



**STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350**

**AGENDA FOR BOARD MEETING
WEDNESDAY, DECEMBER 14, 2011
10:00 a.m. – TRENTON
State House Annex, Committee Room 11**

EXECUTIVE SESSION*

**(Open Session will not reconvene until 11:15 a.m., following the conclusion of the Executive Session, which will commence at 10:00 a.m. The only business to be conducted in the 10:00 a.m. open session will be the reading of the public notice statement, roll call, and the exception, under the Open Public Meetings Act, for each item to be considered in Executive Session.)*

8. CLEAN ENERGY**

- B.** Docket Nos. EO07030203 and EO11100631V – In the Matter of the Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for the 2009 – 2012 Clean Energy Program: 2012 Programs and Budgets - Compliance Filings.



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CONSENT AGENDA FOR BOARD MEETING
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11:15 a.m. – TRENTON
State House Annex, Committee Room 11

I. AUDITS

A. Electric Power and/or Natural Gas Supplier Initial Licenses

EE11100692L Hess Small Business Services, LLC I – EGSL
GE11100691L f/k/a Stuyvesant Energy, LLC

E11100725L EnerPenn USA, LLC I – ESL
d/b/a Y.E.P. and YEP Energy

EE11070411L Barclays Capital Services, Inc. I – ESL

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

EE11100660L Mitchell Energy Management I - EA/EC
GE11100661L Services, Inc.

EE11110830L Ecova, Inc. I – EA/PA
GE11110831L

EE11070416L Ultimate Energy Advisors, LLC I – EA/PA/EC
GE11070417L

Energy Agent, Private Aggregator and Energy Consultant Renewal Registrations

EE11050259L SourceOne, Inc. (DE) R – EA/PA/EC
GE11050260L

II. ENERGY

A. Docket No. EO11110800 – In the Matter of the Phase Out of the Transitional Energy Facility Assessment Pursuant to N.J.S.A. 48:2-21.34 (5) and N.J.S.A. 54:30A-102.

II. ENERGY (CONT'D)

- B.** Docket No. GE11080483 – In the Matter of the Petition of Pivotal Utility Holdings, d/b/a Elizabethtown Gas, for Approval of a Municipal Consent of the Township of Alexandria, Hunterdon County, New Jersey.
- C.** Docket No. GE11100636 – In the Matter of the Petition of Pivotal Utility Holdings Inc., d/b/a Elizabethtown Gas, for Approval of Municipal Consent of the Township of Kingwood, Hunterdon County, New Jersey.
- D.** Docket Nos. BPU EC11040210 and OAL PUC 5335-11 – In the Matter of Mark Tolnick, et al., Petitioners v. Public Service Electric and Gas Company, Respondent - Request for Extension.

III. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

IV. TELECOMMUNICATIONS

- A.** Docket No. TM11110806 - In the Matter of the Verified Joint Petition of Line Systems, Inc., Magellan Technologies, Inc. and Magellan Hill Technologies, LLC for Approval of a Transfer of Control of an Authorized Telecommunications Provider.
- B.** Docket No. TM11100640 - In the Matter of the Verified Joint Petition of IntelPeer, Inc. for Authority to Complete Certain Pro Forma Intra-Corporate Transactions.
- C.** Docket No. TM11110764 - In the Matter of the Application of Verizon New Jersey, Inc. for the Approval of the Sale and Conveyance of Real Property Located in the Township of East Brunswick, Middlesex County, New Jersey to CoralMay, LLC.
- D.** Docket No. TM11100760 - In the Matter of the Application of Verizon New Jersey, Inc. for the Approval of the Sale and Conveyance of Real Property Located in the Township of Cherry Hill, Camden County, New Jersey to Thomas Hatzis.
- E.** Docket No. TM11110791 - In the Matter of the Application of Verizon New Jersey, Inc. for Approval of the Sale and Conveyance of Real Property Located in the Township of Teaneck, Bergen County, New Jersey to 1500 Teaneck Road Real Estate, LLC.

