

Agenda Date: 7/25/18 Agenda Item: 2F

# STATE OF NEW JERSEY Board of Public Utilities 44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314 Post Office Box 350 Trenton, New Jersey 08625-0350 <u>www.nj.gov/bpu/</u>

## **ENERGY**

IN THE MATTER OF THE PETITION OF NEW	)	DECISION AND ORDER
JERSEY NATURAL GAS COMPANY FOR THE	)	APPROVING STIPULATION
ANNUAL REVIEW AND REVISION OF SOCIETAL	)	
BENEFITS CHARGE FACTORS FOR	) <sup>`</sup>	
REMEDIATION YEARS 2016 AND 2017	)	DOCKET NO. GR17111182

### Parties of Record:

**Stefanie A. Brand, Esq., Director,** New Jersey Division of Rate Counsel **Andrew K. Dembia, Esq.,** New Jersey Natural Gas Company

BY THE BOARD:

On November 17, 2017, New Jersey Natural Gas Company ("NJNG" or "Company") filed a petition ("Petition") in Docket No. GR17111182 with the New Jersey Board of Public Utilities ("Board" or "BPU") requesting approval to change rates for two (2) components of its Societal Benefits Charge ("SBC"): the Remediation Adjustment ("RA") and the New Jersey Clean Energy Program ("NJCEP"). By this Decision and Order, the Board considers a Stipulation of Settlement ("Stipulation") executed by NJNG, Board Staff, and the New Jersey Division of Rate Counsel (collectively, "Parties") intended to resolve all issues related to this docket.

## BACKGROUND

The SBC was created as a result of the Electric Discount and Energy Competition Act, and is comprised of a number of components: the RA, the NJCEP, the statewide Universal Service Fund ("USF") and the Lifeline Program charges. The RA rate allows the Company to recover reasonably incurred environmental remediation costs associated with the clean-up of its former manufactured gas plant ("MGP") sites, on a deferred basis over a rolling seven (7) year period with carrying charges based on the seven (7) year constant maturity Treasury rate plus sixty (60) basis points. The NJCEP component recovers costs associated with energy efficiency and renewable energy programs related to the New Jersey Clean Energy Program. The USF and Lifeline Programs were established to help provide affordable electric and natural gas service to eligible New Jersey residential customers. The USF and Lifeline components of the SBC were addressed in BPU Docket number ER17060676.

#### PETITION

In the Petition, NJNG sought approval (1) to decrease the Company's per therm after-tax RA rate; (2) to increase the NJCEP per therm after-tax rate; and (3) of the remediation expenditures incurred by the Company for the period July 1, 2015 through June 30, 2017 ("Remediation Years 2016 and 2017").

Based on information submitted in the Petition, the Company proposes to decrease the January 1, 2018,<sup>1</sup> per therm after-tax RA rate from \$0.0145 to \$0.0107 and increase the per therm after-tax NJCEP rate from \$0.0166 to \$0.0194.<sup>2</sup> These rates combined with the existing USF rate of \$0.0087 per therm establish the proposed SBC after-tax rate of \$0.0388 per therm. The RA revenues would decrease by approximately \$2.65 million, while the NJCEP revenues would increase by \$1.96 million over what is currently being collected in rates on an after-tax basis.

After publication of notice in newspapers in the Company's service territory, public hearings in this matter were conducted on May 14, and 16, 2018, in Rockaway Township and Freehold Township, New Jersey, respectively. No members of the public appeared at any of the public hearings and no written comments were received by the Board.

#### STIPULATION

Following review of the Petition and discovery responses, the Parties executed the Stipulation on June 27, 2018. The Stipulation provides for the following:<sup>3</sup>

- (a) Overall SBC Rate: The Company's overall SBC rate shall be \$0.0387 per therm on an after-tax basis, effective upon Board approval, which is a decrease of \$0.0011 per therm from the current after-tax rate of \$0.0398 per therm. This overall SBC rate shall continue to remain in effect until changed by further Order of the Board. The impact of this rate change on a typical residential natural gas customer using 1,000 therms per year is a decrease of approximately \$1.10 per year, or 0.11 percent. Attached to the Stipulation as Exhibit B is a summary of the SBC components and the calculation of the resulting price impact.
- (b) RA Rate:
  - (i) Based on the Company's response to RAC-1 supplied on February 5, 2018, the Company's after-tax RA rate within the SBC of \$0.0106 per therm shall be deemed final and remain in effect until changed by further Board Order. The tariff sheets reflecting these rates, which will remain in effect, are attached to the Stipulation as Exhibit B.
  - (ii) All issues raised by the Company's filing relating to the RA expenditures incurred by the Company during Remediation Years 2016 and 2017 have

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<sup>&</sup>lt;sup>1</sup> Pursuant to <u>P.L.</u> 2016, <u>c.</u> 57, these rates include the New Jersey Sales and Use Tax ("SUT") rate of 6.625% effective January 1, 2018

<sup>&</sup>lt;sup>2</sup> On June 30, 2017, in BPU Docket No. QO17050464, the Board established each utility's level of expenditure for the statewide NJCEP for July 2017 through June 2018. NJNG's annual funding obligation is \$15.1 million

<sup>&</sup>lt;sup>3</sup> Although described in this Order, should there be any conflict between this summary and the Stipulation, the terms of the Stipulation control, subject to the findings and conclusion in this Order.

been examined and shall be deemed fully resolved and are prudent and reasonable.

