



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 9<sup>th</sup> Floor**  
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**Trenton, New Jersey 08625-0350**  
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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 November 21, 2014, at the State House Annex, Committee Room 11, 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:

Richard S. Mroz, President  
Joseph L. Fiordaliso, Commissioner  
Mary-Anna Holden, Commissioner  
Upendra J. Chivukula, Commissioner

President Mroz presided at the meeting and Kristi Izzo, Secretary of the Board, carried out the duties of Secretary.

It was announced that the next regular Board Meeting would be held on December 17, 2014 at the State House Annex, Committee Room 11, 125 West State Street, Trenton, New Jersey 08625.

The Board recognized and thanked Acting Director John DeLuca and by unanimous vote, adopted a Resolution commending him for service to the Board and the State.

Commissioner Dianne Solomon was not present at this meeting.

## CONSENT AGENDA

### I. AUDITS

#### A. Docket No. TE14091076 – In the Matter of the Petition of GC Pivotal, LLC d/b/a Global Capacity for Authorization to Provide Resold and Facilities-based Local Exchange and Interexchange Telecommunications Services in the State of New Jersey.

**BACKGROUND:** By letter dated September 29, 2014, GC Pivotal, LLC d/b/a Global Capacity (Petitioner or Global Capacity) filed a Petition with the Board for authority to provide facilities-based and resold local exchange and facilities-based and resold interexchange non-voice telecommunications services throughout the State of New Jersey.

By letter dated October 20, 2014, the New Jersey Division of Rate Counsel submitted comments with the Board stating that it did not oppose a grant of authority or approval of the Petitioner's request to provide non-voice telecommunications services in New Jersey. In addition, Rate Counsel did not object to a grant of the waivers requested by the Petitioner, nor does Rate Counsel oppose the Petitioner's request to treat its financial information as confidential and placed under seal.

After review, Staff recommended the Board approve the request for authority to provide local exchange and interexchange telecommunications services in the State of New Jersey. Staff also recommended the Board approve the request for waivers from its requirements that the Petitioner maintain its books and records in accordance with the Uniform System of Accounts and within New Jersey.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

#### B. Energy Agent and/or Private Aggregator Initial Registrations

EE14060568L	Legend Energy Advisors, LLC	I – EA
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EE14050450L	Nextility, Incorporated	I – EA/PA
GE14050451L		

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

EE14050525L	GoldStar Energy Group, Incorporated	R – EA
GE14091034L		I – EC

EE14050527L	Energy Management Resources of Missouri, Incorporated d/b/a Energy Management Resources	R – EA
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EE14060605L GE14060606L	Affiliated Power Purchasers International, LLC d/b/a APPI or APPI Energy	R – EA/PA
EE14060597L GE14060598L	EMEX, LLC d/b/a EMEX Power, LLC	R – EA/PA/EC
EE14070762L GE14070763L	Resolution Consulting Group Incorporated d/b/a Resolution Energy Group	R – EA/PA/EC
<b><u>Electric Power Supplier Initial Licenses</u></b>		
EE14090955L	AEP Energy, Incorporated	I – ESL
EE14050462L	energy.me midwest, LLC d/b/a energy.me	I – ESL
<b><u>Electric Power and/or Natural Gas Supplier Renewal Licenses</u></b>		
EE13100963L	Linde Energy Services, Incorporated	R – ESL
GE14050477L	Tiger Natural Gas, Incorporated	R – GSL
EE14020141L GE14020142L	XOOM Energy New Jersey, LLC	R – EGSL

**BACKGROUND:** The Board must register all energy agents and consultants, and 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 and private aggregators, are required to renew timely their licenses in order to continue to do business in New Jersey.

Having reviewed the submitted applications in accord with N.J.A.C. 14:4-5.4, Staff recommended the Board issue initial registrations as an energy agent and/or private aggregator for one year to:

- Legend Energy Advisors LLC
- Nextility, Inc.

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

- GoldStar Energy Group, INC.
- Energy Management Resources of Missouri, Inc. d/b/a Energy Management Resources
- Affiliated Power Purchasers International, LLC d/b/a APPI or APPI Energy
- EMEX, LLC d/b/a EMEX Power, LLC
- Resolution Consulting Group Inc. d/b/a Resolution Energy Group

In addition, Staff recommended the following applicants be issued initial licenses as an electric power supplier for one year:

- AEP Energy, Inc.
- energy.me midwest LLC d/b/a energy.me

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

- Linde Energy Services, Inc.
- Tiger Natural Gas, Inc.
- XOOM Energy New Jersey, LLC

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

C.     **Electric Power Supplier Renewal License**  
          **EE14070759L**                   **Hess Corporation**                                           **R – ESL**

This matter was deferred.

## II. ENERGY

### A. Docket No. ER14010002 – In the Matter of the Federal Energy Items for 2014 – FERC Docket No. ER15-68-000 – PJM Interconnection, LLC – Motion to Intervene.

