



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

AGENDA FOR BOARD MEETING
The meeting will be held on
Tuesday, May 5, 2020 – 10:00 a.m.

Listen Via Teleconference: +1 312 626 6799 - **Webinar ID:** 978 7911 0539
Watch Online: <https://youtu.be/mHZgLiOSWvg> OR <https://zoom.us/j/97879110539>

Executive Session

(Open Session will not reconvene until the conclusion of the Executive Session, which will commence at 10:00 a.m. The only business to be conducted in the 10:00 a.m. Open Session will be the reading of the public notice statement, roll call, and the exception, under the Open Public Meetings Act, for each item to be considered in Executive Session.)

2. ENERGY

- E.** Docket No. ER20010003 – In the Matter of Federal Energy (FERC) Items for 2020 – FERC Docket No. ER19-5 Commonwealth Edison Company v. PJM Interconnection, L.L.C.

The Board will consider an unopposed procedural motion as well as a filed Settlement Agreement, which modifies the transmission formula rate templates used to address deferred taxes for the Exelon transmission companies, including Atlantic City Electric Company.

8. CLEAN ENERGY

- B.** Docket No. QO18040433 – Monroe Solar Farm, LLC, B&J Warren and Sons Landfill.

The Board will receive a litigation update on the above-captioned matter.

- C.** Docket No. QO19030303 – Request for Modification of Settlement Agreement of Board Order dated June 29, 2016 on behalf of CEP Solar, Ltd.

The Board will receive a litigation update on the above-captioned matter.



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CONSENT AGENDA FOR BOARD MEETING

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I. **AUDITS**

A. **Energy Agent and/or Private Aggregator Initial Registrations**

EE20010065L	Lucid Solution Consulting, LLC	I – EA/PA
GE20010066L		

This matter relates to an application for initial registration as an energy agent for one year.

Energy Agent, Private Aggregator and/or Energy Consultant Renewal Registrations

EE20030271L	Open Market Energy, LLC	R – EA
EE19121513L	Just One Energy, LLC d/b/a E-Agent	R – EA
EE19121529L	EGS Advanced Energy Solutions, Inc.	R – EA
EE20010031L	Energy Initiatives, Inc.	R – EA
EE20030265L GE20030266L	The Legacy Energy Group, LLC d/b/a Legacy Energy; Legacy	R – EA/PA
EE20030228L GE20030229L	Avalon Energy Services, LLC	R – EA/PA
EE20010083L GE20010084L	Option One Energy, LLC	R – EA/PA

I. AUDITS (CONT'D)

EE19111497L GE19111498L	Sprague Energy Solutions, Inc.	R – EA/PA/EC
EE20010081L GE20010082L	Lower Watt, LLC	R – EA/PA/EC
EE20010042L GE20010043L	Novo Energy Services, LLC	R – EA/PA/EC
EE20030218L GE20040290L	Luthin Associates, Inc.	R – EA/EC

These matters relate to the above applicants being issued renewal registrations as an energy agent, private aggregator and/or energy agent consultant for one year.

II. ENERGY

- A. [Docket No. ER19040428 – In the Matter of the Provision of Basic Generation Service \(“BGS”\) for the Period Beginning June 1, 2020 – Compliance Tariffs.](#)

The Board will consider the compliance Basic Generation Service Tariffs filed by the electric distribution companies for service rendered on and after June 1, 2020.

III. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

IV. TELECOMMUNICATIONS

- A. [Docket No. TF20020136 – In the Matter of BCM One, Inc. – Referenced to as \(“BCM”\) Petition for Approval to Obtain Debt Financing.](#)

This petition, if approved, will allow BCM One, Inc. to access \$200 million of financing through secured credit and senior bond notes, both maturing in 2024. The funds will be used to expand BCM's market share through mergers or acquisitions of like companies.

V. WATER

- A. [Docket No. WR19121516 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval of Increased Tariff Rates and Charges for Water and Wastewater Service, and Other Tariff Modifications.](#)

This matter involves a petition for a base rate increase filed by New Jersey American Water Company. The proposed Board action is the further suspension of the proposed rates for four months, to September 15, 2020, to allow the Board to investigate the just and reasonableness of the proposed rates.

