



Agenda Date: 2/9/22  
Agenda Item: 2A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE PROVISION OF BASIC ) ORDER  
GENERATION SERVICE (BGS) FOR THE PERIOD )  
BEGINNING JUNE 1, 2022 ) DOCKET NO. ER21030631

**Parties of Record:**

**Joshua Eckert, Esq.**, on behalf of Jersey Central Power & Light Company  
**Matthew Weissman, Esq.**, on behalf of Public Service Electric and Gas Company  
**Philip J. Passanante, Esq.**, Associate General Counsel for Atlantic City Electric Company  
**Margaret Comes, Esq.**, Senior Attorney for Rockland Electric Company  
**Brian O. Lipman, Esq.**, Director, New Jersey Division of Rate Counsel

BY THE BOARD:

By Order dated November 17, 2021 in this docket, the New Jersey Board of Public Utilities (“Board”) approved the joint Basic Generation Service (“BGS”) proposal of Public Service Electric and Gas Company (“PSE&G”), Jersey Central Power & Light Company (“JCP&L”), Atlantic City Electric Company (“ACE”), and Rockland Electric Company (“Rockland”) (collectively, “EDCs”), for two (2) descending clock auctions to secure the EDCs’ BGS electricity requirements for the period beginning June 1, 2022.<sup>1</sup> In an attempt to mitigate the risk to ratepayers, the Board directed the EDCs to procure approximately one-third of the EDCs’ BGS residential and small commercial pricing (“BGS-RSCP”) customers load for a 36-month period through a single clearing price for each EDC’s BGS supply requirements in the auction.<sup>2</sup> The Board also found that a 12-month procurement period for the EDCs’ hourly load BGS commercial and industrial energy pricing (“BGS-CIEP”) customers is appropriate and reasonable. In the November 2021 Order, the Board also committed to review the results of the BGS-RSCP Auction and the BGS-CIEP Auction (collectively, “BGS Auctions” or “Auctions”), respectively, in their entirety, and certify the results of each auction for all of the EDCs, or for none of them, no later than the second business day after the last Auction closes.

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<sup>1</sup> In re the Provision of Basic Generation Service (BGS) For the Period Beginning June 1, 2022, BPU Docket No. ER21030361, Order dated November 17, 2021 (“November 2021 Order”).

<sup>2</sup> Approximately two-thirds of the EDCs’ BGS-RSCP requirements are already under contract through May 31, 2023, and one-third through May 31, 2024 as a result of the 2020 and 2021 BGS-RSCP Auctions.

The results of the BGS Auctions, if approved by the Board, would then be converted into revised BGS rates for customers beginning June 1, 2022. This is the 21st year the Board has authorized a similar process to secure BGS supply.

The Auction Manager responsible for conducting the 2022 BGS Auctions is National Economic Research Associates (“NERA”). NERA brings expertise in conducting simultaneous descending clock auctions in the energy and telecommunications industries, and was the Auction Manager for the prior 20 BGS Auctions. The 2022 Auctions were conducted remotely and continuously monitored by the Board’s Division of Energy staff members (“Staff”), as well as by the Board’s consultant, Bates White, LLC (“Bates White”) who was retained to assist the Board in this process. Bates White has experience with simultaneous descending clock auctions and the energy industry.

### **BGS-RSCP AUCTION SUMMARY**

The BGS-RSCP Auction was conducted on February 7, 2022 and ended after 18 rounds with all of the EDCs’ 54 tranches secured, with the following closing prices for each EDC<sup>3</sup>:

| <b>EDC</b> | <b>Closing Price<br/>(cents/kWh)</b> | <b>Total Tranches Sold</b> |
|------------|--------------------------------------|----------------------------|
| ACE        | 7.557                                | 7                          |
| JCP&L      | 7.750                                | 18                         |
| PSE&G      | 7.630                                | 28                         |
| Rockland   | 8.206                                | 1                          |

A list of the BGS-RSCP Auction winners is included in Attachment A to this Order.

