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April 27, 2015

VIA HAND DELIVERY AND ELECTRONIC MAIL

Hon. Kenneth J. Sheehan, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625

**Re: Comments of the New Jersey Division of Rate Counsel
CEP Proposed Revisions to NJCEP Protocols**

Dear Secretary Sheehan:

The Division of Rate Counsel ("Rate Counsel") would like to thank the Board of Public Utilities ("BPU" or "Board") for the opportunity to present the within comments on the proposed revisions ("Draft Protocols") to the Clean Energy Program Protocols ("Protocols") submitted in red-line form to stakeholders for comment by the Office of Clean Energy ("OCE") on April 16, 2015.¹

Enclosed please find original and ten copies of comments submitted on behalf of Rate Counsel in connection with the above-captioned matter. We are enclosing one additional copy of

¹ The draft of the Protocols was entitled: "New Jersey Board of Public Utilities, New Jersey Clean Energy Program, Protocols to Measure Resource Savings: Revisions to March 17, 2014 Protocols, Release Date TBD." Red-lined draft circulated on April 16, 2015. "

the comments. Please stamp and date the extra copy as ‘filed’ and return it in our self-addressed stamped envelope.

Presently, the OCE and the Market Managers for Clean Energy Program’s (“CEP”) energy efficiency (“EE”) and renewable energy (“RE”) programs use the current version of the Protocols to Measure Resource Savings to track the energy and demand savings (and RE generation) resulting from participation in CEP programs. Energy and demand savings data submitted by the CEP Market Managers – calculated using the Protocols – is compiled by the OCE’s CEP Program Coordinator, who then prepares quarterly and annual reports on CEP activity and results to the Board. In addition, the Protocols have been used by several utilities to estimate prospective energy savings associated with the EE measures and programs found in their energy efficiency economic stimulus (“E3”) programs initially approved by the Board in 2009. Furthermore, the Protocols are used by the BPU to evaluate program performance. For the above reasons, the Protocols are an important component of the CEP.

Rate Counsel notes the substantive changes found in the latest draft of the Protocols as well as the revisions embodied in the earlier drafts pursuant to the Board’s prior Orders addressing the Protocols.² Rate Counsel does not object to the proposed revisions to the March 17, 2014 draft of the Protocols which largely update the document to address industry norms and technological advancements as well as revisions to the CEP programs, including the Pay for Performance program. However, Rate Counsel reserves its right to submit further comments on the Protocols and the underlying programs in response to new data and in response to any future OCE

² See I/M/O Revisions to New Jersey’s Clean Energy Program September 2010 Protocols to Measure Resource Savings, BPU Dkt. No. EO09120975 (Order, 9/13/12) (“2012 Protocols Order”). I/M/O Revisions to New Jersey’s Clean Energy Program August 2012 Protocols to Measure Resource Savings, BPU Dkt. No. EO09120975 (Order, 5/21/14) (“2014 Protocols Order”).

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solicitations for comments.

Finally, Rate Counsel also respectfully submits that future versions of the Protocols should reflect the anticipated findings of the now pending CEP's Data and Evaluation working group proceeding as well as any measurement and verification methodologies required for participation in PJM Interconnection, LLC's EE and Demand Response programs.

Thank you for your consideration of the within comments.

Respectfully submitted,

STEFANIE A. BRAND
Director, Division of Rate Counsel

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