



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

DIVISION OF ENERGY AND  
OFFICE OF CLEAN ENERGY

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ) ORDER EXTENDING  
ELECTRIC AND GAS COMPANY FOR APPROVAL OF A ) 180 DAY REVIEW PERIOD  
SOLAR LOAN III PROGRAM AND ASSOCIATED )  
COST RECOVERY MECHANISM AND FOR CHANGES IN )  
THE TARIFF FOR ELECTRIC SERVICE, B.P.U.N.J. )  
NO. 15 ELECTRIC PURSUANT TO N.J.S.A. 48:2-21 AND )  
N.J.S.A. 48:2-21.1 ) DOCKET NO. EO12080726

**Parties of Record:**

**Matthew M. Weissman, Esq., General Regulatory Counsel-Rates, Public Service Electric and Gas Company**  
**Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel**  
**James E. McGuire, Esq., on behalf of KDC Solar LLC**  
**Gary Weisman, Esq., on behalf of the New Jersey Solar Energy Coalition**  
**Michael A. Guin, Esq., on behalf of the Solar Energy Industries Association**  
**William Potter, Esq., on behalf of the Mid-Atlantic Solar Energy Industries Association**

BY THE BOARD:

**BACKGROUND AND PROCEDURAL HISTORY**

On January 13, 2008, L. 2007, c. 340 ("Act") was signed into law by former Governor Corzine based on the New Jersey Legislature's findings that energy efficiency and conservation measures must be essential elements of the State's energy future, and that greater reliance on energy efficiency and conservation will provide significant benefits to the citizens of New Jersey. The Legislature also found that public utility involvement and competition in the conservation and energy efficiency industries are essential to maximize efficiencies. N.J.S.A. 26:2C-45.

Pursuant to Section 13 of the Act, codified as N.J.S.A. 48:3-98.1, an electric or gas public utility may, among other things, provide and invest in energy efficiency and conservation programs in its service territory on a regulated basis. Such investment in energy efficiency and conservation programs may be eligible for rate treatment approved by the New Jersey Board of Public Utilities ("Board"), including a return on equity, or other incentives or rate mechanisms that decouple utility revenue from sales of electricity and gas. N.J.S.A. 48:3-98.1(b). Ratemaking treatment may include placing appropriate technology and program cost investments in the

utility's rate base, or recovering the utility's technology and program costs through another ratemaking methodology approved by the Board. An electric or gas public utility seeking cost recovery for any energy efficiency and conservation programs pursuant to N.J.S.A. 48:3-98.1 must file a petition with the Board.

By Order dated May 23, 2012 ("May 2012 Order") the Board accepted the recommendations of the Office of Clean Energy ("OCE") which had reviewed, at the Board's direction, the programs of the electric distribution companies ("EDCs") which support the development of solar energy in the State. In the May 2012 Order, the Board adopted the OCE recommendation to extend the EDCs' solar financing programs by 180 MW over a three year period. The share of the 180 MW allocated to Public Service Electric and Gas Company ("PSE&G" or "Company") is 97.5 MW based on a three year program.

### **August 2012 Filing**

On August 1, 2012, PSE&G filed its petition with the Board, requesting approval of a three year solar financing program, the Solar Loan III Program, pursuant to N.J.S.A. 48:3-98.1. In addition, the Company proposes to recover all program costs through a new component of its electric Regional Greenhouse Gas Initiative Recovery Charge using a weighted average cost of capital to calculate a return on its investment. PSE&G proposes to invest up to \$193 million over a three-year period by providing loans to parties to develop the Company's allocated share of 97.5 MW of dc solar systems a delineated in the May 2012 Order.

On August 31, 2012, the Staff of the Board ("Board Staff") advised PSE&G that for this petition, Board Staff was amending the minimum filing requirements in Appendix A of the May 12, 2008 Board Order in Docket No. EO08030164 to waive any filing deficiencies that may be present in the Company's Petition without precluding subsequent request for any information, and the Petition was thus deemed administratively complete<sup>1</sup>. Therefore, the Board's 180-day review period under N.J.S.A. 48:2-98.1 (b) commenced on August 1, 2012 and would have expired on January 27, 2013 (the "Review Date").