### **BGS-CIEP AUCTION SUMMARY**

The BGS-CIEP Auction was conducted on February 4, 2022 and ended after 28 rounds with all of the EDCs’ 37 tranches secured, with the following closing prices for each EDC<sup>4</sup>:

| <b>EDC</b> | <b>Closing Price<br/>(\$/Mw-day)</b> | <b>Total Tranches Sold</b> |
|------------|--------------------------------------|----------------------------|
| ACE        | 284.85                               | 4                          |
| JCP&L      | 254.80                               | 10                         |
| PSE&G      | 276.26                               | 22                         |
| Rockland   | 260.48                               | 1                          |

A list of the BGS-CIEP Auction winners is included in Attachment A to this Order.

<sup>3</sup> A tranche in the BGS-RSCP Auction is approximately 90 to 93 MW each.

<sup>4</sup> The tranche sizes are approximate amounts of BGS-CIEP eligible load and are as follows: ACE- 74.40 MW, JCP&L- 73.94 MW, PSE&G- 76.49 MW and RECO- 45.22 MW.

## BGS AUCTION OVERSIGHT

NERA provided a confidential post-Auction checklist form evaluating how the BGS Auctions were conducted. NERA's analysis supporting acceptance of the Auction results indicates, in part, that:

- no issues or questions were left unresolved prior to the Auctions that created uncertainty for bidders;
- neither procedural problems nor errors were observed during the Auctions;
- all communication protocols were followed;
- neither hardware, software, nor communication system problems with the Auctions were observed;
- no security breaches were observed during the Auction process;
- all guidelines for setting or changing the Auction parameters were followed;
- there was no evidence of confusion or misunderstanding on the part of bidders that delayed or impaired the Auctions in a material manner;
- communications between the Auction Manager and bidders was timely and effective;
- there was no evidence that bidders were rushed;
- no complaints were received from the bidders;
- the Auctions were carried out in a fair and transparent manner;
- there was no evidence of collusion or gaming by the bidders;
- public and sensitive information was treated appropriately;
- there were no factors exogenous to the Auctions that materially affected the Auctions;
- and
- the Auctions generated a result that is consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-RSCP and BGS-CIEP loads.

Bates White also provided the Board with a confidential post-Auction evaluation form, as well as a supplemental checklist reviewing how the Auctions were conducted. Bates White's analysis is consistent with NERA's analysis. Both consultants recommend that the Board accept the final Auction results.

## FINDINGS AND CONCLUSIONS

The independent NERA and Bates White analyses both conclude that the Auctions proceeded without meaningful interruption, according to the Board-approved Auction Rules, and in an acceptably fair and transparent manner. As such, both NERA and Bates White recommend that the Board certify the Auction results. Staff overseeing the Auctions briefed the Board regarding the procedure and results of each Auction.

After reviewing the checklists and evaluation forms from NERA and Bates White, discussing the results and conduct of the Auctions with Staff, NERA and Bates White, and from what could be observed during the Auctions, the Board **HEREBY FINDS** that:

- all bidders had sufficient information to prepare for the Auctions;
- information was generally provided to bidders in accordance with the published timetable, and the timetable was adjusted appropriately as needed;
- there were no Auction issues or questions left unresolved prior to the Auctions that created material uncertainty for bidders;

- there were neither procedural problems nor errors with the Auctions, including the electronic bidding process, the back-up bidding process, and communications between bidders and the Auction Manager;
- communication protocols between bidders and the Auction Manager were adhered to;
- appropriate data back-up procedures were planned and carried out;
- no security breaches were observed during the Auction process;
- communication protocols among the EDCs, NERA, Staff, the Board, and Bates White were followed during the Auctions;
- protocols were followed for decisions regarding changes in the Auction parameters (e.g. volume, load cap, bid decrements);
- the calculations (e.g. for bid decrements or bidder eligibility) produced by the Auction software were double-checked or reproduced off-line by the Auction Manager;
- there was no evidence of confusion or misunderstanding on the part of bidders that delayed or impaired the Auctions;
- the communications between the Auction Manager and bidders was timely and effective;
- there were no complaints received from the bidders about the process;
- the Auctions were carried out in an acceptably fair and transparent manner;
- there was no evidence of gaming on the part of bidders;
- there was no evidence of collusion among bidders;
- information was made public in an appropriate manner and, from what could be observed, sensitive information was treated appropriately;
- the adjustments to typical practices and protocols in administering and monitoring the BGS Auctions that were in place to accommodate State and Federal COVID-19 restrictions did not materially affect the Auctions in unanticipated ways;
- there are no concerns with the Auctions' outcome with regard to any specific EDC(s); and
- the Auctions generated a result that is consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-RSCP and BGS-CIEP loads.

