



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 1<sup>st</sup> Floor**  
**Post Office Box 350**  
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[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

### **MINUTES OF THE REGULAR MEETING OF THE BOARD OF PUBLIC UTILITIES**

A regular Board meeting of the New Jersey Board of Public Utilities was held on September 27, 2023 and at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and via online @ <https://www.youtube.com/watch?v=zn7YnursqyM>

Public notice was given pursuant to N.J.S.A. 10:4-18 by posting notice of the meeting at the Board's Trenton Office, on the Board's website, filing notice of the meeting with the New Jersey Department of State and newspapers of broad circulation in the State of New Jersey.

The following members of the New Jersey Board of Public Utilities were present:

Christine Guhl-Sadovy, President  
Mary-Anna Holden, Commissioner  
Dr. Zenon Christodoulou, Commissioner  
Marian Abdou, Commissioner

President Guhl-Sadovy presided at the meeting and Sherri L. Golden, Secretary of the Board, carried out the duties of the Secretary.

It was also announced that the next regular Board Meeting will be held on October 11, 2023 at 10:00 a.m. and would be a hybrid meeting at the Board's Hearing Room at 44 South Clinton Avenue, Trenton and livestreamed via YouTube.

## EXECUTIVE SESSION

After appropriate motion, the following matters, which involved N.J.S.A. 10:4-12(b)(7) attorney-client privilege and/or contract negotiations exceptions, were discussed in Executive Session.

### 4. TELECOMMUNICATIONS:

#### A. Docket No. TO23030128 – In the of the Request for Quotation (RFQ) for the Provision of Telecommunications Relay Service (TRS)

**Lawanda Gilbert, Director, Office of Cable Television**, presented this matter.

**BACKGROUND:** Item 4A is a request by Board Staff for approval to authorize New Jersey Department of Treasury to extend the existing contract with T-Mobile Accessibility, formerly known as Sprint, for the provisioning of Telecommunications Relay Services or TRS in New Jersey.

TRS is a telephone service that allows people with hearing, vision, or speech disabilities to place and receive telephone calls from standard telephone users via a keyboard or assistive device. The current contract for TRS services was awarded to T-Mobile as the winning bidder under a request for quotations, or RFQ, issued by the Board in 2018. T-Mobile was granted a five-year contract which began on October 1, 2018 and will expire on September 30, 2023. Staff received Board approval on June 7, 2023 for the release of the RFQ seeking bids for a new contract. To allow for additional time to resolve the issues with the bids received, an extension is necessary in order to ensure a continuation of service following the expiration of the current contract.

On September 22, 2023, T-Mobile provided a formal written extension offer to the Board extending the terms under the current contract for up to one year, subject to certain pricing modifications. Sections 5.3 and 5.4 of the State Standard Terms and Conditions, which are incorporated by reference into the existing TRS contract with T-Mobile, authorizes the State to extend and modify the contract as recommended by Staff and with Treasury and Division of Purchase and Property approval.

Staff, therefore, recommends that the Board approve the extension of the TRS contract for a period of up to one year to expire September 30, 2024 pending Treasury approval.

## 8. CLEAN ENERGY

### A. Docket No. TO23030128 – In the of the Request for Quotation (RFQ) for the Provision of Telecommunications Relay Service (TRS)

**Matthew Rossi, Division of Clean Energy**, presented this matter

**BACKGROUND:** This matter involves the release of a request for quotation for services related to the 2024 Energy Master Plan. Specifically, Staff of the New Jersey Board of Public Utilities seeks approval to hire a contractor to assist in the development of the 2024 EMP, which will serve as a whole government progress report on the goals and strategies in the 2019 EMP, outline the changing landscape of State and Federal support for climate action, and determine the basis for the development of actionable next steps to reduce greenhouse gas emissions and maximize clean energy uptake economy-wide. In 2018 Governor Phil Murphy signed Executive Order Number 28, which directed the Board to develop an EMP to serve as a comprehensive blueprint to achieve a hundred percent clean energy by 2050. Released on January 27, 2020, the 2019 EMP establishes a set of goals to put New Jersey on a pathway to achieve the State's clean energy goals and expands upon previous versions which account for the complete energy system in New Jersey, including electricity generation, transportation, and usage in buildings.

A 2024 EMP will be a public-facing document that incorporates progress information acquired through interagency collaboration and stakeholder feedback to build upon the 2019 EMP and help New Jersey reach its accelerated goals of a hundred percent clean energy by 2035, amongst other clean energy and climate goals and benchmarks. This will include holding a series of virtual public hearings to solicit input from stakeholders and members of the general public that will help inform Staff's drafting of the 2024 EMP. Staff recommends Board approval to release the RFQ to hire a contractor to assist in the development of the 2024.

### F. Docket No. QO23090671 – In the Matter of Ocean Wind LLC Compliance Filing Pursuant to P.L. 2023, c. 99

**Michael Beck, General Counsel**, presented this matter.

**BACKGROUND:** Staff seeks the Board's approval to authorize the President to execute an Escrow Agreement and associated bank forms. This matter pertains to legislation signed by Governor Murphy on July 6 of this year, that being Public Law 2023, Chapter 99. This legislation permits Ocean Wind, LLC to elect to retain certain federal tax benefits in support of the Ocean Wind 1 Qualified Offshore Wind Project, subject to certain conditions and representations.

