



Agenda Date: 09/23/16
Agenda Item: 8A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

DIVISION OF ENERGY AND
OFFICE OF CLEAN ENERGY

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL OF A SECOND EXTENSION OF A SOLAR GENERATION INVESTMENT 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, 48:2-21.1 AND N.J.S.A. 48:3-98.1) ORDER GRANTING EXTENSION) OF 180-DAY PERIOD AND) APPROVING MODIFIED) PROCEDURAL SCHEDULE))) DOCKET NO. EO16050412

Parties of Record:

- Stefanie A. Brand, Esq.,** Director, New Jersey Division of Rate Counsel
- Matthew M. Weisman, Esq.,** Public Service Electric and Gas Company
- Steven S. Goldenberg, Esq.,** New Jersey Large Energy Users Coalition
- R. William Potter, Esq.,** Mid-Atlantic Solar Energy Industries
- Philip J. Passanante, Esq.,** Atlantic City Electric Company
- Michael Rato, Esq.,** McElroy, Deutsch, Mulvaney & Carpenter, LLP, on behalf of Vanguard Energy Partners, LLC
- William Harla, Esq.,** Decotiis, Fitzpatrick & Cole, LLP, on behalf of the Solar Energy Industries Association
- Richard D. McLaughlin, Esq.,** on behalf of J. Fletcher Creamer & Son, Inc.
- Roger M. Schwarz, Esq.,** on behalf of of IBEW Local Union 94
- Bradley M. Parsons, Esq.,** Kroll Heineman Carton, on behalf of New Jersey Laborers-Employers Cooperation and Education Trust

BY THE BOARD:

BACKGROUND:

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 and increased use of renewable energy resources 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 renewable energy, conservation and energy efficiency industries are essential to maximize efficiencies.

Pursuant to Section 13 of the Act, codified as N.J.S.A. 48:3-98.1(a)(2), an electric or gas public utility may, among other things, invest in Class I renewable energy resources or offer Class I renewable energy programs in its service territory on a regulated basis. Such investment in renewable energy, 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 renewable energy, 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 August 3, 2009,¹ the Board authorized Public Service Electric and Gas Company ("PSE&G" or "Company") to implement a solar generation program. ("Solar 4 All Program"). The Solar 4 All Program incorporated one 40 megawatt ("MW") segment of large-scale solar installations² and one 40 MW segment of small solar units mounted upon utility and streetlight poles; the program was anticipated to have completed installation by the end of 2013. The Board authorized PSE&G to recover program costs through a new solar generation investment component ("SGIP") of the Company's electric Regional Greenhouse Gas Initiative Recovery Charge ("RRC").³

By Order dated May 31, 2013, the Board authorized PSE&G to extend the Solar 4 All Program and authorized the Company's installation of 40 MWdc on properly closed sanitary landfills and on brownfields, as well as three pilot programs of one MWdc each on underutilized government facilities, grid security/storm preparedness, and innovative parking lot applications.⁴ ("Solar 4 All Extension Program") In addition, the May 2013 Order authorized the Company to reallocate capacity within the four segments, provided no capacity could be reallocated from the landfill/brownfield segment, and to recover program costs through a new Solar Generation Investment Extension Program ("SGIEP") component of its electric GPRC.

PSE&G PETITION FOR A SECOND EXTENSION OF SOLAR 4 ALL ("S4AEII")

On May 11, 2016 PSE&G filed the instant petition with the Board. In the filing, the Company sought approval of a second extension of one of the segments of Solar 4 All Program Extension Program, which would consist of installing 100 MWdc upon landfills and brownfields over a five year period with a total proposed capital investment of approximately \$276 million (\$240 million for investment and \$36 million for contingency and unforeseen site conditions). PSE&G

¹ In re the Petition of Public Service Electric and Gas Company for Approval of a Solar Generation Investment Program and Associated Cost Recovery Mechanism, BPU Docket No. EO09020125, Order dated August 3, 2009. ("August 2009 Order")

² The large scale segment approved in the August 2009 Order included three sub-segments: i) systems installed on PSE&G-owned sites; ii) systems installed on third-party owned sites; and iii) systems installed on sites in Urban Enterprise Zones, including publicly-owned sites.

³ By Order dated February 19, 2014, in Docket Nos. ER13070603 and GR13070604, the RRC was renamed the Green Programs Recovery Charge ("GPRC").

⁴ In re the Petition of Public Service Electric and Gas Company for Approval of an Extension of a Solar Generation Investment 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, 48:2-21.1 and N.J.S.A. 48:3-98.1, BPU Docket No. EO12080721, Order dated May 31, 2013. ("May 2013 Order")

proposed to recover costs associated with the program through a new Solar Generation Investment Extension II Program component of the electric GPRC set forth in the Company's electric tariff. By letter dated June 8, 2016, Board Staff ("Staff") notified PSE&G that the petition was administratively complete.⁵

By Order dated June 29, 2016 ("June 29, 2016 Order"), the Board determined that this matter should be retained by the Board for review and hearing, and, as authorized by N.J.S.A. 48:2-32, designated Commissioner Joseph L. Fiordaliso as the presiding officer who was authorized to rule on all motions that arise during the proceeding, and modify any schedule that may be set as necessary to secure just and expeditious determination of the issues. The June 29, 2016 Order also authorized Commissioner Fiordaliso to grant an extension of the 180 day review period.