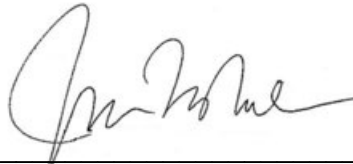
Based upon the foregoing, the Board **HEREBY CERTIFIES** the final results of the BGS Auctions in their entirety, and **HEREBY APPROVES** the closing prices for each EDC. Furthermore, the Board **HEREBY ORDERS** the EDCs to: 1) execute the necessary documents with the winning bidders, including the BGS Supplier Master Agreements; 2) implement the BGS rates resulting from the Auctions beginning June 1, 2022; and 3) file tariff sheets reflecting those rates by March 25, 2022.

Consistent with past Board practice, the Board is releasing the names of the winning bidders at this time. However, at this time, the Board will not release the specific tranche and service area details for each successful bidder, so as not to compromise the position of the winning bidders in the marketplace. The Board plans to make this additional information public prior to June 1, 2022.

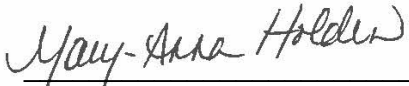
The effective date of this Board Order is February 9, 2022.

DATED: February 9, 2022

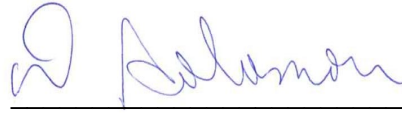
BOARD OF PUBLIC UTILITIES  
BY:



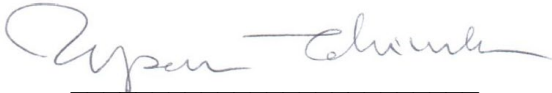
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JOSEPH L. FIORDALISO  
PRESIDENT



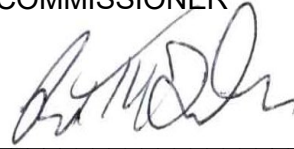
\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER



\_\_\_\_\_  
DIANNE SOLOMON  
COMMISSIONER



\_\_\_\_\_  
UPENDRA J. CHIVUKULA  
COMMISSIONER



\_\_\_\_\_  
ROBERT M. GORDON  
COMMISSIONER

ATTEST:



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AIDA CAMACHO-WELCH  
SECRETARY

**ATTACHMENT A**

**In the Matter Provision of Basic Generation Service for the Period Beginning June 1, 2022**

**Docket No. ER21030631**

Auction Winners Approved by the Board of Public Utilities on February 9, 2022

**BGS-RSCP Auction Winners**

Axpo U.S. LLC  
Calpine Energy Services LP  
ConocoPhillips Company  
Constellation Energy Generation, LLC  
DTE Energy Trading, Inc.  
Dynegy Marketing and Trade, LLC  
Hartree Partners, L.P.  
Macquarie Energy, LLC  
NextEra Energy Marketing, LLC  
TransAlta Energy Marketing (U.S.) Inc.

**BGS-CIEP Auction Winners**

ConocoPhillips Company  
Constellation Energy Generation, LLC  
DTE Energy Trading, Inc.  
NextEra Energy Marketing, LLC  
TransAlta Energy Marketing (U.S.) Inc.

