



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 TRENTON)	ORDER SETTING PROCEDURAL
RENEWABLE POWER, LLC FOR APPROVAL OF A)	SCHEDULE
RENEWABLE ENERGY POWER PURCHASE)	
AGREEMENT WITH PUBLIC SERVICE ELECTRIC)	DOCKET NO. EM24020105
AND GAS COMPANY)	

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Gregory Eisenstark, Esq., on behalf of Trenton Renewable Power, LLC
Matthew Weissman, Esq., on behalf of Public Service Electric and Gas Company

BY PRESIDENT CHRISTINE GUHL-SADOVY:

On February 8, 2024, Trenton Renewable Power, LLC ("Trenton Renewable" or "Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") seeking approval of a renewable energy power purchase agreement ("PPA") with Public Service Electric and Gas Company ("PSE&G") ("Petition").

BACKGROUND AND PROCEDURAL HISTORY

Trenton Renewable owns and operates a food waste recycling facility ("Facility"), also known as a "biomass facility," in Trenton, New Jersey. The Facility includes a digester that recycles vegetative food waste and produces renewable natural gas as a byproduct of the recycling process. The Facility comprises three (3) onsite 1.134 megawatt ("MW") electric generation turbines that use the natural gas produced by the digester to generate electricity ("Generation System"). The Generation System has a total nameplate capacity of 3.4 MW and electricity it generates is classified as Class 1 renewable energy pursuant to N.J.A.C. 14:8-1.2 and N.J.A.C. 14:8-2.5(b)(8) and (c). The Generation System is also a Qualified Facility ("QF") as defined under the Public Utility Regulatory Policy Act of 1979 ("PURPA"), originally codified at 16 U.S.C. § 2601 *et seq.* The Facility and Generation System are in PSE&G's service territory and the Generation System is interconnected with PSE&G's electric distribution system in Trenton, New Jersey.¹

Pursuant to an August 19, 2018 interconnection agreement between the Petitioner and PSE&G, Trenton Renewable currently sells the Generation System's net electric generation to PSE&G

¹ The Petitioner is an electric distribution customer of PSE&G.

under PSE&G's Purchased Electric Power ("PEP") tariff based on a wholesale avoided cost proxy.²

Petition

By the Petition, the Petitioner proposed the PPA with a purchase price of \$0.20 per kWh, which the Petitioner identified as being approximately one-tenth the actual market value of electricity produced by the Generation System. Trenton Renewable further identified that PSE&G's cost recovery for the PPA does not directly concern the Petitioner. Trenton Renewable noted that it understands PSE&G currently recovers costs associated with its purchase of energy from Trenton Renewable via PSE&G's non-utility generation charge of its electric tariff.

On February 27, 2024, PSE&G filed a motion to intervene in this matter ("Motion"), noting that it will be directly affected by the outcome of this proceeding and its inclusion will contribute to the development of a full and complete record for review by the Board. By letter dated March 4, 2024, Trenton Renewable replied to the Motion, noting that it did not oppose the Motion.

By Order dated April 17, 2024 the Board designated myself as presiding commissioner with authority to rule on all motions that may arise during the pendency of this proceeding and set all schedules as may be necessary to secure a just and expeditious determination of the issues in this proceeding.³ Also by the April 2024 Order, the Board granted the Motion, thereby granting PSE&G Intervenor status in this matter.

DISCUSSION AND FINDINGS

Considering the need for an expeditious resolution of the issues presented, I **HEREBY ORDER** the parties to this proceeding to comply with the procedural schedule identified in Exhibit A attached hereto.

In addition, in compliance with the Board's Orders in Docket No. EO20030254, I **HEREBY DIRECT** all parties to this proceeding to serve all documents electronically.⁴ 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.

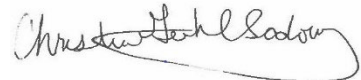
² See: PSE&G Electric Tariff, Original Sheet No. 176, Payment Schedule PEP – Purchased Electric Power.

³ In re the Petition of Trenton Renewable Power, LLC for Approval of a Renewable Energy Power Purchase Agreement with Public Service Electric and Gas Company, BPU Docket No. EM24020105, Order dated April 17, 2024 ("April 2024 Order").

⁴ 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.

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

DATED: 12/10/2024

BY:  _____

CHRISTINE GUHL-SADOVY
PRESIDENT

**IN THE MATTER OF THE PETITION OF TRENTON RENEWABLE POWER, LLC FOR
APPROVAL OF A RENEWABLE ENERGY POWER PURCHASE AGREEMENT WITH
PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

DOCKET NO. EM24020105

**Exhibit A
Procedural Schedule**

Discovery	Ongoing
Staff's Initial Position	December 18, 2024
Replies to Staff's Initial Position	January 10, 2025
Sur-replies	January 17, 2025

IN THE MATTER OF THE PETITION OF TRENTON RENEWABLE POWER, LLC FOR APPROVAL OF A
RENEWABLE ENERGY POWER PURCHASE AGREEMENT WITH PUBLIC SERVICE ELECTRIC AND GAS
COMPANY

BPU DOCKET NO. EM24020105

SERVICE LIST

Trenton Renewable Power, LLC

1600 Lambertson Road
Trenton, NJ 08611

Peter Joseph
pjoseph@pajoseph.com

Brian Blair
wbrianblair@gmail.com

Gregory Eisenstark, Esq.
Cozen O'Connor P.C.
1010 Kings Highway South
Cherry Hill, NJ 08034
geisenstark@cozen.com

Public Service Electric and Gas Company

80 Park Plaza, T-10
P.O. Box 570
Newark, NJ 07102-4194

Matthew Weisman, Esq., Special Counsel – State
Regulatory
matthew.weisman@pseg.com

Aaron Karp, Esq.
PSEG Services Corporation
aaron.karp@pseg.com

Bernard Smalls
bernard.smalls@pseg.com

Maria Barling
maria.barling@pseg.com

Caitlyn White
caitlyn.white@pseg.com

**New Jersey Department of Law and Public Safety,
Division of Law**

Richard J. Hughes Justice Complex
Public Utilities Section
25 Market Street, 7th floor
P.O. Box 112
Trenton, NJ 08625

Daren Eppley, DAG, Chief
daren.eppley@law.njoag.gov

Pamela Owen, DAG, Assistant Chief
pamela.owen@law.njoag.gov

Steven Chaplar, DAG
steven.chaplar@law.njoag.gov

Matko Ilic, DAG
matko.ilic@law.njoag.gov

Board of Public Utilities

44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, NJ 08625-0350

Sherri L. Golden, Board Secretary
board.secretary@bpu.nj.gov

Bob Brabston, Esq., Executive Director
robert.brabston@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Mike Kammer, Senior Advisor
mike.kammer@bpu.nj.gov

General Counsel's Office

Colin Emerle, Deputy General Counsel
colin.emerle@bpu.nj.gov

Elsbeth Faiman Hans, Deputy General Counsel
elsbeth.hans@bpu.nj.gov

Michael Hunter, Regulatory Officer
michael.hunter@bpu.nj.gov

New Jersey Division of Rate Counsel

140 East Front Street, 4th Floor
Trenton, NJ 08625-0003

Brian O. Lipman, Esq., Director
blipman@rpa.nj.gov

Maura Caroselli, Esq.
mcaroselli@rpa.nj.gov

David Wand, Esq.
dwand@rpa.nj.gov

Robert Glover, Esq.
rglover@rpa.nj.gov

Rate Counsel Consultant

Max Chang
Zooid Energy
11 S. Angell St., #411
Providence, RI 02906
mchang@zooid-energy.com