



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

NOTICE OF MEETING¹

Pursuant to the Open Public Meetings Act notice is hereby provided that the Board of Public Utilities will hold a meeting on Wednesday, August 16, 2023 at 10:00 a.m.

The meeting is in person and will be held at the Board Hearing Room, 1st Floor, 44 South Clinton Avenue, Trenton, at which time and place formal action may be taken on all items identified below.

The meeting is also available to Watch Online:
<https://www.youtube.com/watch?v=vVdVi34mWck>

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.

1. AUDITS

- C. Non-Docketed Matter – In the Matter of a Request for Authorization for Release of a Bid Solicitation, Bid No. 23DPP00886 for a State Term Contract for Management and Financial Consulting – Contracted Management/Financial Auditing Firms, BPU, through the Department of Treasury.

The Board will consider Staff's recommendation to authorize Treasury to release Bid Solicitation 23DPP00886.

2. ENERGY

- A. Docket No. GO23070473 – In the Matter of the Request for Quotation Regarding Implementation of Executive Order 317.

The Board will consider releasing a Request for Quotation to solicit bids to provide consulting and other support services related to the Implementation of Executive Order 317.

¹ Not a paid legal advertisement.

Executive Session (Cont'd)

8. CLEAN ENERGY

- A. Docket No. QO23060337 – In the Matter of an Agreement Between the New Jersey Department of Environmental Protection and the Board of Public Utilities Regarding Use of Regional Greenhouse Gas Initiatives Proceeds – Medium and Heavy-Duty Electric Vehicles.

The Board will consider entering into a Memorandum of Understanding with the New Jersey Department of Environmental Protection (“NJDEP”) regarding NJDEP’s use of Regional Greenhouse Gas Initiatives Proceeds for Medium and Heavy Duty Electric Vehicle Programs.

- B. Docket No. QO20090624 – In the Matter of New Jersey’s Whole House Pilot Program.

The Board will consider a contract modification of consulting services for New Jersey’s Whole House Pilot Program.

- C. Docket No. QO22010020 – In the Matter of Customer Relationship Management System for Benchmarking.

The Board will consider engaging a consultant for a Customer Relationship Management System to analyze data, track submissions, and manage communication for New Jersey’s energy and water usage benchmarking program for large commercial buildings.

9. MISCELLANEOUS

- A. Docket No. EO23040266 – In the Matter of a Request for Quotation (“RFQ”) Related to Assistance in Administering the Board of Public Utilities’ Zero Emission Certificate (“ZEC”) Program for Eligible Nuclear Power Plants Pursuant to N.J.S.A. 48:3-87.3 to 87.7.

The Board will consider engaging a consultant to assist Staff in the review of Zero Emission Certificate (“ZEC”) 3 applications and other ZEC related items.



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CONSENT AGENDA FOR BOARD MEETING
The meeting will be held on
Wednesday, August 16, 2023 – 10:00 a.m.

Open to the Public: Board Hearing Room, 1st Floor, 44 South Clinton Avenue, Trenton
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I. AUDITS

A. Energy Agent, Private Aggregator and/or Energy Consultant Initial Registrations

EE23060406L	Beeson & Associates, Inc.	I – EA
EE23060393L	Energy Source Group LLC	I – EA
EE23030178L	Neighborhood Energy of New England LLC	I – EA
EE23010055L	P.P.E.G. LLC	I – EA

These matters relate to applications for initial registrations as energy agents.

B. Docket No. TE23030127 – In the Matter of the Application of AvaTarius, LLC for Authorization to Provide Local Exchange and Interexchange Telecommunications Services Throughout the State of New Jersey.

The Board will consider a petition filed by AvaTarius, LLC seeking approval to provide Facilities-Based and Resold Competitive Local Exchange Access and non-dominant Interexchange service to business customers and all other carriers throughout the State of New Jersey.

II. ENERGY

- A. Docket Nos. BPU ER23030144 and OAL PUC 03346-2023 N – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Review and Approval of Increases in, and Other Adjustments to, its Rates and Charges for Electric Service, and for Approval of Other Proposed Tariff Revisions in Connection Therewith (“JCP&L 2023 Base Rate Filing”).

