



STATE OF NEW JERSEY
Board of Public Utilities
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**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC UTILITIES**

A Regular Board meeting of the Board of Public Utilities was held on May 8, 2019, at the State House Annex, Committee Room 4, 125 West State Street, Trenton, New Jersey 08625.

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 the following newspapers circulated in the State of New Jersey:

Asbury Park Press
Atlantic City Press
Burlington County Times
Courier Post (Camden)
Home News Tribune (New Brunswick)
North Jersey Herald and News (Passaic)
The Record (Hackensack)
The Star Ledger (Newark)
The Trenton Times

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

Joseph L. Fiordaliso, President
Mary-Anna Holden, Commissioner
Dianne Solomon, Commissioner
Upendra J. Chivukula, Commissioner
Robert M. Gordon, Commissioner

President Fiordaliso presided at the meeting and Aida Camacho-Welch, Secretary of the Board, carried out the duties of the Secretary.

It was announced that the next regular Board Meeting would be held on May 28, 2019 at the State House Annex, Committee Room 4, 125 West State Street, Trenton, New Jersey 08625.

CONSENT AGENDA

I. AUDITS

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

EE19030346L	Open Market Energy, LLC	I – EA
E19030387L	CIMA Energy Solutions, LLC	I – E
EE19040469L	Kismet Energy	I – EA/PA
GE19040470L	d/b/a Kismet Energy Solutions	
EE19020213L	Maryland Energy Advisors, LLC	I – EA/PA
GE19020214L	d/b/a pointclickswitch.com	
EE19040435L	Albireo Energy, LLC	I – EA/PA/EC
GE19040436L		

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

EE19030364L	Energy Management Partners II, Inc. d/b/a Energy Management Partners	R – EA
EE19030312L	Energy Spectrum, Inc.	R – EA
EE19040450L	Interactive Energy Group, LLC	R – EA
EE19030363L	Accenture, LLP	R – EA
EE19030321L	Daniel J Reith, LLC	R – EA
EE19020277L	Save On Energy, LLC	R – EA
EE19030355L	Atlas Commodities II Retail Energy, LLC d/b/a Atlas Retail Energy	R – EA
EE19030350L	Berkshire Energy Partners, LLC	R – EA
EE19030369L	Evolution Energy Partners, LLC	R – EA
EE19030362L	Clear Energy Solutions, LLC	R – EA
EE19030386L	PRX Energy, LLC	R – EA
EE19030372L	Option One Energy, LLC	R – EA/PA
GE19030373L		
EE19030370L	Patriot Energy Group, Inc.	R – EA/PA
GE19030371L		
EE19020201L	The Legacy Energy Group, LLC	R – EA/PA
GE19020202L	d/b/a Legacy Energy; Legacy	
EE19010140L	RJT Energy Consultants, LLC	R – EA/PA
GE19010141L		
EE18101193L	Usource, LLC	R – EA/PA
GE18101194L		
EE19030353L	Energy Professionals, LLC	R – EA/PA
GE19030354L		
EE19030358L	Avalon Energy Services, LLC	R – EA/PA
GE19030359L		

Electric Power and/or Natural Gas Supplier Renewal Licenses

EE19030391L	Entrust Energy East, Inc.	R – EGSL
GE19030390L		

BACKGROUND: The Board must register all energy agents and consultants, and the Board must license all third party electric power suppliers and gas suppliers. An electric power supplier, gas supplier, or clean power marketer license shall be valid for one year

from the date of issue, except where a licensee has submitted a complete renewal application at least 30 days before the expiration of the existing license, in which case the existing license shall not expire until a decision has been reached upon the renewal application. An energy agent, private aggregator or energy consultant registration shall be valid for one year from the date of issue. Annually thereafter, licensed electric power suppliers, gas suppliers, and clean power marketers, as well as energy agents, private aggregators and energy consultants, are required to renew timely their licenses in order to continue to do business in New Jersey.

Staff recommended that the following applicant be issued initial registrations as an energy agent, private aggregator and/or energy consultant for one year:

- Open Market Energy LLC
- CIMA Energy Solutions, LLC
- Kismet Energy d/b/a Kismet Energy Solutions
- Maryland Energy Advisors LLC d/b/a pointclickswitch.com
- Albireo Energy, LLC

Staff also recommended that the following applicants be issued renewal registrations as an energy agent, private aggregator and/or energy consultant for one year:

- Energy Management Partners II Inc. d/b/a Energy Management Partners
- Energy Spectrum, Inc.
- Interactive Energy Group LLC
- Accenture LLP
- Daniel J Reith LLC
- Save On Energy, LLC
- Atlas Commodities II Retail Energy, LLC d/b/a Atlas Retail Energy
- Berkshire Energy Partners, LLC
- Evolution Energy Partners LLC
- Clear Energy Solutions, LLC
- PRX Energy LLC
- Option One Energy LLC
- Patriot Energy Group Inc.
- The Legacy Energy Group, LLC d/b/a Legacy Energy; Legacy
- RJT Energy Consultants, LLC
- Usource, LLC
- Energy Professionals, LLC
- Avalon Energy Services LLC

Finally, Staff recommended that the following applicants be issued renewal licenses as an electric power and/or natural gas supplier for one year:

- Entrust Energy East, Inc.

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

II. ENERGY

A. Docket No. ER18040356 – In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2019 – EDC Compliance Tariffs.

BACKGROUND: Beginning on February 1, 2019 and ending on February 5, 2019, two descending clock auctions were initiated to secure the Basic Generation Service (BGS) electricity requirements of Atlantic City Electric Company, Jersey Central Power & Light Company, Public Service Electric and Gas Company, and Rockland Electric Company (collectively EDCs).

On February 7, 2019, the Board certified the results of the Auctions for BGS-Residential and Small Commercial Pricing and Commercial Industrial Energy Price supply and ancillary services. The Board also directed 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, 2019; and 3) file revised tariff sheets reflecting the BGS rates resulting from the Auction by March 1, 2019.

Consistent with the Board's directive, the EDCs filed revised tariffs to become effective on June 1, 2019 that incorporated the changes resulting from the recently completed auctions. Staff has reviewed the tariff filings of the EDCs and found them consistent with the rate structure and results approved by the Board for this auction process.