**BACKGROUND:** On October 9, 2014, PJM made a filing with Federal Energy Regulatory Commission (FERC) (Docket ER15-68) to amend its tariff to update the Minimum Offer Price Rule (MOPR). The MOPR functions as a price floor in the annual Reliability Pricing Model capacity auction, known as the base residual auction (BRA). Specifically, the MOPR employs a benchmark value for the net cost of new entry (Net CONE) to assess new capacity price offers made into the BRA in an effort to prevent the exercise of buyer market power. The Net CONE value are designed to screen out below-cost offers and ensure against artificial capacity price suppression. New Net CONE values were computed as part of PJM's separate Triennial Review of RPM design elements and are presently part of a September 25, 2014 filing pending before FERC in which the Board has intervened.

Staff recommended the Board file a Notice of Intervention in this matter.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

### III. CABLE TELEVISION

**A. Docket No. CE14080939 – In the Matter of the Petition of Cablevision of New Jersey, LLC for a Renewal Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Cresskill, County of Bergen, State of New Jersey.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. On December 5, 2012, the Borough of Cresskill (Borough) granted Cablevision of New Jersey, LLC (Cablevision) renewal municipal consent for a term of ten years from the date of issuance of the Renewal Certificate of Approval. On June 17, 2014, Cablevision accepted the terms and conditions of the ordinance, and on August 29, 2014, Cablevision filed a petition with the Board for its Renewal Certificate of Approval for the Borough.

After review, Staff recommended approval of the proposed Renewal Certificate of Approval. This Certificate shall expire on December 1, 2024.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**B. Docket No. CO14101141 – In the Matter of the Petition of Verizon New Jersey, Inc. for Certification of Capability to Provide Cable Television Service to 60 Percent of Households in Four Designated Municipalities.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. On October 8, 2014, Verizon New Jersey, Inc. (Verizon) filed a petition with the Board for approval of its certification that it is capable of providing service to 60 percent of the households in the City of Bayonne, the City of Newark, the City of Paterson, and the City of Union City.

After review, the Office of Cable Television recommended approval of the certification filed by Verizon for the City of Bayonne, the City of Newark, the City of Paterson, and the City of Union City.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**C. Docket No. CW12060479 – In the Matter of the Petition of Verizon New Jersey, Inc. for Renewal of a Waiver of the New Jersey Administrative Code N.J.A.C. 14:18-7.7(c) Regulation Pertaining to Telephone Performance Reports.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. On September 25, 2014, Verizon New Jersey, Inc. (Verizon) filed a request with the Board seeking renewal of the waiver granted by the Board by Order dated November 22, 2013. In that Order, the Board granted Verizon renewal of the waiver of the requirement to submit telephone system performance reports to the Office within 10 days of the end of the month for which the report is filed. Specifically, Verizon was granted an extension of five days allowing the company 15 days following each quarter to submit its quarterly telephone system performance reports.

In its petition, Verizon stated that the same circumstances that caused the company to file for the initial and renewal of the waiver exists today. Specifically, Verizon's call center data is not finalized until the close of business on the fifth business day following the end of the quarter.

Verizon also stated if it is discovered through the validation process that changes or restatements must be made to the data, these changes require overnight processing which is not feasible when a holiday falls within the timeline. Granting Verizon a five day extension for filing these reports will allow for more time to ensure accurate reporting.

After review, Staff recommended the Board approve Verizon's request for renewal of the waiver for a period of one year.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**IV. TELECOMMUNICATIONS**

**A. Docket No. TO13030239 – In the Matter of the Joint Petition of United Telephone Company of New Jersey, Inc. d/b/a CenturyLink for Approval of a Commercial Mobile Radio Service Interconnection Agreement between United Telephone Company of New Jersey, Inc. d/b/a CenturyLink and 365 Wireless, LLC.**

**BACKGROUND:** By separate letters, United Telephone Company of New Jersey, Inc. d/b/a CenturyLink and 365 Wireless, LLC (collectively, Petitioners) filed an application with the Board, for the approval of a negotiated Interconnection Agreement. The Agreement sets forth the terms, conditions and prices under which the Petitioners will offer and provide network interconnection, call transport and termination, and ancillary services to each other.

The Division of the Rate Counsel did not submit comments to the Board regarding the agreement.

After review, Staff recommended approval of the Interconnection Agreement.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**V. WATER**

There were no items in this category.

**VI. RELIABILITY & SECURITY**

**A. Docket Nos. TS14101170K et al. – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq.**

**BACKGROUND:** This matter involved settlements of alleged violations of the Underground Facility Protection Act by both excavators and operators of underground facilities.

Staff recommended 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.

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**B. Docket Nos. WS14101179K et al. – In the Matter of Alleged Violations of the Underground Facility Protection Act, N.J.S.A. 48:2-73 et seq.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. This matter involved settlements of alleged violations of the Underground Facility Protection Act by both excavators and operators of underground facilities.

Staff recommended 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.

**Roll Call Vote:**        **President Mroz**                    **Aye**  
                                 **Commissioner Fiordaliso**       **Aye**  
                                 **Commissioner Holden**           **Aye**

**VII. CUSTOMER ASSISTANCE**

**A. Docket Nos. BPU GC14020163U and OAL PUC 08009-14 – In the Matter of Rose Marie Beirne, Petitioner v. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas, Respondent – Billing Dispute.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. This matter involved a billing dispute between Rose Marie Beirne (Ms. Beirne) and Elizabethtown Gas. The petition was transmitted to the Office of Administrative Law on June 25, 2014, as a contested case. Administrative Law Judge (ALJ) Kimberly A. Moss filed an Initial Decision in this matter with the Board on October 23, 2014, approving a Stipulation of Settlement of the parties.