By an Order dated September 13, 2012, the Board determined to retain this matter for review, designated Commissioner Joseph L. Fiordaliso as the presiding hearing officer, and adopted a procedural schedule. By Order dated October 4, 2012, Commissioner Fiordaliso established the procedural schedule for this proceeding, which was amended at the request of the parties by Order dated December 3, 2012. Commissioner Fiordaliso granted the motions to intervene of KDC Solar LLC, the New Jersey Solar Energy Coalition, the Solar Energy Industries Association and the Mid-Atlantic Solar Energy Industries Association (together with PSE&G, Staff and Rate Counsel, collectively, the "Parties"). By Order dated January 4, 2013, Commissioner Fiordaliso approved a further revised schedule, and by Order dated January 23, 2013, the Board granted an extension of the Review Date to April 1, 2013.

The Parties engaged in extensive discovery, participated in settlement and discovery conferences, and filed direct, rebuttal, and surrebuttal testimony. On March 6, 2013, the Parties entered into a stipulation agreeing to a further extension of the 180 day review period, and by Order dated March 30, 2013, the Board granted an extension of the Review Date to May 1, 2013.

The Parties stipulated to a cancelation of the Solar Loan III hearings scheduled for April 1 and 2, 2013, and also stipulated to the Items which would comprise the record for the Solar Loan III proceeding.

The Parties have engaged in extensive discovery, participated in settlement and discovery conferences, and filed direct, rebuttal, and surrebuttal testimony. To provide additional time for settlement discussions, and provide the Board with additional time to complete the processing of the Petition and issue a final determination in this matter, the undersigned parties subsequently agreed to request an extension of the Review Date to May 31, 2013.

**STIPULATION**

The Parties have met to discuss the filing. On April 26, 2013, the Company, Staff, SEIA, MSEIA, and KDC entered into the attached stipulation ("Stipulation") whereby the Parties agreed to a further extension of the 180 day review period, and a schedule for the filing of comments.

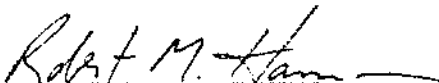
The signatory parties have agreed, pursuant to N.J.S.A. 48:2-21.3, to extend the 180-day period for Board action on PSE&G's petition to May 31, 2013.

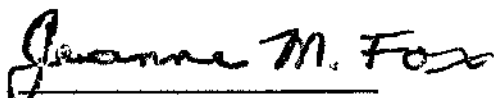
**DISCUSSION AND FINDING**

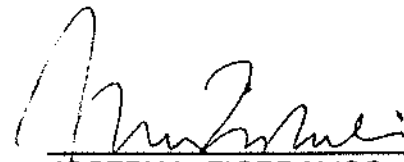
The Board has carefully reviewed the record to date in this matter. The Board is satisfied and **HEREBY FINDS** that the Stipulation is reasonable and is in the public interest as it provides additional time for settlement discussions and comments and then a thorough review of the proposed Solar Loan III program by the Board. Accordingly, the Board **HEREBY ADOPTS** the attached Stipulation as its own, incorporating by reference its terms and conditions as if fully set forth herein, and pursuant to N.J.S.A. 48:2-21.3, **HEREBY EXTENDS** the Review Date to May 31, 2013.

DATED: 4/30/13

BOARD OF PUBLIC UTILITIES  
BY:

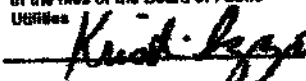
  
ROBERT M. HANNA  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
MARY-ANNA 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.  


In the Matter of the Petition of Public Service and Gas Company for Approval of a Solar Loan III Program and Associated Cost Recovery Mechanism and for Changes in the Tariff for Electric Service B.P.U.N.J. No 15 Electric Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:21.1  
DOCKET NO. EO12080726

NOTIFICATION LIST

<b>BOARD OF PUBLIC UTILITIES</b>		
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James Glassen, Esq. Division of Rate Counsel 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08623	Shelly Massey, Parajgal Division of Rate Counsel 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08623	Sarah H. Steindel, Esq. Division of Rate Counsel 140 East Front Street, 4th Floor Post Office Box 003 Trenton, NJ 08623