Staff recommended that the Board approve the tariff filings of the four EDCs (Atlantic City Electric Company, JCP&L, PSE&G and Rockland Electric Company) and notify interested parties through the Secretary's letter. Staff further recommended that the Board direct the EDCs to post the approved tariffs on their respective websites.

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

B. Docket No. GR19030420 – In the Matter of the Petition of New Jersey Natural Gas Company for Approval of an Increase in Gas Base Rates and for Changes in its Tariff for Gas Service, Pursuant to N.J.S.A. 48:2-21 and 48:2-21.1; and for Changes to Depreciation Rates for Gas Property Pursuant to N.J.S.A. 48: 2-18.

BACKGROUND: On March 29, 2019, New Jersey Natural Gas Company (NJNG or Company) filed a petition with the Board for approval of an increase in its operating revenues of approximately \$128.22 million, to be effective for gas service provided on or after April 29, 2019. The Company also sought Board approval to implement new depreciation rates that include cost of removal rates that the Company submits are more appropriate and will allow it to more fully recover its expected costs as it replaces aging infrastructure, as well as certain other tariff changes.

NJNG also requested a return on equity of 10.875%. According to the petition, the Company's current base rates and charges for natural gas service are not sufficient at their current level and, if left unchanged, will impair NJNG's ability to meet operating and maintenance expenses, tax and fixed charges, and its ability to earn a reasonable rate of return.

NJNG also sought approval to establish a Phase II of this proceeding to address the cost recovery for the Company's Southern Reliability Link intra-state gas transmission project, which commenced construction in November 2018 and is anticipated to be in-service during 2020.

Since a review of this matter will not be complete prior to April 29, 2019, Staff recommended that the Board issue an order suspending the proposed rate increase until August 29, 2019, pending further action on this matter. In addition, it is anticipated that this matter will be transmitted to the Office of Administrative Law for hearing.

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

C. Docket No. GR19040486 – In the Matter of the Petition of Elizabethtown Gas Company for Approval of Increased Base Tariff Rates and Charges for Gas Service Changes to Depreciation Rates and Other Tariff Revisions.

BACKGROUND: On April 18, 2019, Elizabethtown Gas Company (Elizabethtown or Company) filed a petition with the Board for approval of an increase in its operating revenues of approximately \$65.03 million, to be effective for gas service provided on or after May 19, 2019. The Company also sought Board approval to implement new depreciation rates. Elizabethtown also requested a return on equity of 10.40%.

According to the petition, the Company's current base rates and charges for natural gas service are not sufficient at their current level to ensure it can continue to attract the necessary capital to support further investments that enable it to provide ongoing safe and reliable service to its customers. Additionally, Elizabethtown stated that its request for rate relief is also driven by a need to recover greater depreciation expense, as well as increases to the operations and maintenance costs incurred by the Company since its last base rate case.

The Company also proposed to establish a regulatory asset in which the incremental costs associated with a transmission integrity management program incurred between rate cases will be tracked and deferred for later review and recovery in rates.

Since a review of this matter will not be complete prior to May 19, 2019, Staff recommended that the Board issue an order suspending the proposed rate increase until September 19, 2019, pending further action on this matter. In addition, it is anticipated that this matter will be transmitted to the Office of Administrative Law for hearing.

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

D. Docket No. ER19010009 – In the Matter of Federal Energy (FERC) Items for 2019 – FERC Docket No. RP19-351 Tennessee Gas Pipeline Company, L.L.C. re: FERC Form No. 501-G.

BACKGROUND: This matter involved Staff, on behalf of the Board, filing a doc-less intervention in this proceeding as an "interested state commission" under the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure on April 15, 2019. The FERC e-filing rules allow for doc-less interventions, which serve to establish the Board as a party to the proceeding. At present, Staff is monitoring the proceeding on behalf of the Board. If a substantive filing is necessary to advance Board policy, Staff will

bring the matter to the Board's regular agenda. Staff recommended the Board ratify this intervention.

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

E. Docket No. ER19010009 – In the Matter of Federal Energy (FERC) Items for 2019 – FERC Docket No. EL19-58 PJM Interconnection LLC re: Revisions to Operating Agreement, Reserve Market Enhancements.

BACKGROUND: This matter involved Staff, on behalf of the Board, filing a doc-less intervention in this proceeding as an "interested state commission" under the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure on April 15, 2019. The FERC e-filing rules allow for doc-less interventions, which serve to establish the Board as a party to the proceeding. At present, Staff is monitoring the proceeding on behalf of the Board. If a substantive filing is necessary to advance Board policy, Staff will bring the matter to the Board's regular agenda. Staff recommended the Board ratify this intervention.

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

F. Docket No. ER19010009 – In the Matter of Federal Energy (FERC) Items for 2019 – FERC Docket No. ER19-1486 PJM Interconnection LLC re: Revisions to Tariff, Reserve Market Enhancements.

BACKGROUND: This matter involved Staff, on behalf of the Board, filing a doc-less intervention in this proceeding as an "interested state commission" under the Federal Energy Regulatory Commission (FERC) Rules of Practice and Procedure on April 15, 2019. The FERC e-filing rules allow for doc-less interventions, which serve to establish the Board as a party to the proceeding. At present, Staff is monitoring the proceeding on behalf of the Board. If a substantive filing is necessary to advance Board policy, Staff will bring the matter to the Board's regular agenda. Staff recommended the Board ratify this intervention.

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

III. CABLE TELEVISION

A. Docket No. CE18111240 – In the Matter of the Petition of CSC TKR, LLC d/b/a Cablevision of Raritan Valley For Renewal of a Certificate of Approval to Continue to Operate And Maintain a Cable Television System in the Township of Old Bridge, County of Middlesex, State of New Jersey.

BACKGROUND: On May 21, 2018, the Township of Old Bridge (Township) adopted an ordinance granting renewal municipal consent to CSC TKR, LLC d/b/a Cablevision of Raritan Valley (Cablevision). On October 9, 2018, Cablevision formally accepted the terms and conditions of the ordinance. On November 14, 2018, Cablevision filed with the Board for a renewal of its Certificate of Approval for the Township.

Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on May 18, 2029.

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

IV. TELECOMMUNICATIONS

There were no items in this category.

V. WATER

A. Docket No. WR19030417 – In the Matter of Pinelands Water Company for Approval of an Increase in its Rates for Water Service and Other Tariff Changes.

BACKGROUND: On April 1, 2019, Pinelands Water Company (Pinelands Water or Petitioner) filed a petition for authority to increase its base tariff rates and charges for water service amounting to approximately \$189,104.00 or 22.49% above the annual revenues. The increase in rates is proposed to become effective on April 29, 2019. Pinelands Water serves approximately 2,400 customers in portions of Southampton Township (Township), Burlington County, including contract service for part of the Township itself.

According to the petition, the proposed rate increase is necessary to support increases in expenditures such as costs in power, chemicals, maintenance, security, taxes, labor insurance, and employee benefits. The additional revenues are requested to enable the Petitioner to preserve its financial integrity, to permit proper maintenance, development and improvement of the utility plant required to furnish safe, adequate and proper service and to earn a reasonable return upon the fair value of its property used and useful in the public service.

Staff recommended that the Board issue an order suspending the rate increase until August 29, 2019, unless the Board prior to that date makes a determination disposing of the petition or enters an Order further suspending the proposed revisions.

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

B. Docket No. WR19030418 – In the Matter of Pinelands Wastewater Company for Approval of an Increase in its Rates for Water Service and Other Tariff Changes.

BACKGROUND: On April 1, 2019 Pinelands Wastewater Company, (Company or Petitioner), filed a petition with the Board for authority to increase its base tariff rates and charges for water service amounting to approximately \$482,969.00 or 39.22%.

The Petitioner proposed that the rate increase become effective on April 29, 2019. By letter dated April 11, 2019, the Petitioner notified the Board that it would not implement the proposed rates, on an interim basis, prior to the effective date of the Suspension Order resulting from the Board's May 8, 2019 public agenda meeting. The matter was transmitted to the Office of Administrative Law on April 5, 2019 and it is expected that hearings will proceeding accordingly. Staff therefore recommended that the Board issue an Order suspending the proposed rate increase until August 29, 2019.

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

C. Docket Nos. WR18121351 and OAL PUC 00305-19 – In the Matter of the Petition of Aqua New Jersey Inc., for Approval of an Increase in Rates for Water Service and Other Tariff Changes.

BACKGROUND: On December 21, 2018, Aqua New Jersey, Inc. (Company) filed a petition with the Board seeking to increase rates for water service in the amount of \$7,201,793.00 or 18.7% over pro-forma present rate revenues of \$38,522,567.00.

On January 4, 2019, the Board transmitted this matter to the Office of Administrative Law and on January 17, 2019 (with an effective date of January 27, 2019); the Board issued an Order initially suspending the Company's proposed rate increase until May 21, 2019.

In view of the fact that this proceeding will not be completed by May 21, 2019, an Order further suspending the rates until September 21, 2019 is warranted. Therefore, Staff recommended that the Board issue an Order further suspending the rates until September 21, 2019.

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

VI. RELIABILITY & SECURITY

A. BPU Docket No. GS19020257K et. al – In the Matter of Routine One Call Settlements Pursuant to N.J.S.A. 48:2-73 to -91.

BACKGROUND: This matter involved 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 provide proper notice, failure to use reasonable care and mismarking of facilities. The cases have been settled in accordance with a penalty strategy which escalates the penalty ranges in relationship to the aggravating factors such as injury, property damage, fire, evacuation, road closure, and other public safety concerns. Moreover, the strategy seeks to establish appropriate disincentives for actions which violate the Act.

Pursuant to the Act, the Board through the Bureau of One-Call supervises and enforces the One-Call Underground Damage Prevention System. The Act subjects violators of its provisions to civil penalties of not less than \$1,000.00 and not more than \$2,500.00 per violation per day, with a \$25,000.00 maximum for a related series of violations. Violations involving a natural gas or hazardous liquid underground pipeline or distribution facility are subject to civil penalties not to exceed \$100,000.00 for each violation for each day with a \$1,000,000.00 maximum for any related series of violations.

The number of settlements are 46 and total penalty of \$138,000.00.

Staff employed a single order to close multiple cases in order to create a more streamlined and effective enforcement process. Staff recommended that the Board approve all those cases in which offers of settlement and payment have been received.

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

VII. CUSTOMER ASSISTANCE

A. Docket Nos. BPU EC18101100U and OAL PUC 00217-2019 – In the Matter of Kathleen Rutler, Petitioner v. Public Service Electric and Gas, Respondent – Billing Dispute.

BACKGROUND: This matter involved a billing dispute between Kathleen Rutler (Petitioner) and Public Service Electric and Gas Company (PSE&G or Company). The petition was transmitted to the Office of Administrative Law for hearing as a contested case. Administrative Law Judge (ALJ) Kimberly A. Moss filed an Initial Decision in this matter with the Board on April 4, 2019, approving the Stipulation of the parties.

Pursuant to the terms of the Stipulation, and in order to fully resolve this matter, PSE&G agreed to credit Ms. Rutler’s account in the amount of \$872.04. Ms. Rutler agreed and understands that she will remain on the Equal Monthly Payment for \$330.00.

The Board, at its discretion, has the option of accepting, modifying or rejecting the Initial Decision of ALJ Moss. Staff recommended the Board adopt the Initial Decision.

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

VIII. CLEAN ENERGY

There were no items in this category.

IX. MISCELLANEOUS

A. Approval of the Minutes for the March 29, 2019, Agenda Meeting.

BACKGROUND: Staff presented the minutes of March 29, 2019, and recommended that they be accepted.

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

After appropriate motion, the consent agenda was approved.

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

AGENDA

1. AUDITS

There were no items in this category.

2. ENERGY

Stacy Peterson, Director, Division of Energy, presented these matters.

A. Docket No. AX18010001 – In the Matter of the New Jersey Board of Public Utilities’ Consideration of the Tax Cuts and Jobs Act of 2017; and

Docket No. ER18030226 – In the Matter of Jersey Central Power and Light Company Revised Rates (Effective on an Interim Basis April 1, 2018) to Reflect the Reduction under the 2017 Act.