By Order dated July 19, 2016, Commissioner Joseph L. Fiordaliso issued an Order setting the procedural schedule, granting the motions to intervene on behalf of the New Jersey Large Energy Users Coalition ("NJLEUC") and the Mid-Atlantic Solar Energy Industries Association ("MSEIA"), and granting the motion for admission *pro hac vice* of Mr. Paul F. Forshay, Esq. ("July, 19, 2016 Order"). By Order dated August 3, 2016, Commissioner Fiordaliso granted the motions to intervene of the Solar Energy Industries Association ("SEIA"), the New Jersey Laborers-Employers Cooperation and Education Trust ("NJLECET"), J. Fletcher Creamer & Sons ("Creamer"), and Vanguard and the motions to participate of Atlantic City Electric Company ("ACE"), as well as Local Union 94 of the International Brotherhood of Electrical Workers ("IBEW"), with each new party agreeing to adhere to that schedule. By the same Order, Commissioner Fiordaliso approved a revised procedural schedule. By Order dated August 18, 2016, the Commissioner approved an extension of the 180-day time for a final decision to December 1, 2016 and a further revised procedural schedule.

STIPULATION

The parties to the proceeding have conducted discovery and met several times to discuss the filing. The parties have agreed that, to provide additional time for settlement discussions, the review period should be extended. On August 31, 2016, the parties entered into a stipulation and agreed to request a further extension of extending the 180 day review period to December 15, 2016. This stipulation was filed with the Board on September 1, 2016. The parties also agreed to a second revised procedural schedule Prior to Board action upon the stipulation filed on September 1, 2016, the parties held further discussions and entered into the attached stipulation ("Amended Second Stipulation") on September 22, 2016 agreeing to a further extension of the 180 day review period to the date of the January, 2017 Board Agenda Meeting. The date of that meeting has not been set at this time. The parties have requested that the Amended Second Stipulation be considered by the Board in place of the stipulated filed on September 1, 2016.

⁵ 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 commenced on May 11, 2016 and absent waiver from the Company would have expired on November 7, 2016.

DISCUSSION AND FINDING

The Board has carefully reviewed the record to date in this matter. The Board is satisfied and **HEREBY FINDS** that the Amended Second Stipulation is reasonable and is in the public interest as it provides additional time for settlement discussions and a thorough review of the proposed second extension of the Solar 4 All Program, and allows for the development of a full and complete record for review by the Board. Accordingly, the Board **HEREBY ADOPTS** the attached Amended Second 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 period under N.J.S.A. 48:3-98.1(b) to the date of the January 2017 Board Agenda Meeting. That Agenda Meeting has not been scheduled at this time.

Procedural Schedule

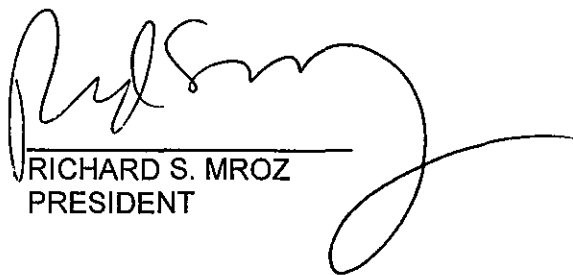
As part of the Amended Second Stipulation, the parties have submitted amended revised procedural schedule for the Board's consideration. The Board has reviewed the proposal for an amended schedule, to which all parties have consented. The Board **HEREBY ISSUES** the attached amended procedural schedule identified as Exhibit A, and **HEREBY DIRECTS** all parties, as well as participants, to comply with its terms.

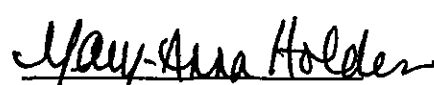
The effective date of this Order is October 3, 2016.

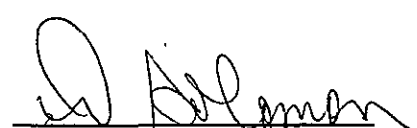
DATED: 9/23/16

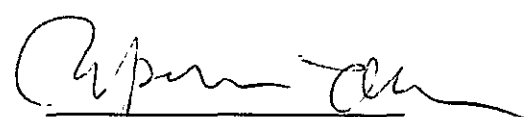
BOARD OF PUBLIC UTILITIES BY:

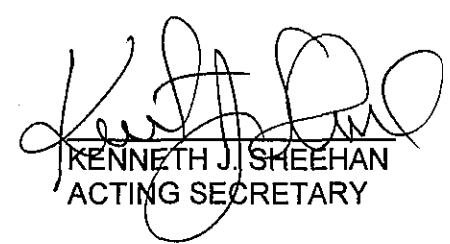

JOSEPH L. FIORDALISO
COMMISSIONER


RICHARD S. MROZ
PRESIDENT

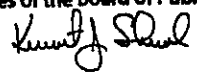

MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
KENNETH J. SHEEHAN
ACTING 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 ELECTRIC AND GAS COMPANY
FOR APPROVAL OF A SECOND EXTENSION OF A SOLAR GENERATION INVESTMENT
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. 48:2-21.1, AND N.J.S.A. 48:3-98.1

