



STATE OF NEW JERSEY
Board of Public Utilities
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CLEAN ENERGY AND ENERGY

IN THE MATTER OF THE PETITION OF ROCKLAND)
ELECTRIC COMPANY FOR APPROVAL OF ITS)
ENERGY EFFICIENCY AND PEAK DEMAND)
REDUCTION PROGRAMS)
)
) DOCKET NO. QO23120875

Parties of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel
Margaret Comes, Esq., Associate Counsel, Rockland Electric Company
John Kolesnik, Esq., Counsel for the Energy Efficiency Alliance of New Jersey

BY COMMISSIONER ZENON CHRISTODOULOU:

BACKGROUND AND PROCEDURAL HISTORY

By Order dated May 24, 2023, the New Jersey Board of Public Utilities (“Board”) directed each electric and gas public utility to propose, for Board approval, energy efficiency (“EE”) programs for the second three (3) -year EE program period (“Triennium 2”) pursuant to the Clean Energy Act of 2018, L. 2018, c. 17, on or before October 2, 2023, and the Board addressed certain aspects of the Triennium 2 framework.¹

By Order dated July 26, 2023, the Board approved the remaining aspects of the Triennium 2 framework.²

¹ In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs; In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs; In re Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources and Offering Class I Renewable Energy Programs in Their Respective Service Territories on a Regulated Basis, Pursuant to N.J.S.A. 48:3-98.1 and N.J.S.A. 48:3-87.9 - Minimum Filing Requirements, BPU Docket Nos. QO19010040, QO23030150, and QO17091004, Order dated May 24, 2023 (“May 2023 Order”).

² In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs; In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs; In re Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources

By Order dated September 27, 2023, the Board extended the filing deadline for Triennium 2 petitions from October 2, 2023 to December 1, 2023 and directed that any entities seeking to intervene or participate in this matter file the appropriate application with the Board by December 8, 2023 and that entities file with the Board any responses to those motions by December 14, 2023.³ By the September 2023 Order, the Board retained this matter for hearing and, pursuant to N.J.S.A. 48:2-32, designated myself, Commissioner Christodoulou, as Presiding Commissioner in this matter, authorized to rule on all motions that arise during the pendency of this proceeding, and modify schedules that may be set as necessary to secure a just and expeditious determination of all issues. By Order dated October 25, 2023, the Board delayed the start of Triennium 2 by six (6) months from July 1, 2024 until January 1, 2025.⁴

On December 1, 2023, Rockland Electric Company (“RECO” or “Company”) filed the requisite petition with the Board (“Petition”). In the Petition, the Company proposed to invest approximately \$60.9 million in its EE programs over a thirty (30)-month period from January 1, 2025 through June 30, 2027. In addition to approval of the plan to implement the Triennium 2 EE and PDR programs, the Company proposed to establish a “Clean Energy Act II Program” component of its existing Regional Greenhouse Gas Initiatives (“RGGI”) Surcharge.

On December 28, 2023, Board Staff (“Staff”) issued RECO a letter of administrative deficiency (“Letter”) identifying administratively incomplete portions of the Petition and requesting that the Company cure any deficiencies.

By Order dated January 10, 2024, the Board directed that any entity wishing to file a motion for leave to intervene or participate or to update a previously-filed motion for leave to intervene or participate in this proceeding shall have until seven (7) days following Staff’s issuance of a letter of administrative completeness to the Company.⁵

and Offering Class I Renewable Energy Programs in Their Respective Service Territories on a Regulated Basis, Pursuant to N.J.S.A. 48:3-98.1 and N.J.S.A. 48:3-87.9 - Minimum Filing Requirements, BPU Docket Nos. QO19010040, QO23030150, and QO17091004, Order dated July 26, 2023.

³ In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs; In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs; In re Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources and Offering Class I Renewable Energy Programs in Their Respective Service Territories on a Regulated Basis, Pursuant to N.J.S.A. 48:3-98.1 and N.J.S.A. 48:3-87.9 - Minimum Filing Requirements, BPU Docket Nos. QO19010040, QO23030150, and QO17091004, Order dated September 27, 2023 (“September 2023 Order”).

⁴ In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs, BPU Docket No. QO23030150, Order dated October 25, 2023 (“October 2023 Order”). The October 2023 Order also extended Triennium 1 through December 31, 2024.

⁵ In re the Implementation of P.L. 2018, c. 17, the New Jersey Clean Energy Act of 2018, Regarding the Second Triennium of Energy Efficiency and Peak Demand Reduction Programs et al., BPU Docket Nos. QO23030150, QO23120868, QO23120869, QO23120870, QO23120871, QO23120872, QO23120874, and QO23120875, Order dated January 10, 2024 (“January 2024 Order”). By the January 2024 Order, the Board additionally redesignated President Guhl-Sadovy as the Presiding Commissioner for the Public Service Electric and Gas Company (“PSE&G”) filing, BPU Docket No. QO23120874, and Commissioner Abdou as the Presiding Commissioner for the Elizabethtown Gas Company (“ETG”), New Jersey Natural

On January 16, 2024, RECO filed an update to the Petition to cure the deficiencies identified in the Letter (“Update”). On January 19, 2024, Staff issued a letter of administrative completeness, noting that the Update adequately cured the deficiencies identified in the Letter and that Staff therefore determined the Petition to be administratively complete. Accordingly, pursuant to N.J.S.A. 48:3-98.1(b), the 180-day period for the Board to review the proposal in this matter commenced on January 16, 2024. The Board subsequently received no additional or updated motions seeking leave to intervene or participate.