BACKGROUND AND DISCUSSION: By Order (Generic TCJA Order) dated January 31, 2018, the Board directed all affected utilities to file petitions proposing new rates reflecting the impacts from the Federal Tax Cuts and Jobs Act (the 2017 Act) signed into law on December 22, 2017. The Generic TCJA Order specifically mandated that the utilities file amended tariff sheets reflecting a reduction in rates resulting from the reduction in the corporate tax rate effective April 1, 2018, as well as a plan to address other rate factors and to refund any over collection in rates.

On March 2, 2018, Jersey Central Power and Light Company (JCP&L or Company) filed its petition pursuant to the Generic TCJA Order, including proposed tariffs as well as a proposed plan. JCP&L’s proposed methodology and quantifications of the effects of the 2017 Act included the following: (1) a reduction in the federal income tax (FIT) rate which would result in a base rate reduction of \$28.6 million annually for the Company; (2) a deferral, as a regulatory liability of \$6.3 million on its books, with interest, for the impact of the reduction in the FIT rate on its tax gross-up between January 1, 2018 and March 31, 2018; and (3) non-rate base (unprotected) excess deferred income taxes of \$90.89 million to be amortized over a ten-year period. The Company indicated that other impacts as a result of the 2017 Tax Act included a \$359.15 million regulatory liability from the rate base and a deferred regulatory liability of \$6.83 million associated with excess deferred taxes for the period of January 1 through June 30, 2018 which the Company proposed to continue to defer until its next base rate case. JCP&L explained that, effective January 1, 2018, the Company reduced the federal tax rate for accruals on deferrals for its rate clauses to 21%, so there is no deferred accounting necessary for that aspect of the tax rate change. The Company also explained in the Petition that there is no tax “gross-up” for rate clause recovery, so no deferral of tax expense is required for the period of January 1, 2018 through March 31, 2018 or thereafter.

JCP&L proposed a new rate clause called the Rider Tax Act Adjustment (Rider TAA), which would include the amortizations of the Excess Deferred Income Taxes (EDITs), including a gross-up to revenue requirement, to be effective July 1, 2018, and any true-up amounts from the base rate adjustment for the change in current taxes. Rider TAA would result in annual revenues being reduced by an additional \$1.3 million, effective upon implementation of the rider.

The unamortized rate base-related EDIT balance would remain in rate base. Accordingly, interest on the unamortized rate base-related EDIT balance would accrue at the Company's approved, overall post-tax weighted average cost of capital, which is currently 7.47%. Interest on the non-rate base (unprotected) EDIT portion of the TAA unamortized balance would accrue at an interest rate equal to the rate on ten-year constant maturity Treasuries plus 60 basis points, as shown in the Federal Reserve Statistical Release on or closest to January 1 of each year and will be compounded annually in January.

By Order dated March 26, 2018, the Board directed the Company to implement its proposed base rate reduction on an interim basis, effective April 1, 2018. As a result of the March 26, 2018 Order, an average residential customer using 9,212 kWh per year would see an annual decrease of \$15.12 or 1.1%.

On August 1, 2018, the Company filed an update (Update) to its petition upon discovering, that there were deferred taxes inadvertently attributed to the regulatory asset representing the future tax liability for its second securitization bonds, i.e., those related to the securitization of BGS transition costs. As a result, JCP&L re-calculated its Deferred Balance MTC-Tax regulatory asset, reducing the asset by \$11.13 million to reflect the future income tax liability at the new lower 21% federal income tax rate. The Update also resulted in corresponding changes to JCP&L proposed Rider TAA rates. JCP&L's revenues would be reduced by \$0.7 million annually, in addition to the \$28.6 million base rate reduction that took effect on April 1, 2018.

Following a review of discovery and subsequent discussions, on April 24, 2019, JCP&L, Board Staff, the New Jersey Division of Rate Counsel, and the New Jersey Large Energy Users Coalition (collectively, Parties) executed a stipulation of settlement (Stipulation).

Staff recommended that the Board issue an Order adopting the Stipulation of the Parties. Staff further recommended that the Board direct JCP&L to file tariffs consistent with the Board's Order by April May 15, 2019.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

B. Docket No. EO18070728 – In the Matter of the Verified Petition of Jersey Central Power and Light Company for Approval of an Infrastructure Investment Program (JCP&L Reliability Plus).

BACKGROUND AND DISCUSSION: On July 13, 2018, Jersey Central Power & Light Company (JCP&L or Company) filed a petition (Reliability Plus Petition) with Board or seeking approval to implement its Reliability Plus Infrastructure Investment Program (JCP&L Reliability Plus or "Program), including its cost recovery mechanism, pursuant to II&R Rules and any other provision deemed applicable by the Board. JCP&L proposed

to invest \$386.8 million over a four year period from 2019 through 2022, in fifteen eligible electric distribution infrastructure projects. The projects are grouped into four Program categories: Overhead Circuit Reliability and Resiliency with an estimated capital cost of \$132.9 million; Substation Reliability Enhancement with an estimated capital cost of \$85.9 million; Distribution Automation with an estimated capital cost of \$108.4 million; and Underground System Improvements with an estimated capital cost of \$59.7 million. On October 12, 2018, JCP&L filed an Errata to the JCP&L Reliability Plus Petition, replacing certain information associated to the quantification of customer benefits from its Reliability Plus cost benefit analysis.

By Order dated August 29, 2018, the Board retained the matter and designated Commissioner Chivukula as the presiding officer. On November 22, 2018, Commissioner Chivukula issued a Prehearing Order setting forth a procedural schedule and ruling on all motions to intervene and participate.

Throughout the course of the proceeding, the Parties engaged in extensive discovery requests and held numerous in-person and telephonic meetings. Subsequently, on April 23, 2019, the Company, New Jersey Division of Rate Counsel, and Board Staff (collectively, Parties) executed a Stipulation of Settlement (Stipulation) resolving all of the issues in the proceeding.

Staff recommended that the Board issue an Order approving the Stipulation of the Parties.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

C. Docket No. GR18060609 – In the Matter of the Petition of South Jersey Gas Company to Revise the Level of its Basic Gas Supply (BGSS) Charge; and to Revise the Level of its Conservation Incentive Program (CIP) Charges for the Year Ending September 30, 2019.

