



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF DSM)	ORDER SETTING PROCEDURAL
NUTRITIONAL PRODUCTS TO DIRECT JCP&L TO)	SCHEDULE
PROVIDE NET METERING CREDIT FOR EXISTING)	
ON-SITE SOLAR GENERATION FACILITY)	DOCKET NO. QO21071021

Parties of Record:

James A. Boyd, Jr., Esq., Archer & Greiner, P.C., on behalf of DSM Nutritional Products, LLC
Brian O. Lipman, Esq., Director, Division of Rate Counsel
Gregory Eisenstark, Esq., Cozen O'Connor, on behalf of Jersey Central Power & Light Company

BY COMMISSIONER MARIAN ABDOU:

On July 29, 2021, DSM Nutritional Products, LLC ("DSM" or "Petitioner"), a limited liability corporation that operates a manufacturing facility in Belvidere, New Jersey ("Facility"), filed a petition with the New Jersey Board of Public Utilities ("Board") requesting that the Board direct Jersey Central Power & Light Company ("JCP&L" or "Company") to net meter the electricity produced by an on-site solar facility owned by DSM and to provide DSM with a retail credit on its electric bill for the energy produced by the solar facility since the date it commenced operation. In the petition, DSM stated that JCP&L refused to provide net metering treatment because of the existence of a combined heat and power ("CHP") cogeneration facility also located behind DSM's meter, and represented that DSM exhausted all informal means of resolving the matter.

BACKGROUND AND PROCEDURAL HISTORY

The background and procedural history of this matter are set out in the February 28, 2025 Order in this docket. That Order approved a procedural schedule that had been agreed on by the parties. Subsequently, in the filings made with me pursuant to that schedule, the parties disagreed on the scope of the issues to be discussed and the need to file additional briefs. Petitioner requested a status conference to resolve these disputes.

DISCUSSION AND FINDINGS

I have considered the parties' arguments and weighed Petitioner's desire for a speedy resolution against the respondents' wish to respond to any new arguments made in Petitioner's reply brief. In the interest of procedural fairness, and of developing the fullest possible record for the Board's consideration, I **FIND** that all parties and participants should have the opportunity to make a final responsive filing. However, considering the need for an expeditious resolution of the issues

presented, I require that these filings be due on Friday, March 28, 2025. I **HEREBY ORDER** the parties to this proceeding to comply with the amended procedural schedule identified in Exhibit A attached hereto.

In light of this decision, I do not find that the status conference requested by Petitioner is necessary and I **DENY** that request.

In compliance with the Board's Orders in Docket No. EO20030254, I **HEREBY DIRECT** all parties to this proceeding to serve all documents electronically.¹ No hard copies shall be filed until the Board lifts the restrictions imposed by the Orders.

I **FURTHER DIRECT** that this Order be posted on the Board's Website.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED:

BY:


MARIAN ABDOU
COMMISSIONER

¹ In re the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254, Orders dated March 19, 2020 and June 10, 2020.

**IN THE MATTER OF THE PETITION OF DSM NUTRITIONAL PRODUCTS TO DIRECT
JCP&L TO PROVIDE NET METERING CREDIT FOR EXISTING ON-SITE SOLAR
GENERATION FACILITY**

DOCKET NO. QO21071021

**Exhibit A
Procedural Schedule**

DSM to circulate its list of proposed documents for the record	February 21, 2025
All parties to provide additional documents for the record and objections to DSM's list (if any)	February 28, 2025
DSM to circulate a revised list, noting all documents that are included but to which the parties cannot agree	March 5, 2025
The parties to file initial briefs on the retroactive recovery issue	March 7, 2025
The parties to file reply briefs on the retroactive recovery issue and arguments regarding the disputed record documents	March 14, 2025
The parties to file sur-reply briefs on the retroactive recovery issue, responses to other issues raised by other parties, and arguments regarding the disputed record documents	March 28, 2025

IN THE MATTER OF THE PETITION OF DSM NUTRITIONAL PRODUCTS TO DIRECT JCP&L TO PROVIDE NET
METERING CREDIT FOR EXISTING ON-SITE SOLAR GENERATION FACILITY
BPU DOCKET NO. QO21071021

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