



STATE OF NEW JERSEY
Board of Public Utilities
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www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF THE CLEAN ENERGY)
PROGRAMS AND BUDGET FOR FISCAL YEAR 2015) ORDER
THIRD REVISED FY 15 BUDGET) DOCKET NO. QO14050489

Parties of Record:

Maurice Kaiser, Honeywell Utility Solutions
Diane Zukas, TRC Energy Services
Michael Ambrosio, Applied Energy Group
Mark Mader, Jersey Central Power & Light
Timothy White, Atlantic City Electric
Scott Markwood, Orange & Rockland Utilities
Bruce Grossman, South Jersey Gas Company
Alexander C. Stern, Esq., Public Service Electric and Gas Company
Tracey Thayer, New Jersey Natural Gas
Mary Patricia Keefe, Elizabethtown Gas Company
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

This Order memorializes action taken by the Board of Public Utilities ("Board") at its May 19, 2015 public meeting, where the Board considered proposed modifications to the fiscal year 2015 ("FY15") budget for New Jersey's Clean Energy Program ("NJCEP").¹

BACKGROUND AND PROCEDURAL HISTORY

On February 9, 1999, the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. ("EDECA") was signed into law. EDECA established requirements to advance energy efficiency and renewable energy in New Jersey through the societal benefits charge. N.J.S.A. 48:3-60(a)(3). EDECA further empowered the Board to initiate a proceeding and cause to be undertaken a comprehensive resource analysis ("CRA") of energy programs, which is currently

¹ The budgets approved in this Order are subject to State appropriations law.

referred to as the comprehensive energy efficiency ("EE") and renewable energy ("RE") resource analysis. Ibid. After notice, opportunity for public comment, public hearing, and consultation with the New Jersey Department of Environmental Protection ("DEP"), within eight months of initiating the proceeding and every four years thereafter, the Board determines the appropriate level of funding for EE and Class I RE programs that provide environmental benefits above and beyond those provided by standard offer or similar programs in effect as of February 9, 1999. These programs are now called the NJCEP.

By Order dated June 30, 2014, Docket No. QO14050489, (the "June 30th Order"), the Board approved NJCEP FY15 budgets and deferred a decision regarding FY15 program changes until a future agenda meeting. By Order dated September 30, 2014, Docket No. QO14050489, the Board approved the compliance filings submitted by Honeywell, the Residential and Renewable Market Manager, and TRC, the Commercial and Industrial (C&I) Market Manager, the Office of Clean Energy (OCE) and the Utilities. The compliance filings include a description of the programs and incentive levels as well as detailed program budgets.

By Order dated December 17, 2014 the Board approved modifications to the FY15 NJCEP budget to reflect a true up of actual and estimated FY14 expenses and commitments. By Order dated April 15, 2015 the Board approved additional modifications to the FY15 NJCEP budget, and by email dated May 7, 2015 Board Staff approved further modifications to the budget pursuant to its limited delegated authority granted by the Board. By memorandum dated April 24, 2015, TRC submitted proposed modifications to its FY15 budget for several commercial and industrial (C&I) programs, as described more fully below and which are addressed herein. The Staff authorized budget modifications are summarized below.

Staff Authorized Modifications to FY15 NJCEP Budget

By Order dated February 4, 2014 the Board delegated limited authority to BPU Staff to modify NJCEP budgets, provided certain conditions set out in the Order were met. The Order authorized Staff to modify NJCEP budgets within a given Funding Category, such as EE, RE, EDA, etc., provided that the reallocation did not reduce a program's budget by more than 10%, and provided that Staff notified each Commissioner in writing and circulated a summary of the proposed changes to the public for comment, at least seven days prior to implementing any budget modification.

The budget delegation Order also required Staff to report on all prior budget reallocations to the Board during the public session of any agenda meeting at which the Board considered the budget, including public comments on the proposed reallocations Pursuant to the authority delegated by the Board, Staff has authorized several modifications to the NJCEP FY15 budgets and the following summarizes those budget reallocations approved by Staff in FY15:

1. On December 23, 2014, Staff authorized the transfer of \$2,900,000 from the Pay for Performance Program and \$1,690,000 from the Large Energy Users Program to the C&I retrofit program.
2. On April 2, 2015, Staff authorized the transfer of \$1,927,500 from the Residential New Construction program to the Home Performance with Energy Star program and the transfer of funds within the REIP program from one line item to another.
3. On May 7, 2015, Staff authorized the transfer of funds between various C&I EE programs, reducing the budget for the Large Energy User Program by \$50,000, the Pay

for Performance New Construction program by \$300,000 and C&I New Construction program by \$100,000, and increased the budget of the Pay for Performance Existing Building program by \$300,000 and the Local Government Energy Audit program by \$150,000.