BACKGROUND AND DISCUSSION: On June 1, 2018, South Jersey Gas Company (South Jersey or Company) filed a petition (2018 BGSS/CIP Petition) with the Board seeking authority to: 1) increase its Periodic Basic Gas Supply Service (BGSS) rates; 2) change the charges related to its Balancing Service Clause (BSC), and 3) revise its Conservation Incentive Program (CIP) rates. With respect to the BGSS request, the proposed change would increase the monthly bill of a residential heating customer using 100 therms by \$22.47 or 16.9%. With respect to the CIP rates request, the same residential heating customer would see a decrease in the monthly bill of \$7.25 or 5.5%. On a combined basis, based on the 2018 BGSS/CIP Petition, a typical residential customer would experience a net monthly bill increase of \$13.58 or 10.2%.

On September 17, 2018, the Board issued an Order authorizing South Jersey to implement the BGSS, BSC, and CIP rates proposed in the 2018 BGSS/CIP Petition on a

provisional basis, subject to refund, effective October 1, 2018. On September 26, 2018, the 2018 BGSS/CIP Petition was transmitted to the Office of Administrative Law. On December 27, 2018, South Jersey submitted a notice to the Board and the New Jersey Division of Rate Counsel (Rate Counsel) of South Jersey's intent to self-implement a Periodic BGSS rate adjustment based on a 5% increase of a typical residential customer using 100 therms to be effective February 1, 2019. That self-implementing adjustment increased the Periodic BGSS rate from \$0.564695 per therm to \$0.641499 per therm.

On April 15, 2019, the Company, Rate Counsel and Board Staff (the Parties) executed a Stipulation for Final Rates. On April 23, 2019, ALJ Gertsman issued an Initial Decision adopting the Stipulation of the Parties.

The Stipulation provides for approval of the provisional CIP rates and the provisional BGSS rates, other than the provisional Periodic BGSS rate, as final. The current Periodic BGSS rate of \$0.641499 per therm shall be reduced to \$0.543591 per therm.

As a result of the Stipulation, the average residential heating customer using 100 therms of gas monthly will see a reduction in their monthly bill from \$155.49 to \$145.70, a decrease of approximately \$9.79 or 6.3%. In addition, the average residential heating customer using 100 therms of gas monthly will receive a bill credit of approximately \$62.00. Individual customer bill credits will vary as each customer's bill credit will be calculated based on their actual usage from October 1, 2018 through February 28, 2019.

Staff recommended that the Board issue an Order approving the Initial Decision and Stipulation. In addition, Staff recommended that the Board direct South Jersey to file tariffs consistent with its Order by May 15, 2019.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

D. Docket No. GR18080885 – In the Matter of the Petition of Elizabethtown Gas Company to Revise the Remediation Adjustment Clause Component of its Societal Benefits Charge Rate.

BACKGROUND AND DISCUSSION: On August 13, 2018, Elizabethtown Gas Company (Elizabethtown or Company) filed a petition (2018 RAC Petition) with the Board seeking a review and approval of the Company's Manufactured Gas Plant Remediation Adjustment Clause (RAC) activities and net Manufactured Gas Plant (MGP) costs incurred between July 1, 2017 and June 30, 2018 (RAC Period).

The Company's 2018 Petition sought RAC related costs for former MGP sites incurred during the period July 1, 2011 through June 30, 2018, which is based on a seven year cost amortization, in addition to specific adjustments and prior period true-up amounts. The total RAC Period costs totaled \$27,414,334.00 from which a net of \$308,075.00 was deducted due to a 50% deferral for litigation insurance costs. The proposed net remediation cost of \$27,106,259.00 will be recovered over the seven-year amortization period.

In accordance with the Company's tariff, the proposed RAC rate was determined by calculating the sum of (a) one-seventh (1/7) of the Company's net deferred remediation costs incurred over the twelve months ended June 30th for the periods ending 2012 through 2018 totaling \$1,332,275.00, and is comprised of the net recoverable amount for each year of \$1,223,745.00 plus the deferred tax adjustment of \$108,800,(b) the (\$18,908) interest accrued on RAC related costs calculated in the manner approved by the Board in BPU Docket Nos. GX99030121 and GO99030122 dated March 30, 2001, and (c) the prior year's RAC over recovery balance of (\$258,201.00). The sum of these amounts total \$946,348.00, which was divided by projected sales and service volumes from October 1, 2018 through September 30, 2019.

The Company proposed to increase the RAC rate from a credit of \$0.0128 per therm to a charge of \$0.0020 per therm effective October 1, 2018. The rate is designed to recover approximately \$0.9 million in RAC related costs over a 12 month period.

After review of discovery, the Company, the New Jersey Division of Rate Counsel and Board Staff (the Parties) reached an agreement on the 2018 RAC Petition, and on April 15, 2019 executed a stipulation of settlement (Stipulation).

Staff recommended that the Board approve the Stipulation of the Parties. Staff further recommended that the Board direct Elizabethtown to file revised tariff prior to June 1, 2019.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

3. CABLE TELEVISION

There were no items in this category.

4. TELECOMMUNICATIONS

There were no items in this category.

5. WATER

A. Docket No. WF19030339 - In the Matter of the Application of Middlesex Water Company for Authority to Issue and Sell Up to 1.5 Million Shares of Common Stock Utility: Middlesex Water Company.

Benjamin Witherell, Chief Economist, Office of the Economist, presented this matter.

BACKGROUND AND DISCUSSION: Middlesex Water Company (Middlesex, Petitioner) filed a petition with the Board on March 13, 2019, requesting authority to issue and sell in one or more offerings up to 1,500,000 shares of Common Stock, without par value.

The Petitioner, to ensure the continued provision of safe and reliable water service to its customers, continuously plans for ongoing upgrades, replacements and improvements to its water system. These plans include preparation of a perpetual five-year capital infrastructure expenditure budget that is based on its engineering assessments, system studies and government regulatory requirements. The current five-year program, known as Water for Tomorrow, projects that Middlesex will spend approximately \$354.8 million through the year 2023 to replace aging infrastructure, remain compliant with water quality requirements, and enhance service.