The legislation requires, among other things that Ocean Wind deposit \$200 million into an escrow account no later than 90 days after the legislation's enactment, that being on or before October 4 of this year. By the terms of the legislation, the escrow funds are to be used to support additional investments in qualified wind energy facilities, as that term is defined in the legislation, including one or more offshore wind component manufacturing facilities. The funds are to be allocated in accordance with milestones and commercial terms agreed to by the qualified offshore wind project, the qualified offshore wind energy facility, and the Board. In order to implement the legislation such that Ocean Wind may deposit the \$200 million in escrow by October 4, an Escrow Agreement is required. Staff and New Jersey Division of Law have worked with Ocean Wind and TD Bank to develop an Escrow Agreement as contemplated by the statute. TD Bank, as escrow

agent, has agreed to accept, hold, and disburse the escrow funds in accordance with Board directives and has agreed to provide the Board with quarterly and annual reporting of the escrow account balance, as well as any and all transactions subject to audit.

Furthermore, the agreement provides that any costs or expenses related to the operation and maintenance of the escrow account, including escrow agent fees, audit expenses, and Board retention of technical experts shall be paid from the escrow earnings or failing that by Ocean Wind. It's important to point out that no State funds are being expended with regard to this Escrow Agreement. In order to implement this new legislation, Staff recommends that the Board approve the Escrow Agreement and authorize the President to execute it, as well as associated TD Bank forms.

## CONSENT AGENDA

### I. AUDITS

There were no items presented in this category

### II. ENERGY

There were no items presented in this category

### III. CABLE TELEVISION

- A. Docket No CE22100626 – In the Matter of the Petition of Comcast of Garden State, L.P. for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Runnemede, County of Camden, State of New Jersey**

**BACKGROUND:** This matter relates to a petition filed with the New Jersey Board of Public Utilities (“Board”) requesting an Automatic Renewal Certificate of Approval to Comcast of Garden State L.P. (“Comcast”) for the Borough of Runnemede (“Borough”) for a term of 10 years.

Board Staff (“Staff”) recommends approval.

- B. Docket No. CE22060380-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 Sea Bright, County of Monmouth, State of New Jersey**

**BACKGROUND:** This matter relates to a petition filed with the New Jersey Board of Public Utilities (“Board”) requesting a Renewal Certificate of Approval be issued to Comcast of Monmouth County, LLC, (“Comcast”) for the Borough of Sea Bright (“Borough”) for a term of 10 years.

Board Staff (“Staff”) recommends approval

- C. Docket No. CE22020109-In the Matter of the Application of CSC TKR, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable System in the Township of Frelinghuysen, County of Warren, State of New Jersey**

**BACKGROUND:** This matter relates to a petition filed with the New Jersey Board of Public Utilities (“Board”) requesting a Renewal Certificate of Approval be issued to CSC TKR, LLC (“Cablevision”) for the Township of Frelinghuysen (“Township”) for a term of 10 years.

Board Staff (“Staff”) recommends approval.

#### IV. TELECOMMUNICATIONS

There were no items presented in this category

#### V. WATER

##### A. Docket No WR23050292 and OAL Docket No. PUC 04736-2023 S - In the Matter of Middlesex Water Company for Approval of an Increase in its Rates for Water Service and Other Tariff Changes

**BACKGROUND:** On May 15, 2023, Middlesex Water Company (“Middlesex,” “Company,” or “Petitioner”) filed a petition with the New Jersey Board of Public Utilities (“Board”) seeking approval of an increase in its base water rates of approximately \$33.9 million, or 31.23%, above present revenues of \$109.3 million for services rendered on and after June 15, 2023 (“Petition”).

The matter was transmitted to the Office of Administrative Law (“OAL”) for hearings as a contested case on May 31, 2023 and was assigned to Judge Gertsman. By Order dated June 29, 2023, pursuant to N.J.S.A. 48:2-21(d), the Board suspended the rates until October 15, 2023.

Board Staff (“Staff”) recommends that the Board issue an Order further suspending the proposed rate increase until February 15, 2024.

#### VI. RELIABILITY AND SECURITY

##### A. Docket No. CS23080596K, ES23080586K, ES23080587K, ES23080588K, ES23080589K, ES23080590K, ES23080591K, ES23080592K, ES23080593K, ES23080594K, ES23080595K, ES23080597K, ES23080598K, ES23080599K, ES23080600K, ES23080601K, ES23080602K, ES23080603K, ES23080604K, ES23080605K, ES23080606K, ES23080607K, ES23080608K, ES23080610K, and ES23080611K- In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq.

**BACKGROUND:** This matter involves settlements of alleged violations of the Underground Facility Protection Act (“Act”) by both excavators and operators of underground facilities. This matter does not contain settlements involving catastrophic situations, death, or major property damage. The categories of infraction include failure to use reasonable care, failure to properly mark and not having a valid markout at the time of excavation. There are 25 settlements in the attached Appendix, which total \$63,000.

Staff of the New Jersey Board of Public Utilities (“Board”) (“Staff”) recommends approval of the settlements provided in the attached Appendix so that these cases can be brought to closure. The 25 Offers of Settlement were accepted by the alleged violators, and each made full payment.