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 of the ALJ Moss.

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

**Roll Call Vote:**        **President Mroz**                    **Aye**  
                                 **Commissioner Fiordaliso**       **Aye**  
                                 **Commissioner Holden**           **Aye**

**B. Docket Nos. BPU EC13080722U and OAL PUC 13473-13 – In the Matter of Karen Robinson, Petitioner v. Public Service Electric and Gas Company, Respondent – OAL Request for Extension.**

**BACKGROUND:** Commissioner Chivukula recused himself from this matter. By a previous order of extension, the due date for issuing an initial decision was extended until November 10, 2014. Administrative Law Judge Elia A. Pelios requested additional time to complete the initial decision due to voluminous caseload.

Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8. Staff recommended the time for filing the initial decision be extended until December 26, 2014.

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

**Roll Call Vote:**        **President Mroz**                    **Aye**  
                                 **Commissioner Fiordaliso**       **Aye**  
                                 **Commissioner Holden**           **Aye**

**VIII. CLEAN ENERGY**

There were no items in this category.

**IX. MISCELLANEOUS**

**A. Approval of the Executive Session Minutes of July 19, 2013 – Item LSB.**

**Approval of the Minutes of the September 30, 2014 Agenda Meeting.**

This matter was deferred to the December 17, 2014 Agenda.

## AGENDA

### 1. AUDITS

- A. Docket No. WA09070510 – In the Matter of a Comprehensive Management Audit of New Jersey American Water Company Pursuant to N.J.S.A. 48:2-16.4 and N.J.A.C. 14:3-12.1.**

This matter was deferred to the December 17, 2014 Agenda.

- B. Docket No. EO13070687 – In the Matter of the Department of Community Affairs' State Fiscal Year 2014 Universal Service Fund Administrative Cost Budget.**

**Maureen Clerc, USF Team,** presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. This matter involved the Department of Community Affairs' (DCA) State Fiscal Year 2014 Universal Service Fund (USF) Administrative Expenses.

On October 16, 2013, the Board approved the FY14 budget from the DCA, which is the USF Program Administrator. The budget amount was \$7,303,422.00. In September 2014 DCA submitted actual costs for the program in the amount of \$6,851,558.00.

Staff found all expenses to be justified, and recommended the Board authorized \$6,851,558 be taken from the USF account to reimburse the Department of the Treasury and close out FY 14.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

### 2. ENERGY

- A. Docket No. EF14080899 – In the Matter of the Petition of Public Service Electric and Gas Company Pursuant to N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9 for Authority to Issue and Sell Short Term Obligations not Exceeding \$1.0 Billion Aggregate Principal Amount at any one Time Outstanding through January 3, 2017.**

**Mark C. Beyer, Chief Economist,** presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. On August 11, 2014, Public Service Electric and Gas Company (Petitioner), filed a petition requesting authority to issue short-term obligations consisting of borrowings from banks, trust companies, insurance companies or other lenders and of promissory notes not to exceed \$1.0 billion in aggregate principal amount at any one time outstanding, through January 3, 2017.

According to the petition, permanent financing and refinancing for continuing facilities improvement programs are provided through the issuance of long-term debt and equity securities and by internally generated cash. In addition to those long term financings, the Petitioner stated that it needed to fund its utility obligations, including working capital, purchases of electricity and natural gas, payment of State income and other taxes, temporary funding of maturing long-term debt, and managing mismatches which may occur between its cash receipts, including collections from customers, and its cash outflows, including Basic Generation Service and Basic Gas Supply contract payments. In order to employ internally generated cash efficiently and to provide the flexibility necessary to effectively manage cash flows, the Petitioner sought authority to continue to issue Short-term Obligations.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**Jerome May, Director, Division of Energy**, presented these matters.

**B. Docket No. ER12080751 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for the Review and Approval of Costs Incurred for Environmental Remediation of Manufactured Gas Plant Sites Pursuant to the Remediation Adjustment Clause of Its Filed Tariff (2011 Annual RAC Filing).**

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. On August 15, 2012, Jersey Central Power & Light Company (JCP&L or the Company) filed for review of all actual costs and expenditures incurred by JCP&L relating to the environmental remediation of its former manufacture gas plant (MGP) sites for the period from January 1, 2011 through December 31, 2011.

The purpose of Remediation Adjustment Clause (RAC) filing is to provide the Board, the Board's Staff and the Division of Rate Counsel (Rate Counsel), with the opportunity to review the actual costs incurred by JCP&L relating to the environmental remediation of its twenty former MGP sites for the calendar year ended December 31, 2011. Program costs (\$7,700,028) plus carrying costs (\$474,978), were reduced by deferred Natural Resource Damages and incentive compensation costs (\$44,278), yielding a net recoverable balance of \$8,175,006 pertaining to calendar-year 2011.