- (iii) The RA rate set forth in the Stipulation is based upon and reflects recoverable RA costs of approximately \$7.20 million for the period July 2015 – June 2016 and recoverable RA costs of approximately \$10.05 million for the period July 2016 – June 2017, and interest of approximately \$0.53 million for the period beginning October 1, 2015 through September 30, 2017. The resulting rolling seven-year recoverable RA cost average is approximately \$8.12 million.
- (c) NJCEP Rate:

The Company's after-tax NJCEP rate of \$0.0194 per therm shall be deemed final and remain in effect until changed by further Board Order.

Recovery and adjustments of the RA rate are subject to the Parties' review of NJNG's RA expenditures and reconciliation thereof in NJNG's next SBC proceeding. Recovery of RA costs shall also continue to be subject to the same conditions as set forth in the Stipulations approved by the Board in its December 21, 1994 Order Adopting Initial Decision in BPU Docket No. GR94070333, and its November 22, 1995 Decision and Order Adopting Initial Decision and Stipulation in BPU Docket No. GR95090409.

As part of the Stipulation, the Parties agreed that expenditures the Company recovers through the RA rate are subject to audit. Such audit may be through a review of the Company's Internal Audits conducted in relation to costs associated with this proceeding, or through any other audit mechanism determined to be appropriate by the Board.

The Company represented through the Stipulation that its RA filing in this SBC filing does not include the recovery of any administrative, legal, consulting or other costs associated with Natural Resource Damage ("NRD") claims and no NRD costs were incurred during Remediation Years 2016 and 2017. The Parties further agreed that the Board should make no determination in this proceeding as to the reasonableness, or the recoverability under the Company's RA rate mechanism, of NRD damages or related costs, if any. The Parties expressly reserved their rights to argue their respective positions on these and related issues in future proceedings, as appropriate.

The Company represented that its filing does not include a request for the recovery of any incentive compensation paid to NJNG personnel who worked on MGP remediation matters during the July 1, 2015 through June 30, 2017 time frame and the Parties agreed that NJNG incentive compensation costs through June 30, 2017 in the amount of \$81,640.09 will be deferred in the previously established sub-account. NJNG established a separate sub-account in the deferred remediation expenditure account to recognize deferred incentive compensation associated with NJNG's internal MGP labor.

The Company agreed that it will continue to include with its RA Clause filings responses to the MFRs as set forth in Exhibit A to the Stipulation.

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#### DISCUSSION AND FINDINGS

The Board, having carefully reviewed the record in this proceeding, including, the Petition and the Stipulation, <u>HEREBY</u> <u>FINDS</u> that the Stipulation is reasonable, in the public interest and in accordance with the law. Accordingly, the Board <u>HEREBY</u> <u>ADOPTS</u> the Stipulation, as if fully set forth herein.

The Board <u>HEREBY APPROVES</u> the revised after-tax per therm rates as follows: an RA rate of \$0.0106 and an NJCEP rate of \$0.0194, effective for service rendered on or after September 1, 2018. Based on the Stipulation, the impact of these rate changes on a typical residential customer using 1,000 therms per year is a decrease of approximately \$1.10 per year, or 0.11 percent.

The Company is <u>HEREBY</u> <u>DIRECTED</u> to file the appropriate tariff sheets conforming to the terms and conditions of this Order by September 1, 2018.

The Company's costs will remain subject to audit by the Board. This Decision and Order shall not preclude the Board from taking any such actions deemed to be appropriate as a result of any such audit.

The effective date of this Order is August 4, 2018.

DATED: 7/25/18

BOARD OF PUBLIC UTILITIES BY:

PRESIDENT

COMMISSIONER

UPENDRA J. CHIVUKULA COMMISSIONER

ATTEST:

AIDA CAMACHO-WEI SECRETARY

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

DIANNE<sup>J</sup>SOLOMON COMMISSIONER

ROBERT M. GORDON

COMMISSIONER

BPU DOCKET NO. GR17111182

## IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS COMPANY FOR THE ANNUAL REVIEW AND REVISION OF SOCIETAL BENEFITS CHARGE FACTORS FOR REMEDIAITON YEARS 2016 AND 2017 BPU DOCKET NO. GR17111182

SERVICE LIST

### NJ BOARD OF PUBLIC UTILITIES

44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314 Post Office Box 350 Trenton, NJ 08625-0350

Stacy Peterson, Director Division of Energy <u>stacy.peterson@bpu.nj.vov</u>

Oneil Hamilton Division of Energy oneil.hamilton@bpu.nj.gov

Megan Lupo, Esq. Counsel's Office <u>megan.lupo@bpu.nj.gov</u>

### **DIVISION OF LAW**

Department of Law & Public Safety Division of Law 124 Halsey St. Post Office Box 45029 Newark, NJ 07101-45029