The Board will consider a second suspension of Jersey Central Power & Light Company proposed rates for four months, until December 26, 2023.

III. CABLE TELEVISION

- A. Docket No. CE19070782 – In the Matter of the Verified Petition of Cablevision of Oakland for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Montville, County of Morris, State of New Jersey.

The Board will consider the request for the Renewal of Cablevision of Oakland’s Certificate of Approval to provide cable television service to the Township of Montville for a 10 year term.

- B. Docket No. CE19070781 – In the Matter of the Verified Petition of CSC TKR, LLC d/b/a Cablevision of Morris for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Montville, County of Morris, State of New Jersey.

The Board will consider the request for the Renewal of CSC TKR, LLC d/b/a Cablevision of Morris’s Certificate of Approval to provide cable television service to the Township of Montville for a 10 year term.

- C. Docket No. CE22020071 – In the Matter of the Petition of Comcast of Monmouth County, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey.

The Board will consider the request for the Renewal of Comcast of Monmouth County, LLC’s Certificate of Approval to provide cable television service to the Borough of Atlantic Highlands for a 10 year term.

- D. Docket No. CE21060913 – In the Matter of the Petition of Comcast of Monmouth County, LLC, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Village of Loch Arbour, County of Monmouth, State of New Jersey.

The Board will consider the request for the Renewal of Comcast of Monmouth County, LLC’s Certificate of Approval to provide cable television service to the Village of Loch Arbour for a 10 year term.

IV. TELECOMMUNICATIONS

- A.** Docket No. TO23050279 – In the Matter of the Verified Joint Petition of Zayo Group, LLC and Electric Lightwave, LLC d/b/a Allstream for Waiver of Mass Migration Rules.

The Board will consider a petition file by Zayo Group, LLC and Electric Lightwave, LLC d/b/a Allstream requesting a waiver of the Board’s mass migration rules in connection with the planned pro forma consolidation of Electric Lightwave, LLC into the Zayo Group, LLC with Zayo Group, LLC remaining as the surviving entity.

V. WATER

NO ITEMS FOR CONSIDERATION

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 for the August 17, 2022 Minutes;
Approval for the September 7, 2022 Minutes; and
Approval for the September 28, 2022 Minutes.



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1. AUDITS

- A. Docket No. EO20080532 – In the Matter of the Department of Community Affairs' State Fiscal Year 2021 Universal Service Fund Administrative Cost Budget.

The Board will consider the New Jersey Department of Treasury request for reimbursement for additional New Jersey Department of Community Affairs Fiscal Year 2021 Universal Service Fund administrative costs.

- B. Docket No. EO21070993 – In the Matter of the Department of Community Affairs' State Fiscal Year 2022 Universal Service Fund Administrative Cost Budget.

The Board will consider approving the New Jersey Department of Community Affairs' Fiscal Year 2022 Universal Service Fund Administrative Expenses.

- C. Non-Docketed Matter – In the Matter of a Request for Authorization for Release of a Bid Solicitation, Bid No. 23DPP00886 for a State Term Contract for Management and Financial Consulting – Contracted Management/Financial Auditing Firms, BPU, through the Department of Treasury – **Executive Session**.

The Board will consider Staff's recommendation to authorize Treasury to release Bid Solicitation 23DPP00886.

2. ENERGY

- A. Docket No. GO23070473 – In the Matter of the Request for Quotation Regarding Implementation of Executive Order 317 – **Executive Session**.

The Board will consider releasing a Request for Quotation to solicit bids to provide consulting and other support services related to the Implementation of Executive Order 317.

2. ENERGY (CONT'D)

- B.** Docket No. ER23060410 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2023 Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff.

The Board will consider a petition by the electric distribution companies requesting authorization to update transmission rates related to FERC-approved cost allocations.

- C.** Docket No. ER23010001 – In the Matter of the Board of Public Utilities – Federal Energy Regulatory Commission (FERC) Items for 2023 – FERC Docket No. ER23-1996 PJM Interconnection, L.L.C. Revisions to Triggers Used to Determine Performance Assessment Intervals.