BPU DOCKET No. EO16050412

SERVICE LIST

Connie E. Lembo
PSE&G Services Corporation
80 Park Plaza – T5
P.O. Box 570
Newark, NJ 07102-4194
Constance.lembo@pseg.com

David E. Dismukes, Ph.D.
Acadian Consulting Group
5800 One Perkins Drive
Bldg. 5, Suite F
Baton Rouge, LA 70808
daviddismukes@acadianconsulting.com

Matthew M. Weissman, Esq.
PSE&G Services Corporation
80 Park Plaza – T5
P.O. Box 570
Newark, NJ 07102-4194
Matthew.Weissman@pseg.com

Andrea C. Crane
The Columbia Group, Inc.
P.O. Box 810
Georgetown, CT 06829
ctcolumbia@aol.com

Joseph F. Accardo, Jr.
PSE&G Services Corporation
80 Park Plaza – T5
P.O. Box 570
Newark, NJ 07102-4194
joseph.accardo@pseg.com

Michael Ambrosio, Vice President
Applied Energy Group
317 George Street, Suite 305
New Brunswick, NJ 08901
mambrosio@appliedenergygroup.com

Sheree Kelly, Esq.
PSE&G Services Corporation
80 Park Plaza – T5, P.O. Box 570
Newark, NJ 07102-4194
Sheree.Kelly@pseg.com

Richard D. McLaughlin, Esq.
101 East Broadway
Hackensack, NJ 07601
RMclaughlin@jfcson.com

Matthew I. Kahal
1108 Pheasant Crossing
Charlottesville, Virginia 22901
mkahal@exeterassociates.com

Roger M. Schwarz, Esq.
Issues Management LLC
100 Overlook Center – 2nd Floor
Princeton, NJ 08540
rschwarz@issuesllc.com

Philip J. Passanante
Atlantic City Electric Company
P.O. Box 6066
Newark, DE 19714-6066
Philip.Passanante@pepcoholdings.com

Bradley M. Parsons, Esq.
Kroll Heineman Carton
99 Wood Avenue South, Suite 307
Iselin, NJ 08830
akroll@krollfirm.com

Kenneth Thoman
IBEW Local Union 94
219 Franklin Street
Hightstown, New Jersey 08520
bud@ibew94.org

Michael Rato
McElroy, Deutsch, Mulvaney & Carpenter, LLP
1300 Mount Kemble Avenue
P.O. Box 2075
Morristown, NJ 07962-2075
mrato@mdmc-law.com

William Harla
DECOTIIS, FITZPATRICK & COLE, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard
Teaneck, NJ 07666
wharla@decotiislaw.com

Division of Rate Counsel
140 East Front Street, 4th floor
Post Office Box 003
Trenton, NJ 08625-0003

Stefanie A. Brand, Esq., Director
sbrand@rpa.state.nj.us

Brian Lipman, Litigation Manager
blipman@rpa.state.nj.us

Sarah H. Steindel, Esq.
ssteinde@rpa.state.nj.us

Felicia Thomas-Friel, Esq.
ftthomas@rpa.state.nj.us

Maura Caroselli, Esq.
mcaroselli@rpa.state.nj.us

Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, NJ 07101-45029

Alex Moreau, Esq.
Alex.Moreau@dol.lps.state.nj.us

Steven S. Goldenberg, Esq.
Fox Rothschild, LLP
P.O. Box 5231
Princeton, NJ 08543-5231
sgoldenberg@foxrothschild.com

R. William Potter, Esq.
Potter and Dixon
194 Nassau Street
Princeton, NJ 08542
potterrex@cs.com
rwppddl@cs.com

Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350

Irene Kim Asbury, Esq.
Secretary of the Board
Irene.Asbury@bpu.nj.gov

Cynthia E. Covie, Chief Counsel
Cynthia.Covie@bpu.nj.gov

Paul Flanagan, Executive Director
paul.flanagan@bpu.nj.gov

Mark Beyer, Chief Economist
mark.beyer@bpu.nj.gov

Secil Onat, Executive Director
Secil.Onat@bpu.nj.gov

Marisa Slaten
Assistant Director
Marisa.Slaten@bpu.nj.gov

Scott Hunter
Scott.Hunter@bpu.nj.gov

Jerome May, Director
Division of Energy
jerome.may@bpu.nj.gov

Stacy Peterson
Deputy Director
Division of Energy
stacy.peterson@bpu.nj.gov

Caroline Vachier, Esq.
Caroline.Vachier@lps.state.nj.us

Emma Xiao, Esq.
Emma.Xiao@dol.lps.state.nj.us

Patricia Krogman, DAG
Patricia.Krogman@dol.lps.state.nj.us

Jenique Jones, Paralegal
Jenique.Jones@lps.state.nj.us

Rachel Boylan, Legal Specialist
Rachel.Boylan@bpu.nj.gov

Dr. Son Lin Lai
Office of the Economist
son-lin.lai@bpu.state.nj.us

Jackie O'Grady
Office of the Economist
Jackie.OGrady@bpu.nj.gov

EXHIBIT A

In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Second Extension of a Solar Generation Investment 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, N.J.S.A. 48:2-21.1, and N.J.S.A. 48:3-98.1
Docket Number EO16050412