- B. [Docket No. WF20030202 – In the Matter of the Petition of Aqua New Jersey, Inc. for Authority to Enter into Long-Term Debt in an Amount Up to \\$25,000,000, and to Approve Refinancing of Existing Debt.](#)

This petition, if approved, will allow Aqua New Jersey, Inc., a provider of water and wastewater services, to obtain long-term debt to fund its business operations and to refinance existing debt.

- C. [Docket No. WF20020188 – In the Matter of the Application of Middlesex Water Company for Authority to Issue and Sell Up to \\$100 Million of Principal Amount Debt Securities.](#)

This petition, if approved, will allow Middlesex Water Company to obtain debt financing of up to \$100 million through various instruments, including First Mortgage bonds. The proceeds will be used for capital infrastructure improvement and upgrade projects, as part of its "Water for Tomorrow" program.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A. Approval of Minutes for the March 19, 2020 Emergency Board Meeting; and
Approval of Minutes for the March 27, 2020 Agenda Meeting.



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1. **AUDITS**

- A. [Docket No. EA17030297 – In the Matter of an Audit of the Affiliated Transactions between Atlantic City Electric Company, Pepco Holdings LLC, Exelon Inc. and Affiliates Including a Review of Operational and Financial Performance of Atlantic City Electric Company Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 48:3-58 and N.J.A.C. 14:4-3.7\(e\) and \(f\) and a Comprehensive Management Audit of Atlantic City Electric Company Pursuant to N.J.S.A. 48:2-16.4 and N.J.A.C. 14:3-12.1 et seq.](#)

Liberty Consulting Group provided its Final Report in the Audit of Affiliated Transactions, Operational and Financial Performance and Management Audit of Atlantic City Electric Company. Staff is not recommending action by the Board on the merits of each recommendation at this time. Rather Staff is asking the Board to accept for filing purposes only the Final Audit Report, to release the public version of the Final Audit Report for comments and to pay Liberty Consulting Group the hold back fees in the amount of \$250,813.60 consistent with the terms and conditions of the contract with Liberty Consulting Group.

- B. [Docket No. EO20040305 – In the Matter of the Alleged Failure of Eisenbach Consulting, LLC to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by Eisenbach Consulting, LLC whereby Eisenbach Consulting, LLC failed to submit a timely renewal application for its Energy Agent, Private Aggregator, and Energy Consultant registrations. Eisenbach Consulting, LLC has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registration.

2. ENERGY

- A. [Docket No. ER19101332 – In the Matter of the Verified Petition of Jersey Central Power and Light Company for the Review and Approval of Costs Incurred for Environmental Remediation of Manufactured Gas Plant Sites Pursuant to the Remediation Adjustment Clause of its Filed Tariff \(“2018 RAC Filing”\).](#)

The Board will consider Jersey Central Power and Light Company’s 2018 Remediation Adjustment Clause rates. The parties have executed a stipulation, which if approved by the Board, will result in no changes to customer bills.

- B. [Docket No. ER19020145 – In the Matter of Rockland Electric Company’s Annual RGGI Surcharge True-Up Filings for 2018.](#)

The Board will consider Rockland Electric Company’s 2019 RGGI Surcharge True Up. The parties have executed a stipulation, which if approved by the Board, will result in no changes to customer bills.

- C. [Docket Nos. AX18010001 – In the Matter of the New Jersey Board Of Public Utilities’ Consideration of the Tax Cuts And Jobs Act of 2017; and](#)

[Docket No. GR18030230 – In the Matter of the Petition of South Jersey Gas Company for Approval of a Change in Rates, Customer Refund and Rider Associated with the Tax Cuts and Jobs Act of 2017; and](#)

[Docket No. GR19060701 – In the Matter of the Petition of South Jersey Gas Company for Approval to Revise the Rider “H” Rate Associated with the Tax Cuts and Jobs Act of 2017.](#)

The Board will consider South Jersey Gas Company’s Tax Cuts and Jobs Act filing and its 2019 TCJA Rider True Up filing. The parties have executed a stipulation, which if approved by the Board, will result in a decrease in the monthly bill of a residential customer using 100 therms of \$0.72.