Alex Moreau. Esq., DAG alex.moreau@law.njoag.gov

Renee Greenberg, Esq., DAG renee.greenberg@law.njoag.gov

Caroline Vachier, Esq., DAG caroline.vachier@law.njoag.gov

Geoffrey Gersten, DAG geoffrey.gersten@law.njoag.gov

#### DIVISION OF RATE COUNSEL

140 East Front Street, 4<sup>th</sup> Floor Post Office Box 003 Trenton, NJ 08625-0003

Stefanie A. Brand, Esq., Director <u>sbrand@rpa.nj.gov</u>

Brain O. Lipman, Esq. blipman@rpa.nj.gov

Felicia Thomas-Friel, Esq. <u>fthomas@rpa.nj.gov</u>

Henry M. Ogden, Esq. hogden@rpa.nj.gov

#### **NEW JERSEY NATURAL COMPANY**

1415 Wyckoff Road P.O Box 1464 Wall, NJ 07719

Tina Trebino ttrebino@ning.com

Andrew Dembia, Esq. adembia@njng.com

James Corcoran jcorcoran@ning.com

Marianne Harrell mharrell@njng.com

Mark Kahrer mkahrer@njng.com



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July 5, 2018

Honorable Aida Camacho- Welch, Secretary New Jersey Board of Public Utilities 44 South Clinton Avenue, 3rd Floor Suite 314 P.O. Box 350 Trenton, NJ 08625-0350

Re: In the Matter of the Petition of New Jersey Natural Gas Company for the Annual Review and Revision of Societal Benefits Charge Factors for Remediation Years 2016 and 2017 BPU Docket No. GR17111182

Dear Secretary Camacho:

Enclosed with this letter is a fully executed Stipulation in the above captioned matter with separate and original signature pages for each signatory.

Please do not hesitate to contact me at (732) 938-1073 if you need any additional information.

Very truly yours,

Andrew K. Dembia, ESQ. Regulatory Affairs Counsel

### STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS COMPANY FOR THE ANNUAL REVIEW AND REVISION OF SOCIETAL BENEFITS CHARGE FACTORS FOR REMEDIATION YEARS 2016 AND 2017

PETITION

BPU DOCKET NO. GR1711 (182

### TO: THE HONORABLE COMMISSIONERS OF THE NEW JERSEY BOARD OF PUBLIC UTILITIES

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New Jersey Natural Gas Company ("Petitioner", "NJNG" or the "Company") hereby requests that the New Jersey Board of Public Utilities (the "Board" or "BPU") approve, pursuant to <u>N.J.S.A</u>, 48:2-21, the Company's filing related to its Societal Benefits Charge ("SBC") factors. The factors included in the SBC are the Remediation Adjustment ("RA") rate, the statewide Universal Service Fund ("USF") rate,<sup>1</sup> and the New Jersey Clean Energy Program ("NJCEP") rate. The Company is requesting in this filing that the Board: (1) decrease the Company's per therm after-tax RA rate; (2) increase the NJCEP per therm after-tax rate; and (3) approve the remediation expenditures incurred by the Company for the period July 1, 2015 through June 30, 2017 ("Remediation Years 2016 and 2017"), to be effective April 1, 2018, or as of the effective date of the Board Order in this proceeding. These rate changes result in an overall decrease of approximately 0.10 percent to the average residential heating customers' monthly bill.

1. Petitioner is a corporation duly organized under the laws of the State of New Jersey and is a public utility engaged in the sale, distribution and transportation of natural gas subject to the

<sup>&</sup>lt;sup>1</sup> USF is a fund established by the Board to support affordable electric and natural gas heating service for eligible residential customers in New Jersey. The statewide USF rates are addressed in annual filings submitted simultaneously by New Jersey's natural gas and electric utilities. The current after-tax natural gas USF factor of \$0.0087 per therm was approved by the Board in its September 22, 2017 Order in Docket No. ER17060676.

## STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES

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IN THE MATTER OF THE PETITION OF NEW JERSEY NATURAL GAS COMPANY FOR THE ANNUAL REVIEW AND REVISION OF SOCIETAL BENEFITS CHARGE FACTORS FOR REMEDIATION YEARS 2016 AND 2017

) BPU DOCKET NO. GR17111182

### **STIPULATION**

#### **APPEARANCES:**

Andrew K. Dembia, Esq., New Jersey Natural Gas Company for the Petitioner, New Jersey Natural Gas Company

Felicia Thomas-Friel, Deputy Rate Counsel, Henry M. Ogden, Esq., Assistant Deputy Rate Counsel, New Jersey Division of Rate Counsel (Stefanie A. Brand, Esq., Director)

Alex Moreau and Renee Greenberg, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (Gurbir S. Grewal, Attorney General of New Jersey)

## TO: THE HONORABLE COMMISSIONERS OF THE NEW JERSEY BOARD OF PUBLIC UTILITIES

#### BACKGROUND

By Orders dated March 17, 1999 in Docket No. GX99030121 and March 30, 2001 in

Docket No. GO99030123 pursuant to N.J.S.A. 48:3-60, New Jersey Natural Gas Company

("NJNG" or the "Company") received approval to implement and assess a Societal Benefits

Charge ("SBC") as a non-by-passable charge applicable to the Company's customers.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> Pursuant to legislation signed into law on January 28, 2011, N.J.S.A.48:3-60.1, natural gas commodity and delivery service charges for natural gas that is used to generate electricity for resale are not to include SBC charges.