The Board will consider ratification of Comments submitted to FERC on July 20, 2023 regarding proposed revisions to PJM's Performance Assessment Interval Triggers.

3. CABLE TELEVISION

- A.** Docket No. CC23030139 – CSC TKR, LLC, Petitioner v. Borough of Madison, Respondent.

The Board will consider the Borough of Madison's motion for reconsideration of the Board's order related to CSC TKR, LLC's Motion for Partial Summary Decision in its dispute with the Borough of Madison regarding access to the Borough's highways.

- B.** Docket No. CE22080511 – In the Matter of the Petition of Comcast of Northwest New Jersey, LLC, for a Certificate of Approval to Construct, Operate and Maintain a Cable Television System in and for the Town of Phillipsburg, County of Warren, State of New Jersey.

The Board will consider the request of Comcast of Northwest New Jersey, LLC for an Initial Certificate of Approval to construct a cable television system and provide cable television service to the Town of Phillipsburg for a 10 year term.

- C.** Docket No. CE23030147 – In the Matter of the Petition of Comcast of Northwest New Jersey, LLC, for a Certificate of Approval to Construct, Operate and Maintain a Cable Television System in and for the Borough of Alpha, County of Warren, State of New Jersey.

The Board will consider the request of Comcast of Northwest New Jersey, LLC for an Initial Certificate of Approval to provide cable television service to the Borough of Alpha for a 10 year term.

3. CABLE TELEVISION (CONT'D)

- D.** Docket No. CE23030105 – In the Matter of the Petition of Comcast of Northwest New Jersey, LLC for a Certificate of Approval to Construct, Operate and Maintain a Cable Television System in and for the Township of Lopatcong, County of Warren, State of New Jersey.

The Board will consider the request of Comcast of Northwest New Jersey, LLC for an Initial Certificate of Approval to construct a cable television system and provide cable television service to the Township of Lopatcong for a 10 year term.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A.** Docket Nos. BPU WR22030138 and OAL PUC 02047-22 – In the Matter of the Petition of Middlesex Water Company to Change the Levels of its Purchased Water Adjustment Clause Pursuant to N.J.A.C. 14:9-7.1, et seq.

The Board will consider Administrative Law Judge Jacob S. Gertsman's April 27, 2023 Initial Decision regarding a non-unanimous stipulation of settlement resolving Middlesex Water Company's March 15, 2022 Purchased Water Adjustment Clause filing.

6. RELIABILITY AND SECURITY

- A.** Docket No. EO23040241 – In the Matter of the Letter Petition of Jersey Central Power & Light Company Seeking New Jersey Board of Public Utilities Approval Pursuant to N.J.A.C. 14:3-4.4(e) for Use of an Out of State Meter Testing Facility (“JCP&L TESCO Facility Filing”).

The Board will consider a petition seeking approval, pursuant to N.J.A.C. 14:3-4.4(e), to use an out-of-state meter testing facility to test New Jersey customer meters targeted for retirement as part of the Company's Advanced Metering Infrastructure program.

- B.** Docket No. GS23060366K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

The Board will consider the issuance of a Final Order of Penalty Assessment pursuant to N.J.A.C. 14:2-6.6 and N.J.A.C. 14:7-2.4 regarding a probable violation of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

6. RELIABILITY AND SECURITY (CONT'D)

- C. Docket No. ES23070432K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

The Board will consider the issuance of a Final Order of Penalty Assessment pursuant to N.J.A.C. 14:2-6.6 and N.J.A.C. 14:7-2.4 regarding a probable violation of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

- D. Docket No. GS23070433K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

The Board will consider the issuance of a Final Order of Penalty Assessment pursuant to N.J.A.C. 14:2-6.6 and N.J.A.C. 14:7-2.4 regarding a probable violation of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Apple Coring & Sawing, LLC.

7. CUSTOMER ASSISTANCE

- A. Docket No. EO23070446 – In the Matter of the Department of Community Affairs' State Fiscal Year 2024 Universal Service Fund Administrative Cost Budget.

