



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF SOUTH)	DECISION AND ORDER
JERSEY GAS COMPANY TO CHANGE THE LEVEL OF)	ADOPTING INITIAL DECISION
ITS SOCIETAL BENEFITS CHARGE ("SBC") AND ITS)	AND APPROVING
TRANSPORTATION INITIATION CHARGE ("TIC"))	STIPULATION
)	
)	DOCKET NO. GR10100734

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Ira G. Medgal, (Cozen O'Connor, attorney for South Jersey Gas Company) ("Petitioner")

BY THE BOARD:

The Manufactured Gas Plant Remediation Adjustment Clause ("RAC") allows for recovery of reasonably incurred Manufactured Gas Plant Remediation Program Costs ("MGP Costs") by South Jersey Gas Company' ("SJG" or "Company"), amortized over a seven-year rolling average period, and carrying charges tied to seven-year treasuries plus sixty basis points.

On October 4, 2010, South Jersey Gas filed a petition with the Board for an Order to authorize an increase in the annual level of its Societal Benefit Clause ("SBC") Charge by \$21,501,048 of which \$14,847,802 represents an increase to the Remediation Adjustment Clause ("RAC") for the remediation year August 1, 2009 to July 31, 2010 (Remediation Year), and \$6,500,715 represents an increase to the Clean Energy Program ("CLEP") charge, and to authorize an increase in the Company's annual level of its Transportation Initiation Charge ("TIC") by \$152,532.

On September 22, 2011, the Board approved an Initial Decision and Stipulation under the companion matters, Docket Nos. GR09010091 and GR09080716¹, both of which implemented on a final basis the RAC rate component at \$0.0349 per therm, the CLEP rate component at \$0.0173 per therm, and the TIC rate at \$0.0006 per therm for services rendered on or after October 1, 2011.

¹ In the Matter of the Petitions of South Jersey Gas Company To Change the Level of its Societal Benefits Charges ("SBC") and its Transportation Initiation Charge ("TIC")

Docket No. GR09010091

In the Matter of the Petitions of South Jersey Gas Company To Change the Level of its Societal Benefits Charges ("SBC") and its Transportation Initiation Charge ("TIC")

Docket No. GR09080716

After accounting for the changed rates implemented by the September 22, 2011 Order, the Company's filing in this docket requested authority to (1) increase the RAC factor rate from \$0.0349 per therm to \$0.0378 per therm; (2) increase the CLEP rate from \$0.0173 per therm to \$0.0243 per therm; and (3) maintain the TIC rate at \$0.0006 per therm.

This matter was transmitted to the Office of Administrative Law on October 15, 2010 and assigned to Administrative Law Judge ("ALJ") Gail M. Cookson.

Notice of the Company's October 4, 2010 request for an increase in its RAC factor rates, including the date, time and place of the public hearings, was placed in newspapers having a circulation within the Company's service territory, and was served on the county executives and clerks of all municipalities within the Company's service territory. Public hearings were scheduled and conducted in Voorhees, New Jersey, on January 17, 2012. At the public hearings several members of the public appeared and made statements on the record.

The Company, Board Staff, and the New Jersey Division of Rate Counsel ("the Parties") entered into a stipulation² dated August 2012 the salient points of which are the following:

- SJG incurred \$7.9 million in MGP remediation costs during the Remediation Year. SJG represents that this does not include any administrative, legal, consulting or other costs identified as associated with Natural Resource Damages ("NRD") related claims being investigated by the New Jersey Department of Environmental Protection ("NJDEP") or any costs associated with incentive compensation or pension costs during the time period set forth in the Petition. SJG also represents that no remediation properties were leased or sold during the Remediation Year.
- The requested RAC rate component of \$0.0378 per therm should be implemented and made final.
- The requested CLEP rate of \$.0243 per therm should be implemented and made final.
- The requested TIC rate of \$.0006 per therm should be maintained.
- SJG's remediation costs are subject to Board audit. Additionally, SJG will continue to conduct an annual audit of the RAC to assess the validity of expenses being charged to the RAC.
- The SBC rates and other changes set forth in the Stipulation result in an increase of approximately \$0.99, or 0.75% per month, to the average residential heating customer using 100 therms of gas during a winter month. The SBC factors are set to recover an additional \$5.6 million in SBC related revenues.
- SJG will provide a final reconciliation of SJG's annual RAC factor recovery within ninety (90) days of the completion of each RAC recovery year. The reconciliation will include the calculation of actual sales volumes that recovered the RAC factor and the resultant net expenses or credit amount which is to be carried over to the next recovery year. Adjustment of the RAC factor is subject to the Parties' review of SJG's expenditures and reconciliation in SJG's future RAC and /or SBC proceedings.
- The Stipulation resolves all factual and legal issues relating to the determination of all amounts that were or could have been included in the calculation of SJG's deferred RAC balance through and at December 31, except with respect to NRD-related costs and incentive compensations costs.
- SJG will include in its future RAC filings responses to the minimum filing requirements ("MFRs") as set forth in Exhibit A to the Stipulation.