The resulting net multi-year RAC account balance at December 31, 2011, of \$28,510,182 was proposed by the Company to be amortized over a period of seven years in accordance with the Board Order in Docket No. ER91121820J, dated December 16, 1994 resulting in an authorized increased recovery amount of \$1,315,097. However, the Company proposed to maintain the current RAC rate of 0.0139 cents per kWh (including SUT) rather than calling for a relatively small rate increase.

On October 23, 2014, the Company, Board Staff, and the Rate Counsel (collectively, the Parties) entered into a Stipulation of Settlement agreeing to maintaining JCP&L's after-tax RAC rate at 0.0139 per kWh.

Staff recommended the Board approve the Stipulation of Settlement of the Parties.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**C. Docket No. EO13111047 – In the Matter of the Petition of Atlantic City Electric Company for a Determination Pursuant to the Provisions of N.J.S.A. 40:55D-19 that the Use of Certain Lands Within the Township of Pennsville, Township of Mannington, Township of Pilesgrove, Borough of Woodstown, and the Township of Upper Pittsgrove, and All in the County of Salem, All in the State of New Jersey, are Reasonably Necessary for the Service, Convenience or Welfare of the Public and that the Zoning and Land Use Ordinances of those Municipalities and Counties Shall have no Application Thereto.**

**BACKGROUND AND DISCUSSION:** On November 7, 2013, Atlantic City Electric (ACE or Company) filed a petition with the Board seeking a determination that the zoning regulations of the affected municipalities do not apply to the proposed construction of a 230 kV transmission line connecting the Company's Churchtown and Orchard substations.

Transmission planning studies completed by PJM in conjunction with regional transmission owners in 2004 and 2005 identified the potential for a severe contingency overload in 2008 of the 230 kV transmission line from ACE's Mickelton Substation to PECO Energy's Trainer Substation. To address this issue in time for the summer of 2008, ACE made the determination to install a new 500/230 kV substation in its service territory in proximity to one of the 500 kV transmission lines that transmits power from the Artificial Island nuclear units (Salem and Hope Creek) located in Lower Alloways Creek Township, to load centers further north and east (the Orchard Substation). While the Orchard Substation, which utilizes a temporary three terminal configuration, was placed in service May 2008, ACE maintains that this configuration creates challenges for the operation of its transmission system.

ACE sought permission to upgrade this portion of its system to eliminate what the Company determined to be an excessive risk of a 230kV transmission outage created by the temporary configuration. The Company maintained that these upgrades will complete the integration of the Orchard Substation into the Company's transmission system, ensuring that the ability to import large amounts of power is maximized pursuant to the design originally planned and approved by PJM. The Company represented that all upgrading of the facilities will be conducted almost exclusively within its existing rights-of-way.

Staff recommended the Board approve the Company's request for the line's construction.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**D. Docket No. GR13090874 – In the Matter of the Petition of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas to Revise Its Energy Efficiency Program Rider Rate.**

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. On September 26, 2013, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas (Elizabethtown or Company) filed a Petition (2013 Petition) with the Board requesting to increase its Energy Efficiency Program (EEP) rate of \$0.0000 per therm to \$0.0088 per therm inclusive of all applicable taxes effective December 1, 2013. The current EEP rate of \$0.0042 per therm inclusive of all applicable taxes was made effective January 1, 2014 under BPU Docket Nos. GO10070446, GR11070398 and GR12080729. The EEP rate enables Elizabethtown to recover the cost associated with Elizabethtown's EEPs approved by the Board. The Company's EEPs consist of a range of rebates and related offers -- including, for example, various customer education and outreach initiatives, as well as an on-line customer Dashboard -- that are designed to encourage customers to conserve energy and to provide them with information on how to lower their gas bills.

The 2013 Petition sought to reconcile EEP costs and cost recoveries for the period commencing July 1, 2012 through June 30, 2013 and to recover forecast revenues for the period July 1, 2013 through June 30, 2014. The actual EEP costs for the period July 1, 2012 through June 30, 2013 amounted to \$850,487. As reflected in the 2013 Petition, the rate of \$0.0088 per therm was designed to recover actual and projected allowable recoverable EEP costs of \$3,589,555 through September 30, 2014.

Public hearings regarding the 2013 Petition were held on August 18, 2014 in Flemington, New Jersey and on August 20, 2014 in Rahway, New Jersey. No members of the public attended these public hearings.

Elizabethtown, Board Staff, and the New Jersey Division of Rate Counsel (Rate Counsel) (collectively, the Parties) engaged in discovery and as a result of those discussions, the Parties resolved all issues and that the Effective Date of the Stipulation will be December 1, 2014, and that the Company shall implement an EEP rate of \$0.0088 per therm, inclusive of all applicable taxes, and that rate shall remain in effect until changed by order of the Board. Upon approval by the Board of the EEP rate reflected in the Stipulation, the Company will propose and file with the Board revised tariff sheets to reflect the EEP rate agreed to in the Stipulation.

The annual bill impact of the stipulated EEP rate on a typical residential heating customer using 1,000 therms is an annual increase of \$4.60 from \$1,022.50 to \$1,027.10 or 0.4% as compared to the Company's currently effective rates. The proposed rates will increase Elizabethtown's annual revenues by approximately \$3.5 million based on the Company's most recent therm forecast.

