17:5-1.1, Board meetings, the Board proposes changing the mandatory meeting day to a recommended meeting day, to allow flexibility in scheduling. The Board currently meets on the fourth Tuesday of every other month. The proposed amendment is intended to strengthen the Board's ability to continue to maintain a regular and consistent meeting schedule, while accommodating necessary flexibility. In alignment with N.J.S.A. 43:1-3, the Board proposes, at N.J.A.C. 17:5-1.4, Certifying officer (employer), to include the term "honorable service" to clarify the primary purpose and scope of the certification requirement. At N.J.A.C. 17:5-1.5, Records, the Board proposes to remove the language to release the beneficiary designations upon the death of the SPRS member. This proposed change is based on the current administrative practices which require the maintenance of the confidentiality of members' beneficiary designations.

The Board proposes to amend the appeal statement set forth at N.J.A.C. 17:5-1.6, Appeals from Board decisions, to clarify the procedures governing a member's ability to appeal decisions rendered by the Board. The proposed amendment is intended to provide a clearer statement to members regarding the right to file an appeal, the timeframes for submission, and the information required to support the appeal. At N.J.A.C. 17:5-1.9(a), Proof of age, the Board proposes to accept a valid Real ID issued by any state as acceptable proof of age for members. Acceptance of a state-issued Real ID from any state would allow members to provide proof of age with less supporting documents. The issuance of a state Real ID requires all the documentation that the Division currently accepts for a member to verify identity and age.

Subchapter 1A. Definitions

N.J.A.C. 17:5-1A.1, Definitions, sets forth the definitions of words and terms utilized throughout N.J.A.C. 17:5 and is intended to ensure clarity and uniform interpretation in the Division's administration and implementation of the standards and procedures set forth in this chapter. The acronyms used for the terms within the text are proposed to be included in the defined terms. The Board proposes amendments to the terms "Employer Pensions and Benefits Information Connection" or "EPIC," "Member Benefits Online System" or "MBOS," and "Medical Review Board" or "MRB." The Board proposes amendments to this section to ensure formatting consistency and the standardized use of acronyms throughout the rules. These amendments are technical and clarifying in nature and are not intended to make substantial changes to the existing regulatory requirements.

Subchapter 2. Insurance and Death Benefits and Subchapter 3. Membership

These subchapters are proposed without change.

Subchapter 4. Purchases and Eligible Service

N.J.A.C. 17:5-4 sets forth the criteria for active SPRS members to purchase eligible service credit and the methods to make the purchases. The Board proposes to add language to implement P.L. 2025, c. 53, which