²Although summarized in this Order, the detailed terms of the Settlement control, subject to the findings and conclusions of this Order.

On August 3, 2012, ALJ Cookson issued an Initial Decision approving the Settlement. Her Initial Decision found that the Parties had voluntarily agreed to the Settlement and that the Settlement fully disposes of all issues in controversy and is consistent with the law.

DISCUSSION AND FINDINGS

The Board has carefully reviewed the attached Initial Decision and Stipulation and FINDS them to be reasonable and in the public interest. The Board HEREBY FINDS that the Company's remediation work performed during the current RAC year of August 1, 2009 through July 31, 2010 was prudent, and resulting RAC costs (net of insurance proceeds and other recoveries, and any deferred NRD expenses and incentive compensation costs) are reasonable and appropriate for recovery. The Board HEREBY FINDS that, subject to the terms and conditions set forth below, the Stipulation is reasonable, in the public interest, and in accordance with the law.

Accordingly, the Board HEREBY ADOPTS the terms of the Stipulation in their entirety as if fully incorporated herein. The Board HEREBY APPROVES a RAC factor of \$0.0378 per therm and a CLEP rate of \$0.0243 per therm. Additionally, the Board HEREBY ORDERS that SJG's TIC rate component remain unchanged at \$0.0006 per therm.

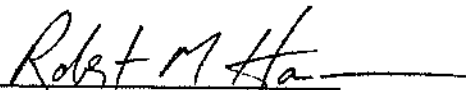
This Order is effective for services rendered on or after October 1, 2012.


The Company is HEREBY DIRECTED to file the appropriate tariff sheets conforming to the terms and conditions of this Order within seven (7) business days from the date of service of this Order

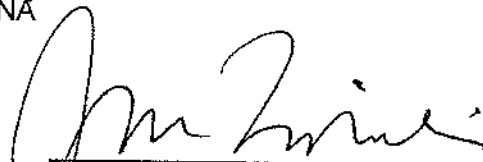
The Company's SBC costs remain subject to audit. This Decision and Order shall not preclude the Board from taking any actions deemed to be appropriate as a result of any Board audit.

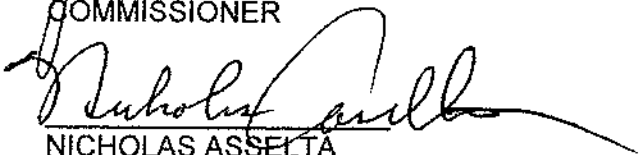
DATED: 9/13/12

BOARD OF PUBLIC UTILITIES
BY:



ROBERT M. HANNA
PRESIDENT

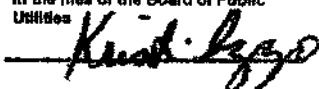

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER


MARY-ANN HOLDEN
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


I/M/O South Jersey Gas Company
To Change the levels of its Society Benefits Clause ("SBC")
And it's Transportation Initiation Clause ("TIC")
BPU Docket GR10100734

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION SETTLEMENT

**I/M/O PETITION OF SOUTH JERSEY GAS
COMPANY TO CHANGE THE LEVEL OF
ITS SOCIETAL BENEFITS CLAUSE (“SBC”)
AND ITS TRANSPORTATION INITIATION
CLAUSE (“TIC”).**