Second Amended Procedural Schedule

Discovery Requests on Initial Testimony+	June 24, 2016
Board designates a Presiding Commissioner	June 29, 2016
Responses to Discovery on Initial Testimony	July 8, 2016
Settlement/Discovery Conference (Tentative)	July 21 or 22, 2016
Second Round of Discovery Due	July 22, 2016
Motions to Intervene/Participate Due	July 25, 2016
Responses to Second Round of Discovery Due	July 29, 2016
Opposition to Intervention/Participation Motions due	August 1, 2016
Discovery/Settlement Conference (Tentative)	August 1, 2016
Public Hearing in New Brunswick	August 2, 2016
Public Hearing in Hackensack	August 4, 2016
Public Hearing in Mt. Holly	August 9, 2016
Settlement Conference (Tentative)	August 12, 2016
Intervener/ Respondent Testimony Due	August 15, 2016
Discovery on Intervener/Respondent Testimony	August 19, 2016
Responses to Discovery on Intervener/Respondent Testimony	August 26, 2016
Written Comments due to Board Secretary	August 26, 2016
Settlement Conference	September 12, 2016
Settlement Conference	September 22, 2016

Intervenor/Respondent Testimony Due (w/workpapers and electronic schedules)	October 19, 2016
Discovery on Intervener/Respondent Testimony	October 24, 2016
Responses to Discovery on Intervener/Respondent Testimony	October 31, 2016
Rebuttal Testimony (w/workpapers and elec scheds)	November 3, 2016
Discovery on Rebuttal Testimony	November 10, 2016
Responses to Discovery on Rebuttal Testimony	November 18, 2016
Evidentiary Hearings (if necessary)*	December 1-2, 2016
Initial Briefs due	December 16 , 2016
Reply Briefs	December 23, 2016
Board Action by Agenda Meeting in January, 2017 (no date scheduled yet)	

Petitioner agrees that discovery is ongoing and will endeavor to answer all discovery within seven business days of service.

* - . Inteveners/respondents may present oral surrebuttal at evidentiary hearings.



September 22, 2016

In The Matter Of The Petition Of
Public Service Electric And Gas Company
for Approval of a Second Extension of a
Solar Generation Investment Program
and Associated Cost Recovery Mechanism and
for Changes in the Tariff for Electric Service

BPU Docket No. EO16050412

VIA OVERNIGHT DELIVERY

Irene Kim Asbury, Secretary
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

Dear Secretary Asbury:

Attached please find an executed Second Stipulation Extending Time by all parties in the above-referenced matter. This Stipulation supersedes the Stipulation submitted to the Board on September 1, 2016

Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Matthew Weissman".

C Attached Service List (E-Mail)

ACE

Philip J. Passanante Esq.
Atlantic City Electric Company - 92DC42
500 N. Wakefield Drive
P.O. Box 6066
Newark DE 19714-6066
philip.passanante@pepcoholdings.com

BPU

William Agee Esq.
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-1616
william.agee@bpu.nj.gov

BPU

Mark Beyer
Board of Public Utilities
44 South Clinton Avenue,
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-2637
mark.beyer@bpu.nj.gov

BPU

Rachel Boylan
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-1458
Rachel.Boylan@bpu.nj.gov

BPU

Paul Flanagan
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-2836
paul.flanagan@bpu.nj.gov

BPU

Scott Hunter
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-1956
B.Hunter@bpu.nj.gov

BPU

Son Lin Lai
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-2098
son-lin.lai@bpu.nj.gov

BPU

Christine Lin
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-2956
christine.lin@bpu.nj.gov

BPU

Jerome May
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-3960
Jerome.may@bpu.nj.gov

BPU

Jacqueline O'Grady
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-2947
jackie.ogrady@bpu.nj.gov

BPU

Secil Onat
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
secil.onat@bpu.nj.gov

BPU

Stacy Peterson
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-4517
stacy.peterson@bpu.nj.gov

BPU

Andrea Reid
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-4518
andrea.reid@bpu.nj.gov

BPU

Bethany Rocque-Romaine Esq.
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-1496
bethany.rocque-romaine@bpu.nj.gov

BPU

Marisa Slaten
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-0087
marisa.slaten@bpu.nj.gov

BPU

Elizabeth Teng
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 292-0091
elizabeth.teng@bpu.nj.gov

BPU

Michael Winka
Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton NJ 08625-0350
(609) 777-3312
m.winka@bpu.nj.gov

DAG

Veronica A. Beke
NJ Dept. of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
Veronica.Beke@dol.lps.state.nj.us

DAG

Patricia A. Krogman DAG
NJ Dept of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
(973) 648-3441
patricia.krogman@dol.lps.state.nj.us

DAG

Caroline Vachier DAG
NJ Dept. of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
(973) 648-3709
caroline.vachier@dol.lps.state.nj.us

