



***REVISED – February 4, 2020**

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

AGENDA FOR BOARD MEETING
The meeting will be held on
**Wednesday, February 5, 2020 – 10:00 a.m. at the
State House Annex, Committee Room 11
125 West State Street, Trenton, NJ**

Executive Session

(Open Session will not reconvene until the conclusion of the Executive Session, which will commence at 10:00 a.m. The only business to be conducted in the 10:00 a.m. Open Session will be the reading of the public notice statement, roll call, and the exception, under the Open Public Meetings Act, for each item to be considered in Executive Session.)

***LATE STARTER A**

ENERGY

Docket No. ER19040428 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2020.

The Board will consider the results of the BGS auction.

3. CABLE TELEVISION

A. Docket No. CS18121288 – In the Matter of the Alleged Failure of Altice USA, Inc. to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:18-1.1 et seq.

The Board will receive a litigation update on the above-captioned matter.

8. CLEAN ENERGY

B. Docket No. QO19101327 – In the Matter of Clean Energy Request for Qualifications for Offshore Wind Economic Consulting Services.

On November 19, 2019, Governor Murphy signed Executive Order No. 92, which increased the offshore wind goal to 7,500 MW by 2035. In preparation for the Board's consideration of a second solicitation, and in recognition of the need for expert OSW transmission consulting services, Staff has prepared a Request for Qualifications (RFQ) for consulting services.



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

CONSENT AGENDA FOR BOARD MEETING
The meeting will be held on
Wednesday, February 5, 2020 – 10:00 a.m. at the
State House Annex, Committee Room 11
125 West State Street, Trenton, NJ

I. AUDITS

A. Energy Agent Initial Registrations

EE19111443L	Cutone and Company Consultants, LLC d/b/a LC Associates	I – EA
-------------	--	--------

This matter relates to an application for initial registration as an energy agent for one year.

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

EE19040517L	Aurora Energy Advisors, LLC	R – EA
EE19101427L	Energy Paradigm, LLC	R – EA
EE19050633L GE19050634L	EnerPros, LLC	R - EA/PA
EE19050673L GE19050674L	American PowerNet Management, LP	R – EA/PA/EC
EE19111440L GE19111441L	Concord Engineering Group d/b/a Concord Energy Services	R – EA/PA/EC
EE19111468L GE19111469L	Custom Energy Solutions, LLC	R – EA/EC
EE19111458L GE19111459L	Utility Advantage, LLC	R – EA/EC

These matters relate to the above applicants being issued renewal registrations as an energy agent, private aggregator and/or energy agent for one year.

I. AUDITS (CONT'D)

Electric Power and/or Natural Gas Supplier Renewal Licenses

EE18111230L	SmartEnergy Holdings, LLC	R – ESL
EE19050620L GE19050619L	Median Energy, Corp.	R – EGSL
EE19050636L GE19050635L	Stream Energy New Jersey, LLC d/b/a Stream, d/b/a Stream Energy	R – EGSL
EE19020155L GE19020154L	Direct Energy Services, LLC	R – EGSL
EE19020151L GE19020150L	Direct Energy Business, LLC d/b/a Direct Energy Business	R – EGSL
GE19030361L	Infinite Energy, Inc. d/b/a Intelligent Energy	R – GSL
GE19050609L	Major Energy Services, LLC	R – GSL

These matters relate to the above referenced applicant being issued a renewal license as an electric power and/or natural gas supplier.

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

IV. TELECOMMUNICATIONS

A. [Docket No. TM19121534 – In the Matter of the Verified Petition of PEG Bandwidth NJ, LLC for Approval of a Pro Forma Change in Intermediate Ownership and Control.](#)

This matter involves a Verified Petition by PEG Bandwidth NJ, LLC for the approval for a change in Petitioner’s intermediate ownership and control structure that does not result in a change to its direct or ultimate owners.

V. WATER

NO ITEMS FOR CONSIDERATION

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU WC19030377U and OAL PUC 09022-19 – In the Matter of Jarod Nappi, Petitioner v. New Jersey American Water, Respondent – Order of Extension.](#)

This petition involves a billing dispute between Jarod Nappi and New Jersey American Water. Mr. Nappi alleges he was improperly billed for water usage.

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A. Approval of the Minutes for the January 8, 2020 Agenda Meeting.



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

AGENDA FOR BOARD MEETING
The meeting will be held on
Wednesday, February 5, 2020 – 10:00 a.m. at the
State House Annex, Committee Room 11
125 West State Street, Trenton, NJ

1. **AUDITS**

- A. [Docket No. EO20010014 – In the Matter of the Alleged Failure of Apollo Edison, LLC to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE19101379L	Apollo Edison, LLC	EAP/A/EC
GE19101380L		

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by Apollo Edison LLC (“Apollo”) whereby Apollo failed to submit a timely renewal application for its energy agent, private aggregator, and energy consultant registrations. Apollo has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registrations.

- B. [Docket No. EO20010020 – In the Matter of the Alleged Failure of US Energy Source, LLC to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE18101141L	US Energy Source, LLC	EA
-------------	-----------------------	----

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by US Energy Source, LLC (“US Energy”) whereby US Energy failed to submit a timely renewal application for its energy agent registration. US Energy has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for a new registration.