IN THE MATTER OF THE PROVISION OF BASIC GENERATION SERVICE (BGS) FOR THE PERIOD BEGINNING  
JUNE 1, 2022

DOCKET NO. ER21030631

**Service List**

**BPU**

44 South Clinton Ave., 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350

Aida Camacho-Welch, Secretary  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

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

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

Paul Lupo, Acting Director  
[paul.lupo@bpu.nj.gov](mailto:paul.lupo@bpu.nj.gov)

Ryan Moran  
[ryan.moran@bpu.nj.gov](mailto:ryan.moran@bpu.nj.gov)

Heather Weisband, Senior Counsel  
[heather.weisband@bpu.nj.gov](mailto:heather.weisband@bpu.nj.gov)

**Division of Law**

25 Market Street  
Post Office Box 112  
Trenton, NJ 08625-0112

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

Michael Beck, DAG  
[michael.beck@law.njoag.gov](mailto:michael.beck@law.njoag.gov)

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

**BPU's BGS CONSULTANTS**

Frank Mossburg, Managing Director  
Bates White, LLC  
2001 K Street, NW  
North Building, Suite 500  
Washington DC, 20006  
[frank.mossburg@bateswhite.com](mailto:frank.mossburg@bateswhite.com)

**DIVISION OF RATE COUNSEL**

140 East Front Street, 4th Floor  
Post Office Box 003  
Trenton, New Jersey 08625

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

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

Debra Layugan, Paralegal  
[dlayugan@rpa.nj.gov](mailto:dlayugan@rpa.nj.gov)

**Rate Counsel Consultant**

Max Chang  
Synapse Energy Economics, Inc.  
485 Massachusetts Ave., Suite 2  
Cambridge, MA 02139  
[mchang@synapse-energy.com](mailto:mchang@synapse-energy.com)

**PSE&G**

Terrance J. Moran  
80 Park Plaza, T-13  
Newark, NJ 07102-4194  
[terrance.moran@pseg.com](mailto:terrance.moran@pseg.com)

Matthew M. Weissman, Esq.  
80 Park Plaza, T-5  
Newark, NJ 07102-4194  
[matthew.weissman@pseg.com](mailto:matthew.weissman@pseg.com)

Myron Filewicz, BGS Manager  
80 Park Plaza, T-5  
[myron.filewicz@pseg.com](mailto:myron.filewicz@pseg.com)

**ACE**

Pepco Holdings, LLC – 92DC56  
500 N. Wakefield Drive  
PO Box 6066  
Newark, DE 19714-6066

Susan DeVito  
[susan.devito@pepcoholdings.com](mailto:susan.devito@pepcoholdings.com)

Philip J. Passanante, Esq.  
[philip.passanante@pepcoholdings.com](mailto:philip.passanante@pepcoholdings.com)

Thomas M. Hahn  
Pepco Holdings, LLC-63ML38  
5100 Harding Highway  
Mays Landing, NJ 08330  
[thomas.hahn@pepcoholdings.com](mailto:thomas.hahn@pepcoholdings.com)

Daniel A. Tudor  
Pepco Holdings, Inc.  
701 Ninth Street NW  
Washington, DC 20001  
[datudor@pepco.com](mailto:datudor@pepco.com)

**JCP&L**

300 Madison Avenue  
Morristown, NJ 07962-1911

Jennifer Spricigo  
[jspricigo@firstenergycorp.com](mailto:jspricigo@firstenergycorp.com)

Yongmei Peng  
[ypeng@firstenergycorp.com](mailto:ypeng@firstenergycorp.com)

Joshua Eckert, Esq.  
[jeckert@firstenergycorp.com](mailto:jeckert@firstenergycorp.com)

**ROCKLAND**

4 Irving Place  
New York, NY 10003

John L. Carley, Esq.  
[carleyj@coned.com](mailto:carleyj@coned.com)

William A. Atzl, Jr.  
[atzlw@coned.com](mailto:atzlw@coned.com)

Margaret Comes, Esq.,  
[comesm@coned.com](mailto:comesm@coned.com)

IN THE MATTER OF THE PROVISION OF BASIC GENERATION SERVICE (BGS) FOR THE PERIOD BEGINNING  
JUNE 1, 2022

DOCKET NO. ER21030631

**Service List**

**NERA**

1255 23rd Street NW, Suite 600  
Washington, DC 20037

Chantale LaCasse  
[chantale.lacasse@nera.com](mailto:chantale.lacasse@nera.com)

Rachel Northcutt  
[rachel.northcutt@nera.com](mailto:rachel.northcutt@nera.com)