As required by the Board's Order referenced above, Staff circulated a memorandum to each commissioner and circulated for comment a summary of each of the above proposed budget modifications prior to approval. No comments were received regarding any of these proposed budget modifications.

PROPOSED BUDGET MODIFICATIONS

TRC stated that it continues to see increased participation in several NJCEP Commercial & Industrial (C&I) programs. As a result, TRC projected the need for additional funds in order to meet the anticipated volume of applications through the remainder of the fiscal year.

By memorandum dated April 24, 2015, TRC proposed the transfer of \$2,000,000 to the C&I Retrofit Program, \$1,200,000 to Pay for Performance Existing Buildings, \$1,000,000 to Pay for Performance New Construction, \$1,100,000 to Direct Install, \$200,000 to Local Government Energy Audit and \$500,000 to the Large Energy Users Program. After consultation with the OCE and the Honeywell Residential Market Manager Team, TRC proposed that \$6,000,000 be transferred from the Residential EE programs as set out in the table below. The additional funds would be allocated to the Rebates, Grants and other Direct Incentives component of the respective program budgets.

The following table shows the FY15 budget for these programs approved by the Board by Order dated April 15, 2015 as modified by Staff on May 7, 2015 pursuant to the limited authority delegated by the Board, the proposed amount of the transfer and the proposed revised budget:

Program	Current FY15 Budget	Proposed Transfer	Proposed Budget
C&I Retrofit	\$62,058,738.87	\$2,000,000.00	\$64,058,738.87
C&I New Construction	\$3,305,210.99		\$3,305,210.99
Pay for Performance Existing Buildings	\$28,991,851.98	\$1,200,000.00	\$30,191,851.98
Pay for Performance - New Construction	\$12,279,268.58	\$1,000,000.00	\$13,279,268.58
Direct Install	\$47,881,360.42	\$1,100,000.00	\$48,981,360.42
Local Government Energy Audit	\$2,566,980.50	\$200,000.00	\$2,766,980.50
Large Energy Users Program	\$14,074,758.89	\$500,000.00	\$14,574,758.89
Residential HVAC Electric & Gas	\$13,665,469.42	(\$1,250,000.00)	\$12,415,469.42
Residential EE Products	\$19,468,939.09	(\$2,250,000.00)	\$17,218,939.09
Residential New Construction	\$17,348,397.29	(\$2,500,000.00)	\$14,848,397.29
Total	\$221,640,976.03	\$0.00	\$221,640,976.03

In addition to proposing the transfer of funds between programs as shown in the table above, TRC proposed the transfer of funds between line items within certain programs. The following

table shows the amounts of the proposed transfers within certain programs, the line item from which the funds are proposed to be transferred from and the line item to which the funds will be reallocated:

Program	Transfer from Training and Technical Support	Transfer to Rebates, Grants and Other Direct Incentives
C&I Retrofit	(\$81,000.00)	\$81,000.00
C&I New Construction	(\$75,000.00)	\$75,000.00
Pay for Performance - Existing Buildings	(\$78,000.00)	\$66,000.00
Pay for Performance - New construction	(\$66,000.00)	\$78,000.00
Subtotal	(\$300,000.00)	\$300,000.00
Program	Transfer from Rebate Processing, Inspections and Other Quality Control	Transfer to Rebates, Grants and Other Direct Incentives
C&I Retrofit	(\$632,857.00)	\$632,857.00
Combined Heat & Power	(\$27,871.80)	\$27,871.80
Local Government Energy Audit	(\$70,000.00)	\$70,000.00
Pay for Performance - Existing Buildings	(\$98,750.00)	\$98,750.00
Large Energy Users	(\$69,538.50)	\$69,538.50
Total	(\$899,017.30)	\$899,017.30

TRC has indicated that the programs to which funds are being reallocated will require additional funds in order to meet anticipated program activity through the remainder of FY15. TRC has indicated that the proposed transfer of funds from the three Residential EE programs will have no adverse impact on its ability to meet current and future program commitments.