1. On November 17, 2017, NJNG filed a petition in Docket No. GR17111182 relating to the Company's SBC rate (the "SBC filing"). The components included in the SBC are the Remediation Adjustment ("RA") rate for remediation expenditures incurred by the Company during the period July 1, 2015 through June 30, 2017 ("Remediation Years 2016 and 2017"), the statewide Universal Service Fund ("USF") rate,<sup>2</sup> and the New Jersey Clean Energy Program ("NJCEP") rate. In its petition, the Company requested that the New Jersey Board of Public Utilities (the "BPU" or "Board") (1) decrease the Company's per therm after-tax RA rate; (2) increase the NJCEP per therm after-tax rate; and (3) approve the prudent and reasonable remediation expenditures incurred by the Company for Remediation Years 2016 and 2017 to be effective April 1, 2018, or as of the effective date of the Board Order in this proceeding.<sup>3</sup> These rate changes result in an overall decrease of \$0.10 per therm or approximately 0.10 percent to the average residential heating customers' monthly bill.

2. The Company's SBC filing included its petition, testimonies, schedules, the Company's Gas Service Tariff (redlined) and data that support the Company's proposed decrease to its current after-tax RA rate of \$0.0145 per therm, as of January 1, 2018, to \$0.0107 per therm. Additional information responsive to the fifteen (15) minimum filing requirements ("MFR's") for RA filings, as approved and required by Board Order dated April 13, 2006, in Docket No. GR04121565, was

<sup>&</sup>lt;sup>2</sup> The USF is a fund established by the Board to help provide affordable electric and natural gas service for eligible residential customers in New Jersey. The statewide USF rates are addressed in annual filings submitted simultaneously by New Jersey's natural gas and electric utilities. The after-tax natural gas USF rate at the time of this filing of \$0.0087 per therm was approved by the Board in its September 22, 2017 Order in Docket No. ER7060676. <sup>3</sup> Pursuant to P.L. 2016, c. 57, these rates include the New Jersey Sales and Use Tax rate of 6.625 percent effective January 1, 2018.

provided by the Company on February 5, 2018. A copy of the MFR's are attached as Exhibit A to this Stipulation.

3. NJNG's proposal to increase the January 1, 2018 per therm after tax NJCEP rate of \$0.0166 to \$0.0194 reflects the Company's share of the statewide NJCEP contribution levels, as approved by the Board on June 30, 2017 in Docket No. QO17050464.<sup>4</sup>

4. These rates along with the existing USF rate of \$0.0087 per therm<sup>5</sup> will comprise NJNG's proposed SBC after-tax rate of \$0.0388 per therm. The Company also requests the approval of the remediation expenditures incurred by the Company for Remediation Years 2016 and 2017. The Company requests that these rates and expenditures be approved effective April 1, 2018, or as of the effective date of the Board Order in this proceeding.

5. Public hearings on the SBC petition were held on May 14, 2018 in Rockaway Township, New Jersey, and on May 16, 2018, in Freehold Township, New Jersey. No members of the public appeared at any of the public hearings, and no written comments were received by the Board, the Company or Rate Counsel.

6. NJNG has received and responded to all discovery requests that have been propounded in this proceeding by the Parties.

7. Based upon further discussions, the Parties have reached an agreement to enter into this Stipulation finalizing the rates and resolving all issues raised in or related to the Company's RA

The Board's June 30, 2017 Order approved an NJCEP annual contribution level for NJNG of approximately \$15.1 million for fiscal years 2016 and 2017.

<sup>&</sup>lt;sup>5</sup> This statewide USF factor was approved in the Board's September 22, 2017 Order in Docket No. ER17060676.

and NJCEP rates, including the Company's remediation expenses for Remediation Years 2016 and 2017.

8. Specifically, based upon and subject to the terms and conditions set forth herein, the Parties **STIPULATE AND AGREE** as follows:

#### STIPULATED ISSUES

(a) <u>Overall SBC Rate</u>. The Company's overall SBC rate shall be \$0.0387 per therm on an after-tax basis, effective upon Board approval, which is a decrease of \$0.0011 per therm from the current after-tax rate of \$0.0398 per therm. This overall SBC rate shall continue to remain in effect until changed by further Order of the Board. The impact of this rate change on a typical residential natural gas customer using 1,000 therms per year is a decrease of approximately \$1.10 per year, or 0.11 percent. Attached hereto as Exhibit B is a summary of the SBC components and the calculation of the resulting price impact.

#### (b) <u>RA Rate</u>.

(i) Based on the Company's response to RAC-1 supplied on February 5, 2018, the Company's after-tax RA rate within the SBC of \$0.0106 per therm shall be deemed final and remain in effect until changed by further Board Order. The tariff sheets reflecting these rates, which will remain in effect, are attached hereto as Exhibit B.