V. WATER

NO ITEMS FOR CONSIDERATION

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU GC10110860U and OAL PUC 08393-11– In the Matter of Carlos and Jeanette Beckford, Petitioners v. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas, Respondent - Request for Extension.
- B.** Docket Nos. BPU GC10120917U and OAL PUC 08391-11 – In the Matter of Ngozi O. Anigbogu, Petitioner v. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas Company, Respondent – Request for Extension.
- C.** Docket Nos. BPU EC10050315U and OAL PUC 6779-10 – In the Matter of Dara Skinner, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.
- D.** Docket Nos. BPU GC10090658U and OAL PUC 8392-11 – In the Matter of Mary E. Whitmore, Petitioner v. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas, Respondent – Billing Dispute.
- E.** Docket Nos. BPU WC10120888U and OAL PUC 1290 -11 – In the Matter of Arno Mayer and the Arno Mayer Trust, Petitioner v. New Jersey American Water Company, Respondent – Request for Extension.
- F.** Docket Nos. BPU TC10060396U and OAL PUC 04055-11 – In the Matter of L. George W. Cameron, CEO, Cameron, Hamilton and Associates, P.A., Petitioner v. Verizon New Jersey, Inc., Respondent – Request for Extension.
- G.** Docket Nos. BPU EC11030113U and OAL PUC 8820-11– In the Matter of Elizabeth L. Polster, Petitioner v. Public Service Electric and Gas Company, Respondent – Request for Extension.
- H.** Docket Nos. BPU GC10050329U and OAL PUC 12383-11 - In the Matter of Marc Holloway, Petitioner v. New Jersey Natural Gas Company, Respondent – Request for Extension.
- I.** Docket Nos. BPU WC11010018U and OAL PUC 4192-11 – In the Matter of Mamma Mia Pizzeria, Petitioner v. Shorelands Water Company, Respondent – Request for Extension.

VII. CUSTOMER ASSISTANCE (CONT'D)

- J. Docket Nos. BPU GC10120955U and OAL PUC 1890-11 – In the Matter of Ernest C. Phillips, Petitioner v. Public Service Electric and Gas Company, Respondent – Billing Dispute.
- K. Docket Nos. BPU EC10090641U and OAL PUC 606-11 – In the Matter of Irish Pub and Inn, Roger Feeley, Petitioner v. Atlantic City Electric Company, Respondent – Billing Dispute.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION



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1. **AUDITS**

NO ITEMS FOR CONSIDERATION

2. **ENERGY**

- A. Docket No. ER11060371– In the Matter of the Petition of Atlantic City Electric Company (ACE) for Approval to Implement FERC - Approved Changes to ACE's Retail Transmission (Formula) Rate Pursuant to Paragraphs 15.9 of the BGS-FP and BGS-CIEP Supplier Master Agreements and Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff.
- B. Docket No. GF11090573 – In the Matter of the Petition of South Jersey Gas Company for Authorization through September 30, 2014: (i) to Make, Execute and Deliver Pursuant to N.J.S.A. 48:3-7, N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9 a Twenty-Fifth (25th) Supplemental Mortgage Indenture and Additional Supplemental Mortgage Indentures Providing for the Issuance of a First Mortgage Bond or Bonds with a Maturity or Maturities of not more than Forty (40) Years in Aggregate Principal Amount of not more than \$200,000,000; (ii) to Make, Execute and Deliver Pursuant to N.J.S.A. 48:3-7, N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9 Such Other Supplemental Indentures, and to Issue Such First Mortgage Bonds Thereunder, as Shall be Necessary to Complete the Transactions Contemplated in this Petition; (iii) to Issue and Sell MediumTerm Notes with a Maturity of not more than Forty (40) Years in an Aggregate Principal Amount of not more than \$200,000,000; (iv) to Make, Execute and Deliver a Trust Indenture, Trust Indentures or Supplements Thereto Providing for the Issuance of Medium Term Notes; and (v) to Redeem, Refinance or Defease any or all of its Outstanding Long-Term Debt Securities as Long as the the Redemption, Refinancing or Defeasance is Accomplished on a Cost Saving Basis.

2. ENERGY (CONT'D)

C. Docket No. EF11090577 - In the Matter of the Petition of Atlantic City Electric Company, Pursuant to N.J.S.A. 48:2-13 and N.J.S.A. 48:3-9 for Authority to Issue up to \$250 Million of Short -Term Indebtedness Prior to January 1, 2014.

D. Docket No ER10100737 - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric Regional Greenhouse Gas Initiative (RGGI) Recovery Charges and its Gas RGGI Recovery Charges and for Changes in the Tariff for Electric Service, B.P.U.-N.J. No. 15 Electric, and the Tariff for Gas Service, B.P.U.-N.J. No. 15, Gas, Pursuant to N.J.S.A. 48:2-21, 48:2-21.1, and N.J.S.A. 48:3-98.1; and

Docket No ER09100824 - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric and Gas Regional Greenhouse Gas Recovery Charge for the Carbon Abatement Program; for a Modification to the Carbon Abatement Program; and for Changes in the Tariff for Electric Service, B.P.U.-N.J. No. 14 Electric and Changes in the Tariff for Gas Service B.P.U.-N.J. No. 14 Gas Pursuant to N.J.S.A. 48:3-98.1.

E. Docket No. GR11070425 - In the Matter of the Petition of New Jersey Natural Gas Company for Approval of an Extension of Energy Efficiency Programs and the Associated Cost Recovery Mechanism Pursuant to N.J.S.A. 48:3-98.1.

F. Docket No. GO11110814 - In the Matter of the Standard Offer No. 3 Energy Savings Agreement Between Public Service Electric and Gas Company and Honeywell International, Inc.