1. **AUDITS (CONT'D)**

- C. [Docket No. EO20010021 – In the Matter of the Alleged Failure of AvidXchange, Inc. to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE19080906L AvidXchange, Inc. EA

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. by AvidXchange Inc. (“AvidXchange”) whereby AvidXchange failed to submit a timely renewal application for its energy agent registration. AvidXchange has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for a new registration.

- D. [Docket No. EO20010034 – In the Matter of the Alleged Failure of ARA Consulting Group, LLC d/b/a Commercial Power to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE18091056L ARA Consulting Group, LLC EA/PA
GE18091057L d/b/a Commercial Power

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq., by ARA Consulting Group, LLC d/b/a Commercial Power (“Commercial Power”) whereby Commercial Power failed to submit a timely renewal application for its energy agent, private aggregator, and energy consultant registrations. Commercial Power has submitted an Offer of Settlement to resolve all issues concerning the violations alleged by Staff and has filed an initial application to reapply for new registrations.

2. **ENERGY**

- A. [Docket No. ER19060697 – In the Matter of the Application of Atlantic City Electric Company to Adjust the Level of its “Rider RGGI” Rate Associated with its Solar Renewable Energy Certificate Financing Program \(2019\).](#)

This matter relates to the annual true up filing for ACE’s SREC I Program. The Board will address a stipulation executed by the parties wherein the typical residential customer would see a monthly decrease of \$0.06.

2. ENERGY (CONT'D)

- B.** [Docket No. ER19070816 – In the Matter of Atlantic City Electric Company's Verified Petition to Reconcile Costs Associated with its Residential Controllable Smart Thermostat Program for the Period from June 1, 2018 through May 31, 2019, to Maintain its RGGI Recovery Charge for the Period October 1, 2019 through May 31, 2020, and to Establish a Plan for the Termination of the Program as of May 31, 2020.](#)

This matter relates to the annual true up filing for ACE's Residential Smart Controllable Thermostat Program. The Board will consider an executed a stipulation wherein the current rate of zero will be maintained.

3. CABLE TELEVISION

- A.** Docket No. CS18121288 – In the Matter of the Alleged Failure of Altice USA, Inc. to Comply with Certain Provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq. and the New Jersey Administrative Code, N.J.A.C. 14:18-1.1 et seq. – **Executive Session.**

The Board will receive a litigation update on the above-captioned matter.

4. TELECOMMUNICATIONS

NO ITEMS FOR CONSIDERATION

5. WATER

NO ITEMS FOR CONSIDERATION

6. RELIABILITY AND SECURITY

- A.** Docket No. AX19060700 – In the Matter of Special Adoption Rulemaking for Reliability and Security Maximum Penalty Increases Pursuant to Federal and State Law.

This matter involves a request for the Board to approve a permanent rule amendment to N.J.A.C. 14:7-2.7, increasing the maximum civil penalties for natural gas pipeline safety violations. The rule amendment increases the maximum daily civil penalties from \$100,000 to \$200,000 for each violation, for each day the violation persists, and the overall penalty for each series of violations from \$1,000,000 to a maximum of \$2,000,000.

7. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU WC1811220U and OAL PUC 00977-19 – In the Matter of Danielle DeMary, Petitioner v. New Jersey American Water Company, Respondent – Billing Dispute.](#)

This petition involves a billing dispute between Danielle DeMary and New Jersey American Water. Ms. DeMary alleges she received incorrect bill 2017 to 2018 which did not reflect her normal usage.

8. CLEAN ENERGY

- A. [Docket No. QG20010005 – In the Matter of the Clean Energy Program Authorization of Commercial and Industrial Program Energy Efficiency Incentives Exceeding \\$500,000 – Princeton University.](#)

All commercial and industrial incentives over \$500,000 that are granted through New Jersey's Clean Energy Program require Board approval before funds are committed. This item considers whether to grant an incentive of \$876,636.77 to Princeton University to install several energy conservation measures.

- B. Docket No. QO19101327 – In the Matter of Clean Energy Request for Qualifications for Offshore Wind Economic Consulting Services – **Executive Session.**

On November 19, 2019, Governor Murphy signed Executive Order No. 92, which increased the offshore wind goal to 7,500 MW by 2035. In preparation for the Board's consideration of a second solicitation, and in recognition of the need for expert OSW transmission consulting services, Staff has prepared a Request for Qualifications (RFQ) for consulting services.

- C. [Docket No. QO19040497 – In the Matter of New Jersey Clean Energy Program Fiscal Year 2019 Community Energy Planning.](#)

On April 24, 2019, the Board created the Community Energy Plan Grant program. The program was designed to provide communities and local government with the opportunity to localize the Energy Master Plan's goals to their own communities. The Board will consider the approval of an application.

9. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION

***LATE STARTER A**

ENERGY

[Docket No. ER19040428 – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2020 – Executive Session.](#)

The Board will consider the results of the BGS auction.