**VII. CUSTOMER ASSISTANCE**

There were no items presented in this category.

**VIII. CLEAN ENERGY**

There were no items presented in this category.

**IX. MISCELLANEOUS**

- A. Approval for the December 7, 2022 Minutes;  
Approval for the December 21, 2022 Minutes; and  
Approval for the January 11, 2023 Minutes.**

**DECISION:** The Board adopted the recommendation of Staff as set forth above.

**After appropriate motion, consent agenda items IIIA, IIIB, IIIC, VA, VIA**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**After appropriate motion, consent agenda items IXA**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Abstain</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Abstain</b>

## AGENDA

### 1. AUDITS

NO ITEMS FOR CONSIDERATION

### 2. ENERGY

#### **A. Docket No. ER23060409- In the Matter of the 2023/2024 Annual Compliance Filings for the Universal Service Fund (“USF”) Program Factor Within the Societal Benefits Charge Rate Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.**

**Malike Cummings, Dep. Director, Division of Energy,** presented this matter.

**BACKGROUND:** On June 20, 2022, Public Service Electric and Gas Company, on behalf of itself and other gas and electric distribution utilities made a filing with the Board for the 2023/2024 Universal Service Fund and Lifeline programs. The filing supported proposed USF budget of approximately \$132.3 million a Lifeline budget approximately \$74.6 million. On July 31, 2023 and August 18, 2023, the utilities updated the filing to include actual data through July 31, 2023.

On September 13, 2023, the New Jersey Division of Rate Counsel submitted comments addressing this matter. Based on full review, the proposed USF budget is \$136.9 million and the proposed Lifeline budget is \$74.6 million. If approved by the Board, the average residential gas customer using 1,200 therms per year would see an average increase of \$1.32. The average residential customer using, the average residential electric customer using 7,800 kilowatts per year would see an overall decrease of \$16.63. The average residential customer using both gas and electricity will see a decrease of approximately \$15.31.

Staff recommends that the Board issue an order authorizing the implementation of the electric and gas rates proposed in the July 2023 update to be effective for service rendered on or after October 2023; direct the utilities to file the appropriate tariffs sheets consistent with this order by September 30, 2023; determine the rates effective through September 30, 2022 to be consistent, considered final rates; permit subsequent USF compliance filings and associated interim states to be examined and finalized in subsequent proceedings; and reimburse the utilities in the amount of \$16,757.00 in USF administrative costs incurred from July 1, 2022 through June 30, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>



**B. Docket No. GR23040207 – In The Matter Of The Petition Of New Jersey Natural Gas Company For Approval Of A Base Rate Adjustment Pursuant To The Infrastructure Investment Program**

**Malike Cummings, Dep. Director, Division of Energy,** presented this matter.

**BACKGROUND:** On March 30, 2023, New Jersey Natural Gas Company filed a petition seeking approval to adjust its base rates to recover investments associated with the company's Board approved Infrastructure Improvement Program, which was subsequently updated. Based on the update, New Jersey Natural proposed a recovery of revenue requirements increase of \$3.16 million. Following review and discussions, the parties executed a stipulation that would allow the company to recover a revenue requirement of \$3.16 million. As a result of this stipulation, a typical residential heating customer using 100 therms per month will experience an increase of 48 cents on their monthly bill.

Staff recommends that the Board issue an order approving the stipulation and directing New Jersey Natural Gas to file revised tariffs by September 30, 2023 for rates effective October 1, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**C. Docket No.GO23060340 –In the Matter of the Petition of New Jersey Natural Gas Company for Approval of the Cost Recovery Associated with Energy Efficiency Programs.**

**Malike Cummings, Dep. Director, Division of Energy,** presented this matter.

**BACKGROUND:** On June 1, 2023, New Jersey Natural Gas Company filed a petition seeking approval of an overall increase to the company's existing energy efficiency rate for programs established between 2010 and 2021, which was subsequently updated. Following review, the parties executed a stipulation of settlement that would allow the company to modify its total EE rate to 4.94 cents per therm including SUT. As a result of the stipulation, a typical residential heating customer using 100 therms per month would experience a bill increase of approximately \$1.29.

Staff recommends that the Board issue an order approving the stipulation and direct New Jersey Natural Gas to file revised tariffs by September 30, 2023 for rates effective on and after October 1, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**D. Docket No. GR23060331 – In the Matter of Public Service Electric and Gas Company’s 2023/2024 Annual BGSS Commodity Charge Filing for its Residential Gas Customers Under its Periodic Pricing Mechanism and for Changes in its Balancing Charge.**

**Malike Cummings, Dep. Director, Division of Energy,** presented this matter

**BACKGROUND:** On June 1, 2023, Public Service Electric and Gas Company filed a petition seeking approval to decrease the level of its Basic Gas Supply Service, Residential Gas Service rate, as well as its Balancing Charge rate effective October 1, 2023. Following initial review and discussions, the parties determined that while additional time is needed to complete a review of the petition, it is reasonable and in the public interest for PSE&G to implement provisional rates. The parties executed a stipulation of settlement which would allow PSE&G to modify its BGSS-RSG and Balancing Charge rates on a provisional basis subject to refund. Based on the stipulation, a typical residential heating customer using 172 therms per month during the winter months and 1,040 therms on an annual basis would see a monthly decrease of \$13.17.