On April 29, 2015, OCE Staff provided the public with notice of and the opportunity to comment on the proposed budget modifications. On that day, the proposed changes were circulated to the Energy Efficiency and ("EE") and Renewable Energy ("RE") Committee listservs and posted on the NJCEP website, with comments due by close of business on May 6, 2015. The proposed changes were also discussed at the April 16, 2015 meeting of the EE Committee. The following summarizes the comments received on the proposed budget modifications.

SUMMARY OF COMMENTS FROM PUBLIC STAKEHOLDERS

Written comments were submitted by the Division of Rate Counsel.

Comment: Rate Counsel noted that several New Jersey natural gas utilities have cases pending where they seek to extend their residential EE programs, among other programs, which are intended to serve markets not served by the NJCEP residential programs. Rate Counsel submitted that OCE staff and NJCEP Market Managers should revisit the residential programs to see why the participation rate for the affected residential EE programs did not meet

anticipated demand and whether the programs could be redesigned to better serve their targeted market. Rate Counsel did not object to the proposed budget transfers based on the representation that there is sufficient demand for the programs to justify the proposed budget.

Response: The OCE concurs with Rate Counsel's comments. The OCE recently organized a Program Planning work group that reviewed each program and identified opportunities to improve program participation and performance. Rate Counsel participated in the work group. The Planning Group issued numerous recommendations for program changes that are discussed in the recently issued Staff Straw CRA 2016 and are included in the proposed FY16 program changes that were recently circulated for comment.

STAFF RECOMMENDATIONS

Over the past several years Staff has attempted to better align program budgets with realistic projections of the level of funds that can be expended or committed in a fiscal year. The intent is to optimize the funds collected from ratepayers and minimize the resultant rate impacts. To do so, Staff has sought Board approval for the transfer of funds from programs that are under budget due to lower than anticipated participation levels to programs with higher than anticipated participation levels. This practice minimizes the potential for funds to remain unspent or uncommitted at the end of the fiscal year.

Staff has reviewed TRC's proposal as well as the comments submitted. TRC's proposal will allow certain beneficial programs to remain open to new applicants through the remainder of the FY without negatively impacting the programs from which funds are being transferred. Based on the above, Staff recommends approval of the budget revisions discussed above.

TRC and Honeywell's compliance filings include detailed budgets that break down the overall program budgets into various budget categories such as Administration and Rebates, Grants and Other Direct Incentives. TRC has submitted revised detailed budgets consistent with the budget modification discussed above which are shown below:²

² The Residential New Construction program budget shown in the table below was corrected to reflect a budget modification previously approved by Board Staff pursuant to the Board's Order delegating to Staff the authority to modify NJCEP budgets.

FY 2015 Revised Energy Efficiency Program Budget

Current Budget

	FY 2015 Budget	Admin. and Program Development	Sales, Marketing, Call Centers, Web Site	Training and Technical Support	Rebates, Grants and Other Direct Incentives	Rebate Processing, Inspections, Other Quality Control
RESIDENTIAL EE PROGRAMS:						
Residential HVAC Electric & Gas	\$ 13,665,469.42	\$ 1,306,764.00	\$ -	\$ 755,203.84	\$ 10,185,420.00	\$ 1,418,081.58
Residential EE Products	\$ 19,468,939.09	\$ 2,001,756.59	\$ -	\$ -	\$ 17,021,300.00	\$ 445,882.50
Residential New Construction	\$ 17,348,397.29	\$ 1,249,392.00	\$ -	\$ -	\$ 15,749,320.00	\$ 349,685.29
Subtotal Residential EE Programs	\$ 50,482,805.80	\$ 4,557,912.59	\$ -	\$ 755,203.84	\$ 42,956,040.00	\$ 2,213,649.37
COMMERCIAL & INDUSTRIAL EE PROGRAMS						
C&I New Construction	\$ 3,305,210.99	\$ 237,454.00	\$ -	\$ 354,291.00	\$ 2,589,821.75	\$ 123,644.24
C&I Retrofit	\$ 62,058,738.87	\$ 747,550.80	\$ -	\$ 382,578.28	\$ 56,507,694.19	\$ 4,420,915.60
Pay for Performance New Construction	\$ 12,279,268.58	\$ 149,600.00	\$ -	\$ 365,260.08	\$ 11,599,408.50	\$ 165,000.00
Pay for Performance	\$ 28,991,851.98	\$ 579,800.00	\$ -	\$ 506,434.64	\$ 27,268,637.42	\$ 636,979.92
Local Government Energy Audit	\$ 2,566,980.50	\$ 220,000.00	\$ -	\$ -	\$ 1,709,320.50	\$ 637,660.00
Direct Install	\$ 47,881,360.42	\$ 501,551.80	\$ -	\$ 10,000.00	\$ 46,939,640.42	\$ 430,168.20
Marketing	\$ 1,075,000.00	\$ -	\$ 1,075,000.00	\$ -	\$ -	\$ -
Large Energy Users Program	\$ 14,074,758.89	\$ 147,916.00	\$ -	\$ -	\$ 13,708,782.69	\$ 218,060.20
Subtotal C&I EE Programs	\$172,233,170.23	\$ 2,583,872.60	\$ 1,075,000.00	\$1,618,564.00	\$160,323,305.47	\$ 6,632,428.16