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<b>PSE&amp;G</b>		
Sheree L. Kelly, Esq. Public Service Electric and Gas Company 80 Park Plaza-T5 Newark, NJ 07102-4194	Matthew M. Weismann, Esq. Public Service Electric and Gas Company 80 Park Plaza-T5 Newark, NJ 07102-4194	
<b>OTHER PARTIES</b>		
<b><u>SEIA</u></b>  Michael A. Gruin, Esq. Stevens & Lee, P.C. 17 North 2 <sup>nd</sup> Street 16 <sup>th</sup> Floor Harrisburg, PA 17101	<b><u>SEIA</u></b>  Susan P. LeGros, Esq. Stevens & Lee, P.C. 620 Freedom Business Center, Suite 200 P.O. Box 62330 King of Prussia, PA 19406	
<b><u>KDC Solar</u></b>  James E. McGuire, Esq. Reed Smith LLPWattLotts LLC 136 Main Street Princeton, NJ 08540	<b><u>MSEIA</u></b>  William Potter Potter and Dickson MSEIA 194 Nassau Street, Suite 32 Princeton, NJ 08542-7003	
<b><u>NJSEC</u></b>  Gary Weisman, President New Jersey Solar Energy Coalition 2520 Highway 35, Suite 301 Manasquan, NJ 08736	<b><u>NJSEC</u></b>  Fred D. DeSanti MC2 Public Affairs, LLC P.O. Box 232 Brookside, NJ 07926	
Andrea C. Crane The Columbia Group, Inc. P.O. Box 810 Georgetown, CT 06829	David E. Dismukes, Ph.D. Acadian Consulting Group 5800 One Perkins Place Drive Building 5, Suite F Baton Rouge, LA 70808	Matthew I. Kahal 10480 Little Patuxent Parkway Suite 300 Columbia, Maryland, 21044

In the Matter of the Petition of Public Service and Gas Company for Approval of a Solar Loan III Program and an Associated Cost Recovery Mechanism AND FOR Changes in the Tariff for Electric Service B.P.U.N.J. No 15 Electric Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:21.1  
DOCKET NO. EO12080726

Modified Procedural Schedule

Intervener/Respondent Testimony	December 14, 2012
Discovery on Intervener/Respondent Testimony	December 19, 2012
Responses to Discovery on Intervener/Respondent Testimony	January 7, 2013
Rebuttal Testimony	March 1, 2013
Discovery on Rebuttal Testimony	March 8, 2013
Responses to Discovery on Rebuttal Testimony	March 15, 2013
Hearings (if necessary):	April 1 & 2, 2013
Position Papers	April 12, 2013

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF )  
PUBLIC SERVICE ELECTRIC AND GAS )  
COMPANY FOR APPROVAL OF AN EXTENSION )  
OF A SOLAR GENERATION INVESTMENT ) **EXTENSION STIPULATION**  
PROGRAM AND ASSOCIATED COST )  
RECOVERY MECHANISM AND FOR CHANGES ) BPU Docket No. EO12080721  
IN THE TARIFF FOR ELECTRIC SERVICE, )  
B.P.U.N.J. NO. 15 ELECTRIC PURSUANT TO )  
N.J.S.A. 48:2-21, 48:2-21.1 AND N.J.S.A. 48:3-98.1 )  
("SOLAR4ALL EXTENSION PETITION") )

IN THE MATTER OF THE PETITION OF )  
PUBLIC SERVICE ELECTRIC AND GAS )  
COMPANY FOR APPROVAL OF A SOLAR )  
LOAN III PROGRAM AND AN ASSOCIATED )  
COST RECOVERY MECHANISM AND FOR )  
CHANGES IN THE TARIFF FOR ELECTRIC ) BPU Docket No. EO12080726  
SERVICE, B.P.U.N.J. NO. 15 ELECTRIC )  
PURSUANT TO N.J.S.A. 48:2-21 AND )  
N.J.S.A. 48:2-21.1 )

**APPEARANCES FOR SOLAR4ALL EXTENSION**

**Matthew M. Weissman**, General Regulatory Counsel-Rates and **Sheree L. Kelly**, Assistant General Regulatory Counsel, for the Petitioner, Public Service Electric and Gas Company

**Paul E. Flanagan, Esq.**, Litigation Manager, **Kurt S. Lewandowski, Esq.**, Assistant Deputy Rate Counsel, **Maria Novas-Ruiz, Esq.**, Assistant Deputy Rate Counsel and **Sarah H. Steindel, Esq.**, Assistant Deputy Rate Counsel and **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel (**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel)

**Alex Moreau** and **T. David Wand**, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Jeffrey S. Chiesa**, Attorney General of New Jersey).