OAL DKT. NO. PUC 11717-10
AGENCY DKT. NO. GR10100734

Ira G. Megdal, Esq., and Daniel J. Bitonit, Esq., for petitioner South Jersey Gas Company (Cozen O'Connor, attorneys)

Alex Moreau, and Veronica Beke, Deputy Attorneys General, for the Staff of the Board of Public Utilities (Jeffrey S. Chiesa, Attorney General of New Jersey, attorney)

Henry M. Ogden and James W. Glassen, Assistant Deputies Rate Counsel, for Division of Rate Counsel (Stefanie A. Brand, Director, attorney)

Record Closed: August 2, 2012

Decided: August 3, 2012

BEFORE **GAIL M. COOKSON, ALJ:**

On October 4, 2010, South Jersey Gas Company (Company) filed a petition with the Board of Public Utilities (BPU) for approval of its request to increase the level of the Company's annual Societal Benefit Clause (SBC), including its components of the Remediation Adjustment Clause (RAC) and Clean Energy Program (CLEP), and to increase the level of its Transportation Initiation Clause (TIC).

The Company provided public notice of its filing and the opportunity for the public to be heard on the level of these clauses was held on January 17, 2012, in Voorhees, New Jersey. The petition was transmitted to the Office of Administrative Law (OAL), where it was filed on October 21, 2010, for hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to-15 and N.J.S.A. 52:14F-1 to- 13. The case was assigned to the undersigned on November 4, 2010.

A prehearing conference was convened telephonically on or about December 7, 2010. The hearings for the presentation of the pre-filed direct testimony and cross-examination of the witnesses were set down initially for March 28 and April 8, 2011. Over the course of several case status telephonic conferences, the parties reported that they were in the process of resolving the issues in dispute, as well as those for a related but separate filing by the Company. In addition, there were some unintended delays due to medical unavailability of a key expert. Accordingly, the hearings were adjourned and rescheduled several times to accommodate all of these considerations but the case was closely monitored.

On August 2, 2012, I received electronically the fully-executed Stipulation of all parties to this matter with a request that I enter an Initial Decision Settlement and transmit same to the Board. The agreement more completely sets forth the terms and conditions of the settlement of all issues raised by the filing of the Company but in sum, accept the requested RAC, CLEP and TIC rates as the final rates. In addition, as set forth more completely in the Stipulation, the Company agrees to provide a final reconciliation of its annual RAC factor recovery within ninety (90) days of the completion of each RAC recovery year.

I have reviewed the record and terms of the Stipulations and **FIND:**

1. The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.

2. The settlement fully disposes of all issues in controversy and is consistent with law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

August 3, 2012

DATE



GAIL M. COOKSON, ALJ

Date Received at Agency:

8/3/12

Date Mailed to Parties:

id

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

IN THE MATTER OF THE PETITION OF
SOUTH JERSEY GAS COMPANY TO
CHANGE THE LEVEL OF ITS SOCIETAL
BENEFITS CHARGE ("SBC") AND ITS
TRANSPORTATION INITIATION
CHARGE ("TIC")

BPU DOCKET NO. GR10100734

OAL DOCKET NO. PUC11717-2010N

STIPULATION

APPEARANCES:

Ira G. Megdal, Esquire and Daniel J. Bitonti, Esquire, (Cozen O'Connor, attorneys) for South Jersey Gas Company ("Petitioner")

Henry M. Ogden and James W. Glassen, Assistant Deputies Rate Counsel, on behalf of the Division of Rate Counsel, **Stefanie Brand**, Director, ("Rate Counsel")

Veronica Beke and Alex Moreau, Deputy Attorneys General, on behalf of the Staff of the Board of Public Utilities ("Staff") (Jeffrey S. Chiesa, Attorney General of the State of New Jersey).

TO THE HONORABLE BOARD OF PUBLIC UTILITIES:

1. This Stipulation resolves all issues raised in BPU Docket No. GR10100734, by which South Jersey Gas Company seeks an increase to certain charges. The Parties participating in these proceedings include: South Jersey Gas Company ("South Jersey"); Division of Rate Counsel ("Rate Counsel"); and Staff of the Board of Public Utilities ("Staff"). Upon notice and a public hearing held in the service territory, review and analysis of the Petition, Pre-Filed Exhibits, Discovery, and participation in several conferences, the Signatory Parties to these proceedings agree and stipulate to the following procedural history and stipulated terms of settlement.