IBEW Local Union 94

Kenneth Thoman
219 Franklin Street
Hightstown NJ 08520
bud@ibew94.org

MSEIA

R. William Potter
194 Nassau Street, Suite 32
Princeton NJ 08542-7003
(609) 921-9555
potterrex@cs.com

NJLEUC

Paul F. Forshay Esq.
Sutherland, Asbill & Brennan, LLP
700 Sixth Street, NW, Suite 700
Washington DC 20004-2415
(202) 383-0100
paul.f.forshay@sutherland.com

PSE&G

Sheree Kelly Esq.
PSEG Services Corporation
80 Park Plaza, T5
P.O. Box 570
Newark NJ 07102
(973) 430-6468
sheree.kelly@pseg.com

DAG

Carolyn McIntosh
NJ Dept. of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
(973) 648-3762
carolyn.mcintosh@dol.lps.state.nj.us

DAG

Emma Xiao DAG
NJ Dept of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
Emma.Xiao@dol.lps.state.nj.us

J. Fletcher Creamer & Son

Richard McLaughlin Esq.
101 East Broadway
Hackensack NJ 07601
RMclaughlin@jfcson.com

MSEIA

Lyle K. Rawlings PE
Advanced Solar Products, Inc.
270 S. Main Street
Flemington NJ 08822
908-751-5818
lyle@advancedsolarproducts.com

NJLEUC

Steven S. Goldenberg Esq.
Fox Rothschild LLP
997 Lenox Drive, Bldg. 3
Lawrenceville NJ 08648-2311
(609) 896-4586
sgoldenberg@foxrothschild.com

PSE&G

Connie E. Lembo
PSEG Services Corporation
80 Park Plaza, T5
P.O. Box 570
Newark NJ 07102
(973) 430-6273
constance.lembo@pseg.com

DAG

Alex Moreau DAG
NJ Dept. of Law & Public Safety
Division of Law
124 Halsey Street, 5th Flr.
P.O. Box 45029
Newark NJ 07101
(973) 648-3762
Alex.Moreau@dol.lps.state.nj.us

IBEW Local Union 94

Roger Schwarz Esq.
Issues Management LLC
100 Overlook Center, 2nd Flr
Princeton NJ 08540
rschwarz@issuesllc.com

MSEIA

Susan Brodie
Advanced Solar Products, Inc.
270 S. Main Street
Flemington NJ 08822
sbrodie@hespsolar.com

NJLECET

Bradley M. Parsons Esq.
KROLL HEINEMAN CARTON, LLC
Metro Corporate Campus I
99 Wood Avenue South,
Suite 307
Iselin NJ 08830
bparsons@krollfirm.com

PSE&G

Joseph F. Accardo, Jr.
PSEG Services Corporation
80 Park Plaza, T5G
P.O. Box 570
Newark NJ 07102
(973) 430-5811
joseph.accardojr@pseg.com

PSE&G

Matthew M. Weissman Esq.
PSEG Services Corporation
80 Park Plaza, T5
P.O. Box 570
Newark NJ 07102
(973) 430-7052
matthew.weissman@pseg.com

Rate Counsel

Stefanie A. Brand
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
sbrand@rpa.state.nj.us

Rate Counsel

Brian O. Lipman
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
brian.lipman@rpa.state.nj.us

Rate Counsel

Felicia Thomas-Friel
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
fthomas@rpa.state.nj.us

Rate Counsel Consultant

Matthew I. Kahal
Exeter Associates, Inc.
1108 Pheasant Crossing
Charlottesville VA 22901
(410) 992-7500
Mkahal@exeterassociates.com

SEIA

William Harla Esq.
DeCotis, FitzPartrick & Cole, LLP
Glenpointe Centre West
500 Frank W. Burr Blvd.
Teaneck NJ 07666
wharla@decotiislaw.com

SEIA

Richard Umoff
Solar Energy Industries Association
600 14th St. NW, Suite 400
Washington DC 2005
rumoff@seia.org

Rate Counsel

Maura Caroselli Esq.
Division of Rate Counsel
140 East Front Street
4th Floor
Trenton NJ 08625
mcaroselli@rpa.state.nj.us

Rate Counsel

Shelly Massey
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
smassey@rpa.state.nj.us

Rate Counsel Consultant

Andrea Crane
The Columbia Group, Inc.
16 Old Mill Road
Redding CT 06896
(203) 438-2999
ctcolumbia@aol.com

SEIA

Alice Bergen Esq.
DeCotis, FitzPartrick & Cole, LLP
Glenpointe Centre West
500 Frank W. Burr Blvd.
Teaneck NJ 07666
abergen@decotiislaw.com

SEIA

Katie B. Rever
IGS Energy
6100 Emerald Parkway
Dublin OH 43016
krever@igsenergy.com

Vanguard

Michael Rato Esq.
McElroy, Deutsch, Mulvaney & Carpenter, LLP
1300 Mt. Kemble Avenue
P.O. Box 2075
Morristown NJ 07962-2075
mrato@mdmc-law.com

Rate Counsel

Kurt Lewandowski Esq.
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
klewando@rpa.state.nj.us

Rate Counsel

Sarah Steindel
Division of Rate Counsel
140 East Front Street, 4th Flr.
P.O. Box 003
Trenton NJ 08625
(609) 984-1460
ssteinde@rpa.state.nj.us

