



**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/)

IN THE MATTER OF 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 )

ORDER MODIFYING  
PROCEDURAL SCHEDULE

DOCKET NO. EO12080721

Parties of Record:

**Matthew M. Weissman, Esq., Attorney for Petitioner, Public Service Electric and Gas Company**  
**Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel**  
**Stephen S. Goldenberg, Esq., on behalf of the New Jersey Large Energy Users Coalition**  
**James E. McGuire, Esq., on behalf of WattLotts, LLC**  
**Michael A. Gruin, Esq., on behalf of The Solar Energy Industries Association**  
**William Potter, Esq. on behalf of the Mid-Atlantic Solar Energy Industries Association**  
**Cynthia L. Holland, Esq., on behalf of Petra Solar**  
**Robert F. Shapiro, Esq., on behalf of Prologis**  
**Hani Khoury, Esq., on behalf of the New Jersey Solar Industry Manufacturers Association**  
**Robert T. Lawless, Esq., on behalf of SunDurance Energy**  
**Gary Weisman, on behalf of the New Jersey Solar Energy Coalition**  
**Pamela J. Scott, Esq., Atlantic City Electric Company**

BY PRESIDENT ROBERT HANNA:

On August 1, 2012, Public Service Electric & Gas ("PSE&G" or "Company") filed a petition ("Petition") seeking approval of an extension of its solar generation investment program and the associated cost recovery mechanism ("Program"). In its Petition, the Company states that it will add 136 megawatts ("MW") of solar photovoltaic systems to its current Program approved by Board Order dated August 3, 2009, In re Petition of Public Service Electric and Gas Company for Approval of a Solar Generation Investment Program and Associated Cost Recovery Mechanism, under docket EO09020125. The Program is divided into four segments: Segment A, on landfills and brownfields, with a proposed capacity of 90 megawatts; Segment B, on

warehouse roofs, with a proposed capacity of 20 MW; Segment C, on parking lots, with a proposed capacity of 25 MW; and Segment D, for pilots and demonstrations, with a proposed capacity of 1 MW.

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, 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 that may be set as necessary to secure just and expeditious determination of the issues.<sup>1</sup>

By Order dated November 19, 2012, the President adopted a procedural schedule that had been developed by Board Staff, PSE&G and the New Jersey Division of Rate Counsel ("Rate Counsel"), the only parties at that time. By various Orders since then, additional parties have been added to this proceeding with each new party agreeing to adhere to that schedule. By Order dated January 15, 2013, President Hanna approved a revised procedural schedule which did not alter the final date by which the matter would be decided.

On February 6, 2013, 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 13, 2013, PSE&G filed its response to Rate Counsel's motion maintaining that the challenged testimony was properly submitted under the schedule and responsive to Rate Counsel's testimony.

On February 15 2013, following discussions among the parties on February 14 and 15, 2013<sup>2</sup>, 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

<sup>1</sup> Due to scheduling conflicts, I have requested that Commissioner Joseph L. Fiordalisopreside over the hearings in this matter.

<sup>2</sup> Representative of the following parties participated in telephone conferences on February 14 and/or 15, 2013: PSE&G, Rate Counsel, Board Staff, SEIA, ACE, MSEIA, Sundurance, Wattlot, KDC, Petra Solar and the Division of Law.

Responses to Discovery on Surrebuttal Testimony	March 15, 2013
Hearings:	March 18, 19 and 21, 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: 2/21/2013

BY:



ROBERT HANNA  
PRESIDENT

In the Matter of 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, 48:221.1 and N.J.S.A. 48:3-98.1.

BPU Docket No. EO12080721

SERVICE LIST

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