



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

AUDITS

IN THE MATTER OF THE DEPARTMENT OF	)	ORDER APPROVING BUDGET
COMMUNITY AFFAIRS' STATE FISCAL	)	
YEAR 2012 UNIVERSAL SERVICE FUND	)	
ADMINISTRATIVE COST BUDGET	)	DOCKET NO. EO11090525

Parties of Record:

**Jose Sanchez, Supervisor**, New Jersey Department of Community Affairs  
**Stefanie Brand, Esq.**, New Jersey Division of Rate Counsel

BY THE BOARD:

**BACKGROUND/PROCEDURAL HISTORY**

The Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. ("EDECA" or the "Act") established the Universal Service Fund ("USF"). The Act directed the New Jersey Board of Public Utilities ("Board"), inter alia, to determine for the USF the level of funding, the appropriate administration, and the purposes and programs to be funded. N.J.S.A. 48:3-60(b).

On April 30, 2003, in Docket No. EX00020091 ("April 2003 Order"), the Board approved a permanent USF program to ensure that low-income customers have access to more affordable energy. The Board ordered that the program be operated on a state-wide basis and funded through uniform charges on customers' electric and natural gas bills through the Societal Benefits Charge collected pursuant to N.J.S.A. 48:3-60(a). The Board also determined in this Order that initial administrative expenses would be capped at ten per cent (10 %) of the program costs or \$3 million. Further, the Board determined it must approve additional expenses above \$3 million in advance.

In its order dated July 16, 2003, in Docket Number EX00020091, the Board clarified that this cap would total \$3 million, and any administrative costs (excluding one-time start-up costs) exceeding this amount must be approved in advance by the Board. The Board also stated that the USF would be an ongoing, evolving program, subject to review and amended as necessary. In this same Order, the Board designated the Department of Human Services ("DHS") as the USF program administrator.

The USF program was intentionally linked to the Federal Low Income Home Energy Assistance Program ("LIHEAP") in order to take advantage of the existing infrastructure already in place to administer LIHEAP. Through a shared application and database system, repetition of administrative resources was reduced and applicants were conveniently able to apply for both programs simultaneously. LIHEAP was jointly administered by DHS and the Department of Community Affairs ("DCA") when the permanent USF program was authorized by the Board.

On August 31, 2006, DCA was designated as the State's administrator of LIHEAP. The DCA Commissioner sent a letter dated September 21, 2006, requesting that the Board designate the Department of Community Affairs as the Universal Service Fund program administrator. On October 23, 2006, the Board changed the USF program administrator from DHS to DCA. By December 2006, DCA assumed full responsibility as USF program administrator.

On October 5, 2010, the Board approved the projected State Fiscal Year 2011 ("FY 2011") DCA USF administrative cost budget in the amount of \$6,941,513.00. The FY 2011 Budget encompassed an increase above the \$3 million cap instituted in the April 2003 Order, which required Board approval prior to such expenditures.

### **DISCUSSION**

On June 22, 2011, DCA submitted its USF administrative cost budget for State Fiscal Year 2012 ("FY 2012") in the amount of \$7,099,015. After subsequent review by Board Staff ("Staff") and revisions to the budget of the community based organizations ("CBO"), DCA resubmitted its FY 2012 budget on September 8, 2011, in the amount of \$6,727,136. The FY 2012 DCA USF budget has decreased by \$214,377 from the FY 2011 budget.

The FY 2012 budget is broken down as follows:

DCA	\$1,046,623
Subgrantees-	
County Welfare Organizations	\$204,480
Community Based Organizations	<u>\$5,476,033</u>
Total	\$6,727,136

It has been over eight years since the Board created the permanent USF program in its April 2003 Order and during that time the administrative costs for the program have remained low in relation to the yearly program cost, despite the fact that the overall cost of the program has increased from \$30 million in 2003 to \$215 million for the 2010-2011 program year. The DCA's proposed administrative budget for the 2011-2012 program year does present administrative costs above the \$3 million cap that was instituted in the April 2003 Order, which accordingly requires Board approval prior to such expenditures.

Staff has reviewed DCA's proposed budget and has found the costs listed therein appear to be appropriate and necessary for the administration of the USF program by the DCA. Staff has reviewed the Administrative Budget for the 2011-2012 program year and concluded the costs are proportionally justified, relative to the enrollment size and participation in the program. Therefore, Staff recommends the Board approve this budget. It is noted that the budget is an estimate. DCA will provide the Board with an accounting of all expenditures; after reviewing these expenditures Board Staff will come before the Board for final approval of all expenditures.

**FINDINGS AND ORDER**

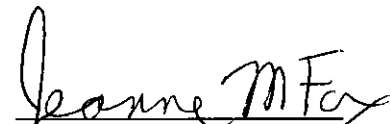
Accordingly, the Board **HEREBY FINDS** that DCA has adequately justified its FY 2012 USF administrative cost budget and **HEREBY APPROVES** said budget in the amount of \$6,727,136. The DCA FY 2012 USF administrative cost budget summary is attached hereto as schedule A.

This Order will be effective on October 23, 2011.

DATED: 10/13/11

BOARD OF PUBLIC UTILITIES  
BY:

  
LEE A. SOLOMON  
PRESIDENT

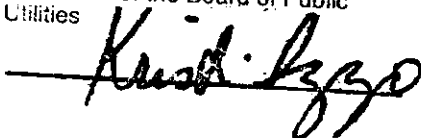
  
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COMMISSIONER

ATTEST:  
  
KRISTI IZZO  
SECRETARY

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



IN THE MATTER OF THE DEPARTMENT OF COMMUNITY AFFAIRS  
STATE FISCAL YEAR 2012 UNIVERSAL SERVICE  
FUND ADMINISTRATIVE COST BUDGET  
DOCKET NO. EO11090525

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**STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
2012 DCA USF BUDGET - EXPENSE SUMMARY**

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**Chief Executive Officer:** Paul Stridick

**Prepared By:** Jose Sanchez

BUDGET CATEGORIES COSTS	TOTAL	HEA	USF
<b>A. PERSONNEL AND FRINGE</b>	1,081,995	\$ 695,237	\$ 386,158
<b>B. CONSULTANTS AND PROFESSIONAL FEES</b>	\$910,448	\$634,847	\$275,601
<b>C. MATERIALS AND SUPPLIES</b>	\$101,050	\$ 64,672	\$ 36,378
<b>D. OTHER</b>	\$968,016	\$619,530	\$348,486
<b>DCA SUB TOTAL COST</b>	\$ 3,060,909	\$ 2,014,286	\$ 1,046,623
County Welfare Agencies	\$568,000	\$363,520	\$204,480
Community Based Organizations (CBO's)	\$ 15,484,627	\$ 10,008,594	\$ 5,476,033
<b>Subgrantees SUB TOTAL COST</b>	\$16,052,627	\$10,372,114	\$5,680,513
<b>TOTAL COST (DCA &amp; Subgrantees)</b>	\$19,113,536	\$12,386,400	\$6,727,136

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I/M/O THE DEPARTMENT OF COMMUNITY AFFAIRS'  
STATE FISCAL YEAR 2010 UNIVERSAL SERVICE FUND  
ADMINISTRATIVE COST BUDGET  
DOCKET NO. EO09070525

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