NERA Economic Consulting  
777 S. Figueroa, Suite 1950  
Los Angeles, CA 90017

Kathleen Orlandi  
[kathleen.orlandi@nera.com](mailto:kathleen.orlandi@nera.com)

Paul Cardona  
[paul.cardona@nera.com](mailto:paul.cardona@nera.com)

**Third Party Suppliers**

Murray E. Bevan, Esq.  
Bevan, Mosca, Giuditta & Zarillo, P.C.  
222 Mount Airy Road, Suite 200  
Basking Ridge, NJ 07920  
[mbevan@bmgzlaw.com](mailto:mbevan@bmgzlaw.com)

Marc A. Hanks  
Senior Manager, Government &  
Regulatory Affairs  
Direct Energy Services, LLC  
[Marc.Hanks@directenergy.com](mailto:Marc.Hanks@directenergy.com)

Stacey Rantala  
National Energy Marketers Association  
3333 K Street, N.W., Suite 110  
Washington, D.C. 20007  
[srantala@energymarketers.com](mailto:srantala@energymarketers.com)

David B. Applebaum  
Director, Regulatory Affairs  
NextEra Energy Resources, LLC  
21 Pardee Place  
Ewing, New Jersey 08628  
[david.applebaum@nexteraenergy.com](mailto:david.applebaum@nexteraenergy.com)

David Gil  
Manager, Regulatory Affairs  
NextEra Energy Resources, LLC  
700 Universe Boulevard  
Juno Beach, Florida 33408  
[david.gil@nexteraenergy.com](mailto:david.gil@nexteraenergy.com)

Kathleen Maher  
Constellation NewEnergy  
810 Seventh Avenue, Suite 400  
New York, NY 10019-5818  
[kathleen.maher@constellation.com](mailto:kathleen.maher@constellation.com)

**NJLEUC**

Paul F. Forshay, Partner  
Eversheds-Sutherland, LLP  
700 Sixth Street, NW, Suite 700  
Washington, D.C. 20001-3980  
[paul.forshay@eversheds-sutherland.com](mailto:paul.forshay@eversheds-sutherland.com)

Steven S. Goldenberg, Esq.  
Giordano, Halleran & Ciesla, P.A.  
125 Half Mile Road, Suite 300  
Red Bank, NJ 07701  
[sgoldenberg@ghclaw.com](mailto:sgoldenberg@ghclaw.com)

**BGS Suppliers**

Steven Gabel - IEPNJ  
Gabel Associates  
417 Denison Street  
Highland Park, NJ 08904  
[steven@gabelassociates.com](mailto:steven@gabelassociates.com)

Holly Reed  
Gabel Associates  
417 Denison Street  
Highland Park, NJ 08904  
[holly.reed@gabelassociates.com](mailto:holly.reed@gabelassociates.com)

Raymond Depillo  
PSEG Services Corporation  
80 Park Plaza, T-19  
P.O. Box 570  
Newark, NJ 07101  
[raymond.depillo@pseg.com](mailto:raymond.depillo@pseg.com)

Shawn P. Leyden, Esq.  
PSEG Energy Resources & Trade  
80 Park Plaza, T-19  
P. O. Box 570  
Newark, NJ 07101  
[shawn.leyden@pseg.com](mailto:shawn.leyden@pseg.com)

Jason Halper  
Cadwalader, Wickersham & Taft LLP  
700 Sixth Street, SW  
Washington, DC 20001  
[jason.halper@cwt.com](mailto:jason.halper@cwt.com)

David K Richter, Esq.  
PSEG  
Regulatory Department  
80 Park Plaza, T-5C  
P. O. Box 570  
Newark, NJ 07101  
[david.richter@pseg.com](mailto:david.richter@pseg.com)

Craig S. Blume  
Director, Power Marketing  
UGI Energy Services / UGI  
Development Company  
One Meridian Boulevard, Suite 2C01  
Wyomissing, PA 19610  
[cblume@ugies.com](mailto:cblume@ugies.com)

Cynthia Klots, General Counsel  
DTE EnergyTrading, Inc.  
414 South Main Street  
Suite 200  
Ann Arbor, MI 48104  
[cynthia.klots@dteenergy.com](mailto:cynthia.klots@dteenergy.com)