By Order dated February 26, 2024, after considering all Motions to Intervene or Participate in this matter and responses to the Motions, I granted intervenor status to the Energy Efficiency Alliance of New Jersey (“EEA-NJ”) and participant status to Enerwise Global Technologies, Inc. d/b/a CPower and the joint utilities: Atlantic City Electric Company, ETG, Jersey Central Power & Light Company, NJNG, PSE&G, and SJG.⁶

On March 20, 2024, the parties to this matter submitted a stipulation of settlement agreeing to extend the 180-day review period to October 15, 2024 (“Stipulation”). By Prehearing Order dated April 12, 2024, I approved the Stipulation, thereby extending the 180-day review period to October 15, 2024, and established the procedural schedule in this matter (“April 12 Procedural Schedule”), annexed thereto as Exhibit A.⁷

On May 10, 2024, I received correspondence from RECO requesting, with the consent of all parties to this matter, to amend the April 12 Procedural Schedule. Specifically, the Company requested to extend the deadline for the New Jersey Division of Rate Counsel (“Rate Counsel”) and EEA-NJ to file testimony by two (2) weeks, from May 13, 2024 to May 27, 2024, to allow for further settlement discussions. The Company did not request further modification to the April 12 Procedural Schedule. The correspondence indicated that Rate Counsel, Staff, and EEA-NJ supported the request. On May 10, 2024, RECO amended its request to extend the deadline for Rate Counsel and EEA-NJ to file testimony on May 28, 2024 in light of the Memorial Day holiday occurring on May 27, 2024.

On May 24, 2024, I received correspondence from RECO requesting, with the consent of all parties to this matter, to amend the April 12 Procedural Schedule. Specifically, the Company requested to extend the deadline for Rate Counsel and EEA-NJ to file testimony by two (2) weeks, from May 28, 2024 to June 10, 2024, to allow for further settlement discussions. The Company did not request further modification to the April 12 Procedural Schedule. The correspondence indicated that Rate Counsel, Staff, and EEA-NJ supported the request.

Gas Company (“NJNG”), and South Jersey Gas Company (“SJG”) filings, BPU Docket Nos. QO23120869, QO23120868, and QO23120870.

⁶ In re the Petition of Rockland Electric Company for Approval of its Energy Efficiency and Peak Demand Reduction Programs, BPU Docket No. QO23120875, Order dated February 26, 2024.

⁷ In re the Petition of Rockland Electric Company for Approval of its Energy Efficiency and Peak Demand Reduction Programs, BPU Docket No. QO23120875, Order dated April 12, 2024.

By Order dated June 7, 2024, I suspended the April 12 Procedural Schedule until June 10, 2024 and directed all parties to this proceeding to provide an update and, to the extent necessary, a proposed modified procedural schedule for my consideration no later than June 10, 2024.⁸

On June 7, 2024, I received correspondence from RECO requesting, with the consent of all parties to this matter, to amend the April 12 Procedural Schedule. Specifically, the Company requested to extend the deadline for Rate Counsel and EEA-NJ to file testimony by two (2) weeks, from June 10, 2024 to June 24, 2024, to allow for further settlement discussions. The Company did not request further modification to the April 12 Procedural Schedule. On June 14, 2024, I received additional correspondence from the Company requesting, with consent of all parties, to suspend the April 12 Procedural Schedule until June 24, 2024.

On June 20, 2024, I received correspondence from RECO requesting, with the consent of all parties to this proceeding, to suspend the April 12 Procedural Schedule indefinitely.

DISCUSSION AND FINDINGS

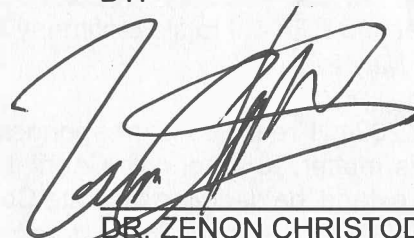
I reviewed, in detail, RECO's June 20, 2024 correspondence. As such, to allow further settlement negotiations and to ensure an equitable determination of the issues, and having received no objection from the parties, I **HEREBY SUSPEND** the remainder of the April 12 Procedural Schedule. The evidentiary hearings in this matter are therefore adjourned until further Order.

I **HEREBY 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: 7/1/2024

BY:



DR. ZENON CHRISTODOULOU

⁸ In re the Petition of Rockland Electric Company for Approval of its Energy Efficiency and Peak Demand Reduction Programs, BPU Docket No. QO23120875, Order dated June 7, 2024.

IN THE MATTER OF THE PETITION OF ROCKLAND ELECTRIC COMPANY FOR APPROVAL OF ITS ENERGY
EFFICIENCY AND PEAK DEMAND REDUCTION PROGRAMS

DOCKET NO. QO23120875

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