G. Docket Nos. EO11050309 and EO09110920 - In the Matter of the New Jersey Capacity Transmission Planning and Interconnection Issues – Staff Report.

H. Docket Nos. BPU EO11090518 and GO11090519 - In the Matter of the Petition of Public Service Electric and Gas Company and Atlantic City Electric Company Request for Deferral Accounting Authority for Storm Damage Restoration Costs; and

Docket Nos. BPU ER11080469 and OAL PUC 09929-2011 – In the Matter of the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for Other Appropriate Relief - Letter Motion for Bifurcation and Consolidation.

I. Docket No. ER11010006 – In the Matter of Federal Energy Matters for 2011 - New Jersey Board of Public Utilities and the New Jersey Division of Rate Counsel v. Federal Energy Regulatory Commission, Case No. 11-4245 - Notice of Appeal to the United States' Court of Appeals for the Third Circuit.

3. CABLE TELEVISION

NO ITEMS FOR CONSIDERATON

4. TELECOMMUNICATIONS

- A. Docket No. TF05030275 - In the Matter of the Petition of Verizon New Jersey Inc. for Authority to Issue \$1,600,000,000 Principal Amount of Long-term Debt Securities - Amendment No. 2.

5. WATER

- A. Docket Nos. WR11080472 and OAL PUC 10624-2011N - In the Matter of the Petition of Aqua New Jersey, Inc. Maxim Wastewater Division, for Approval of a 2010 Purchased Wastewater Treatment Adjustment Clause True-Up and Other Required Approvals.
- B. Docket Nos. BPU WR11070428 and OAL PUC 08675-11 - In the Matter of the Petition of United Water New Jersey Inc. for Approval of an Increase in Rates for Water Service and Other Tariff Changes.

6. RELIABILITY AND SECURITY

- A. Docket No. GO11070443 - In the Matter of the Petition of South Jersey Gas Company For Authorization to Increase the Operating Pressure on the 20" Union Road - Route 50 Pipeline from 350 Psig to 437 Psig;

Docket No. GO11080509 - In the Matter of the Petition of South Jersey Gas Company for Authorization to Increase the Operating Pressure on the 20" Route 50 Pipeline In the City of Estell Manor, Atlantic County from 350 Psig to 437 Psig; and

Docket No. GO11080471 - In the Matter of the Petition of South Jersey Gas Company for Authorization to Increase the Operating Pressure on the 24" Pipeline Between the City of Estell Manor and Hamilton Township in Atlantic County, New Jersey from 350 Psig to 437 Psig.
- B. Docket No. EO11090543 -In the Matter of the Board's Review of New Jersey Utilities' Response to Hurricane Irene.

7. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATON

8. CLEAN ENERGY

- A. Docket No. EO09010039 – In the Matter of United Communities, LLC – Exemption from Underground Extension Regulations at N.J.A.C.14:3-8.4 and Exception from Rules Governing Energy Star Homes Program – Request for Exemption.
- B. Docket Nos. EO07030203 and EO11100631V – In the Matter of the Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for the 2009 – 2012 Clean Energy Program: 2012 Programs and Budgets - Compliance Filings – **EXECUTIVE SESSION**.
- C. Docket No. EO11110816V – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial Program Energy Efficiency Incentives Exceeding \$300,000 – BPT, LLC d/b/a Colony House.
- D. Docket No. EO09060475 – In the Matter of the New Jersey Sustainable State Institute the College of New Jersey Sustainable Jersey Grant Award – Budget Modification and No Cost Time Extension.
- E. Docket No. EO11050314V – In the Matter of the Petition of Fishermen’s Atlantic City Wind Farm, LLC for the Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates – Request for Extension of Time for Application Review.
- F. Docket Nos. EO08070470 and EO11110826V – In the Matter of the Memorandum of Understanding between the New Jersey Board of Public Utilities and the New Jersey Economic Development Authority - Revisions to Add the New Clean Energy Manufacturing Incentive Program and Large Scale CHP/Fuel Cell Grant Program.
- G. Docket No. EO05080667 – In the Matter of the Clean Energy Program Request for Proposal for Market Manager;

Docket No. EO09100835 – In the Matter of the Clean Energy Program Honeywell International, Inc., Market Manager - Contract Extension A67052; and

Docket No. EO09100836 – In the Matter of the Clean Energy Program – TRC Energy Services, Market Manager - Contract Extension A67053.

9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION

LATE STARTER A**

CLEAN ENERGY

Docket No. EO09030210 - In the Matter of the 2009 State Energy Program (SEP) – American Recovery and Reinvestment Act (ARRA) – Funding Plan - Request for Reallocation.

LATE STARTER B

CLEAN ENERGY

Docket No. EO09060470 - In the Matter of the 2009 State Energy Program (SEP) American Recovery and Reinvestment Act (ARRA) Funds – Request to Waive the Direct Install Program Requirements for the Department of Military and Veteran Affairs – Challenged Youth Building.