Staff recommended the Board adopt the Stipulation of the Parties.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**E. Docket No. ER14040370 – In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2015.**

**Frank Perrotti, FERC PJM Issues Manager**, presented this matter.

**BACKGROUND AND DISCUSSION:** On July 1, 2014, the four electric distribution companies (EDCs) filed a Joint EDC Proposal for Basic Generation Service (BGS), consisting of a generic proposal for BGS Service beginning on June 1, 2015, including proposed preliminary auction rules, Supplier Master Agreements (SMAs) and EDC-Company Specific Addendums dealing with auction issues specific to that particular utility. Similar to past years, the EDCs have jointly proposed two simultaneous, multi-round, descending clock auctions for the procurement of supply to meet the full electricity requirements for retail customers that have not chosen a Third-Party Supplier.

- **BGS-Fixed Price Name Classification**

Staff recommended the BGS-Fixed Price (FP) class have its name changed to the Residential & Small Commercial Pricing (RSCP) class. Further, Staff recommended that for the purposes of conducting the 2015 BGS Auction, the term BGS-FP still be used in any documents and bidding software used by National Economic Research Associates (NERA) the Auction Manager for the purposes of conducting the Auction, with the exception of the 2015 SMA which should reflect the name change. Further, Staff recommended the Board direct Staff to work with the EDCs to transition the change of the name of the BGS-FP product in any BGS documents, billing materials and in customer information systems to BGS-Residential & Small Commercial Pricing (RSCP) so the product offered to customers is termed BGS-RSCP by June 1, 2015.

- **Commercial and Industrial Energy Pricing (CIEP) Load Caps**

Staff recommended the Board direct the EDCs' to increase the statewide load cap in the upcoming BGS-CIEP auction from the current load cap of approximately one-third of the CIEP tranche target to a load cap of about 45 percent of the CIEP tranche target.

- **BGS Administrative Expenses**

Staff recommended the Board initiate a review of BGS Administrative fees collected through the BGS tranche fees to ensure that these amounts being paid by ratepayers are just and reasonable.

- **Reconciliation Charge**

Staff recommended the Board direct the EDCs to provide data to Staff and Rate Counsel regarding the implementation of the proposed changes to the reconciliation charge over the Energy Year 2015 period in July of 2016.

• **PJM Capacity Proposal Transitional Mechanism**

Staff recommended a three-step method for reflecting the PJM CP in the SMA (supplier payments) and BGS rates. It should be noted that if the Federal Energy Regulatory Commission (FERC) does not approve the PJM CP, BGS suppliers will not receive additional compensation and BGS rates will not be impacted with this methodology. This process is as follows:

For Step 1 the mechanism will reimburse BGS suppliers to the extent that the Reliability Pricing Model capacity price changes from that currently established, the EDCs will make an adjustment to supplier payments based on each suppliers' actual capacity obligation and the change in price. Staff recommended that the Board direct the EDCs to incorporate Attachment 2 to their Supplemental Comments into the 2015 BGS-CIEP SMA.

For step 2 after reviewing the various proposals submitted by parties, Staff believed the NextEra proposal to make price and volume adjustments has some merit. Step 2 is for the 2015/2016 delivery year as there may be capacity obligation changes as well or in place of price changes, each BGS supplier will be compensated by a payment adjustment for any additional capacity obligation as a result of the PJM CP. Staff recommended that the Board direct the EDCs to modify their proposal to take into account both price and volume adjustments for capacity additions resulting from the PJM CP, if ultimately approved by FERC.

For step 3 Staff recommended that the Board direct the EDCs to incorporate the mechanism to allow recovery of increased capacity prices resulting from the potential FERC approval of the PJM CP proposal in the BGS-RSCP (formerly, BGS-FP) and BGS-CIEP tariffs as proposed in their Supplemental comments. Further, Staff recommended that the Board directs the EDCs to make a compliance filing to incorporate the increased capacity price resulting from FERC approval of the PJM CP proposal in the BGS-RSCP and BGS-CIEP tariffs as proposed in their Supplemental comments, within 14 days of the time the new capacity prices are available to the EDCs and the Board. Finally, Staff recommended that the Board direct each EDC to conduct a public hearing in its service territory indicating for the period beginning June 1, 2015 that FERC approval of the PJM CP proposal may lead to an increase in BGS rates.

Staff recommended that the Board invite Third Party Suppliers (TPSs) to make a filing with the Board explaining how they would be financially harmed, recognizing that TPSs have the freedom to determine what products and services to offer into the New Jersey retail electric marketplace through a negotiated contract. This filing should also include several options that TPSs feel would resolve what they perceive as financial harms, as well as a verification mechanism to determine the actual costs a TPSs is exposed to as a result of PJM CP proposal.

Staff also recommended the Board find that the confidentiality provisions of its December 1, 2004 Order in Docket Number EO04040288 remain necessary and

appropriate for the continued success of the BGS Auctions, and approve the same confidentiality provisions for the 2015 BGS Auctions by incorporating the reasoning and relevant provisions of its December 1, 2004 Order.