- D. Docket No. ER20010003 – In the Matter of Federal Energy (FERC) Items for 2020 - FERC Docket No. ER20-841 PJM Interconnection, L.L.C. re: Proposed M-4 Tariff Revision on NERC Reliability Standard CIP-014.

The Board will consider ratification of a Request for Rehearing, which asserts that FERC erred in accepting a new tariff provision as just and reasonable under section 205 of the Federal Power Act.

- E. Docket No. ER20010003 – In the Matter of Federal Energy (FERC) Items for 2020 - FERC Docket No. ER19-5 Commonwealth Edison Company v. PJM Interconnection, L.L.C. – **Executive Session.**

The Board will consider an unopposed procedural motion as well as a filed Settlement Agreement, which modifies the transmission formula rate templates used to address deferred taxes for the Exelon transmission companies, including Atlantic City Electric Company.

3. CABLE TELEVISION

- A. [Docket No. CE13080756 – In the Matter of the Application of Verizon New Jersey, Inc. for Renewal of a System-wide Cable Television Franchise – Ascertainment Report.](#)

This matter involves the renewal of Verizon’s System-wide Cable Television Franchise, which expires in December 2020. Pursuant to Federal and State law, the Board is required to issue an Ascertainment Report, which describes the Board’s examination of Verizon’s past performance under its franchise and identifying the future cable-related needs of the community served by Verizon. Verizon will be required to file its Renewal Application with the Board in August and it will be subject to public comment.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A. [Docket No. WM20030235 – In the Matter of the Application for Approval Pursuant to N.J.S.A. 40:14B-20\(6\) of a Resolution by the Township of Parsippany-Troy Hills Requesting the Southeast Morris County Municipal Utilities Authority to Sell Water within the Township at Retail.](#)

The Board will consider a resolution requesting the retail sale of water by the Southeast Morris County Municipal Utilities Authority within the Township of Parsippany-Troy Hills, as necessary and proper for the public convenience.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU WC18121336U and OAL PUC 01651-19 – In the Matter of Michelle Fontanez, Petitioner v. Middlesex Water Company, Respondent – Billing Dispute.](#)

This petition involves a billing dispute between Michelle Fontanez (Ms. Fontanez) and Middlesex Water Company (Middlesex). Ms. Fontanez alleges Middlesex improperly billed her.

8. CLEAN ENERGY

A. In the Matter of Petition to the NJ Board of Public Utilities for a Second Extension and Re-Activation of the Recently Expired 15-Year SREC Program Application:

- [Docket No. QW20020096 – Leroy Cooper Elementary School](#)
- [Docket No. QW20020097 – Old Bridge High School](#)
- [Docket No. QW20020098 – Carl Sandburg Elementary School](#)
- [Docket No. QW20020099 – Grade 9 Center](#)
- [Docket No. QW20020100 – Raymond E. Voorhees Elementary School](#)
- [Docket No. QW20020101 – Memorial Elementary School](#)
- [Docket No. QW20020102 – Jonas Salk Middle School](#)

GeoPeak Energy, LLC seeks second extensions and re-activations of seven Old Bridge Township Board of Education schools' SRP registrations that recently expired so they can receive a 15-year SREC Qualification Life. They also request a waiver of the requirement to re-apply to the SRP as required in N.J.A.C. 14:8-2.4(i).

B. Docket No. QO18040433 – Monroe Solar Farm, LLC, B&J Warren and Sons Landfill – **Executive Session.**

The Board will receive a litigation update on the above-captioned matter.

C. Docket No. QO19030303 – Request for Modification of Settlement Agreement of Board Order dated June 29, 2016 on behalf of CEP Solar, Ltd. – **Executive Session.**

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9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION