



****REVISED – July 27, 2009**

**STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102**

**AGENDA FOR BOARD MEETING
WEDNESDAY, JULY 29, 2009
10:00 a.m. – NEWARK
EXECUTIVE SESSION***

**(Open Session will not reconvene until 11:00 a.m., at the earliest, following the conclusion of the Executive Session, which will commence at 10:00 a.m.)*

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.

2. ENERGY

- H.** Non-Docketed Matter - In the Matter of the PJM Interconnection, LLC FERC Docket Nos. ER05-1410 et al., EL05-148 et al.; Maryland Public Service Commission et al. vs. PJM Interconnection, LLC FERC Docket No. EL08-67; PJM Interconnection, LLC FERC Docket No. ER09-412 (Reliability Pricing Model).
- I.** Non-Docketed Matter - In the Matter of the PJM Cost Development Task Force.
- **J.** Docket No. EO08100875 – In the Matter of Atlantic City Electric Company Renewable Energy Portfolio Standard - Amendments to the Minimum Filing Requirements for Energy Efficiency, Renewable Energy, and Conservation Programs; and for Electric Distribution Company Submittals of Filings in Connection with Solar Financing; and

Docket No. EO08090840 – In the Matter of the Verified Petition of Jersey Central Power and Light Company Concerning a Proposal for an SREC-Based Financing Program under N.J.S.A. 48:3-98.1.

3. CABLE TELEVISION

- A.** Docket No. CR08121104 - In the Matter of the Filings by Time Warner Cable-Bergen County Rate Change Under FCC Form 1205 Determining Regulated Equipment and Installation Costs - Motion for Reconsideration and Request for Stay.

5. WATER

- C.** Docket No. WO08050358 - In the Matter of the Petition of New Jersey American Water Company for Authorization to Implement a Distribution System Improvement Charge (DSIC).

8. CLEAN ENERGY

- E.** Docket No. EO08060423 - In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 - In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement.

- F.** Docket No. EO07030203 - In the Matter of the Comprehensive Energy Efficiency (EE) and Renewable Energy (RE) Resource Analysis for 2009-2012: Final Programs and Budgets: Renewable Energy Program Grid Supply Solicitation.

- **G.** Docket No. EO09030210 – In The Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order.:

- 1. Docket No. EO09070542 – Memorandum of Understanding with the Housing and Mortgage Finance Agency.
- 2. Docket No. EO09070543 – Memorandum of Understanding with the Office of Energy Savings.
- 3. Docket No. EO09070544 – Memorandum of Understanding with the Economic Development Authority.

- H.** Docket No. EO09060445 – In the Matter of the Request for Proposal (RFP) for a Financial and Operational Audit of the New Jersey Clean Energy Program Market Managers – Consideration of Evaluation Committee Recommendation.



**AGENDA FOR BOARD MEETING
WEDNESDAY, JULY 29, 2009
11:00 a.m. – NEWARK
CONSENT AGENDA**

I. AUDITS

- A.** In the Matter of the Private Aggregator Renewal Registration/Energy Agent and Energy Consultant Final Registrations:

**Energy Agent, Private Aggregator and/or
Energy Consultant Renewal Registration(s)**

EE09030206L	MRDB Holdings, LP d/b/a LPB Energy Management	R – EA
EE09030241L GE09030242L	PMK Group, Inc.	R – EA/PA/EC

**Energy Agent, Private Aggregator and
Energy Consultant Final Registration**

EE09030238L GE09030239L	TFS Energy Solutions, LLC d/b/a Tradition Energy	F – EA/PA/EC
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Electric Power Supplier License Renewals

EE09050362L	Linde Energy Services, Inc. d/b/a BOC Energy Services, Inc.	R – ESL
EE09040347L	PPL EnergyPlus, LLC	R – ESL

II. ENERGY

- A.** Docket Nos. GC07100786 & PUC 12146-07 – In the Matter of Mastrangelo Branchburg, LLC, Petitioner v. Public Service Electric and Gas Company, Respondent – Alleged Failure Supply Adequate Volume & Pressure of Gas.

- B.** Docket No. GE09050348 - In the Matter of the Petition of Pivotal Holdings, Inc., d/b/a Elizabethtown Gas, for Approval of a Franchise in the Borough of Hampton, Hunterdon County, New Jersey.

Docket No. GE09050349 - In the Matter of the Petition of Pivotal Holdings, Inc., d/b/a Elizabethtown Gas, for Approval of a Franchise in the Borough of Frenchtown, Hunterdon County, New Jersey.