PROCEDURAL HISTORY

2. By Petition filed October 4, 2010 under BPU Docket No. GR10100734 consistent with N.J.S.A. 48:2-21, South Jersey, a public utility corporation of the State of New Jersey, requested the Board of Public Utilities (“Board”) to authorize an increase in the Company’s annual level of its Societal Benefit Clause (“SBC”) Charge by \$21,501,048 of which \$14,847,802 represents an increase to South Jersey’s Remediation Adjustment Clause (“RAC”) for the remediation year August 1, 2009 to July 31, 2010 (“Remediation Year”); \$6,500,715 represents an increase to South Jersey’s Clean Energy Program (“CLEP”) charges for the period November 1, 2010 through October 31, 2011 and to authorize an increase in the Company’s annual level of its Transportation Initiation Clause (“TIC”) by \$152,532.

3. In support of the Petition, South Jersey submitted the following summary of the Remediation Adjustment Clause and Rate Calculation:

**SOUTH JERSEY GAS COMPANY
REMEDICATION ADJUSTMENT CLAUSE
SUMMARY AND RATE CALCULATION**

	Actual Aug '09 - July '10
REMEDICATION YEAR	
AMORTIZATION OF RECOVERABLE COST	\$6,635,263
LESS: DEFERRED TAX BENEFIT	\$270,442
AMORTIZATION	\$6,364,821
	Projected Nov '09 - Oct '10
RECOVERY YEAR	
AMORTIZATION	\$6,364,821

CARRYING COST	\$1,047,239
SUBTOTAL	<u>\$7,412,060</u>
PRIOR YEAR RECONCILIATION	<u>\$12,700,625</u>
EXPENSES TO BE RECOVERED	<u><u>\$20,112,685</u></u>

4. The proposed rate level changes will result in a rate increase for a typical residential heating customer bill, using 100 therms of gas during a winter heating month from \$137.64 to \$141.42, or \$3.78 or 2.75%.

5. South Jersey stated that its Universal Service Fund ("USF") and Lifeline components of the SBC were addressed in a separate proceeding, in Docket No. ER10060436. The RAC rate at the time of filing was \$.0118 per therm, the CLEP rate was \$0.0129 and the TIC rate was \$0.0002 per therm. The Petition requested a RAC rate of \$.0378 per therm, a CLEP rate of \$0.0243 per therm and a TIC rate of \$0.0006 per therm.

6. On October 15, 2010, the Board transferred the matter to the Office of Administrative Law ("OAL") as a contested case and OAL Docket No. PUC17717-2010N was assigned to be heard before Administrative Law Judge Gail Cookson.

7. On September 22, 2011, the Board approved the Initial Decision and Stipulation executed by these Signatory Parties under the companion matters, Docket Nos. GR09010091 and GR09080716, both of which implemented on a final basis the RAC rate component at \$0.0349 per therm, the CLEP rate component at \$0.0173 per therm, and the TIC rate component at \$0.0006 per therm for services rendered on or after October 1, 2011.

8. Public hearings in this matter were held on January 17, 2012 in Voorhees, New Jersey. The public hearings were noticed in newspapers of general circulation within South Jersey's service territory. Several members of the public appeared and made statements opposing South Jersey's request on the record.

9. Discovery has been propounded upon Petitioner, and all such discovery has been answered.

STIPULATED TERMS

10. Numerous settlement discussions were held among the Parties, and this process resulted in the certain stipulations for purposes of this Settlement Agreement.

11. The Company incurred expenditures of \$7.9 million in MGP remediation costs during Remediation year. This amount has been reduced by insurance proceeds of \$12.3 million. The Company represents that this Stipulation does not include any administrative, legal, consulting or other costs identified as associated with Natural Resource Damages NRD – related claims currently being investigated by the New Jersey Department of Environmental Protection or any costs associated with incentive compensation or pension costs during the time period set forth in the Petition. The Company further represents that no remediation properties were leased or sold during the RAC Remediation Year.

12. The Parties accordingly **STIPULATE AND AGREE** that the filed RAC rate component of \$0.0378 per therm in the Petition should be implemented and made final.