The funding of Middlesex's projected \$354.8 million infrastructure investment will require a combination of funds generated from operations, debt financing and equity investments in order to maintain a balanced capital structure to continue to attract investor interest.

The Office of the Economist, after review of the information submitted in this proceeding, found that the action requested is in accordance with the law and in the public interest and therefore recommended approval of this petition.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

6. RELIABILITY & SECURITY

There were no items in this category.

7. CUSTOMER ASSISTANCE

There were no items in this category.

8. CLEAN ENERGY

Benjamin Goldstein, Program Specialist, Division of Clean Energy, presented these matters.

A. Docket No. QO19030376 – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial Program Energy Efficiency Incentives Exceeding \$500,000.00 – Hudson County Improvement Authority.

BACKGROUND AND DISCUSSION: Hudson County Improvement Authority (Agency) submitted an application under the Fiscal Year 2017 Pay for Performance – New Construction (P4P–NC) Program pursuant to the New Jersey Clean Energy Program (NJCEP) Energy Efficiency and Renewable Energy Program Plan Filing for Fiscal Year 2017. The Agency requested Board approval of a financial incentive of \$581,310.30 for installation of energy efficiency measures at New High Tech High School, 1 High Tech Way, Secaucus, NJ that have a total cost of \$20,610,932.00. This application covers the installation of a wide variety of energy efficiency measures that will allow the building to perform well above the energy code.

Annually, the project is anticipated to save 5,467 kWh of electricity and 48,848 therms of natural gas. The project will also reduce annual peak demand by 56.7 kW. The proposed project will have an estimated annual energy cost savings of \$42,168.49. The payback period without incentives is 96 years; when factoring in the incentives, the payback period is reduced to 82 years.

This project will provide incentives to the Hudson County High Tech High School, an innovative learning environment that has been constructed as a showcase of sustainability and energy efficiency. The building was designed not only with durability and practicality in mind, but also to serve as a teaching tool for students and educators for decades to come. The inclusion of measures like geothermal heat pumps exemplifies how the value of this project goes beyond purely financial considerations. The proposed system will reduce the school's natural gas consumption by 67%. While the payback in terms of cost is minimal due to natural gas's relatively low price, the benefit in terms of carbon reduction is significant. In addition to the long list of measures outlined in this application, the High Tech High School also features a combined heat and power (CHP) system, solar photovoltaic panels, and vertical axis wind turbines. These advanced systems, while ineligible for incentives under this P4P–NC application, are part of the Agency's attempt to achieve LEED Gold and possibly Platinum certification, will greatly reduce the school's reliance on fossil fuels, and even further demonstrate the Agency's commitment to making this building an iconic facility.

Based on the certifications and the information provided by the Program Manager and Program Administrator, Staff recommended approval of the application for the total estimated incentive amount of \$581,310.30 and issuance of a standard commitment letter to the applicant, setting forth the terms and conditions of this commitment.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	No

B. Docket No. QO19030400 – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial Program Energy Efficiency Incentives Exceeding \$500,000.00 – Garden Spires Urban Renewal, LP.

BACKGROUND AND DISCUSSION: Garden Spires Urban Renewal, LP (Company) owns and operates a multifamily housing facility in Newark, New Jersey. The Company submitted an application under the Fiscal Year 2019 Combined Heat and Power & Fuel Cell Program pursuant to the New Jersey Clean Energy Program Energy Efficiency and Renewable Energy Program Plan Filing for Fiscal Year 2019. The Company requested Board approval of a financial incentive of \$900,000.00 for installation of a cogeneration system at 175 & 195 First St, Newark, NJ that has a total cost of \$3,057,020.00.

The proposed cogeneration system consists of six 75 kW Aegis PowerSync units with 0.523 MMBtu/h of potential thermal output each. In total, the system size is 450 kW with a 3.138 MMBtu/h total thermal output. The projected on-site annual system efficiency is 65.2%. The system will serve the domestic hot water heating and space heating needs of the multifamily facility, and is also equipped with blackstart capabilities.

The project is anticipated to generate 3,741,750 kWh of electricity annually and is estimated to provide 18,095.3 MMBtu of useful heat annually, with domestic hot water heating receiving 3399.5 MMBtu per year and space heating receiving 14,695.8 MMBtu per year. The system will also reduce electrical grid demand by producing 450 kW of its own power. The proposed project will have an estimated annual energy cost savings of \$258,133.00. The payback period without incentives is 11.84 years; when factoring in the incentives, the payback period is reduced to 8.36 years.

Based on the certifications and the information provided by the Program Manager and Program Administrator, Staff recommended approval of the application for the total estimated incentive amount of \$900,000.00 and issuance of a standard commitment letter to the applicant, setting forth the terms and conditions of this commitment.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

C. Docket No. QO18070698 – In the Matter of the Modification of the Solar Renewable Portfolio Standard and Solar Alternative Compliance Payment Schedules and the Reduction of the Qualification Life for Solar Renewable Energy Certificates for Solar Facilities (MSSIA).

Sara Bluhm, Director, Division of Clean Energy, presented this matter.

BACKGROUND AND DISCUSSION: On February 27, 2019, the Board issued an Order to clarify that projects that do not commence commercial operations prior to the state's attainment of 5.1% of kilowatt hours sold from solar electric power generators may be eligible for an alternative incentive that is currently the subject of the Solar Renewable Energy Certificates (SREC) Transition stakeholder process.

MSSIA asked the Board to reconsider that portion of the February 27 Order stating that solar projects currently in the pipeline, but which do not achieve commercial operation prior to the Board's determination that 5.1% of New Jersey electricity supply is provided by solar generation, may not be eligible for SRECs. MSSIA asserted that implementation of this order would cause "unintentional but grievous harm" to projects undertaken in the belief that SRECs would be a revenue source.

With respect to motions for rehearing or reconsideration, N.J.A.C. 14:1-8.7 (c) provides that "any motion hereunder which is not granted or otherwise expressly acted upon by the Board within 60 days after the filing thereof, shall be deemed denied." Due to the timing of the Board's agenda meetings as well as the pending review of your motion, a decision cannot be issued within the 60 day time period.