III. CABLE TELEVISION

- A.** Docket No. CE06110768 – In the Matter of the Application by Verizon New Jersey, Inc. for a System-wide Cable Television Franchise – Fifth Order of Amendment.
- B.** Docket No. CR09030180 – In the Matter of Comcast Wildwood, LLC (Maple Shade-Gloucester City) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- C.** Docket No. CR09030181 – In the Matter of Comcast Cable Communication, LLC for Approval of the Filing of FCC Form 1205 Determining Regulated Equipment and Installation Costs Using the Optional Expedited Rate Procedures.
- D.** Docket No. CE09040322 – In the Matter of the Petition of Cablevision of Oakland, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Glen Rock, County of Bergen, State of New Jersey.
- E.** Docket No. CE09040343 – In the Matter of the Petition of TWFanch-One, Company d/b/a Time Warner Cable of New York and New Jersey, for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Palisades Park, County of Bergen, State of New Jersey.
- F.** Docket No. CE08121094 – In the Matter of the Petition of Comcast of Garden State, L.P. for Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Borough of Hi-Nella, County of Camden, State of New Jersey.
- G.** Docket No. CE09010002 – In the Matter of the Petition of Comcast of Garden State, L.P. for a Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Cherry Hill, County of Camden, State of New Jersey.
- H.** Docket Nos. CE02060370 & OAL 11293-03 – In the Matter of TWFanch-One Company d/b/a Time Warner Cable for the Renewal of its Certificate of Approval to Own, Operate and Maintain a Cable Television and Communications System in the Borough of Ridgfield, County of Bergen, State of New Jersey.

IV. TELECOMMUNICATIONS

- A.** Docket No. TM09050426 – In the Matter of the Indirect Transfer of Control of NEXTG Networks of NY, Inc. d/b/a NEXTG Networks East.

V. WATER

- A.** Docket No. WE08121078 - In the Matter of the Petition of Applied Wastewater Management Inc., for Approval of a Municipal Consent Granted by the Township of Mount Olive, Morris County; and Extension of its Existing Wastewater Tariff to the New Service Area.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU GC06110795U & OAL PUC 1128-07 – In the Matter of Franca & Joseph Hobbs, Petitioner v. Public Service Electric & Gas Company, Respondent.
- B.** Docket Nos. BPU WC08070496U and OAL PUC 11404-08 – In the Matter of Mathai Joy, Petitioner v. New Jersey American Water Company, Respondent.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A.** Approval of the Minutes of April 26, 2006, November 9, 2006, March 2, 2007, May 23, 2007, April 12, 2007 and September 12, 2007.



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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 – **EXECUTIVE SESSION**.
- B.** Docket No. EO09070525 - In the Matter of the Department of Community Affairs State Fiscal Year 2010 Universal Service Fund Administrative Cost Budget.

2. ENERGY

- A.** Docket No. GR08050365 – In the Matter of the Petition of Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas Company to Reconcile its Periodic Basic Gas Supply Service Rate.
- B.** Docket Nos. EO04060395 and EO09060465 – In the Matter of Public Service Electric and Gas Company's Petition to Recover the Deferred Costs of the Energy Information and Control Network Pilot Program through a Temporary Electric Societal Benefits Charge (SBC) Component, Specifically, "The MyPower Pilot Program Charge."
- C.** Docket Nos. EO08050326, EO08080543 and EO07110881 – In the Matter of Atlantic City Electric Company's Responsive Petition to the Board of Public Utilities Order Dated July 1, 2008 Regarding the Submission of Demand Response Programs for the Period Beginning June 1, 2009 for Electric Distribution Companies, and for Supplemental Inclusion of Same in its "Blueprint for the Future" Filing Dated November 19, 2007; and

Docket No. EO08050326 - In the Matter of the Demand Response Programs for the Period Beginning June 1, 2009 – Electric Distribution Programs.

2. ENERGY (CONT'D)

- D. Docket Nos. BPU ER08121041 & OAL PUC 1290-09 – In the Matter of the Petition of Public Service Electric and Gas Company to Modify its Manufactured Gas Plant (MPG) Remediation Component within its Electric Societal Benefits Charge (SBC) and its Gas SBC; for a Board Order Finding that its MGP Remediation Work Performed during the Remediation Adjustment Charge (RAC) 15 Period, August 1, 2007 to July 31, 2008 was Prudent; that the Resulting RAC 16 Costs are Reasonable and Available for Recovery; and to Make Changes in the Tariff for Gas Service BPU-NJ No. 14, Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.
- E. Docket No. EO09050355 – In the Matter of the Request of Atlantic City Electric Company for Authorization to Establish a Regulatory Asset Resulting from the Impact of Recent Economic Developments on Pension Costs.
- F. Docket No. EM02050313 – In the Matter of the Petition of Atlantic City Electric Company for the Approval of the Sale of Certain Lands and Premises Situated in the Township of Maurice River, in Part, and the City of Millville, in Part, County of Cumberland and State of New Jersey to R.W.V. Land & C.M. Livestock, LLC, Pursuant To N.J.S.A. 48:3-7.
- G. Docket No. EF09040328 - In the Matter of the Petition of Atlantic City Electric Company for Authority to Issue Debt Securities Pursuant to N.J.S.A. 48:3-9.
- H. Non-Docketed Matter - In the Matter of the PJM Interconnection, LLC FERC Docket Nos. ER05-1410 et al., EL05-148 et al.; Maryland Public Service Commission et al. vs. PJM Interconnection, LLC FERC Docket No. EL08-67; PJM Interconnection, LLC FERC Docket No. ER09-412 (Reliability Pricing Model) – **EXECUTIVE SESSION**.
- I. Non-Docketed Matter - In the Matter of the PJM Cost Development Task Force – **EXECUTIVE SESSION**.
- **J. Docket No. EO08100875 – In the Matter of Atlantic City Electric Company Renewable Energy Portfolio Standard - Amendments to the Minimum Filing Requirements for Energy Efficiency, Renewable Energy, and Conservation Programs; and for Electric Distribution Company Submittals of Filings in Connection with Solar Financing; and

Docket No. EO08090840 – In the Matter of the Verified Petition of Jersey Central Power and Light Company Concerning a Proposal for an SREC-Based Financing Program under N.J.S.A. 48:3-98.1 – **EXECUTIVE SESSION**.
- K. Docket No. EO09020097 – In the Matter of the Verified Petition of Rockland Electric Company Concerning a Proposal for an SREC-based Financing Program under N.J.S.A. 48:3-98.1.
- L. Docket No. EO07040278 - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Solar Energy Program and Associated Cost Recovery Mechanism – Decision Approving Modification of Program Rules on SREC Sales and Allowing Forbearance Agreements.

2. ENERGY (CONT'D)

- M. Docket No. EO09020125 – In the Matter of Petition of Public Service Electric and Gas Company for Approval of a Solar Generation Investment Program and Associated Cost Recovery Mechanism – (Solar 4 All).
- N. Docket No. EO09010056 - In the Matter of Energy Efficiency Investment and Associated Cost Recovery Mechanism for all Gas & Electric Utility Companies in New Jersey; and

Docket No. GO09010060 – In the Matter of Pivotal Holdings Inc d/b/a/ Elizabethtown Gas for Approval of EE Programs and a Regional Greenhouse Gas Initiative Cost Recovery Rider.
- O. Docket No. EO08050310 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2009 – Jersey Central Power & Light Company Tiered Rate Structure – Request for Extension of Time.
- P. Docket No. EO0907541 – In the Matter of US Department of Energy's Funding Opportunity – Support for Smart Grid Pilot Proposal.
- Q. Docket No. EO08050326 - In the Matter of the Demand Response Programs for the Period Beginning June 1, 2009 – Electric Distribution Programs; and

Docket No. EO08080544 - In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Demand Response Program and Associated Cost Recovery Mechanism Pursuant to the BPU Order I/M/O Demand Response Programs For The Period Beginning June 1, 2009 – Electric Distribution Company Programs.

3. CABLE TELEVISION

- A. Docket No. CR08121104 - In the Matter of the Filings by Time Warner Cable-Bergen County Rate Change Under FCC Form 1205 Determining Regulated Equipment and Installation Costs – Motion for Reconsideration and Request for Stay - **EXECUTIVE SESSION**.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

- A. Docket Nos. BPU WR09030201 & OAL PUC 02660-2009S - In the Matter of the Petition of the Atlantic City Sewerage Company to Change the Level of its Purchased Sewerage Treatment Adjustment Clause.
- B. Docket Nos. BPU WR09020156 & OAL PUC 03623-2009N - In the Matter of the Petition of the Roxiticus Water Company Inc. for Approval of a Purchased Water Treatment Adjustment Clause Pursuant to N.J.A.C. 14:9-7.1, et seq.

5. WATER (CON'T)

- C. Docket No. WO08050358 - In the Matter of the Petition of New Jersey American Water Company for Authorization to Implement a Distribution System Improvement Charge (DSIC) – **EXECUTIVE SESSION.**

6. RELIABILITY AND SECURITY

- A. Docket No. GO09020137 - In the Matter of the Petition of South Jersey Gas Company for Authorization to Increase the Operating Pressure on the 20" Union Road - Route 49 Cumberland Lateral Pipeline from 350 Psig to 437 Psig.
- B. Docket No. EO09070540 - In the Matter of the American Recovery and Reinvestment Act of 2009 – Funding For Enhancing State Energy Assurance Capabilities and Smart Grid Resiliency.

7. CUSTOMER ASSISTANCE

- A. Docket Nos. BPU EC08010059U & OAL PUC 2384-08 – In the Matter of David Henry Raanan, Petitioner v. Jersey Central Power & Light Company, Respondent.
- B. Docket Nos. BPU WC08060418U & OAL PUC 6417-08 – In the Matter of the Congregation of Yetev Lev, Petitioner v. New Jersey American Water Company, Respondent.

8. CLEAN ENERGY

- A. Docket No. EO09060460 – In the Matter of the Revisions to New Jersey's Clean Energy Program (NJCEP) December 2007 Protocols to Measure Resource Savings.
- B. In the Matter of the Clean Energy Program Authorization of SmartStart Energy Efficiency Rebates Exceeding \$100,000:
 - Docket No. EO09060450 - Bristol-Myers Squibb Company
 - Docket No. EO09060451 - Trigen Energy
 - Docket No. EO09070520 - Haier America LLC
 - Docket No. EO09070526 - Hackensack University Medical Center
 - Docket No. EO09070527 - Pepsi National Brands
- C. Docket No. EX08050346 – In the Matter of the Renewable Energy Portfolio Standards - Adopted Amendments to N.J.A.C. 14:8-2.7 and 2.9 for Generation Located Outside the PJM Region – Rule Adoption.
- D. Docket No. EX09040330 – In the Matter of the E-metering Amendments to the Renewable Portfolio Standards Rules, N.J.A.C. 14:8-2.9(b) – Rule Proposal.

8. CLEAN ENERGY (CONT'D)

- E. Docket No. EO08060423 - In the Matter of Wayne Energy Corporation – Petition to Extend the Solar Electric Project Rebate Commitment; and

Docket No. EM08080631 - In the Matter of Wayne Energy Corporation for Approval of an Energy Service Agreement – **EXECUTIVE SESSION**.
- F. Docket No. EO07030203 - In the Matter of the Comprehensive Energy Efficiency (EE) and Renewable Energy (RE) Resource Analysis for 2009-2012: Final Programs and Budgets: Renewable Energy Program Grid Supply Solicitation – **EXECUTIVE SESSION**.
- **G. Docket No. EOO9030210 – In The Matter of the 2009 State Energy Program (SEP) - American Recovery and Reinvestment Act (ARRA) - Funding Plan Order – **EXECUTIVE SESSION**.
 - 1. Docket No. EO09070542 – Memorandum of Understanding with the Housing and Mortgage Finance Agency.
 - 2. Docket No. EO09070543 – Memorandum of Understanding with the Office of Energy Savings.
 - 3. Docket No. EO09070544 – Memorandum of Understanding with the Economic Development Authority.
- H. Docket No. EO09060445 – In the Matter of the Request for Proposal (RFP) for a Financial and Operational Audit of the New Jersey Clean Energy Program Market Managers – Consideration of Evaluation Committee Recommendation – **EXECUTIVE SESSION**.

9. MISCELLANEOUS

- A. Docket No. AX09060447 – In the Matter of the Proposed Amendments to N.J.A.C. 14:3, Rules for All Utilities – Rule Proposal.
- B. Docket No. EO09030215 – In the Matter of Happiness is Camping, Inc. Petition for an Exemption from the Main Extension Rules at N.J.A.C. 14:3-8.8(b)(1).
- C. Docket No. EO09040326 – In the Matter of Upper Saddle River Lions Memorial Park Field House Petition for an Exemption from the Main Extension Rules at N.J.A.C. 14:3-8.8(b)(1).
- D. Docket No. EO09040319 – In the Matter of Upper Freehold Regional School District Petition for an Exemption from the Main Extension Rules at N.J.A.C. 14:3-8.8(b)(1).

**

LATE STARTER A

CLEAN ENERGY

In the Matter of the Clean Energy Program Authorization of SmartStart Rebates Exceeding \$100,000.

1. Docket No. EO09070545 - Supremo – Plainfield
2. Docket No. EO09070546 - Supremo – Jersey City
3. Docket No. EO09070547 - Raritan Bay Medical Center