(ii) All issues raised by the Company's filing herein relating to the RA expenditures incurred by the Company during Remediation Years 2016 and 2017 have been examined and shall be deemed fully resolved and are prudent and reasonable.

(iii) The RA rate set forth above is based upon and reflects recoverableRA costs of approximately \$7.20 million for the period July 2015 – June 2016 and

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recoverable RA costs of approximately \$10.05 million for the period July 2016 – June 2017, and interest of approximately \$0.53 million for the period beginning October 1, 2015 through September 30, 2017. The resulting rolling seven-year recoverable RA cost average is approximately \$8.12 million.

## (c) <u>NJCEP Rate</u>.

The Company's after-tax NJCEP rate of \$0.0194 per therm shall be deemed final and remain in effect until changed by further Board Order.

9. Recovery and adjustments of the RA rate are subject to the Parties' review of NJNG's RA expenditures and reconciliation thereof in NJNG's next SBC proceeding. Recovery of RA costs shall also continue to be subject to the same conditions as set forth in the Stipulations approved by the Board in its December 21, 1994 Order Adopting Initial Decision in BPU Docket No. GR94070333, and its November 22, 1995 Decision and Order Adopting Initial Decision and Stipulation in BPU Docket No. GR95090409.

10. As part of this Stipulation, the Parties agree that expenditures the Company recovers through the RA rate are subject to audit. Such audit may be through a review of the Company's Internal Audits conducted in relation to costs associated with this proceeding, or through any other audit mechanism determined to be appropriate by the Board.

11. The Company represents that its RA filing in this SBC filing does not include the recovery of any administrative, legal, consulting or other costs associated with Natural Resource Damage ("NRD") claims and no NRD costs were incurred during Remediation Years 2016 and 2017. The Parties accordingly stipulate and agree that the Board should make no determination in this

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proceeding as to the reasonableness, or the recoverability under the Company's RA rate mechanism, of NRD damages or related costs, if any. The Parties expressly reserve their rights to argue their respective positions on these and related issues in future proceedings, as appropriate.

12. The Company represents that its 2016 and 2017 SBC petition does not include a request for the recovery of any incentive compensation paid to NJNG personnel who worked on MGP remediation matters during the July 1, 2015 through June 30, 2017 time frame and the Parties agree that NJNG incentive compensation costs through June 30, 2017 in the amount of \$81,640.09 will be deferred in the previously established sub-account . NJNG established a separate sub-account in the deferred remediation expenditure account to recognize deferred incentive compensation associated with NJNG's internal MGP labor.

13. The Company agrees that it will continue to include with its Remediation Adjustment Clause filings responses to the MFRs as set forth in Exhibit A to this Stipulation.

14. The Parties stipulate and agree that this Stipulation fully disposes of all issues in controversy in this proceeding, is consistent with law, and is in the public interest. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its entirety. In the event any provision of this Stipulation is not accepted and approved in its entirety by the Board, any Party aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right to litigate all issues addressed herein to a conclusion. More particularly, in the event the Board, in any applicable order(s), does not adopt this Stipulation in its entirety then any Party hereto is free to pursue its then available legal remedies with respect to all issues addressed in this Stipulation as though this Stipulation had not been signed.

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15. The Parties further agree that they consider this Stipulation to be binding on them for all purposes herein.

16. It is specifically understood and agreed that this Stipulation represents a negotiated agreement and has been made exclusively for the purpose of these proceedings. Except as expressly provided herein, NJNG, Board Staff, and Rate Counsel shall not be deemed to have approved, agreed to, or consented to any principle or methodology underlying or supposed to underlie any agreement provided herein. All rates are subject to audit by the Board. The Parties further acknowledge that a Board Order approving, rejecting, or modifying this Stipulation will become effective upon the service of said Board Order, or upon such date after the service thereof as the Board may specify, in accordance with N.J.S.A. 48:2-40.

WHEREFORE, the Parties hereto respectfully submit this Stipulation to the Board for its review and the issuance of a Decision and Order approving this Stipulation, in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

NEW JERSEY NATURAL GAS COMPANY PETITIONER By: ANDREW K. DEMBIA

New Jersey Natural Gas

DIVISION OF RATE COUNSEL STEFANIE BRAND, ESQ. DIRECTOR

By:

HENRY M. OGDEN ASSISTANT DEPUTY RATE COUNSEL

GURBIR S. GREWAL ATTORNEY GENERAL OF NEW JERSEY Attorneys for Staff of the Board of Public Utilities

By:

ALEX MOREAU DEPUTY ATTORNEY GENERAL

Date: June 2,72018

- 8 -

WHEREFORE, the Parties hereto respectfully submit this Stipulation to the Board for its review and the issuance of a Decision and Order approving this Stipulation, in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

NEW JERSEY NATURAL GAS COMPANY PETITIONER By: ANDREW K. DEMBIA

New Jersey Natural Gas

DIVISION OF RATE COUNSEL STEFANIE BRAND, ESQ. DIRECTOR

By:

HENRY M. OGDEN ASSISTANT DEPUTY RATE COUNSEL

GURBIR S. GREWAL ATTORNEY GENERAL OF NEW JERSEY Attorneys for Staff of the Board of Public Utilities

By:

ALEX MOREAU DEPUTY ATTORNEY GENERAL

Date: June2,2018

WHEREFORE, the Parties hereto respectfully submit this Stipulation to the Board for its review and the issuance of a Decision and Order approving this Stipulation, in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

NEW JERSEY NATURAL GAS COMPANY PETITIONER By: 000 ANDREW K. DEMBIA New Jersey Natural Gas **DIVISION OF RATE COUNSEL** STEFANIE BRAND, ESQ. DIRECTOR By: HENROM. OGDEN ASSISTANT DEPUTY RATE COUNSEL **GURBIR S. GREWAL** ATTORNEY GENERAL OF NEW JERSEY Attorneys for Staff of the Board of Public Utilities

ALEX MOREAU

DEPUTY ATTORNEY GENERAL

Date: June27 2018

By:

### <u>Exhibit A</u>

## <u>New Jersey Natural Gas Company</u> <u>Remediation Adjustment Clause Minimum Filing Requirements</u>

As part of the Company's annual Remediation Adjustment Clause ("RAC") filing, the Company will provide responses to the following Minimum Filing Requirements ("MFRs"). The requests, unless noted otherwise, relate to the historical 12-month RAC period.

- 1. The Company currently provides a vendor summary as part of its annual RAC filing. This document provides a summary of the expenditures by vendor by site for the twelve-month RAC period. Hereafter, the vendor summary will be supplemented with a general description of the services provided by each vendor. The data noting expenditures incurred through June 30 of each year will continue to be submitted with the Company's annual RAC filing.
- 2. Identify the two MGP sites with the highest level of expenditures during the prior RAC period. For each identified site, provide a copy of the latest work plan, remediation report, or major work product submitted to the NJDEP. The copies should include the narrative portion of the report or work plan but need not include the technical supporting workpapers, charts and tables.
- 3. For each of the same two MGP sites, provide all correspondence between the Company and the NJDEP concerning submissions for the site, reply comments, and other major items which have a material impact on remediation activities and associated costs incurred by the Company. The correspondence should span the twelve-months preceding June 30 of the most recent RAC period.
- 4. For each of the same two MGP sites, provide expense documentation for any contractor or supplier whose invoices for the RAC period exceed \$250,000 in aggregate. The expense documentation should include descriptions of services rendered, applicable invoices, and any tracking of invoiced charges vs. budgets. The expense detail need not include expense reports or time sheets, but it should include supporting documentation for any subcontractor and third party expenses totaling \$100,000 or more for the period.
- 5. For each of the same two MGP sites, provide a narrative description and organization chart for that site, showing the vendors and project control structure for the remediation effort. The response should show what entities supervise all significant contractors and subcontractors and which Company personnel are involved in site and remediation supervision and control.
- 6. Provide a detailed narrative describing Company activities and any reimbursements related to insurance claims or potentially responsible parties' liabilities for all of the Company's

MGP sites. The narrative, with supporting documentation, should cover the prior RAC period.

- 7. Provide copies of any RAC audit reports or related materials prepared by the Board's Audit Staff, FERC, or the Company's internal or external auditors during the previous twelve months. To the degree applicable, please also provide any materials prepared in response to the audits or in compliance with any audit findings.
- 8. Provide a narrative concerning all material events, whether related to NJDEP mandates or not, which could have an impact on the Company's ultimate MGP remediation liability, with claimed confidential information provided pursuant to a confidentiality agreement. The narrative should encompass all sites, whether or not active remediation efforts on the site are under way.
- 9. Provide schedules and supporting workpapers and documents, which show the reconciliation of the prior period RAC expenditures and recoveries as well as the derivation of the deferred tax credit and the interest accrual on any unamortized balances.
- 10. Provide the Company's bid evaluation studies, reports, workpapers or other material related to the two largest MGP remediation contracts awarded during the previous RAC period. The response should include the criteria utilized for bid evaluation and the comparisons between the terms and conditions offered by the competitive bidders. For contracts awarded during the most recent RAC period without competitive bidding, the Company should include a detailed explanation and supporting documentation for the decision not to engage in competitive bidding.
- 11. Provide documentation relating to the two largest supplemental contract amendments authorized by the Company during the previous RAC period. The response should provide the contractor's request for supplemental funding, the reasons cited for the request, and the Company's evaluation and action taken concerning the request. The response should also include a detailed explanation and supporting documentation for the company's decision to proceed with a supplemental contract amendment rather than engage in a competitive bidding process for the additional work, during the most recent RAC period.
- 12. Provide documentation relating to any instances during the previous RAC period where the Company sought to modify, change, or eliminate the NJDEP site remediation requirements for any of its MGP sites. The response should provide copies of any such Company requests, the NJDEP responses, and the ultimate outcome concerning the requests.
- 13. Provide a calculation of the carrying costs that the Company seeks to recover in this filing, including workpapers and supporting documentation.