Don Hubschman  
American Electric Power  
155 W. Nationwide Blvd.  
Columbus, OH 43215  
[dmhubschman@aepes.com](mailto:dmhubschman@aepes.com)

Christine McGarvey  
AEP Energy Partners, Inc.  
Energy Trader  
155 W Nationwide Blvd  
Suite 500  
Columbus, OH 43215  
[clmcgarvey@aepes.com](mailto:clmcgarvey@aepes.com)

Matthew Davies  
TransCanada Power Marketing Ltd.  
110 Turnpike Road, Suite300  
Westborough, MA 01581  
[matthew\\_daview@transcanada.com](mailto:matthew_daview@transcanada.com)

Becky Merola  
Noble Americas Energy Solutions, LLC  
5325 Sheffield Avenue  
Powell, OH 43065  
[bmerola@noblesolutions.com](mailto:bmerola@noblesolutions.com)



DOCKET NO. ER21030631

**Service List**

Glenn Riepl  
AEP Energy Services  
1 Riverside Plaza  
14th Floor  
Columbus, OH 43215-2373  
[gfriep@aep.com](mailto:gfriep@aep.com)

Howard O. Thompson  
Russo Tumulty Nester Thompson  
Kelly, LLP  
240 Cedar Knolls Road  
Suite 306  
Cedar Knolls, NJ 07927  
[hthompson@russotumulty.com](mailto:hthompson@russotumulty.com)

Sharon Weber  
PPL Energy Plus  
2 North 9th Street TW 20  
Allentown, PA 18101  
[sjweber@pplweb.com](mailto:sjweber@pplweb.com)

Glen Thomas  
The P<sup>3</sup> Group  
GT Power Group LLC  
1060 First Avenue  
Suite 400  
King of Prussia, PA 19406  
[gthomas@gtpowergroup.com](mailto:gthomas@gtpowergroup.com)

Divesh Gupta, Esq.  
Exelon Business Services Corp.  
111 Market Place  
Suite 1200C  
Baltimore, Maryland 21202  
[divesh.gupta@constellation.com](mailto:divesh.gupta@constellation.com)

Tom Hoatson  
LS Power Development, LLC  
2 Tower Center  
East Brunswick, NJ 08816  
[thoatson@lspower.com](mailto:thoatson@lspower.com)

Adam Kaufman  
Executive Director  
Independent Energy Producers of NJ  
Five Vaughn Drive, Suite 101  
Princeton, NJ 08540  
[akaufman@kzgrp.com](mailto:akaufman@kzgrp.com)

Anthony Pietranico  
ConEdison Solutions Inc.  
Electricity Supply Specialist  
[pietranicoa@conedsolutions.com](mailto:pietranicoa@conedsolutions.com)

Christi L. Nicolay  
Division Director  
Macquarie Energy LLC  
500 Dallas St., Level 31  
Houston, TX 77002  
[Christi.Nicolay@macquarie.com](mailto:Christi.Nicolay@macquarie.com)

Joe Wadsworth  
Vitol Inc.  
2925 Richmond Ave, 11th Floor  
Houston, TX 77098  
[jxw@vitol.com](mailto:jxw@vitol.com)

Dinkar Bhatia  
Hartree Partners LP  
8 Market Place, Suite 500 A  
Baltimore, MD 21202  
[dbhatia@hartreepartners.com](mailto:dbhatia@hartreepartners.com)

Aundrea Williams  
Director Regulatory Affairs  
NextEra Power Marketing LLC  
700 Universe Boulevard  
Juno Beach, Fl. 33408  
[aundrea.williams@nexteraenergyservices.com](mailto:aundrea.williams@nexteraenergyservices.com)

**Other Parties**

Ray Cantor  
NJBIA  
10 West Lafayette Street  
Trenton, NJ 08608-2002  
[rcantor@njbja.org](mailto:rcantor@njbja.org)

John Holub  
NJ Retail Merchants Assoc.  
332 West State Street  
Trenton, NJ 08618  
[john@njrma.org](mailto:john@njrma.org)