Rate Counsel Consultant

David Dismukes
Acadian Consulting Group
5800 One Perkins Drive
Building 5, Suite F
Baton Rouge LA 70808
(225) 578-4343
daviddismukes@acadianconsulting.com

SEIA

David Gahl
Solar Energy Industries Association
600 14th St. NW, Suite 400
Washington DC 20005
dgahl@seia.org

SEIA

Ryan J. Scerbo Esq.
DeCotis, FitzPartrick & Cole, LLP
Glenpointe Centre West
500 Frank W. Burr Blvd.
Teaneck NJ 07666
rscerbo@decotiislaw.com

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

IN THE MATTER OF THE PETITION OF)	
PUBLIC SERVICE ELECTRIC AND GAS)	
COMPANY FOR APPROVAL OF A SECOND)	SECOND
EXTENSION OF A SOLAR GENERATION)	<u>STIPULATION EXTENDING TIME</u>
INVESTMENT PROGRAM AND ASSOCIATED)	SOLAR 4 ALL[®] EXTENSION II
COST RECOVERY MECHANISM AND FOR)	
CHANGES IN THE TARIFF FOR ELECTRIC)	BPU Docket No. EO16050412
SERVICE, B.P.U.N.J. NO. 15 ELECTRIC)	
PURSUANT TO N.J.S.A. 48:2-21,)	
N.J.S.A. 48:2-21.1, AND N.J.S.A. 48:3-98.1)	

APPEARANCES FOR SOLAR4ALL EXTENSION II

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

Brian Lipman, Esq., Litigation Manager, **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel, **Sarah H. Steindel, Esq.** and **Maura Caroselli, Esq.**, Assistant Deputy Rate Counsels (**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel)

Alex Moreau and Emma Yao Xiao, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Christopher S. Porrino**, Attorney General of New Jersey)

Steven S. Goldenberg, Esq., Fox Rothschild LLP and **Paul F. Forshay, Esq.**, Sutherland, Asbill & Brennan, LLP, for New Jersey Large Energy Users Coalition

Richard McLaughlin, Esq., for J. Fletcher Cramer & Son

Alice Bergen Esq., William Harla, Esq. and Ryan J. Scerbo., DeCotiis, Fitzpatrick & Cole, LLP, for Solar Energy Industries Association

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

Bradley M. Parsons, Esq., Kroll, Heineman Carton, LLC, for New Jersey Laborers Employers Cooperation and Education Trust

Michael Rato, Esq., McElroy, Deutsch, Mulvaney & Carpenter, LLP, for Vanguard Energy Partners, LLC

TO THE BOARD OF PUBLIC UTILITIES:

~~1. On May 11, 2016, Public Service Electric and Gas Company (“PSE&G”)~~
filed its Petition (“Petition”) with the Board of Public Utilities (“Board” or “BPU”),
requesting approval of the Solar4All Extension II Program and an associated cost
recovery mechanism pursuant to N.J.S.A. 48:2-21, N.J.S.A. 48:2-21.1, and N.J.S.A. 48:3-
98.1. More specifically, PSE&G proposed to extend its Solar4All Extension Program by
developing an additional 100 MW Dc of solar photovoltaic systems on landfills and
brownfields.

2. By letter dated June 8, 2016, Board Staff notified the Company that the
Petition was administratively complete. Therefore, the Board’s 180-day review period
under N.J.S.A. 48:3-98.1 commenced on May 11, 2016, with an expiration date of
November 8, 2016.

3. By Order dated June 29, 2016, the Board determined to retain this matter for
review, designated Commissioner Joseph L. Fiordaliso as the presiding hearing officer, and
authorized Commissioner Fiordaliso to render a decision on a stipulation pursuant to
N.J.S.A. 48:2-21.3, extending the 180-day review period. By Order dated July 19, 2016,
the Commissioner adopted a procedural schedule, which was subsequently amended
pursuant to agreement of the parties in an Order dated August 3, 2016. That procedural
schedule called for completion of this proceeding in time for the Board to take action at its
October 2016 Agenda Meeting.

4. Following the filing of the Petition, the undersigned parties engaged in ~~extensive discovery and participated in settlement and discovery conferences. While the~~ undersigned parties continue to discuss settlement, they have not been able to reach a settlement of all outstanding issues.

5. In order to permit the continuation of settlement discussions, while also permitting, if necessary, the submission of written testimony and discovery thereon, and in order to provide the Board with additional time to complete the processing of the Petition and issue a final determination in this matter, the parties agreed to an Amended Procedural Schedule in a Stipulation dated August 17, 2016, and thereby also agreed to request an extension of the 180-day review period deadline for Board action on the Petition to December 1, 2016. That Stipulation was adopted in the Order Granting Extension of 180-Day Period and Approving Modified Procedural Schedule signed by Commissioner Fiordaliso and dated August 18, 2016.

6. While the undersigned parties have continued to discuss settlement under the terms of the modified schedule, they have not been able to reach a settlement of all outstanding issues. Therefore, in order to permit the continuation of settlement discussions, while also permitting, if necessary, the submission of written testimony and discovery thereon, and in order to provide the Board with additional time to complete the processing of the Petition and issue a final determination in this matter, the parties agreed to a Second Amended Procedural Schedule in a Stipulation dated September 1, 2016 and agreed to request an extension of the 180-day review period deadline for Board

action on the Petition to December 15, 2016. That Stipulation was filed with the Board on September 1, 2016.