Staff recommends that the Board issue an order adopting the stipulation and directing PSE&G to file tariffs consistent with this order by October 1, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**E. GR23060332 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Gas Conservation Incentive Program (2023 PSE&G Gas Conservation Incentive Program).**

**Malike Cummings, Dep. Director, Division of Water and Energy**, presented this matter

**BACKGROUND:** On June 1, 2023, Public Service Electric and Gas Company filed a petition seeking approval for a rate adjustment related to its Gas Conservation Incentive Program and the associated customer class rates to account for potential lost sales revenues stemming from the company's energy efficiency programs. The June 2023 GCIP petition was based upon actual information through April 2023 and forecasted information through September 2023. Following review, the parties executed a stipulation of settlement for implementation of the company's proposed GCIP rates on a provisional basis subject to refund with interest. As a result of the stipulation, the monthly impact of a typical residential gas heating customer would be an increase of approximately \$36.98.

Staff recommends that the Board issue an order approving the stipulation and directing PSE&G to file revised tariff sheets by September 30, 2023, for rates effective on October 1, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**F. Docket No. GR23040269 – In the Matter of the Petition of South Jersey Gas Company for Approval of a Rate Adjustment Pursuant to the Infrastructure Investment Program (“IIP”).**

**Malike Cummings, Dep. Director, Division of Water and Energy**, presented this matter

**BACKGROUND:** On April 28, 2023, South Jersey Gas Company filed a petition which was subsequently updated on July 17, 2023 for rate adjustments related to cost recovery associated with the company's Infrastructure Investment Program. Following a review of the petition, the update, and discovery, the parties executed a stipulation that would allow the company to recover a revenue requirement of approximately \$4.3 million. As a result of the stipulation, a residential customer using 100 therms will see a monthly bill increase of approximately \$1.15.

Staff recommends that the Board issue an order adopting the stipulation and directing South Jersey Gas to file revised tariff sheets by September 30, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**G. Docket No. ER23050272 – In the Matter of the Petition of Atlantic City Electric Company for Approval of Rate Adjustments Pursuant to its Infrastructure Investment Program (05/2023).**

**Malike Cummings, Dep. Director, Division of Water and Energy**, presented this matter

**BACKGROUND:** On May 1, 2023, Atlantic City Electric Company filed a petition seeking review and approval of cost recovery associated with the company's Infrastructure Investment Program which was subsequently updated. Following a review of the petition, the update, and discovery responses, the parties executed a stipulation recommending that the company be authorized to recover a revenue requirement of \$2.7 million based upon the update. As a result of the stipulation, a typical residential customer will see an increase in their monthly bill of 29 cents.

Staff recommends that the Board issue an order adopting the stipulation and directing ACE to file revised tariff sheets by September 30, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**H. Docket No. GR23040270 – In the Matter of the Petition of Elizabethtown Gas Company for Approval of a Rate Adjustment Pursuant to the Infrastructure Investment Program (“IIP”).**

**Malike Cummings, Dep. Director, Division of Water and Energy**, presented this matter

**BACKGROUND:** On April 28, 2023, Elizabethtown Gas Company filed a petition with a subsequent update on July 17, 2023 seeking rate adjustments to recover annualized increases in the revenue requirement for the company's Infrastructure Investment Program.

Following review, the parties executed a stipulation that would allow the company to recover a revenue requirement consistent with the update of approximately \$6.2 million, excluding Sales and Use Tax, for IIP expenditures as of June 30, 2023. Based upon the stipulation, a typical residential customer will see an increase in their monthly bill of \$1.58.

Staff recommends that the Board issue an order approving the stipulation and directing ETG to file revised tariffs by September 30, 2023.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

### 3. CABLE TELEVISION

There were no items presented in this category

### 4. TELECOMMUNICATIONS

#### A. Docket No. TO23030128 – In the Matter of the Request for Quotation (RFQ) for the Provision of Telecommunications Relay Service (TRS) – Executive Session

**Lawanda Gilbert, Director, Office of Cable Television,** presented this matter.

**BACKGROUND:** Item 4A is a request by Board Staff for approval to authorize New Jersey Department of Treasury to extend the existing contract with T-Mobile Accessibility, formerly known as Sprint, for the provisioning of Telecommunications Relay Services or TRS in New Jersey. TRS is a telephone service that allows people with hearing, vision, or speech disabilities to place and receive telephone calls from standard telephone users via a keyboard or assistive device. The current contract for TRS services was awarded to T-Mobile as the winning bidder under a request for quotations, or RFQ, issued by the Board in 2018. T-Mobile was granted a five-year contract which began on October 1, 2018 and will expire on September 30, 2023. Staff received Board approval on June 7, 2023 for the release of the RFQ seeking bids for a new contract.

