



Agenda Date: 11/16/15
Agenda Item: 2J

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/

ENERGY

IN THE MATTER OF THE LETTER PETITION OF)
ATLANTIC CITY ELECTRIC COMPANY REQUESTING)
APPROVAL OF CERTAIN MODIFICATIONS TO ITS)
RIDER NEM TARIFF PURSUANT TO N.J.A.C. 14:1-)
5.11) DOCKET NO. ET15020139

Parties of Record:

Philip J. Passanante, Esq., Atlantic City Electric Company
Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

By this Order the Board considers a letter petition filed with the New Jersey Board of Public Utilities ("Board") pursuant to N.J.A.C. 14:1-5.11 on February 3, 2015, by Atlantic City Electric Company ("ACE" or "Company") requesting approval of certain modifications to the Rider Net Energy Metering ("Rider NEM") portion of its tariff currently on file with the Board ("Original Letter Petition").

According to the filing, the proposed modifications to the Company's Rider NEM in the tariff will: (a) expand the availability of Rider NEM to a broader scope of eligible customer classifications; (b) clarify and expand on the scope of defined Class 1 renewable energy sources able to qualify for service pursuant to Rider NEM; and (c) eliminate the existing 100 kilowatt maximum capacity in order to be eligible for service pursuant to Rider NEM. The Company believes that these proposed tariff modifications will enable a greater number of customers to be eligible for service under this tariff rider, and will provide clarification with respect to the alternative renewable energy sources that can qualify for service pursuant to Rider NEM. The Company asserts in its letter petition that no customers' rates will be affected by the Board's approval of the modifications being proposed.

By letter dated October 16, 2015, the New Jersey Division of Rate Counsel (“Rate Counsel”) indicated that Rate Counsel has reviewed the proposed Rider NEM tariff modifications submitted by ACE and generally has no objection to the implementation of the revised tariff as the modifications conform to the Board’s regulations. However, the definition of “Class I renewable resource” incorporated in Item 1 under “Availability” in the proposed revisions to Original Sheet No. 61 of ACE’s tariff does not precisely track the definition in the Board’s regulations at N.J.A.C. 14:8. Rate Counsel recommended the following substitute language:

1. Uses a New Jersey defined Class I renewable resource, including solar technologies, photovoltaic technologies, wind energy, fuel cells powered by renewable fuels, geothermal technologies, wave or tidal action, and/or methane gas from landfills or a biomass facility, provided that the biomass is cultivated and harvested in a sustainable manner, as more specifically defined in Board of Public Utilities Regulations at N.J.A.C. 14:8.

In discussions with the Company, Board Staff also advised the Company that its proposed terminology in the Rider NEM Tariff “Renewable Energy Credits” needed to be modified to conform with the definition at N.J.S.A. 48:3-51 so that it reads “Renewable Energy Certificates”.

On October 27, 2015, ACE filed an amended letter petition (“Amended Letter Petition”) which revised its original request by adopting the language proposed by Rate Counsel and Staff.

By letter dated October 28, 2015, Rate Counsel stated that it has no objection to ACE’s proposed modifications to its Rider NEM tariff provisions as reflected in the Amended Letter Petition.

DISCUSSION AND FINDING

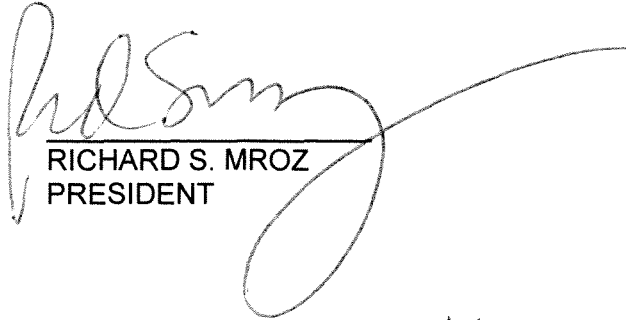
After review of the revisions to the NEM Tariff as proposed in the Amended Letter Petition, the Board **FINDS** them to be reasonable, by, conforming the tariff to the Board’s regulations at et seq. N.J.A.C. 14:8 and to N.J.S.A. 48:3-51, and clarifying and updating the process to be followed by customers who qualify for net metering. Moreover, as represented by the Company, these modifications conform the tariff to current law and do not propose changes to rates. Thus, the Board **HEREBY APPROVES** ACE’s proposed changes to the existing NEM Tariff.

Further, the Board **HEREBY DIRECTS** ACE to file compliance tariff sheets by December 1, 2015 with an effective date of December 1, 2015.

The effective date of this Order is November 26, 2015.

DATED: 11/16/15

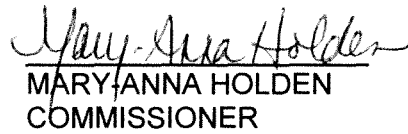
BOARD OF PUBLIC UTILITIES
BY:



RICHARD S. MROZ
PRESIDENT



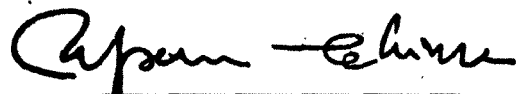
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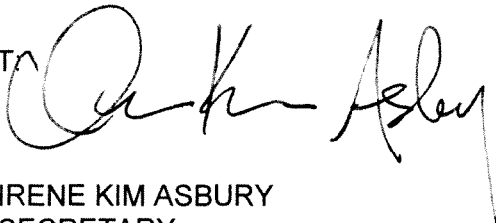
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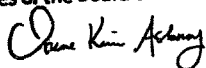


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST 

IRENE KIM ASBURY
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public Utilities



IN THE MATTER OF THE LETTER PETITION OF ATLANTIC CITY ELECTRIC COMPANY
REQUESTING APPROVAL OF CERTAIN MODIFICATIONS TO ITS RIDER NEM TARIFF
PURSUANT TO N.J.A.C.14:1-5.11
BPU DOCKET NO. ET15020139

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