



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE PETITION OF TRENTON	)	SECOND ORDER AMENDING
RENEWABLE POWER, LLC FOR APPROVAL OF A	)	PROCEDURAL 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 as defined under the Public Utility Regulatory Policy Act of 1979, 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.<sup>1</sup>

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

---

<sup>1</sup> 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.<sup>2</sup>

### 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.<sup>3</sup> Also by the April 2024 Order, the Board granted the Motion, thereby granting PSE&G Intervenor status in this matter.

On December 10, 2024, I issued an Order Setting the Procedural Schedule; a copy of the Procedural Schedule in this matter was attached thereto as Exhibit A.<sup>4</sup>

On December 20, 2024, I received correspondence from the New Jersey Division of Rate Counsel ("Rate Counsel") noting that, pursuant to Exhibit A to the December 2024 Order, Board Staff ("Staff") was to submit an "Initial Position" by December 18, 2024. The correspondence further provided that, as of December 20, 2024, Rate Counsel had not received Staff's Initial Position. Based upon the delay, Rate Counsel concluded that, absent clarification from myself or Staff, the procedural schedule was "suspended until such time as Staff provides its position, subsequent to which a new schedule can be set."

On January 9, 2025, I issued an Order Amending the Procedural Schedule in this matter; a copy of the amended Procedural Schedule ("Modified Procedural Schedule") was attached thereto as Exhibit A.<sup>5</sup> Pursuant to the Modified Procedural Schedule, Staff was to submit its Initial Position to the parties to this proceeding ("Parties") on or before January 15, 2025.

---

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

<sup>3</sup> 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").

<sup>4</sup> 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 December 10, 2024 (December 2024 Order").

<sup>5</sup> 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 January 9, 2025 ("January 2025 Order").

By letter dated January 24, 2025, Staff submitted its Initial Position and noted that, should the Parties require more time to submit their responses due to Staff's delayed submission, Staff would recommend relaxing the deadlines set in the Modified Procedural Schedule.

By letter dated January 28, 2025, Trenton Renewable indicated it would not require relaxation of the dates set forth in the Modified Procedural Schedule and would comply with the deadlines set forth therein.

By letter dated January 28, 2025, Rate Counsel indicated, given Staff's nine (9)-day delay in submitting its Initial Position, it would require an additional nine (9) days to submit its reply. As such, Rate Counsel requested that I further amend the Procedural Schedule such that initial responses be required on or before February 14, 2025, and sur-replies on or before February 21, 2025.

By letter dated January 29, 2025, PSE&G noted that it agreed with, and joined in, Rate Counsel's request to further amend the Procedural Schedule contained in its January 28, 2025 correspondence.

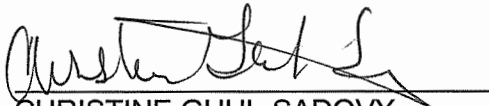
### **DISCUSSION AND FINDINGS**

I reviewed Trenton Renewable and Rate Counsel's January 28, 2025 correspondences, PSE&G's January 29, 2025 correspondence, and Exhibit A to my January 2025 Order. Considering the need for an expeditious, yet comprehensive, resolution of the issues presented, and that Staff further delayed submission of its Initial Position by nine (9) days beyond the date set forth in the Modified Procedural Schedule, I **HEREBY ORDER** that the Second Modified Procedural Schedule, a copy of which is affixed to this Order, supersede the Modified Procedural Schedule provided in the January 2025 Order. I **FURTHER ORDER** that the attached Second Modified Procedural Schedule controls as of the date of this 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: February 4, 2025

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	January 15, 2025
Replies to Staff's Initial Position	February 14, 2025
Sur-replies	February 21, 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 Lamberton Road  
Trenton, NJ 08611

Peter Joseph  
[pjoseph@pajoseph.com](mailto:pjoseph@pajoseph.com)

Brian Blair  
[wbrianblair@gmail.com](mailto:wbrianblair@gmail.com)

Gregory Eisenstark, Esq.  
Cozen O'Connor P.C.  
1010 Kings Highway South  
Cherry Hill, NJ 08034  
[geisenstark@cozen.com](mailto: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](mailto:matthew.weisman@pseg.com)

Aaron Karp, Esq.  
PSEG Services Corporation  
[aaron.karp@pseg.com](mailto:aaron.karp@pseg.com)

Bernard Smalls  
[bernard.smalls@pseg.com](mailto:bernard.smalls@pseg.com)

Maria Barling  
[maria.barling@pseg.com](mailto:maria.barling@pseg.com)

Caitlyn White  
[caitlyn.white@pseg.com](mailto: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, 7<sup>th</sup> floor  
P.O. Box 112  
Trenton, NJ 08625

Daren Eppley, DAG, Chief  
[daren.eppley@law.njoag.gov](mailto:daren.eppley@law.njoag.gov)

Pamela Owen, DAG, Assistant Chief  
[pamela.owen@law.njoag.gov](mailto:pamela.owen@law.njoag.gov)

Steven Chaplar, DAG  
[steven.chaplar@law.njoag.gov](mailto:steven.chaplar@law.njoag.gov)

Matko Ilic, DAG  
[matko.ilic@law.njoag.gov](mailto:matko.ilic@law.njoag.gov)

**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

Sherri L. Golden, Board Secretary  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Bob Brabston, Esq., Executive Director  
[robert.brabston@bpu.nj.gov](mailto:robert.brabston@bpu.nj.gov)

Stacy Peterson, Deputy Executive Director  
[stacy.peterson@bpu.nj.gov](mailto:stacy.peterson@bpu.nj.gov)

Mike Kammer, Senior Advisor  
[mike.kammer@bpu.nj.gov](mailto:mike.kammer@bpu.nj.gov)

General Counsel's Office

Colin Emerle, Deputy General Counsel  
[colin.emerle@bpu.nj.gov](mailto:colin.emerle@bpu.nj.gov)

Elspeth Faiman Hans, Deputy General Counsel  
[elspeth.hans@bpu.nj.gov](mailto:elspeth.hans@bpu.nj.gov)

Michael Hunter, Regulatory Officer  
[michael.hunter@bpu.nj.gov](mailto:michael.hunter@bpu.nj.gov)

**New Jersey Division of Rate Counsel**  
140 East Front Street, 4<sup>th</sup> Floor  
Trenton, NJ 08625-0003

Brian O. Lipman, Esq., Director  
[blipman@rpa.nj.gov](mailto:blipman@rpa.nj.gov)

Maura Caroselli, Esq.  
[mcaroselli@rpa.nj.gov](mailto:mcaroselli@rpa.nj.gov)

David Wand, Esq.  
[dwand@rpa.nj.gov](mailto:dwand@rpa.nj.gov)

Robert Glover, Esq.  
[rglover@rpa.nj.gov](mailto:rglover@rpa.nj.gov)

Rate Counsel Consultant

Max Chang  
Zooid Energy  
11 S. Angell St., #411  
Providence, RI 02906  
[mchang@zooid-energy.com](mailto:mchang@zooid-energy.com)