**Stephen S. Goldenberg, Esq.**, and **Paul F. Forshay, Esq.**, Fox Rothschild, LLP, for New Jersey Large Energy Users Coalition

**James E. McGuire, Esq.**, Reed Smith LLP, for Wattlots, LLC

**Susan P. LeGros, Esq.** and **Michael A. Gruin, Esq.**, Stevens & Lee, P.C., for Solar Energy Industries Association

**William Potter, Esq.**, Potter and Dickson, for Mid-Atlantic Solar Energy Industries Association

**Basem Ramada, Esq.**, for Petra Solar

**Robert F. Shapiro, Esq.**, Chadbourne & Parke, LLP, for Prologis

**Hani Khoury, Esq.**, Awad & Khoury, Attorneys at Law, for New Jersey Solar Industry Manufactures Association

**Robert T. Lawless Esq.**, Hedinger & Lawless, LLC, for SunDurance Energy

**Michael R. Yellin, Esq., David M. Kohane, Esq., Jason R. Melzer, Esq., & Marcie R. Horowitz, Esq.**, Cole, Schotz, Meisel, Forman & Leonard, P.A., for KDC Solar, LLC

**Pamela J. Scott, Esq.**, for Atlantic City Electric Company

#### **APPEARANCES FOR SOLAR LOAN III:**

**Matthew M. Weissman**, General Regulatory Counsel-Rates and **Sheree L. Kelly**, Assistant General Regulatory Counsel, for the Petitioner, Public Service Electric and Gas Company

**Paul E. Flanagan, Esq.**, Litigation Manager, **Sarah H. Steindel, Esq.** and **James Glassen Esq.**, Assistant Deputy Rate Counsels and **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel (**Stefanié A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel)

**Alex Moreau, T. David Wand**, and **Joshua T. Rabinowitz**, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Jeffrey S. Chiesa**, Attorney General of New Jersey)

**James E. McGuire, Esq.**, Reed Smith LLP, for KDC Solar LLC

**Susan P. LeGros, Esq. and Michael A. Gruin, Esq.**, Stevens & Lee, P.C., for Solar Energy Industries Association

**William Potter, Esq.**, Potter and Dickson, for Mid-Atlantic Solar Energy Industries Association

#### **TO THE HONORABLE BOARD OF PUBLIC UTILITIES:**

##### **Background- Solar4All Extension Petition**

On August 1, 2012, PSE&G filed a Petition ("S4AE Petition") with the Board seeking approval of an extension of its existing approved Solar 4 All Program.<sup>1</sup> PSE&G also filed the supporting testimonies of PSE&G's Vice President of Customer Operations, Joseph A.

<sup>1</sup> In re Petition of Public Service Electric and Gas Company for Approval of a Solar Generation Investment Program and Associated Cost Recovery Mechanism, Docket No. E009020125.



Forline; Stephen Swetz, Director – Corporate Rates and Revenue Requirements, PSEG Services Corporation; and Donna M. Powell, Assistant Controller of PSEG Services Corporation.

By letter dated August 31, 2012, Board Staff notified PSE&G that the Petition was administratively incomplete.

On September 12, 2012, PSE&G submitted a supplemental filing to address the deficiencies identified in Staff's August 31, 2012 letter.

By letter dated October 19, 2012, Staff notified the Company that the Petition was administratively complete.

By Order dated October 23, 2012, the Board determined that this matter should be retained by the Board for review and hearing and designated Board President Hanna as the presiding officer.<sup>2</sup>

By Order dated November 19, 2012, President Hanna set forth the procedural schedule for this matter. The procedural schedule therein anticipated a March 2013 agenda date.