Proposed Transfers

	Total Proposed Transfer	Admin. and Program Development	Sales, Marketing, Call Centers, Web Site	Training and Technical Support	Rebates, Grants and Other Direct Incentives	Rebate Processing, Inspections, Other Quality Control
RESIDENTIAL EE PROGRAMS:						
Residential HVAC Electric & Gas	\$ (1,250,000.00)	\$ -	\$ -	\$ -	\$ (1,250,000.00)	\$ -
Residential EE Products	\$ (2,250,000.00)	\$ -	\$ -	\$ -	\$ (2,250,000.00)	\$ -
Residential New Construction	\$ (2,500,000.00)	\$ -	\$ -	\$ -	\$ (2,500,000.00)	\$ -
Subtotal Residential EE Programs	\$ (6,000,000.00)	\$ -	\$ -	\$ -	\$ (6,000,000.00)	\$ -
COMMERCIAL & INDUSTRIAL EE PROGRAMS						
C&I New Construction	\$ -	\$ -	\$ -	\$ (75,000.00)	\$ 75,000.00	\$ -
C&I Retrofit	\$ 2,000,000.00	\$ -	\$ -	\$ (81,000.00)	\$ 2,713,857.00	\$ (632,857.00)
Pay for Performance New Construction	\$ 1,000,000.00	\$ -	\$ -	\$ (78,000.00)	\$ 1,078,000.00	\$ -
Pay for Performance	\$ 1,200,000.00	\$ -	\$ -	\$ (66,000.00)	\$ 1,364,750.00	\$ (98,750.00)
Local Government Energy Audit	\$ 200,000.00	\$ -	\$ -	\$ -	\$ 270,000.00	\$ (70,000.00)
Direct Install	\$ 1,100,000.00	\$ -	\$ -	\$ -	\$ 1,100,000.00	\$ -
Marketing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Large Energy Users Program	\$ 500,000.00	\$ -	\$ -	\$ -	\$ 569,538.50	\$ (69,538.50)
Subtotal C&I EE Programs	\$ 6,000,000.00	\$ -	\$ -	\$ (300,000.00)	\$ 7,171,145.50	\$ (871,145.50)