To allow for additional time to resolve the issues with the bids received, an extension is necessary in order to ensure a continuation of service following the expiration of the current contract. On September 22, 2023, T-Mobile provided a formal written extension offer to the Board extending the terms under the current contract for up to one year, subject to certain pricing modifications. Sections 5.3 and 5.4 of the State Standard Terms and Conditions, which are incorporated by reference into the existing TRS contract with T-Mobile, authorizes the State to extend and modify the contract as recommended by Staff and with Treasury and Division of Purchase and Property approval.

Staff, therefore, recommends that the Board approve the extension of the TRS contract for a period of up to one year to expire September 30, 2024 pending Treasury approval.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

#### B. Docket No. TO23070454 – In the Matter of the Digital Equity Planning Grant Program, Pursuant to Section 60304(c) of the Infrastructure Investment and Jobs Act, Public Law 117-58, 135 Stat. 429

**Val Bullard**, presented this matter.

**BACKGROUND:** Staff requests Board approval to rescind the notice of funding availability issued in connection with Digital Equity Act Planning Grant. On July 26, 2023, the Board authorized the release of the notice of funding availability for publication in the New Jersey Register to solicit bids from qualified entities to receive subgrants to assist in the development of the State's Digital Equity Plan.

Consistent with the terms of the grant, the notice was published in the Register on August 21, 2023 and required eligible entities to submit bids no later than September 6, 2023. Bids were received from three entities. Due to circumstances rendering issuance of a subgrant in connection with this NOFA being inconsistent with the interests of the State Staff recommends that the Board rescind the NOFA.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

## 5. WATER

There were no items presented in this category

## 6. RELIABILITY AND SECURITY

- A. Docket No. GS23080564K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Black Rock Enterprises, LLC.**

**Shawn McIvor, Dep. Director, Reliability and Security**, presented this matter

**BACKGROUND:** Item 6A concerns a natural gas damage that occurred on January 1, 2022 at Woodbine Avenue in Little Silver, New Jersey. After investigating this matter, Staff found that Black Rock was in violation of excavating outside the scope of work as described in the mark out request. Staff issued a notice of probable violation to Black Rock via certified mail and regular mail advising the company to respond within 21 days to an offer of settlement. To date, Staff has no record of any response to the notice of probable violation. On May 9, 2023, Black Rock was also served with a notice of settlement conference for an informal meeting to discuss several alleged violations, including the violation which is subject of this FOPA. Black Rock failed to respond and appear for a scheduled May 25, 2023 settlement conference to discuss the alleged violations. Black Rock is, therefore, in default and the Board is not bound by the offer of settlement. In determining the appropriate penalty amount to be assessed, the Board is required to consider the penalty assessment factors that are listed in N.J.A.C. 14:2-6(2)c, including, but not limited to, the nature, circumstances, and gravity of the violation. In this matter, Black Rock damaged a high consequence natural gas facility with mechanized equipment and created an unnecessary risk by excavating outside the scope of the work area.

Staff is, therefore, recommending the Board approve a final penalty assessment \$6,000.00 through the issuance of a final order of penalty assessment.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**B. Docket No. GS23080563K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Black Rock Enterprises, LLC.**

**Shawn Mclvor, Dep. Director, Reliability and Security,** presented this matter

**BACKGROUND:** 6B concerns a natural gas facility damage that occurred on October 13, 2022 at Brookside Circle in Marlboro, New Jersey. After investigating this matter, Staff found that Black Rock failed to use reasonable care at the time of excavation in violation of the One Call rules. Staff issued a notice of probable violation to Black Rock via certified mail and regular mail advising the company to respond within 21 days to an offer of settlement. To date, Staff has no record of response to the notice of probable violation.

On May 9, 2023, Black Rock was also served with a notice of settlement conference for an informal meeting to discuss several alleged violations, including the violation which is subject of this FOPA. Black Rock failed to respond and appear for a scheduled May 25, 2023 settlement conference to discuss the alleged violations. Black Rock is, therefore, in default and the Board is not bound by the offer of settlement. In determining the appropriate penalty amount to be assessed, the Board is required to consider a number of penalty assessment factors that are listed in N.J.A.C. 14:2-6.2(c), including, but not limited to, the nature, circumstances, and gravity of the violation. In this matter, Black Rock damaged a natural gas facility creating an unnecessary risk by not using reasonable care and has a history of prior offenses.

Staff is, therefore, recommending that the Board approve an escalating final penalty of \$8,000.00 for the issuance of final order of penalty assessment.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**C. Docket No. GS23080562K – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 to 91 by Black Rock Enterprises, LLC.**

**Shawn Mclvor, Dep. Director, Reliability and Security,** presented this matter

**BACKGROUND:** 6C concerns a natural gas damage that occurred on October 27, 2022 at Second Ave. in Bradley Beach, New Jersey. After investigating this matter, Staff found that Black Rock failed to use reasonable care at the time of excavation as required by the One Call rules.

Staff issued a notice of probable violation to Black Rock via certified mail and regular mail advising the company to respond within 21 days to an offer of settlement. To date, Staff has no record of response to the notice of probable violation. On May 9, 2023, Black Rock was also served with a notice of settlement conference for an informal meeting to discuss several alleged violations, including the violation which is subject of this FOPA. Black Rock failed to respond and appear for a scheduled May 25, 2023 settlement conference to discuss the alleged violations. Black Rock is, therefore, in default and the Board is not bound by the offer of settlement. In determining the appropriate penalty amount to be assessed, the Board is required to consider the penalty assessment factors listed in including, but not limited, to the nature, circumstances, and gravity of the violation. In this matter Black Rock damaged a high consequence natural gas facility with mechanized equipment, created unnecessary risk by not using reasonable care, and is a repeat offender.