The Board will consider the Fiscal Year 2024 New Jersey Department of Community Affairs administrative cost budget for the Universal Service Fund Program, a utility assistance program for residential electric and gas customers.

8. CLEAN ENERGY

- A. Docket No. QO23060337 – In the Matter of an Agreement Between the New Jersey Department of Environmental Protection and the Board of Public Utilities Regarding Use of Regional Greenhouse Gas Initiatives Proceeds – Medium and Heavy-Duty Electric Vehicles – **Executive Session.**

The Board will consider entering into a Memorandum of Understanding with the New Jersey Department of Environmental Protection ("NJDEP") regarding NJDEP's use of Regional Greenhouse Gas Initiatives Proceeds for Medium and Heavy Duty Electric Vehicle Programs.

- B. Docket No. QO20090624 – In the Matter of New Jersey's Whole House Pilot Program – **Executive Session.**

The Board will consider a contract modification of consulting services for New Jersey's Whole House Pilot Program.

8. CLEAN ENERGY (CONT'D)

- C. Docket No. QO22010020 – In the Matter of Customer Relationship Management System for Benchmarking – **Executive Session.**

The Board will consider engaging a consultant for a Customer Relationship Management System to analyze data, track submissions, and manage communication for New Jersey's energy and water usage benchmarking program for large commercial buildings.

- D. Docket No. QO19010040 – In the Matter of 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; and

Docket No. GO20090618 – In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs and Associated Cost Recovery Pursuant to the Clean Energy Act.

The Board will consider requests filed by South Jersey Gas Company to modify its first three-year cycle of energy efficiency programs to address budget constraints in its Efficient Products program.

- E. Docket No. QX22100654 – In the Matter of a Rulemaking Proceeding to Create Siting Criteria for Grid Supply Solar Facilities and Net Metered Non-Residential Solar Facilities Over 5 Megawatts Pursuant to P.L. 2021, c. 169.

The Board will consider Staff's recommendation on the adoption of a new rule and associated rule amendments to establish solar siting criteria for facilities eligible to participate in the Competitive Solar Incentive Program.

- F. Docket No. QO22030153 – In the Matter of the Community Solar Energy Program.

The Board will consider implementing a Community Solar Energy Program open to community solar projects.

- G. Docket No. QX23070434 – In the Matter of a Rulemaking Proceeding to Establish the Community Solar Energy Program Pursuant to P.L. 2018, c. 17.

The Board will consider proposing a rule to implement the requirements of Section 5 of the Clean Energy Act of 2018, which describes establishing a permanent community solar energy program.

8. CLEAN ENERGY (CONT'D)

- H.** Docket No. EO20110730 – In the Matter of the Petition of Rockland Electric Company for Approval of an Electric Vehicle Program, Establishment of an Electric Vehicle Surcharge, and for Other Relief; and

Docket No. EO22120743 – In the Matter of the Petition of Rockland Electric Company for Approval of an Electric Vehicle Managed Charging Program, and for Other Relief.

The Board will consider the re-designation of a presiding commissioner for Rockland Electric Company's light duty electric vehicle managed charging filing.

9. MISCELLANEOUS

- A.** Docket No. EO23040266 – In the Matter of a Request for Quotation (“RFQ”) Related to Assistance in Administering the Board of Public Utilities’ Zero Emission Certificate (“ZEC”) Program for Eligible Nuclear Power Plants Pursuant to N.J.S.A. 48:3-87.3 to 87.7 – **Executive Session.**

The Board will consider engaging a consultant to assist Staff in the review of Zero Emission Certificate (“ZEC”) 3 applications and other ZEC related items.

- B.** Docket No. EO23080551 – In the Matter of the Determination of the Zero Emission Certificate Price for Energy Year 2023.

The Board will consider setting the price for Zero Emission Certificate for energy year 2023.

- C.** Docket No. EO23080548 – In the Matter of the Third Eligibility Period for the Zero Emission Certificate Program Pursuant to N.J.S.A. 48:3-87.3 to 87.7.

The Board will consider opening the third eligibility period of the Zero Emission Certificate Program pursuant to N.J.S.A. 48:3-87.3, et seq. for the period June 1, 2025 through May 31, 2028.