Proposed Revised Budget

	Total Proposed FY 2015 Budget	Admin. and Program Development	Sales, Marketing, Call Centers, Web Site	Training and Technical Support	Rebates, Grants and Other Direct Incentives	Rebate Processing, Inspections, Other Quality Control
RESIDENTIAL EE PROGRAMS:						
Residential HVAC Electric & Gas	\$ 12,415,469.42	\$ 1,306,764.00	\$ -	\$ 755,203.84	\$ 8,935,420.00	\$ 1,418,081.58
Residential EE Products	\$ 17,218,939.09	\$ 2,001,756.59	\$ -	\$ -	\$ 14,771,300.00	\$ 445,882.50
Residential New Construction	\$ 14,848,397.29	\$ 1,249,392.00	\$ -	\$ -	\$ 13,249,320.00	\$ 349,685.29
Subtotal Residential EE Programs	\$ 44,482,805.80	\$ 4,557,912.59	\$ -	\$ 755,203.84	\$ 36,956,040.00	\$ 2,213,649.37
COMMERCIAL & INDUSTRIAL EE PROGRAMS						
C&I New Construction	\$ 3,305,210.99	\$ 237,454.00	\$ -	\$ 279,291.00	\$ 2,664,821.75	\$ 123,644.24
C&I Retrofit	\$ 64,058,738.87	\$ 747,550.80	\$ -	\$ 301,578.28	\$ 59,221,551.19	\$ 3,788,058.60
Pay for Performance New Construction	\$ 13,279,268.58	\$ 149,600.00	\$ -	\$ 287,260.08	\$ 12,677,408.50	\$ 165,000.00
Pay for Performance	\$ 30,191,851.98	\$ 579,800.00	\$ -	\$ 440,434.64	\$ 28,633,387.42	\$ 538,229.92
Local Government Energy Audit	\$ 2,766,980.50	\$ 220,000.00	\$ -	\$ -	\$ 1,979,320.50	\$ 567,660.00
Direct Install	\$ 48,981,360.42	\$ 501,551.80	\$ -	\$ 10,000.00	\$ 48,039,640.42	\$ 430,168.20
Marketing	\$ 1,075,000.00	\$ -	\$ 1,075,000.00	\$ -	\$ -	\$ -
Large Energy Users Program	\$ 14,574,758.89	\$ 147,916.00	\$ -	\$ -	\$ 14,278,321.19	\$ 148,521.70
Subtotal C&I EE Programs	\$178,233,170.23	\$ 2,583,872.60	\$ 1,075,000.00	\$1,318,564.00	\$167,494,450.97	\$ 5,761,282.66

Staff has reviewed the revised detailed budgets and notes that the additional funds are all allocated to the Rebates, Grants and Other Direct Incentives budget category. Staff believes the revised detailed budgets are reasonable and recommends approval.

DISCUSSION AND FINDINGS

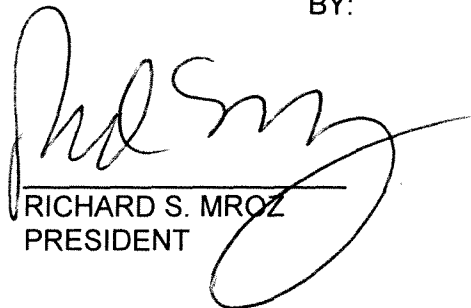
OCE Staff has coordinated with the Market Managers and the Program Coordinator regarding the proposed changes to the NJCEP FY15 budgets discussed above. The OCE, in conjunction with the NJCEP contractors, discussed the proposed changes at the April public meeting of the EE committee to receive comments and input. The proposed changes were circulated to the EE and RE committee listservs and posted on the NJCEP web site and written comments were accepted from the public, considered by Board Staff and addressed with a response. Accordingly, the Board **HEREBY FINDS** that the process utilized in developing the proposed changes to the NJCEP FY15 budget was appropriate and provided stakeholders and interested members of the public with notice and the opportunity to comment.

The Board has reviewed the proposed changes discussed above and **HEREBY FINDS** that the TRC's proposal is projected to benefit customers by allowing certain beneficial programs to remain open to new applicants through the remainder of FY15 without negatively impacting the programs from which funds are being transferred. TRC's proposal is also consistent with the Energy Master Plan goal of reducing energy usage and associated emissions and supports the Board's objective of optimizing societal benefits charge collected from ratepayers. Therefore, the Board **HEREBY APPROVES** the revised budgets for the Residential and C&I EE programs shown in the tables above.


This order shall be effective on May 29, 2015.


DATED: *May 19, 2015*


BOARD OF PUBLIC UTILITIES
BY:

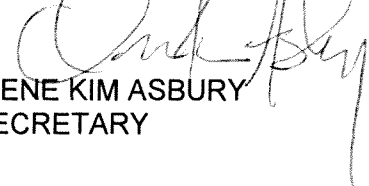

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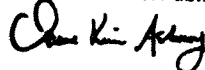

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ATTEST: 
IRENE KIM ASBURY
SECRETARY

I **HEREBY CERTIFY** that the within document is a true copy of the original in the files of the Board of Public Utilities



IN THE MATTER OF THE CLEAN ENERGY PROGRAMS AND BUDGET FOR FISCAL YEAR
2015 - THIRD REVISED FY15 BUDGET
DOCKET NO. QO14050489

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