Staff recommended that the Board take additional time to review the motion and approve the issuance of a Secretary's letter to MSSIA that informs the movant that the Board is continuing its review of the petition and will act on it beyond the 60-day time limit set forth in N.J.A.C. 14:1-8.7(c).

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

D. Docket No. QO19030375 – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial Program Energy Efficiency Incentives Exceeding \$500,000.00 – Journal Square II Urban Renewal.

Benjamin Goldstein, Program Specialist, Division of Clean Energy, presented this matter.

BACKGROUND AND DISCUSSION: Journal Square II Urban Renewal (Company) operates as subsidiary of Journal Square associates, LLC, a company that constructs large multifamily facilities. The Company submitted an application under the Fiscal Year 2016 Pay for Performance – New Construction (P4P–NC) program pursuant to the New

Jersey Clean Energy Program Energy Efficiency and Renewable Energy Program Plan Filing for Fiscal Year 2016. The Company requested the Board approval of a financial incentive of \$1,011,044.75 for installation of energy efficiency upgrades at 605 Pavonia Ave, Jersey City, NJ that have a total cost of \$12,613,321.00.

This application covers the installation of a whole host of energy efficiency measures in a new high rise apartment building that will efficiently utilize natural gas, water, and electricity. The project includes 71 stories and 701 apartments, building amenities, parking, and ground floor retail, with a total area of approximately 711,885 square feet of conditioned space. The building's Heating, Ventilation and Air Conditioning system will be served by a central chiller and boiler system. In addition, the boilers will provide hot water service throughout the facility.

Annually, the project is anticipated to save 878,582 kWh of electricity and reduce peak electricity demand by 326 kW. Additionally, these upgrades will save 4,534 therms of natural gas per year. The proposed project will have an estimated annual energy cost savings of \$149,186.00. The payback period without incentives is 9.0 years; when factoring in the incentives, the payback period is reduced to 2.2 years. Implementation of these measures will also assist in compliance with P.L. 2018, c. 17, § C.48:3-87.10, which requires the owner or operator of commercial buildings over 25,000 square feet to benchmark the building's energy and water use. The required inspection of sites that receive funding through the P4P-NC program following the installation of energy efficient measures will not only help to ensure adherence to agreed-upon performance and energy savings baselines, but will also allow for a more defined pathway for commercial building owners to report their energy usage.

Based on the certifications and the information provided by the Program Manager and Program Administrator, Staff recommended approval of the application for the total estimated incentive amount of \$1,011,044.75 and issuance of a standard commitment letter to the applicant, setting forth the terms and conditions of this commitment.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

E. Docket No. QX18101098 – In the Matter of N.J.A.C. 14:8 Rulemaking Regarding Amendments to Certain Solar Energy Provisions Pursuant to P.L. 2018, c17.

James A. Boyd, Jr., Esq., Administrative Practice Officer, Office of Chief Counsel, presented this matter.

BACKGROUND AND DISCUSSION: This Rule Proposal contains amendments to N.J.A.C. 14:8-2.2, -3, -4 and N.J.A.C. 14:8-2.10 to conform portions of the current rules to certain provisions of P.L. 2018, c. 17 (Clean Energy Act). There are several provisions in the Clean Energy Act that require rulemaking proceedings. Among them are

modifications to the existing solar Renewable Portfolio Standard (solar RPS) schedule; reductions to the existing Solar Alternative Compliance Payment (SACP) schedule; and a reduction of the qualification life of a solar facility, that is, a reduction of the period during which a facility may generate energy on which a Solar Renewable Energy Certificate (SREC) can be created.

The statute previously required that certain grid supply solar energy project applications must post notice escrow and must be approved, conditionally approved, or disapproved by the Board no later than 90 days from the date that the application was properly filed with the Board. The Clean Energy Act made this requirement applicable to any application to the Board for designation as connected to the distribution system.

The following proposed amendments are intended to implement these provisions:

N.J.A.C. 14:8-2.2, amendment to the definition of "Qualification life" from at least 15 years to at least 10 years, and removing the example of a qualification life from the definition to eliminate confusion.

N.J.A.C. 14:8-2.3(k)2, amendment to Table B, which defines the total statewide solar obligation starting June 1, 2019, to reflect the new solar obligations set forth in the Clean Energy Act.

N.J.A.C. 14:8-2.4(r), new subsection pursuant to certain provisions in the Clean Energy Act that require the Board to approve, conditionally approve, or disapprove certain solar energy generation applications within 90 days after receipt of a completed application. This subsection also includes the new requirement that applications for certain solar projects must post a notice escrow.

N.J.A.C. 14:8-2.4(s), new subsection that establishes a 10 year SREC term for all solar electric power generation facility applications for designation as connected to the distribution system filed with the Board after May 23, 2018, the date of enactment of the Clean Energy Act.

N.J.A.C. 14:8-2.10(h), amendment to update Table C, which contains the SACP Schedule, to reflect the new SACP schedule in the Clean Energy Act.

Staff recommended that the Board approves this rule proposal for submittal to the Office of Administrative Law to be published in the N.J. Register.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

F. Docket No. EO12090832V – In the Matter of the Implementation of P.L. 2012, c. 24, The Solar Act of 2012; and

Docket No. EO12090880V – In the Matter of the Implementation of P.L. 2012, c. 24, N.J.S.A. 48:3-87 (Q)(R)(S) – Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S); and

Docket Nos. EO12121108V, EO12121112V and EO12121120V – Effisolar Development, LLC

Docket No. EO12121138V – Quakertown Farms

Docket No. EO12121095V – Renewtricity

Docket No. EO12121124V – EAI Investments, LLC

Docket No. QO19030303 – Request for Modification of Settlement Agreement of Board Order dated June 29, 2016 on Behalf of CEP Solar, Ltd. – See Executive Session.

Caroline Vachier, Director, Deputy Attorney General, Division of Law, presented this matter.