With the modifications and additions suggested above, Staff recommended that the Board approve the same basic descending clock auction process, the Auction Rules, Board approval process and SMAs that have been employed for the past few years.

In addition, Staff recommended that the Board require each of the EDCs to file an amended BGS Compliance Filing by November 26, 2014, in addition the EDCs will be required to make several additional compliance filings as a result of PJM CP Proposal as previously discussed. Staff further recommended the Board give Staff authority in reviewing these EDC's compliance filings, and requested that the Board Secretary issue a compliance letter if Staff upon review finds them in compliance with the Board Order.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**F. Docket No. ER14010002 – In the Matter of the Federal Energy Items for 2014 – FERC Docket No. ER14-2940-000 – PJM Interconnection, L.L.C. – Motion to Intervene and Joint Protest.**

**Christopher Psihoules, Deputy Attorney General, Division of Law,** presented this matter.

**BACKGROUND AND DISCUSSION:** Intervention and comments were due on October 16, 2014 at Federal Energy Regulatory Commission (FERC) in response to a recent filing by PJM to make certain changes to the design of its capacity market known as the Reliability Pricing Model (RPM) market. Pursuant to PJM's tariff, the RPM design is reviewed every three years (soon to become every four years) with recommended changes submitted to FERC for approval. On September 25, PJM made the filing after conducting months-long stakeholder process hoping to garner consensus on certain market design elements.

Staff believed that the proposals in PJM's filing, if approved by FERC, would raise capacity prices in New Jersey by approximately \$195 million annually if the proposed VRR curve was in effect for next year's RPM Delivery Year. A coalition of end-use consumer entities, including the public utility commissions, an array of state public advocates' offices, public power entities, large industrial consumers, and transmission/distribution companies have filed a joint protest in the matter. The coalition argued that, among other things: (1) PJM's proposal to shift the Variable Resource Reliability curve, which is the proxy for the load or demand curve used to determine the price of capacity in RPM, is not just and reasonable because it actually harms consumers and markets in violation of the Federal Power Act and does so without requisite analysis or offsetting benefits; (2) the after-tax weighted-average cost of capital (ATWACC) used in establishing Gross Cone should be set at 7% not 8% as proposed by PJM because the proxy group median and 75<sup>th</sup> percentile ATWAAC are both below 7%;

and (3) PJM's filing should be held in abeyance if not rejected until PJM completes the Enhanced Liaison Process for the Capacity Performance Proposal since this proposal will impact RPM parameters at issue in this proceeding.

Staff recommended the Board to intervene in this matter.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**G. Docket Nos. BPU ER12111052 and OAL PUC 16310-12 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Review and Approval of Increases in and Other Adjustments to Its Rates and Charges for Electric Service, and for Approval of Other Proposed Tariff Revisions in Connection Therewith and for Approval of an Accelerated Reliability Enhancement Program (2012 Base Rate Filing) – OAL Request for Extension – See Executive Session.**

**Jerome May, Director, Division of Energy,** presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. This matter was initially discussed in Executive Session pursuant to the attorney/client privilege exception to the Open Public Meetings Act. The matter involved a third extension request from the Office of Administrative Law on the JCP&L base rate case, which was filed in November 2012. The proposed extension would require the Initial Decision on or before December 29, 2014. The reason given for the request is the ALJ's "heavy caseload."

Good cause having been shown, Staff recommended the time for filing the initial decision be extended until December 29, 2014.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**3. CABLE TELEVISION**

There were no items in this category.

**4. TELECOMMUNICATIONS**

There were no items in this category.

5. WATER

**A. Docket No. WR14070803 – In the Matter of the Petition of Aqua New Jersey, Inc., Maxim Wastewater Division, for Approval of a 2013 Purchased Wastewater Treatment Adjustment Clause True-Up and Other Required Approvals.**

**Maria L. Moran, Director, Division of Water**, presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. On July 28, 2014, Aqua New Jersey, Inc., Maxim Wastewater Division filed a petition with the Board for approval of a Purchased Sewerage Treatment Adjustment Clause (PSTAC) and to set rates for calendar year 2015.

Maxim originally filed for an overall decrease in the PSTAC rate. Since Maxim requested a decrease in rates, it was deemed that a public comment hearing was not required and the matter was retained by the Board. After serving discovery upon Maxim, which was fully responded to, the Parties, consisting of Maxim, Rate Counsel and Board Staff, engaged in a settlement teleconference on October 27, 2014, and as a result, reached a Stipulation of Settlement on all issues in the case.

The Parties agreed to an overall decrease in Maxim's PSTAC revenues totaling \$35,004 which was based upon the estimated costs for 2015, the under-recovery for 2013 and the costs of this proceeding.

Utilizing the stipulated numbers, the average residential customer's annual flat PSTAC rate will decrease from \$322.41 to \$309.21, an annual decrease of \$13.20 or approximately -4.093%.