Motions to intervene were filed on behalf of: the Solar Energy Industries Association ("SEIA"), WattLots, L.L.C. ("WattLots"), Mid-Atlantic Solar Energy Industries Association ("MSEIA"), Prologis, New Jersey Solar Industry Manufacturers Association ("NJSIMA"), Sundurance Energy ("Sundurance"), KDC Solar LLC ("KDC Solar"), Petra Solar, Inc. ("Petra Solar"), the New Jersey Solar Energy Coalition ("NJSEC") and the New Jersey Large Energy Users Coalition ("NJLEUC"). In addition, Atlantic City Electric Company

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<sup>2</sup> President Hanna subsequently designated BPU Commissioner Fiordaliso as the presiding officer in this matter.

("ACE") filed a motion to participate. By Orders dated November 29, 2012 and January 9, 2013, the Board granted the aforementioned motions to intervene<sup>3</sup> and motion to participate.

Public hearings were held in New Brunswick on November 27, 2012, in Hackensack on November 29, 2012 and in Mt. Holly on December 4, 2012.

On January 18, 2013, the New Jersey Division of Rate Counsel ("Rate Counsel") submitted the pre-filed direct testimony of Andrea C. Crane and David E. Dismukes. In addition, direct testimony was filed by interveners: SEIA, Wattlots, KDC, MSEIA, Sundurance and Petra Solar.

By Order dated January 23, 2013, the Board approved a Stipulation to extend the deadline for Board action on the Petition to April 1, 2013.

On February 4, 2013, PSE&G submitted the pre-filed rebuttal testimony of Terrence J. Moran, Director of Market Strategy and Development; Paul Ronald Moul - Managing Consultant at the firm P. Moul & Associates; Stephen Swetz - Director - Corporate Rates and Revenue Requirements; and Jorge L. Cardenas - Vice President - Asset Management and Centralized Services. Rate Counsel, also on February 4, 2013, submitted the rebuttal testimony of David E. Dismukes. SEIA witness Katie Bolcar-Rever filed rebuttal testimony in response to the direct testimony of Wattlots.

On February 8, 2013, Rate Counsel filed a motion *in limine* to strike the testimony of Paul Moul and Jorge Cardenas or, alternatively, extend by sixty days the time for Rate Counsel to issue discovery on the rebuttal testimony and to present written surrebuttal testimony.

On February 13, 2013, PSE&G filed its opposition to the motion.

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<sup>3</sup> NJSEC's motion was conditioned upon it obtaining counsel.

On February 15, 2013, a revised schedule was agreed to between the Parties, allowing time for written surrebuttal and limited discovery by Rate Counsel.

By Order dated February 21, 2013, President Hanna approved a revised procedural schedule. The procedural schedule was conditioned upon the Board approving an anticipated stipulation to extend the 180-day review period deadline.

By Order dated March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Commissioner Fiordaliso presided over evidentiary hearings in this matter, which took place on March 18, 19 and 21, 2013. Position Papers were filed on April 15, 2013.

Throughout the course of this proceeding, the parties have served and responded to numerous discovery requests, which have all been moved into evidence and are part of the record in this matter.

### **Solar Loan III Program**

On August 1, 2012, PSE&G filed a petition ("SLIII Petition") with the Board seeking approval of its Solar Loan III Program.<sup>4</sup> PSE&G also filed the supporting testimonies of PSE&G's Vice President of Customer Operations, Joseph A. Forline; Stephen Swetz, Director – Corporate Rates and Revenue Requirements, PSEG Services Corporation; and Donna M. Powell, Assistant Controller of PSEG Services Corporation.

By letter dated August 31, 2012, Board Staff notified PSE&G that the SLIII Petition was administratively complete and the 180-day review period under N.J.S.A. 48:3-98.1 commenced on August 31, 2012.

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<sup>4</sup> I/M/O The Petition of Public Service Electric and Gas Company for Approval of a Solar Loan III Program and Associated Cost Recovery Mechanism, Docket No. E012080726.

By Order dated September 13, 2012, the Board determined that the matter should be retained by the Board for review and hearing and designated Commissioner Fiordaliso as the Presiding Officer.

By Order dated October 4, 2012 Commissioner Fiordaliso set forth the procedural schedule for this matter. The procedural schedule anticipated a March 2013 agenda date.

By Order dated January 23, 2013, the Board approved a Stipulation to extend the deadline for Board action on the Petition to April 1, 2013. On, March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Public hearings were consolidated with the S4AE public hearings and held in New Brunswick on November 27, 2012, in Hackensack on November 29, 2012, and in Mt. Holly on December 4, 2012.