7. While the undersigned parties have continued to discuss settlement under the terms of the modified schedule, they have not been able to reach a settlement of all outstanding issues. Therefore, in order to permit the continuation of settlement discussions while also permitting, if necessary, the submission of written testimony and discovery thereon, and in order to provide the Board with additional time to complete the processing of the Petition and issue a final determination in this matter, the parties have agreed to replace the Stipulation filed with the Board on September 1, 2016, with the within Second Stipulation Extending Time and Second Amended Procedural Schedule attached to this Stipulation as Exhibit A, and have agreed to request an extension of the 180-day review period deadline for Board action on the Petition to the date of the January, 2017 Board Agenda Meeting, which has not yet been scheduled.

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

8. The undersigned parties, pursuant to N.J.S.A. 48:2-21.3, have agreed to extend the 180-day period for Board action on PSE&G's Petition, required under N.J.S.A. 48:3-98.1. The new deadline for Board action on the Petition is the date of the January, 2017 Board Agenda Meeting.

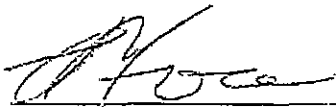
9. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its

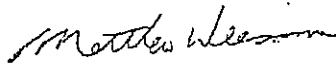
entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, ~~any of the undersigned parties aggrieved thereby~~ shall not be bound to proceed with this Stipulation and shall have the right to litigate all issues addressed herein to a conclusion. 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 the January, 2017 Board Agenda Meeting.

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY
~~Attorney for the Staff of the New Jersey~~
Board of Public Utilities

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY


By: 
Alex Moreau
Deputy Attorney General

By: 
Matthew M. Weissman
General Regulatory Counsel - Rates

Dated: September 21, 2016

Dated: September __, 2016

DIVISION OF RATE COUNSEL

By: 
Sarah H. Steindel, Esq.
Assistant Deputy Rate Counsel

Dated: September 21, 2016

J. FLETCHER CRAMER & SON

MID-ATLANTIC SOLAR ENERGY
INDUSTRIES ASSOCIATION

By: _____
Richard McLaughlin, Esq

By: _____
William Potter, Esq.
Potter and Dickson

Dated: September __, 2016

Dated: September ____, 2016

NEW JERSEY LARGE ENERGY USERS
COALITION

SOLAR ENERGY INDUSTRIES
ASSOCIATION

By: _____
Steven S. Goldenberg, Esq.
Fox Rothschild, LLP
LLP

By: _____
William Harla, Esq.
DeCotiis, FitzPatrick & Cole,

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

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY

By: _____
Alex Moreau
Deputy Attorney General

Dated: September __, 2016

By: Matthew Weissman
Matthew M. Weissman
General Regulatory Counsel - Rates

Dated: September __, 2016

DIVISION OF RATE COUNSEL

By: _____
Brian Lipman, Esq.
Litigation Manager

Dated: September __, 2016

J. FLETCHER CREAMER & SON, INC.

By: Richard D. McLaughlin
Richard D. McLaughlin, Esq

Dated: September 21, 2016

MID-ATLANTIC SOLAR ENERGY
INDUSTRIES ASSOCIATION

By: _____
William Potter, Esq.
Potter and Dickson

Dated: September __, 2016

NEW JERSEY LARGE ENERGY USERS
COALITION

By: _____
Stephen S. Goldenberg, Esq.
Fox Rothschild, LLP
LLP

Dated: September __, 2016

SOLAR ENERGY INDUSTRIES
ASSOCIATION

By: _____
William Harla, Esq.
DeCotiis, FitzPatrick & Cole,

Dated: September __, 2016

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

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY

By: _____
Alex Moreau
Deputy Attorney General

By: Matthew Weissman
Matthew M. Weissman
General Regulatory Counsel - Rates

Dated: September __, 2016

Dated: September __, 2016

DIVISION OF RATE COUNSEL

By: _____
Sarah H. Steindel, Esq.
Assistant Deputy Rate Counsel

Dated: September __, 2016

J. FLETCHER CRAMER & SON

MID-ATLANTIC SOLAR ENERGY
INDUSTRIES ASSOCIATION

By: _____
Richard McLaughlin, Esq

By: William Potter Lyle Rawlings
William Potter, Esq. Lyle Rawlings, Pres.
~~Potter and Dickson~~ MSEA

Dated: September __, 2016

Dated: September 22, 2016

NEW JERSEY LARGE ENERGY USERS
COALITION

SOLAR ENERGY INDUSTRIES
ASSOCIATION

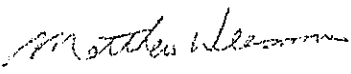
By: _____
Steven S. Goldenberg, Esq.
Fox Rothschild, LLP
LLP

By: _____
William Harla, Esq.
DeCotiis, FitzPatrick & Cole,

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

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY

By: _____
Alex Moreau
Deputy Attorney General

By: 