Staff is, therefore, recommending that the Board approve an escalating final penalty assessment of \$10,000.00 through the issuance of a final order of penalty assessment.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

## 7. CUSTOMER ASSISTANCE

There were no items presented in this category

## 8. CLEAN ENERGY

### A. Docket No. QO23070426 – In the Matter of the Request for Quotation for the 2024 Energy Master Plan – Executive Session

**Matthew Rossi, Division of Clean Energy**, presented to this matter.

**BACKGROUND:** This matter involves the release of a request for quotation for services related to the 2024 Energy Master Plan. Specifically, Staff of the New Jersey Board of Public Utilities seeks approval to hire a contractor to assist in the development of the 2024 EMP, which will serve as a whole government progress report on the goals and strategies in the 2019 EMP, outline the changing landscape of State and Federal support for climate action, and determine the basis for the development of actionable next steps to reduce greenhouse gas emissions and maximize clean energy uptake economy-wide. In 2018 Governor Phil Murphy signed Executive Order Number 28, which directed the Board to develop an EMP to serve as a comprehensive blueprint to achieve a hundred percent clean energy by 2050. Released on January 27, 2020, the 2019 EMP establishes a set of goals to put New Jersey on a pathway to achieve the State's clean energy goals and expands upon previous versions which account for the complete energy system in New Jersey, including electricity generation, transportation, and usage in buildings. The EMP statute requires the State to require an EMP every ten years and update it every three years. The statute mandates that these revisions to the EMP shall include a long-term objectives, but shall provide for the interim implementation of measures consistent with said objectives. A 2024 EMP will be a public-facing document that incorporates progress information acquired through



interagency collaboration and stakeholder feedback to build upon the 2019 EMP and help New Jersey reach its accelerated goals of a hundred percent clean energy by 2035, amongst other clean energy and climate goals and benchmarks. To provide an open and transparent process, Staff expects a robust stakeholder engagement. This will include holding a series of virtual public hearings to solicit input from stakeholders and members of the general public that will help inform Staff's drafting of the 2024 EMP.

Staff recommends Board approval to release the RFQ to hire a contractor to assist in the development of the 2024 EMP.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**B. 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;**

**Docket No. QO23030150 – In the Matter of 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; and**

**Docket No. QO17091004 – In the Matter of 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**

**Kevin Nedza, Division of Clean Energy**, presented to this matter.

**BACKGROUND:** The Clean Energy Act of 2018 directed the Board to require each electric and natural gas public utility to achieve annual reductions in the electric and natural gas usage by their customers within their service territories. In 2020 and early 2021, Board Staff worked with these utilities to create energy efficiency programs for the first three-year period from July 1, 2021 through June 30, 2024 known as Triennium 1.

On May 24 and July 26, 2023, the Board issued an order establishing the framework for the next three-year period or Triennium 2. The Board further directed each utility to file their proposals for their Triennium 2 programs on or before October 22, 2023. On September 21, 2023, the New Jersey Utilities Association submitted a request for a filing extension until December 1, 2023, citing a few outstanding issue pertaining to the filings that were deferred to the Utility Working Group and Evaluation, Measurement, and Verification Working Group. On September 26, 2023, Rate Counsel submitted a letter indicating that they did not object to this extension.

Staff recommends that the Board extend the filing deadline for the Triennium 2 energy efficiency filings to December 1, 2023. Staff further recommends that the Board designate commissioners for the filings.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Recused</b>

**C. 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;**

**Docket No. EO21030630 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Approval of an Electric Vehicle Program and an Associated Cost Recovery Mechanism;**

**Docket No. EO18020190 – In the Matter of the Petition of Atlantic City Electric Company for Approval of a Voluntary Program for Plug-In Vehicle Charging; and**

**Docket No. EO18101111 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of its Clean Energy Future-Electric Vehicle and Energy Storage (“CEF-EVES”) Program on a Regulated Basis.**

**Cathleen Lewis, Division of Clean Energy,** presented this matter

**BACKGROUND:** In September 2020, the Board established minimum filing requirements for those EV programs and required each utility to file a proposal for programs by February of 2021. The minimum filing requirements prohibited utilities from owning or operating charging stations unless those charging stations were located in areas of last resort, which were defined as locations that have not generated private investment interest for a minimum of 12 months after the program has begun, for overburdened communities, or 18 months for all other areas. The Board also required that all areas of last resort petitions be filed by December 31 of 2025. The Board approved programs beginning with PSE&G's in 2021, ACE's in February of 2021, RECO's in October of 2022, and JCP&L's program in June of 2022. On July 21, 2023, the Board provided notice and a request for comment to the parties of record for each of the four EDC petitions detailed above. That notice detailed the changing landscape of the EV ecosystem, including supply change issues and an influx of federal funding for the EV infrastructure. The notice proposed extending the deadlines for the utilities to establish areas of last resort.