Motions to intervene were filed on behalf of the following parties: SEIA, NJSEC, KDC Solar and MSEIA. By Order dated December 3, 2012 Commissioner Fiordaliso granted the motions to intervene.

On January 11, 2013, Rate Counsel submitted the pre-filed direct testimony of Andrea C. Crane and David E. Dismukes.

On February 6, 2013, PSE&G submitted the pre-filed rebuttal testimony of Terrence J. Moran, Director of Market Strategy and Development; Paul Ronald Moul - Managing Consultant at the firm P. Moul & Associates; Stephen Swetz - Director – Corporate Rates and Revenue Requirements; and Jorge L. Cardenas - Vice President – Asset Management and Centralized Services. SEIA also filed rebuttal testimony.

On February 12, 2013, Rate Counsel filed a motion *in limine* to strike the testimony of Paul Moui and Jorge Cardenas or, in the alternative, extend by sixty days the time for Rate Counsel to issue discovery on the rebuttal testimony and to present written surrebuttal testimony.

On February 15, 2013, the Parties agreed to a revised schedule, allowing time for written surrebuttal and limited discovery by Rate Counsel.

By Order dated February 21, 2013, Commissioner Fiordaliso approved that revised procedural schedule, and on March 1, 2013, Rate Counsel submitted the surrebuttal testimonies of Andrea C. Crane, David E. Dismukes, and Matthew I. Kahai.

On, March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Throughout the course of the proceeding, the Parties served and responded to numerous discovery requests, which are part of the record in this matter. In addition, a discovery conference was held on November 7, 2012.

Hearings in this matter were scheduled for April 1 and 2, 2013.

By Order dated April 1, 2013, Commissioner Fiordaliso approved a Stipulation canceling the hearings and accepting the agreement of the parties with respect to items comprising the record. Position Papers were filed on April 15, 2013.

**Background Applicable to Both S4AE and SLIII Proceedings**

Throughout the course of both the S4AE and SLIII proceedings, both formal and informal settlement efforts have been on-going. Settlement meetings among all parties were

conducted on November 27, 2012, December 4, 2012, and January 14, 2013 at PSE&G's offices in Newark, New Jersey and on April 24, 2013 at PSE&G's offices in Trenton, New Jersey.

On April 18, 2013, PSE&G circulated a global Settlement Agreement to the parties, which proposed to amicably resolve all matters at issue in S4AE and SLIII proceedings. The global Settlement Agreement was re-circulated to the parties, with revisions reflecting certain discussions among the parties, between April 23 and April 26, 2013.

The global Settlement Agreement executed by PSE&G, the Board Staff, and certain other parties on April 26, 2013, was submitted to the Board for filing and approval on April 26, 2013.

The Parties have agreed to request an extension to May 31, 2013 in order to provide the Board with additional time to complete the processing of the Settlement Agreement and issue a final determination in this matter.

Accordingly, the undersigned parties hereby **STIPULATE AND AGREE** as follows:

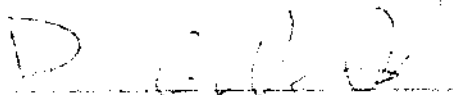
1. The undersigned parties, pursuant to N.J.S.A. 48:2-21.3, have agreed to extend the 180-day RGGI Period for Board action on PSE&G's S4AE and SLIII Petitions, required under N.J.S.A. 48:3-98.1, to May 31, 2013.
2. The undersigned parties have further agreed that parties have until May 9, 2013 to submit comments on the Settlement Agreement, with reply comments due on or before May 13, 2013.

3. The undersigned parties have further agreed that the S4AE and SI.III matters will be listed for determination at the Board Agenda meeting scheduled for May 29, 2013 and that a Board Order will be issued on or before May 31, 2013.
4. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, any of the undersigned parties aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right to litigate all issues addressed herein to a conclusion. More particularly, in the event this Stipulation is not adopted in its entirety by the Board, in any applicable Order(s), then any of the undersigned parties 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.

**WHEREFORE**, the undersigned parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving an extension until May 31, 2013.