BACKGROUND AND DISCUSSION: President Fiordaliso recused himself due to a potential conflict of interest and as such took no part in the discussion or deliberation of this matter, and Commissioner Gordon presided over this portion of the meeting for this matter. This matter was initially discussed in executive session. The applications captioned above were filed under subsection 12, Solar Act of 2012 in 2012. The Board denied the applicant's projects back in 2013. The matters were on appeal when Board Staff reached a settlement on these four projects. The Board approved that settlement agreement in June 2016. The appeals were dismissed with prejudice. The document was binding on the applicants, the developers, their successors and assigned.

In 2018, the Petitioners asked Board Staff to determine whether or not there was any interest in modifying the terms of that settlement. A formal petition was filed in March 2019. The Petitioners asked that the Board modify the 2016 settlement, and the Board Order approving that settlement, so that it could construct these four projects at the capacity greater than 10 megawatt, which was the megawatt that was approved through the settlement.

Staff recommended that the Board deny the petition. Staff believed that there is a sanctity in honoring settlements that were approved by the Board. Staff indicated that there are other policy considerations under the Clean Energy Act of 2018 that the Board must also consider, which include the impact on ratepayers. In addition, Staff indicated that there is concern about building a subsidizing solar projects on farmland. Finally, Staff stated that there were some factual inaccuracies on the size of the solar projects that they believe they filed in 2012.

Therefore, Staff recommended that the Board deny the petition, and affirm the settlement that was entered and approved by the Board in 2016, and that they continue to comply with that settlement.

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

Roll Call Vote:	President Fiordaliso	recused
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

G. Docket No. QO19040497 – In the Matter of New Jersey Clean Energy Program Fiscal Year 2019 Community Energy Planning.

Sara Bluhm, Director, Division of Clean Energy, presented this matter.

BACKGROUND AND DISCUSSION: In 2018, Governor Murphy signed Executive Order 28 calling for the development of a 2019 Energy Master Plan to move New Jersey towards 100% clean energy by 2050 and specific proposals to be implemented in the next ten years toward achieving this goal. The order called for the State to develop a comprehensive blueprint for the investment in renewable energies such as solar (including community solar) and offshore wind, clean energy storage and explore methods to “incentivize the use of clean, efficient energy and electric technology alternatives in New Jersey’s transportation sector....”

In order to accomplish these robust goals, the State acknowledges the critical role communities will play in achieving energy and greenhouse gas emission reduction. Further, the State encourages municipalities to take an active role in designing and planning for their energy future. To see real, sustainable changes to our energy footprint, comprehensive planning and implementation is needed at every level of government. For nearly two decades the New Jersey Clean Energy Fund has worked with municipalities, businesses and residents to find energy efficiencies and incentivize infrastructure improvements that create efficiencies and/or create opportunities for development of clean energy.

In order for New Jersey to meet energy efficiency and climate action plan goals, the Board is looking to help communities leverage existing programs as well as encourage holistic planning and other energy saving behavior and community development modifications, with the goal of reducing overall energy usage, as well as realizing the additional benefits of improved air quality.

The creation of the Community Energy Plan Grant program is the next step in supporting communities with identifying future energy needs, preferences, and opportunities to realize efficiencies and reduced energy use; benchmarking energy usage and emissions; and creating comprehensive, local energy plans in partnership with the State to implement critical climate change actions in conjunction with community planning.

This program was proposed and approved I/M/O the Clean Energy Programs and Budgets for Fiscal Year 2019 - Trued-Up and Revised Budget on March 29, 2019. Staff has developed an application for the public to apply for the grants.

The grants will be managed by the Board. The applicant may be a governmental entity,

including a municipality or county, a Green Team, Environmental Commission or other Sustainable Jersey organization created within a municipality or county and on behalf of that governmental entity, or a New Jersey institution of higher education Environmental Studies or Sustainability Program on behalf of at least one government entity.

An applicant must provide a detailed listing of local governmental partners, businesses and community organizations willing to participate in the formation and implementation of a Community Energy Master Plan.

The application will be for the creation of a Community Energy Master Plan including any benchmarking and audit services that are needed. The maximum grant award will be determined by the quality of the application, intended achievement of program goals, and limited by the size of the community applying for the grant. Awards will be paid as follows: First half of the total award disbursed within 30 days of notice of award and balance of the award disbursed within 30 days of applicant notifying BPU of completion of the Community Energy Profile. Community size will be based on the population of the municipality or county applying or the municipality or county served by the applicant.

Population of under 10,000 \$5,000.00
Population of 10,001 to under 25,000 \$10,000.00
Population of 25,001 to under 50,000 \$15,000.00
Population of 50,001 to under 100,000 \$20,000.00
Population of over 100,000 \$25,000.00

Staff recommended that the Board approve the application process.

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

Roll Call Vote:	President Fiordaliso	Aye
	Commissioner Holden	Aye
	Commissioner Solomon	Aye
	Commissioner Chivukula	Aye
	Commissioner Gordon	Aye

9. MISCELLANEOUS

There were no items in this category.

EXECUTIVE SESSION

After appropriate motion, the following matter, which involved pending litigation attorney/client privilege and contract negotiations to the Open Public Meetings Act at N.J.S.A. 10:4-12(b)7 was discussed in Executive Session.

8. CLEAN ENERGY

F. Docket No. EO12090832V – In the Matter of the Implementation of P.L. 2012, c. 24, The Solar Act of 2012; and

Docket No. EO12090880V – In the Matter of the Implementation of P.L. 2012, c. 24, N.J.S.A. 48:3-87 (Q)(R)(S) – Proceedings to Establish the Processes for Designating Certain Grid-Supply Projects as Connected to the Distribution System – Request for Approval of Grid-Supply Solar Electric Power Generation Pursuant to Subsection (S); and

Docket Nos. EO12121108V, EO12121112V and EO12121120V – Effisolar Development, LLC

Docket No. EO12121138V – Quakertown Farms

Docket No. EO12121095V – Renewtricity

Docket No. EO12121124V – EAI Investments, LLC

Docket No. QO19030303 – Request for Modification of Settlement Agreement of Board Order dated June 29, 2016 on Behalf of CEP Solar, Ltd.

The substance of this discussion shall remain confidential except to the extent that making the discussion public is not inconsistent with law.

After appropriate motion, the Board reconvened to Open Session.

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



AIDA CAMACHO-WELCH
SECRETARY OF THE BOARD

Dated: June 12, 2019