13. The Parties further **STIPULATE AND AGREE** that the filed CLEP rate in the Petition of \$.0243 per therm should be implemented and made final.

14. The Parties further **STIPULATE AND AGREE** that the filed TIC rate in the Petition of \$.0006 per therm should be implemented and made final.

15. The Parties agree that the South Jersey's Manufactured Gas Plant remediation costs will remain subject to Board audit. Additionally, South Jersey will continue to conduct an annual audit of the RAC to assess the validity of expenses being charged to the RAC. South Jersey also represents that this Stipulation does not include the recovery of any administrative, legal, consulting or other costs associated with Natural Resource Damages-related MGP claims currently being investigated by the New Jersey Department of Environmental Protection or any costs associated with incentive compensation or pension costs incurred during the time period set forth in the Petition. The Company further represents that no remediation properties were leased or sold during the RAC remediation period for which the current RAC rate is being established.

16. The SBC rates and other changes set forth in this Stipulation result in an increase of approximately \$0.99, or 0.75% per month, to the average residential heating customer using 100 therms of gas during a winter month. These new factors will result in the recovery of an additional \$5.6 million over the current recovery amount.

17. The Company agrees to provide a final reconciliation of its annual RAC factor recovery within ninety (90) days of the completion of each RAC recovery year, which reconciliation will include the calculation of actual sales volumes that recovered the RAC factor and the resultant net expenses or credit amount which is to be carried over to the next recovery year. Implementation and/or adjustment of the RAC factor is subject to the Parties'

review of SJG's expenditures and reconciliation thereof in SJG's future RAC and /or SBC proceedings.

18. The Parties agree that the terms of this Stipulation shall be deemed to resolve all factual and legal issues relating to the determination of all amounts that were or could have been included in the calculation of SJG's deferred RAC balance through and at December 31, except as described in paragraph 15 above with respect to NRD-related costs and incentive compensations costs.

19. The Company agrees that it will include in its future RAC filings responses to the minimum filing requirements ("MFRs") as set forth in Exhibit A to this Stipulation. At a minimum, the Company agrees to provide hard copies of the filings and the MFRs to the Board, Rate Counsel and the consultant to Rate Counsel. The Parties further acknowledge that a Board Order approving this Stipulation will become effective upon 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.

20. Following acceptance of this Stipulation by an Order of the Board, South Jersey will submit a Compliance Filing incorporating the final SBC rates approved by the Board within 7 days of such approval.

MISCELLANEOUS

21. This Stipulation represents a mutual balancing of interests and, therefore, is intended to be accepted and approved in its entirety. In the event this Stipulation is not adopted in its entirety by the Board, 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.

22. It is specifically understood and agreed that this Stipulation represents a negotiated agreement and has been made exclusively for the purpose of this proceeding. The Signatory Parties agree that the purpose of this Stipulation is to reach fair and reasonable rates, and that its execution will avoid protracted and costly litigation of certain issues. Except as expressly provided herein, South Jersey, 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. Also, all rates are subject to Board audit.

23. This Stipulation may be executed in as many counterparts as there are signatories of this Stipulation, each of which counterparts shall be an original, but all of which shall constitute one and the same instrument.

WHEREFORE, the Parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

SOUTH JERSEY GAS COMPANY

By: Ira G. Megdal
Ira G. Megdal, Esq.
Cozen O'Connor

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the Board of Public Utilities

By: Veronica Beke
Veronica Beke
Deputy Attorney General

STEFANIE A. BRAND
DIRECTOR, DIVISION OF RATE COUNSEL

By: Henry M. Ogden
Henry M. Ogden, Esq.
Assistant Deputy Rate Counsel

Dated: 8/2/10

RAC Minimum Filing Requirements

As part of the Company's annual 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 by vendor 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 July 31st of each year will continue to be submitted with the Company's annual RAC filing.
2. Identify the three 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 three 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 July 31st of the most recent RAC period.
4. For each of the same three 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 three 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.
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.
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.

- 3 -

14. The Company currently provides a schedule that summarizes the expenditures incurred by major cost category by site on a quarterly basis. These data will be reported with its annual filing.

15. 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. The Parties understand that the timeframes to complete the remediation efforts are subject to a great deal of uncertainty due to factors beyond the Company's control. Also, 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.