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- 14. For each of the Company's MGP sites, provide a schedule showing the status of the remediation effort and estimated dates for the completion of remaining milestones. Provide an update concerning the status of discussions with the NJDEP concerning its NRD initiative as well as any other NRD-related activities, with claimed confidential information provided pursuant to a confidentiality agreement.
- 15. Provide detailed justification for new, renewed, or amended contracts for customer outreach services provided by outside vendors, including justification for the pricing structure for all new contracts. Payments for services under all existing, new, renewed or amended contracts with outside vendors for customer outreach should be supported by documentation that the compensation provided to such outside vendors is commensurate at a reasonable hourly rate based on level of professional expertise and documented time required to perform the contracted work during the most recent RAC period.

#### New Jersey Natural Gas Company Net impact of Proposed Rate Changes BPU Docket No. GR17111182

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	Component of	Current		(\$/therm) Proposed		Change	
RAC	Deliver Ories	Pre-tax	Post-tax 0.0145	Pre-tax	Post-tax	Pre-tax	Post-tax
NJCEP	Delivery Price Delivery Price	0.0136 0.0156	0.0145	0.0099 0.0182	0.0106 0.0194	(0.0037) 0,0026	(0.0039 0,0028
USF	Delivery Price	0.0082	0.0087	0.0082	0.0087	0.0000	0.0000
Total SBC		0.0374	0.0398	0.0363	0.0387	(0.0011)	(0.0011
Impact on	Residential Non-Hea	ting Custor	ners	<u> </u>			
6/1/18 price				25 therm bill			
	Customer Charge Delivery		\$8.52 \$0.5221	\$8.62 \$13.05			
	BGSS		\$0.3646	\$9.12			
		Totai	\$0.8867	\$30.79			
Proposed							
	Customer Charge		\$8.62	\$8.62			
	Delivery BGSS		\$0.5210 \$0.3646	\$13.03 \$9.12			
	2000	Total -	\$0.8856	\$30.77			
	Decrease			(\$0.02)			
	Decrease as a perc	ent		(0.06%)			
Impact on	Residential Heating	Customers	· ·		1000 therm		
6/1/18 price	RŚ			100 therm bill	annuai bill		
	Customer Charge		\$8.62	\$8.62	\$103.44		
	Delivery		\$0.5545	\$55.45	\$554.50		
	BGSS	Total _	\$0.3646 \$0.9191	\$36.46 \$100.53	\$364.60 \$1,022.54		
		Total	40.9191		91,022.04		
Proposed (	prices Customer Charge		\$8.62	\$8.62	\$103.44		
	Delivery		\$0.5534	\$55,34	\$553.40		
	BGSS		\$0.3646	\$36.46	\$364.60		
		Total	\$0,9180	\$100.42	\$1,021.44		
	Decrease Decrease as a perc			(\$0.11)	(\$1,10)		
	Decrease as a perc	ent		•			
	Decrease as a perc	ent		(\$0.11)	(\$1,10)		
Impact on 6/1/18 price	Decrease as a perc <u>Commercial GSS Cu</u> es	ent	\$0.9180	(\$0.11) (0.11%) 100 therm bill	(\$1,10)		
	Decrease as a pero Commercial GSS Cu es Customer Charge	ent		(\$0.11) (0.11%)	(\$1,10)		
	Decrease as a perc <u>Commercial GSS Cu</u> es	sent Istomers	\$0.9180 \$26.11 \$0.5139 \$0.3646	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46	(\$1,10)		
	Decrease as a perc Commercial GSS Cu es Customer Charge Delivery	ent	\$0.9180 \$26.11 \$0.5139	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39	(\$1,10)		
	Decrease as a pero Commercial GSS Cu es Customer Charge Delivery BGSS prices	sent Istomers	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96	(\$1,10)		
6/1/18 price	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS prices Customer Charge	sent Istomers	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.45 \$113.96 \$26.11	(\$1,10)		
6/1/18 price	Decrease as a perc Commercial GSS Co es Customer Charge Delivery BGSS prices Customer Charge Delivery	sent Istomers	\$0,9180 \$26,11 \$0,5139 \$0,3646 \$0,8785 \$26,11 \$0,5128	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.45 \$113.96 \$26.11 \$51.28	(\$1,10)		
6/1/18 price	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS prices Customer Charge	sent Istomers	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.45 \$113.96 \$26.11	(\$1,10)		
6/1/18 price	Decrease as a perc Commercial GSS Co es Customer Charge Delivery BGSS prices Customer Charge Delivery BGSS Decrease	total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$51.28 \$36.46 \$113.85 (\$0.11)	(\$1,10)		
6/1/18 price Proposed	Decrease as a perc <u>Commercial GSS Ct</u> es Customer Charge Delivery BGSS prices Customer Charge Delivery BGSS Decrease Decrease as a perc	Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85	(\$1,10)		
6/1/18 price Proposed   Impact on	Decrease as a perc Commercial GSS Co es Customer Charge Delivery BGSS Customer Charge Delivery BGSS Decrease Decrease as a perc Commercial GSL Cu	Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$51.28 \$36.46 \$113.85 (\$0.11)	(\$1,10)		