Staff recommended the Board adopt the Stipulation of Settlement of the Parties.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**B. Docket No. WM14070697 – In the Matter of the Petition of United Water New Jersey Inc., United Water Toms River Inc., United Water Mid-Atlantic Inc., United Water Arlington Hills Sewer Inc., United Water West Milford Sewer Inc., United Water Matchaponix Inc., United Water Princeton Meadows Inc., United Water Resources Inc. and United Waterworks Inc. for Approval as Needed of an Internal Reorganization and Other Regulatory Approvals.**

**Mark C. Beyer, Chief Economist**, presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. On July 7, 2014, United Water Resources Inc. and its New Jersey regulated utility subsidiaries together with United Waterworks Inc., (UWW) filed a petition requesting Board approval of an internal reorganization. The proposed internal reorganization consists of a two-step merger process pursuant to which UWW will

become the direct corporate parent of each of the New Jersey regulated utility subsidiaries. In addition, the Petitioners request Board approval to participate in certain financing arrangements whereby the Petitioners may be guarantors or may pledge assets as security for debt financings at the UWW holding company level.

The New Jersey Operating Utilities will continue to provide service to their respective existing customers in New Jersey under the same rates, terms and conditions, and they will continue to be subject to the jurisdiction of the Board.

As part of the proposed reorganization, UWW intends to enter into certain financing arrangements, which will consist of the issuance of long-term debt to be utilized to fund the operations of the reorganized and consolidated Company. As long-term debt is issued, the Petitioners believe that more favorable terms, including a lower interest rate, on said debt can be achieved and, as a result of the reorganization, should benefit each of the Petitioners.

Financing will be used for the refinancing, refunding, renewal, reissuance, redemption, and rollover of any indebtedness outstanding, the incurrence or issuance of additional long-term indebtedness, and the amendment or revision of any terms or provisions of, or relating to, any long-term indebtedness.

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

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**C. Docket Nos. BPU WR14050405 and OAL PUC 06071-14 – In the Matter of the Application of Fayson Lake Water Company for the Approval of an Increase in Rates and Other Appropriate Relief.**

**Maria L. Moran, Director, Division of Water**, presented this matter.

**BACKGROUND AND DISCUSSION:** On May 5, 2014, Fayson Lake Water Company (Petitioner) filed a petition with the Board seeking to increase its rates for water service amounting to \$181,922 or 30.56% above present revenues. The Petitioner subsequently submitted updated schedules, based on actual results for the twelve months ending December 31, 2013, revising its request downward to \$127,824, or 22.19%.

This matter was transmitted to the Office of Administrative Law and was assigned to Administrative Law Judge (ALJ) Gail Cookson. A public hearing was held in Kinnelon at which two members of the public attended and offered comments objecting to the proposed rate increase. Subsequent to the public hearing, the Parties, consisting of the Petitioner, the Division of Rate Counsel and Board Staff, negotiated a Stipulation of Settlement (Stipulation). The Stipulation calls for an overall increase of \$71,908 or 12.49% over present operating revenues. An average bill for a general metered

residential customer with a 5/8-inch meter and using 5,000 gallons of water per month or 15,000 gallons per quarter, will see an increase of \$18.24 per quarter or 12.46%.

ALJ Cookson submitted an Initial Decision which recommended that the Board adopt the Stipulation.

After review, Staff recommended the Board adopt the ALJ's Initial Decision.

The Board accepted the recommendation of Staff and adopted ALJ Cookson's Initial Decision.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**6. RELIABILITY & SECURITY**

There were no items in this category.

**7. CUSTOMER ASSISTANCE**

There were no items in this category.

**8. CLEAN ENERGY**

**Elizabeth Ackerman, RA+LEED AP, Acting Director, Division of Economic Development & Energy Policy**, presented these matters.

**A. Docket No. QO14101261 – In the Matter of the Clean Energy Program Administrator – Request for Proposals – See Executive Session.**

**BACKGROUND AND DISCUSSION:** This matter was initially discussed in Executive Session pursuant to the attorney/client privilege exception to the Open Public Meetings Act.

This matter involved a request for proposal (RFP) for program administrator for the New Jersey Clean Energy Program.

Staff recommended the Board approve Staff's request to transmit the RFP to the Treasury Department for release subject to Treasury Department's final approval, and the subsequent approval by the Office of the State Comptroller. Staff also requested authority to implement any additional revisions to the RFP as requested by Treasury Department or the State Comptroller subject to the Board notification.

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

**Roll Call Vote:**            **President Mroz**                    **Aye**  
                                  **Commissioner Fiordaliso**       **Aye**  
                                  **Commissioner Holden**           **Aye**  
                                  **Commissioner Chivukula**       **Aye**

**B. Docket No. QO14101264 – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial (C&I) Program Energy Efficiency Incentives Exceeding \$500,000 – The Prudential Insurance Company of America.**

**BACKGROUND AND DISCUSSION:** President Mroz recused himself from this matter. This matter involved a Commercial and Industrial (C&I) incentive exceeding \$500,000 for the Prudential Insurance Company of America (Prudential) for the Pay-For-Performance New Construction Program. Prudential submitted an application for incentives for rehabilitation of a 21-story office building located at 677 Broad Street in Newark, NJ.

It is estimated that this project will achieve a 20 per cent total energy savings over the current building code baseline. The measures include lighting, building envelope, Heating/Ventilation/Air Conditioning, low flow water fixtures, variable frequency drives and systems controls.