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

By:

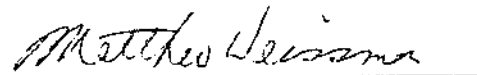


I. David Wand  
Deputy Attorney General

Dated: April 26, 2013

PUBLIC SERVICE ELECTRIC AND  
GAS COMPANY

By:



Matthew M. Weissman  
General Regulatory Counsel - Rates

Dated: April 26, 2013

DIVISION OF RATE COUNSEL

By: \_\_\_\_\_  
Paul E. Flanagan, Esq.  
Litigation Manager

Dated: April \_\_, 2013

KDC SOLAR LLC (SLIII)

By: James E. McGuire, Esq.  
~~James E. McGuire, Esq.~~  
~~Reed Smith LLP~~

Dated: April 26, 2013

PETRA SOLAR, INC.

By: \_\_\_\_\_  
Basem Ramada, Esq

Dated: April \_\_, 2013

PROLOGIS

By: \_\_\_\_\_  
Robert F. Shapiro, Esq.  
Chadbourne & Parke, LLP

Dated: April \_\_, 2013

WATTLOTS, L.L.C.

By: \_\_\_\_\_  
James E. McGuire, Esq.  
Reed Smith LLP

Dated: April \_\_, 2013

MID-ATLANTIC SOLAR ENERGY  
INDUSTRIES ASSOCIATION

By: \_\_\_\_\_  
William Potter, Esq.  
Potter and Dickson

Dated: April \_\_, 2013

NEW JERSEY SOLAR INDUSTRY  
MANUFACTURERS ASSOCIATION

By: \_\_\_\_\_  
Hani Khoury, Esq.  
Awad & Khoury

Dated: April \_\_, 2013



DIVISION OF RATE COUNSEL

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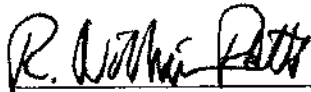
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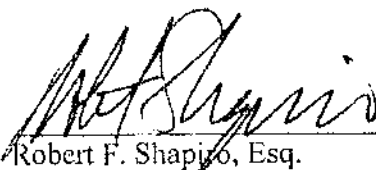
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Reed Smith LLP

Dated: April \_\_, 2013

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William Potter, Esq.  
Potter and Dickson

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MANUFACTURERS ASSOCIATION

By: \_\_\_\_\_  
Hani Khoury, Esq.  
Awad & Khoury

Dated: April \_\_, 2013

SUNDURANCE ENERGY

By: \_\_\_\_\_  
Allen Bucknam, CEO  
SunDurance Energy

Dated: April \_\_, 2013

NEW JERSEY LARGE ENERGY USERS  
COALITION

By: \_\_\_\_\_  
Stephen S. Goldenberg, Esq.  
Fox Rothschild, LLP

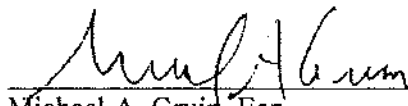
Dated: April \_\_, 2013

KDC SOLAR LLC (S4AE)

By: \_\_\_\_\_  
Michael R. Yellin, Esq.  
Cole, Schotz, Meisel, Forman &  
Leonard, P.A.,

Dated: April \_\_\_\_, 2013

SOLAR ENERGY INDUSTRIES  
ASSOCIATION

By:  \_\_\_\_\_  
Michael A. Gruin, Esq.  
Stevens & Lee, P.C.

Dated: April 6, 2013

SUNDURANCE ENERGY

KDC SOLAR LLC (S4AE)

By: \_\_\_\_\_  
Allen Bucknam, CEO  
SunDurance Energy

By: Thomas P. Yellin  
~~Michael R. Yellin, Esq.~~  
~~Cole, Schotz, Meisel, Forman &~~  
~~Leonard, P.A.,~~

Dated: April \_\_, 2013

Dated: April 26, 2013

NEW JERSEY LARGE ENERGY USERS  
COALITION

SOLAR ENERGY INDUSTRIES  
ASSOCIATION

By: \_\_\_\_\_  
Stephen S. Goldenberg, Esq.  
Fox Rothschild, LLP

By: \_\_\_\_\_  
Michael A. Gruin, Esq.  
Stevens & Lee, P.C.

Dated: April \_\_, 2013

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