Matthew M. Weissman
General Regulatory Counsel - Rates

Dated: September __, 2016

Dated: September __, 2016

DIVISION OF RATE COUNSEL

By: _____
Sarah H. Steindel, Esq.
Assistant Deputy Rate Counsel

Dated: September __, 2016

J. FLETCHER CRAMER & SON

MID-ATLANTIC SOLAR ENERGY
INDUSTRIES ASSOCIATION

By: _____
Richard McLaughlin, Esq

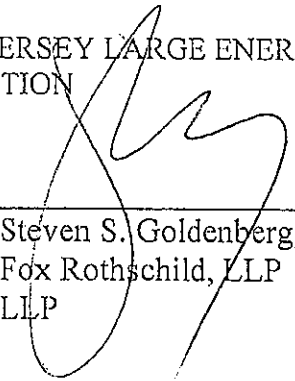
By: _____
William Potter, Esq.
Potter and Dickson

Dated: September __, 2016

Dated: September __, 2016

NEW JERSEY LARGE ENERGY USERS
COALITION

SOLAR ENERGY INDUSTRIES
ASSOCIATION

By: 

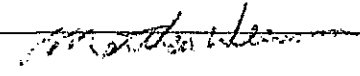
Steven S. Goldenberg, Esq.
Fox Rothschild, LLP
LLP

By: _____
William Harla, Esq.
DeCotiis, FitzPatrick & Cole,

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

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY

By: _____
Alex Moreau
Deputy Attorney General


By: _____
Matthew M. Weissman
General Regulatory Counsel - Rates

Dated: September __, 2016

Dated: September __, 2016

DIVISION OF RATE COUNSEL

By: _____
Sarah H. Steindel, Esq.
Assistant Deputy Rate Counsel

Dated: September __, 2016

J. FLETCHER CRAMER & SON

MID-ATLANTIC SOLAR ENERGY
INDUSTRIES ASSOCIATION

By: _____
Richard McLaughlin, Esq.

By: _____
William Potter, Esq.
Potter and Dickson

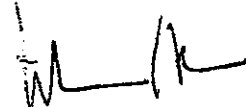
Dated: September __, 2016

Dated: September __, 2016

NEW JERSEY LARGE ENERGY USERS
COALITION

SOLAR ENERGY INDUSTRIES
ASSOCIATION

By: _____
Steven S. Goldenberg, Esq.
Fox Rothschild, LLP
LLP

By:  _____
William Harla, Esq.
DeCotiis, FitzPatrick & Cole,
9/22/16,

NEW JERSEY LABORERS EMPLOYERS
COOPERATION AND EDUCATION TRUST

VANGUARD ENERGY PARTNERS, LLC

By:



Bradley M. Parsons, Esq.
Kroll Heineman Carton, LLP

By:

Michael Rato, Esq.
McElroy, Deutsch, Mulvaney &
Carpenter, LLP


Dated: September 21, 2016

Dated: September __, 2016

NEW JERSEY LABORERS EMPLOYERS
COOPERATION AND EDUCATION TRUST

VANGUARD ENERGY PARTNERS, LLC

By: _____
Bradley M. Parsons, Esq.
Kroll Heineman Carton, LLP

By: 

Michael Rato, Esq.
McElroy, Deutsch, Mulvaney &
Carpenter, LLP

Dated: September __, 2016

Dated: September 21, 2016

Exhibit A

In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Second Extension of a Solar Generation Investment 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, N.J.S.A. 48:2-21.1, and N.J.S.A. 48:3-98.1

Docket Number EO16050412

Second Amended Procedural Schedule

Discovery Requests on Initial Testimony+	June 24, 2016
Board designates a Presiding Commissioner	June 29, 2016
Responses to Discovery on Initial Testimony	July 8, 2016
Settlement/Discovery Conference	July 21, 2016
Second Round of Discovery Due	July 22, 2016
Motions to Intervene/Participate Due	July 25, 2016
Responses to Second Round of Discovery Due	July 29, 2016
Opposition to Intervention/Participation Motions due	August 1, 2016
Settlement/Discovery Conference	August 1, 2016
Public Hearing in New Brunswick	August 2, 2016
Public Hearing in Hackensack	August 4, 2016
Public Hearing in Mt. Holly	August 9, 2016
Settlement Conference	August 12, 2016
Settlement Conference	August 25, 2016
Written Public Comments due to Board Secretary	August 26, 2016
Settlement Conference	September 12, 2016
Settlement Conference	September 22, 2016

Intervenor/Respondent Testimony Due (w/workpapers and electronic schedules)	October 19 , 2016
Discovery on Intervener/Respondent Testimony	October 24 , 2016
Responses to Discovery on Intervener/Respondent Testimony	October 31, 2016
Rebuttal Testimony (w/workpapers and elec scheds)	November 3, 2016
Discovery on Rebuttal Testimony	November 10, 2016
Responses to Discovery on Rebuttal Testimony	November 18, 2016
Evidentiary Hearings (if necessary)*	December 1-2, 2016
Initial Briefs due	December 16 , 2016
Reply Briefs	December 23, 2016
Board Action by Agenda Meeting in January, 2017 (no date scheduled yet)	

+ - Petitioner agrees that discovery is ongoing and will endeavor to answer all discovery within seven business days of service.

* - Intevenors/respondents may present oral surrebuttal at evidentiary hearings.