In that notice, Staff recommended that the time for a location to qualify as an area of last resort be adjusted to locations that have not generated private investment interest for a minimum of 24 months after the program, for overburdened communities, or 36 for all other areas. All the comments the Board received were in support of the recommended change.

Staff recommends approval of this order, which would adjust the areas of last resort as recommended, and require that all areas of last resort be filed by December 31, 2027.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Recused</b>

**D. Docket No. QO21020469 – Lacey Sand Solar Farm, LLC – Petition for Assignment of “Preferred” TREC Factor for Floating Photovoltaic Solar Pursuant to the Board's Transition Incentive Order.**

**Sawyer Morgan, Division of Clean Energy,** presented this matter

**BACKGROUND:** This item concerns a petition from Lacey Sand Solar Farm that requests an incentive value for the petitioner's proposed floating solar project. The Transition Incentive Program was approved by the Board on December 6, 2019 to provide a bridge between the legacy SREC program and a to-be-developed Successor Incentive Program. Its rules indicate that project eligible for the TI program were those which had registered in the SREC program, conditionally certified subsection (t) and subsection (r) projects, net metered projects and community solar projects. The Board set the base incentive value of the Transition Renewable Energy Certificate, or TREC, at \$152.00 per megawatt hour to be adjusted for various solar market segments with factors based on estimated costs and revenues. The Board assigned eight market segments and assigned each a factor between .6 and 1.0. On January 8, 2020, the Board stated that new or innovative solar technology can file a petition with the Board requesting that these types of projects be assigned a TREC factorization level. Lacey Sand Solar Farm filed a petition on February 16, 2021 seeking a 1.0 factor for their project, a floating 22.5 megawatt grid supply solar array proposed for a dredge pond at Lacey Natural Sand in Lacey Township. The petition included a port that described the project and what it characterizes as the benefits of the proposed location, as well as a model with the project's cost inputs that provided a basis for the request. Staff subsequently engaged in discovery with the petitioner. Petitioner's project does not fall under any of the categories of project types eligible for the TI Program. When the Board ordered that a TREC factor may be assigned to new or innovative solar technologies, it did not open eligibility in the TI Program for other interconnection types. The TI program was not open to general grid supply projects and all other such projects have waited for the establishment of the community, of the Competitive Solar Incentive Program. Staff, therefore, does not recommend waiving the rules of this closed program and making an exception for the petitioner's project.

Staff also notes that the TI Program provided for the expiration of a notice of conditional registration one year after receipt. Were petitioner's project granted a waiver so that this general grid supply project could enter the TI program, Staff also has concerns regarding the project's ability to reach commercial operation before a potential expiration date because of necessary site preparation, the pending status of its interconnection request with the PJM Interconnection, and ongoing litigation with the site owner regarding compliance with the terms of the site lease. Staff recommends the Board deny the petition.

**DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**E. Docket No. QO22080481 – In the Matter of the Opening of New Jersey's Third Solicitation for Offshore Wind Renewable Energy Certificates (OREC).**

**Jim Ferris, Division of Clean Energy,** presented this matter

**BACKGROUND:** This matter addresses the requirement contained in the Solicitation Guidance Document for the third offshore wind solicitation that allows applicants to submit one or more projects that are contingent on the outcome of offshore wind solicitations open in other states subject to certain conditions and these are referred to as contingent projects. One of those conditions was that the applicant was to notify Board Staff no later than July 31, 2023 whether a contingent project should be removed from consideration by New Jersey, even if the applicant has not been notified of selection for negotiation of a contract by another state prior to that date. And this is referred to as the Contingent Project Notification Date.

On June 7, 2023, the Board extended the application submission deadline for the third solicitation and extended the Contingent Project Notification Date to September 11, 2023. The Guidance Document allows Staff to extend the Contingent Project Notification Date one time or up to 30 additional days. On September 1, 2023, Staff extended the Contingent Project Notification Date to October 11, 2023. Subsequent to the June 7, 2023 order, New York updated its solicitation schedule for offshore wind generation projects to reflect a revised submission deadline of August 24, 2023 and award announcement in Q4 of 2023. Based on New York's revised schedule, extending the Contingent Project Notification Date to October 11, 2023 could be insufficient to fully consider contingent projects.

Staff recommends that the Board authorize Staff to adjust the Contingent Project Notification Date as necessary in order to evaluate all third solicitation project options as fully as possible.

**DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**F. Docket No. QO23090671 – In the Matter of Ocean Wind LLC Compliance Filing Pursuant to P.L. 2023, c. 99 – Executive Session.**

**Michael Beck, General Counsel**, presented this matter

**BACKGROUND:** Regarding agenda item 8F, Staff seeks the Board's approval to authorize the President to execute an Escrow Agreement and associated bank forms. This matter pertains to legislation signed by Governor Murphy on July 6 of this year, that being Public Law 2023, Chapter 99. This legislation permits Ocean Wind, LLC to elect to retain certain federal tax benefits in support of the Ocean Wind 1 Qualified Offshore Wind Project, subject to certain conditions and representations. The legislation requires, among other things, that Ocean Wind deposit \$200 million into an escrow account no later than 90 days after the legislation's enactment, that being on or before October 4 of this year. By the terms of the legislation, the escrow funds are to be used to support additional investments in qualified wind energy facilities, as that term is defined in the legislation, including one or more offshore wind component manufacturing facilities.

