



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

IN THE MATTER OF THE VERIFIED PETITION)	ORDER SUSPENDING
OF JERSEY CENTRAL POWER & LIGHT)	PROCEDURAL SCHEDULE
COMPANY CONCERNING A PROPOSAL FOR)	
AN SREC-BASED FINANCING PROGRAM)	
UNDER N.J.S.A. 48:3-98.1)	
)	
IN THE MATTER OF THE PETITION OF)	
ATLANTIC CITY ELECTRIC COMPANY)	
CONCERNING A PROPOSAL FOR AN)	DOCKET NOS. EO12080750
EXTENDED SREC-BASED FINANCING)	EO12090799
PROGRAM PURSUANT TO N.J.S.A. 48:3-98.1)	

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Philip J. Passanante, Esq., Atlantic City Electric Company
Gregory Eisenstark, Esq., Jersey Central Power and Light
Michael A. Gruin, Esq., Solar Energy Industries Association ("SEIA")
Howard O. Thompson, Esq., NJ Land, LLC
R. William Potter, Esq., Mid -Atlantic Solar Energy Industries Association ("MSEIA")

BY COMMISSIONER MARY-ANNA HOLDEN:

By Order dated May 23, 2012, in In re Review of Utility Supported Programs, Docket EO11050311V ("May 23 Order"), the New Jersey Board of Public Utilities ("Board") authorized the extension of certain utility run solar financing programs that had been approved by the Board pursuant to an Order dated August 7, 2008.¹

On August 15, 2012, Jersey Central Power and Light Company ("JCP&L") filed a petition² with

¹ In re Renewable Energy Portfolio Standards: Amendments to the Minimum Filing Requirements for Energy Efficiency, Renewable Energy and Conservation Programs and for Electric Distribution Company Submittal of Filing in Connection with Solar Financing. (Docket EOO6100744).

² In re Verified Petition of Jersey Central Power & Light Company Concerning a Proposal for an SREC-based Financing Program under N.J.S.A. 48:3-98.1. (Docket EO12080750).

the Board requesting approval of its "SREC II" solar financing program ("JCP&L Program"), pursuant to the Board's May 23 Order and pursuant to N.J.S.A. 48:3-98.1. According to the petition, the JCP&L Program is a 52 megawatt ("MW") program modeled closely on JCP&L's and Atlantic City Electric's ("ACE") first solar renewable energy certificate ("SREC") financing program ("Original SREC Program") approved by Board Orders dated March 29, 2009 and September 16, 2009 under docket numbers EO08100875 and EO08090840.³

On September 6, 2012, ACE filed a petition⁴ with the Board requesting approval of its solar financing program ("ACE Program"), also pursuant to the May 23 Order and N.J.S.A. 48:3-98.1. According to the petition, ACE's Program is a 23 MW program modeled closely on the Original SREC Program as well.

By Order dated October 4, 2012, under Docket EO12080750, the Board retained JCP&L's petition 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 pendency of the case. By Order dated December 19, 2012 under Docket EO12090799 ("December 19 Order"), the Board retained ACE's petition 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 during the pendency of the case. Additionally, the December 19 Order authorized me to render a decision on a stipulation pursuant to N.J.S.A. 48:2-21.3 extending the 180-day review period with regard to the ACE Program, provided that the stipulation submitted is executed by all the parties to the proceeding. This authority is limited to a single extension of the 180-day period.

On January 15, 2013, ACE, JCP&L, Board Staff and the Division of Rate Counsel ("Rate Counsel"), the only parties at that time, executed a stipulation extending the respective 180-day review periods under N.J.S.A. 48:3-98.1 b for both the JCP&L and ACE Programs to June 30, 2013. By Order dated January 18, 2013, I approved the extension of the review period for the ACE Program to June 30, 2013, and by Order dated January 23, 2013, the Board approved the corresponding extension for the JCP&L Program.

PROCEDURAL SCHEDULE

On December 18, 2012, ACE, JCP&L and Rate Counsel agreed to establish a joint procedural schedule to facilitate discussion of similar proposals in the ACE Program and the JCP&L Program. An agreed upon schedule was circulated on January 14, 2013, that I subsequently approved.

Since the circulation of the original schedule, I have granted motions to intervene filed by the Solar Energy Industries Association ("SEIA"), NJ Land, LLC, and the Mid-Atlantic Solar Energy Industries Association ("MSEIA") (SEIA, NJ Land, MSEIA, Staff, Rate Counsel, JCP&L and ACE are collectively, the "Parties"). As requested by the Parties, on March 20, 2013, I approved modifications to the schedule. Under the modified schedule, intervenor testimony is due on April 12, 2013.

³ In re Verified Petition of Jersey Central Power & Light Concerning a Proposal for a SREC-based Financing Program under N.J.S.A. 48:3-98. (Docket EO08090840). In Re Atlantic City Electric Company Renewable Portfolio Standard Amendments to the Minimum Filing Requirements for Energy Efficiency, Renewable Energy and Conservation Programs and for Electric Distribution Company Submittal of Filing in Connection with Solar Financing. (Docket EO08100875).

⁴ In re the Petition of Atlantic City Electric Company Concerning a Proposal for an Extended SREC-based Financing Program Pursuant to N.J.S.A. 48:3-98.1. (Docket EO12090799).

By e-mail on April 5, 2013, JCP&L, on behalf of the Parties, requested suspension of the schedule through April 30, 2013. According to JCP&L, the Parties are actively pursuing settlement talks that may obviate the need for additional testimony and hearings. JCP&L has agreed to provide an alternative schedule if needed.

Based on the representation that the Parties are actively pursuing settlement of the issues, I HEREBY SUSPEND the schedule, as requested, through April 30, 2013. The Parties are HEREBY DIRECTED to provide notice of the status of the settlement talks, and whether there is a need for an alternative schedule, by no later than April 25, 2013.

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: *April 5, 2013*

BY:

Mary-Anna Holden
MARY-ANNA HOLDEN
COMMISSIONER