It is estimated that the incremental cost for the additional energy efficiency is \$4,745,320 and the incentive is \$1,313,418. The project has an estimated 12% internal rate of return and a 7 year simple payback. Based on the certifications of the Clean Energy Program Project Coordinator, Applied Energy Group and Market Manager, TRC Solutions, Staff determined that this application meets the eligibility requirements for C&I rebates and therefore recommended the Board to approve the application.

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

**Roll Call Vote:**            **Commissioner Fiordaliso**       **Aye**  
                                  **Commissioner Holden**           **Aye**  
                                  **Commissioner Chivukula**       **Aye**

**C. Docket No. QO14010020 – In the Matter of the Petition of the Pine Hill School District Regarding the November 1, 2013 Denial of Incentives in Connection with Its Energy Savings Plan.**

**BACKGROUND AND DISCUSSION:** In January 2014, Pine Hill School District (Pine Hill or Petitioner) filed a petition requesting the Board approve its application to the Clean Energy Program (CEP) for Combined Heat and Power (CHP)/Fuel Cell Program incentives which had been denied by the CEP Commercial and Industrial and Energy Efficiency Market Manager, TRC Energy Solutions (TRC) and which denial was upheld by the CEP Program Coordinator, Applied Energy Group (AEG).

The Petitioner submitted applications under both the Energy Savings Improvement Program (ESIP) and the CHP Program. TRC cited that the Pine Hill's CHP applications did not meet annual system utilization requirements, using a standard of 6,000 hours.

The Petitioner's own submissions support that its CHP applications were properly denied in accordance with CEP's CHP Program. The full load equivalent, as provided by the

Petitioner's energy savings plan creator, Tozer Energy Services, ranged from 2,000 to just under 2,500 hours for the four CHP projects. The Petitioner's CHP applications demonstrate that each of its CHP projects had less than 6,000 full time equivalent run hours.

TRC applied program rules in effect at the time the Pine Hill School District's CHP applications were submitted and, therefore, properly denied the applications. Staff's review determined that the Petitioner failed to present a material dispute to any of its allegations or to state a claim to the Board to adjudicate. Therefore, Staff recommended that the Pine Hill Petition be denied.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>
	<b>Commissioner Chivukula</b>	<b>Aye</b>

**D. Docket Nos. BPU EO11050314V and Appellate Division Docket No. A-3932-13T3 – In the Matter of the Petition of Fishermen's Atlantic City Windfarm, LLC for Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates – Review of Supplemental Record on Appeal.**

**Jake Gertsman, Legal Specialist, Office of Chief Counsel,** presented this matter.

**BACKGROUND AND DISCUSSION:** Commissioner Chivukula recused himself from this matter. Upon review of the supplemented record in the Fishermen's matter, Staff recommended the Board find that:

1. FACW has not demonstrated receipt of \$100 million in federal subsidies;
2. FACW has not adequately substantiated the viability of the project at an OREC price of \$199.17 absent complete receipt of those subsidies; and
3. The supplemental record does not materially change the Board's financial analysis of the project.

Based on these findings, Staff recommended the Board reaffirmed the following findings from its March 28, 2014 Order:

1. The project does not provide a net economic and environmental benefit to New Jersey ratepayers. (March 28 Order at 26); and
2. Even if FACW has demonstrated "sufficient access to capital" as required by the second prong of N.J.S.A. 48:3-87.1(b)(1)(d), it has not demonstrated its financial integrity. (March 28 Order at 27)

Finally, Staff recommended the Board adopted the procedural order entered by the presiding officer on September 2, 2014 and the Amended and Revised Joint Record, with one exception.

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

<b>Roll Call Vote:</b>	<b>President Mroz</b>	<b>Aye</b>
	<b>Commissioner Fiordaliso</b>	<b>Aye</b>
	<b>Commissioner Holden</b>	<b>Aye</b>

**9. MISCELLANEOUS**

There were no items in this category.

**LATE STARTER A**

**ENERGY**

**Docket No. EO12121072 – In the Matter of the Board’s Review of the Applicability and Calculation of a Consolidated Tax Adjustment – Order of Clarification.**

This matter was deferred to the December 17, 2014 Agenda.

## EXECUTIVE SESSION

After appropriate motion, the following matters, which involved pending litigation attorney-client privilege, and/or contract exceptions to the Open Public Meetings Act was discussed in Executive Session.

### 2. ENERGY

**G. Docket Nos. BPU ER12111052 and OAL PUC 16310-12 – In the Matter of the Verified Petition of Jersey Central Power & Light Company for Review and Approval of Increases in and Other Adjustments to Its Rates and Charges for Electric Service, and for Approval of Other Proposed Tariff Revisions in Connection Therewith and for Approval of an Accelerated Reliability Enhancement Program (2012 Base Rate Filing) – OAL Request for Extension.**

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

### 8. CLEAN ENERGY

**A. Docket No. QO14101261 – In the Matter of the Clean Energy Program Administrator – Request for Proposals.**

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.



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KENNETH J. SHEEHAN  
BOARD SECRETARY

DATE: January 21, 2015