



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

IN THE MATTER OF THE PETITION OF PUBLIC ) ORDER MODIFYING PROCEDURAL  
SERVICE ELECTRIC AND GAS COMPANY FOR ) SCHEDULE  
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. ) DOCKET NO. E012080726  
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 )

**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel  
**James E. McGuire, Esq.**, on behalf of KDC Solar LLC  
**Gary Weisman**, 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  
**Matthew Weisman, Esq.**, Public Service Electric and Gas Company

BY Commissioner Joseph L. Fiordaliso:

On August 1, 2012, Public Service Electric and Gas Company ("PSE&G" or "Company") filed with the New Jersey Board of Public Utilities ("Board") a petition for a solar loan program ("Petition") pursuant to the Board Order dated May 23, 2012, In the Matter of Review of Utility Supported Programs, docket EO11050311V ("May Order"). On August 31, 2012, Board Staff notified PSE&G that the filing was administratively complete.<sup>1</sup>

In the Petition, the Company requests approval of a three-year Solar Loan III Program ("Program"). In addition, the Company proposes to recover all Program costs through a new component of its electric Regional Greenhouse Gas Initiative Recovery Charge ("RRC") using its weighted average cost of capital to calculate the return on its investment. According to the

<sup>1</sup> N.J.S.A. 48:3-98.1 requires the Board to decide cost recovery issues within 180 days. Pursuant to the Board Order issued in response to a further statutory directive within that section, Board Staff must review a petition for completeness within 30 days and when a petition is determined to be complete, set the beginning of the 180-day period. I/M/O Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources, and Offering Class I Renewable Energy Programs in their Respective Service Territories on a Regulated Basis Pursuant to N.J.S.A. 48:3-98.1, Dkt. No. EO08030164 (May 8, 2008). Accordingly, the 180-day period for a Board determination in this matter commenced on August 1, 2012.

Petition, PSE&G intends to invest up to \$193 million over a three-year period by providing loans to parties to develop PSE&G's allocation of 97.5 MW dc of solar systems as delineated in the May Order. According to the Petition, of the 97.5 MW, 9.8 MW will be allocated to a residential segment, and the remaining 87.7 MW will be allocated to a non-residential segment.

By Order dated September 13, 2012, the Board retained this matter for review and hearing, and as authorized by N.J.S.A. 48:2-32, designated me as the presiding officer with authority to rule on all motions that arise during the proceeding and modify any schedule(s) that may be set as necessary to secure just and expeditious determinations in this matter. By Order dated October 4, 2012, I established the procedural schedule for this proceeding, which was amended at the request of the parties by Order dated December 3, 2012. The procedural schedule was further amended by request of the parties by Order dated January 4, 2013.

On February 6, PSE&G filed rebuttal testimony which included a cost of equity study and extensive financial analysis. On February 8, 2013, Rate Counsel filed a motion in limine to strike this testimony and that of Company witness Jorge Cardenas or, in the alternative, to 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, following discussions among the parties, a revised schedule allowing time for written surrebuttal and limited discovery thereon was developed, dependent on a further extension of the 180-day time for a final decision. No party has objected to the revised schedule after circulation to the e-service list.

In light of the agreement to change the procedural schedule, and having received no objections after notice to the e-list, and being satisfied that the extension of the schedule will provide additional time for the development of the record, I **HEREBY AMEND** the procedural schedule as follows:

Rate Counsel Surrebuttal Testimony	March 1, 2013
Discovery on Surrebuttal Testimony	March 8, 2013
Responses to Discovery on Surrebuttal Testimony	March 15, 2013
Hearings:	April 1 & April 2, 2013
Position Papers	April 12, 2013

This procedural schedule is conditioned upon the Board approving a stipulation to extend the 180-day deadline which I am advised will be presented to the Board for review at the next agenda meeting.

This ruling is provisional and subject to ratification or other alteration by the Board as it deems appropriate during the proceeding in this matter.

DATED:

BY: 2/2/13

  
JOSEPH L. FIORDALISO  
COMMISSIONER



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 Service, Pursuant to N.J.S.A. 48:3-98.1  
Docket EO12080726

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