The funds are to be allocated in accordance with milestones and commercial terms agreed to by the qualified offshore wind project, the qualified offshore wind energy facility, and the Board. In order to implement the legislation such that Ocean Wind may deposit the \$200 million in escrow by October 4, an Escrow Agreement is required.

Staff and New Jersey Division of Law have worked with Ocean Wind and TD Bank to develop an Escrow Agreement as contemplated by the statute. TD Bank, as escrow agent, has agreed to accept, hold, and disburse the escrow funds in accordance with Board directives and has agreed to provide the Board with quarterly and annual reporting of the escrow account balance, as well as any and all transactions subject to audit. Furthermore, the agreement provides that any costs or expenses related to the operation and maintenance of the escrow account, including escrow agent fees, audit expenses, and Board retention of technical experts shall be paid from the escrow earnings or failing that by Ocean Wind. It's important to point out that no State funds are being expended with regard to this Escrow Agreement.

In order to implement this new legislation, Staff recommends that the Board approve the Escrow Agreement and authorize the President to execute it, as well as associated TD Bank forms as discussed in executive session.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**G. Docket No. QO21101186 – In the Matter of the Competitive Solar Incentive ("CSI") Program Pursuant to P.L. 2021, c. 169.**

**Diane Watson, Division of Clean Energy**, presented this matter

**BACKGROUND:** This item is regarding the timing of the second solicitation of the Competitive Solar Incentive, or CSI, Program. The CSI Program is opened to qualifying grid supply solar installations and nonresidential net metered solar installations with a capacity greater than five megawatts, as well as to eligible grid supply solar installations in combination with energy storage. By order on July 12, 2023, the Board announced the results of the CSI Program first solicitation, declining to make any awards as all bids were higher than the confidential price caps set for the solicitation.

The Board directed that the next solicitation of the CSI Program to open on an expedited timeline, opening for prequalification on October 1, 2023 and closing to bids on December 31, 2023. Staff recognizes that the Board needs adequate time to consider the lessons of a prior solicitation and integrate any necessary changes and that by doing so the Board demonstrates a level of responsiveness that serves stakeholders and the ratepayers alike.

Staff recommends that the Board postpone the opening date for the second solicitation of the CSI Program until November 27, 2023. Staff recommends that the solicitation window remain open to bids until 11:59:59 p.m. on February 29, 2024. Staff further recommends that the total procurement for the second solicitation remains 300 megawatts, the megawatt procurement targets per tranche remain the same as those set in the first solicitation.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**9. MISCELLANEOUS**

There were no items presented for this matter.

**LATE STARTER A**

**WATER**

**Docket No. WE23030197 – In the Matter of the Petition of New Jersey Water Company, Inc. for Approval of a Municipal Consent Granted by the Borough of Somerville, County of Somerset Docket No. WE23030197**

**Mike Kammer, Director of Water and Energy**, presented this matter

**BACKGROUND:** On March 29, 2023, New Jersey American Water Company (“NJAW”) filed a petition seeking approval of the Borough of Somerset, Somerville’s Municipal Consent granting the company authority to provide wastewater services to the Borough and its residents, businesses and government buildings.

The Borough currently owns and operates its own wastewater system, which provides wastewater service to approximately 3,800 connections in Somerville, and includes approximately 43 connections in the Township of Bridgewater. In addition to the proposed Municipal Consent, the Borough adopted a separate ordinance approving the sale of its system by the Borough to NJAW.

Following a duly noticed virtual municipal consent hearing, Rate Counsel filed comments stating that it did not object to the determination requested in this matter subject to certain conditions. The Board Staff recommends that the Board approve the Municipal Consent subject to certain conditions.

**DECISION:** After discussion, the Board adopted the recommendation of Staff as set forth above.

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

**LATE STARTER B**

**WATER**

**Docket No. WE2040233 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval of a Municipal Consent Granted by the Township of Bridgewater, County of Somerset Docket No. WE23040233**

**Mike Kammer, Director of Water and Energy**, presented this matter

**BACKGROUND:** On April 17, 2023, New Jersey American Water Company (“NJAW”) filed a petition seeking approval of the Township of Bridgewater’s Municipal Consent granting the Company authority to serve a portion of the Township that is currently served by the Borough of Somerville.

The Municipal Consent was granted in anticipation of the sale of Somerville’s wastewater collection system to New Jersey American, which services approximately 43 connections in the Township, all of which already receive water service from New Jersey American.

Following a duly noticed virtual municipal consent hearing, Rate Counsel filed comments stating that it did not object to the determination requested in this matter subject to certain conditions. The Board Staff recommends that the Board approve the Municipal Consent subject to certain conditions.

**DECISION: After discussion, the Board adopted the recommendation of Staff as set forth above.**

<b>Roll Call Vote:</b>	<b>President Guhl-Sadovy</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Christodoulou</b>	<b>Aye</b>
	<b>Commissioner Abdou</b>	<b>Aye</b>

There being no further business before the Board, the meeting was adjourned.



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SHERRI L. GOLDEN  
BOARD SECRETARY

Date: 01-31-24