6/1/18 price Proposed	Decrease as a perc <u>Commercial GSS Ct</u> es Customer Charge Delivery BGSS prices Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ct</u> es	Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.8774	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill	(\$1,10)		
6/1/18 price Proposed   Impact on	Decrease as a perc Commercial GSS Co es Customer Charge Delivery BGSS Customer Charge Delivery BGSS Decrease Decrease as a perc Commercial GSL Cu	Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%)	(\$1,10)		
6/1/18 price Proposed   Impact on	Decrease as a perc <u>Commercial GSS Ct</u> es Customer Charge Delivery BGSS prices Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ct</u> es Customer Charge Decrease de a perc Customer Charge Demand Charge Demand Charge	Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.8774 \$0.8774 \$50.09 \$1.84 \$0.4367	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$13.96 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04	(\$1,10)		
6/1/18 price Proposed   Impact on	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Decrease as a perc	Total	\$0,9180 \$26,11 \$0,5139 \$0,3646 \$0,8785 \$26,11 \$0,5128 \$0,3646 \$0,8774 \$0,8774	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64	(\$1,10)		
6/1/18 price Proposed   <u>Impact on</u> 6/1/18 price	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Demand Charge Delivery BGSS (June 2018)	Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.3646 \$0.8774 \$0.8774 \$0.8774	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00	(\$1,10)		
6/1/18 price Proposed   Impact on	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Demand Charge Delivery BGSS (June 2018)	Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.3646 \$0.8774 \$0.8774 \$0.8774	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00	(\$1,10)		
6/1/18 price Proposed   <u>Impact on</u> 6/1/18 price	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Demand Charge Delivery BGSS (June 2018) prices Customer Charge Demand Charge Demand Charge	Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.374 \$0.3646 \$0.8774 \$0.8774 \$0.8774 \$0.8317 \$50.09 \$1.84 \$0.8317 \$50.09 \$1.84	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00 \$1.224.77 \$50.09 \$176.64	(\$1,10)		
6/1/18 price Proposed   <u>Impact on</u> 6/1/18 price	Decrease as a perc <u>Commercial GSS Ct</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ct</u> es Customer Charge Decrease as a perc <u>Commercial GSL Ct</u> es Customer Charge Demand Charge Delivery BGSS (June 2018) prices Customer Charge Demand Charge Demand Charge Demand Charge Demand Charge Demand Charge Demand Charge	Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.8774 \$0.8774 \$0.8774 \$0.8774 \$0.8774 \$0.8317 \$50.09 \$1.84 \$0.4356	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$113.96 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00 \$1.224.77 \$50.09 \$176.64 \$522.72	(\$1,10)		
6/1/18 price Proposed   <u>Impact on</u> 6/1/18 price	Decrease as a perc <u>Commercial GSS Ci</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ci</u> es Customer Charge Demand Charge Delivery BGSS (June 2018) prices Customer Charge Demand Charge Demand Charge	Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.374 \$0.3646 \$0.8774 \$0.8774 \$0.8774 \$0.8317 \$50.09 \$1.84	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00 \$1.224.77 \$50.09 \$176.64	(\$1,10)		
6/1/18 price Proposed   <u>Impact on</u> 6/1/18 price	Decrease as a perc <u>Commercial GSS Ct</u> es Customer Charge Delivery BGSS Decrease Decrease as a perc <u>Commercial GSL Ct</u> es Customer Charge Decrease as a perc <u>Commercial GSL Ct</u> es Customer Charge Demand Charge Delivery BGSS (June 2018) prices Customer Charge Demand Charge Demand Charge Demand Charge Demand Charge Demand Charge Demand Charge	Total Total Total Total	\$0.9180 \$26.11 \$0.5139 \$0.3646 \$0.8785 \$26.11 \$0.5128 \$0.3646 \$0.3646 \$0.3674 \$0.3674 \$0.8774 \$50.09 \$1.84 \$0.4367 \$0.3950 \$0.8317 \$50.09 \$1.84 \$0.4365 \$0.4356 \$0.4356 \$0.4356 \$0.4356	(\$0.11) (0.11%) 100 therm bill \$26.11 \$51.39 \$36.46 \$113.96 \$26.11 \$51.28 \$36.46 \$113.85 (\$0.11) (0.10%) 1200 therm bill \$50.09 \$176.64 \$524.04 \$474.00 \$1,224.77 \$50.09	(\$1,10)		

Projected Annual Revenue Projected SBC annual therms

698,390 (000s)

	al Revenue \$ million Current		Proposed		Change	
	Pre-tax	Post-tax	Pre-tax	Post-tax	Pre-tax	Post-tax
RAC	\$9.50	\$10,13	\$6.91	\$7.40	(\$2.58)	(\$2,72
NJCEP	\$10.89	\$11.59	\$12,71	\$13,55	\$1.82	\$1.96
USF	\$5.73	\$6.08	\$5.73	\$6.08	\$0.00	\$0.00
Total Pre-tax	\$26.12	\$27.80	\$25,35	\$27.03	(\$0.77)	(\$0.77