



**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**

ENERGY/ CLEAN ENERGY

IN THE MATTER OF THE VERIFIED PETITION )	ORDER MODIFYING PROCEDURAL
OF JERSEY CENTRAL POWER & LIGHT )	SCHEDULE AND EXTENDING 180-
COMPANY CONCERNING A PROPOSAL FOR )	DAY REVIEW PERIOD
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 )	
EXTENDED SREC-BASED FINANCING )	DOCKET NOS. EO12080750
PROGRAM PURSUANT TO N.J.S.A. 48:3-98.1 )	EO12090799
)	

**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel  
**Phillip J. Passanante, Esq.**, Atlantic City Electric Company  
**Gregory Eisenstark, Esq.**, Jersey Central Power and Light

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.<sup>1</sup>

On August 15, 2012, Jersey Central Power and Light Company ("JCP&L") filed a petition<sup>2</sup> with 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

<sup>1</sup> 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).

<sup>2</sup> 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).

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 dockets EO08100875 and EO08090840.<sup>3</sup>

On September 6, 2012, ACE filed a petition<sup>4</sup> 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.

#### EXTENSION OF THE 180-DAY PERIOD

On January 15, 2013, ACE, JCP&L, Board Staff and the Division of Rate Counsel ("Rate Counsel") (jointly, the "Parties"), the only Parties at this time, executed a stipulation ("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. The Board is scheduled to address the JCP&L 180-day extension at its January agenda meeting. However, as authorized by the December 19 Order, I have reviewed the record on this case and the Stipulation submitted by ACE, and I am satisfied that the request for an extension of the review period for the ACE Program qualifies under the terms of the December 19 Order. I **THEREFORE FIND** the Stipulation to be reasonable and in the public interest as it will provide additional time for a thorough review of the proposed ACE Program, and allow for the development of a full and complete record for review by the Board. Accordingly, I **HEREBY EXTEND** the review date for the ACE Program to June 30, 2013.

#### PROCEDURAL SCHEDULE

On December 18, 2012 the Parties agreed in a conference call to establish a joint procedural schedule to facilitate discussion of similar proposals in the ACE Program and the JCP&L Program. A schedule was circulated on January 14, 2013, and agreed to by the Parties. In light of this agreement and having received no objections after notice to the e-list, I **HEREBY SET** the procedural schedule for the ACE and JCP&L filings as follows:

<sup>3</sup> 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).

<sup>4</sup> 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).

Discovery Requests on Initial Filing	January 18, 2013
Responses to Initial Round of Discovery	February 1, 2013
Motions to Intervene/Participate	January 22, 2013
Response to motions to intervene/participate	January 29, 2013
Second Round of Discovery Requests	February 15, 2013
Responses to Second Round of Discovery	February 22, 2013
Initial Discovery/ Settlement Conference	TBD
Intervener/Respondent Testimony	March 8, 2013
Discovery on Intervener/Respondent Testimony	March 18, 2013
Responses to Discovery on Intervener/Respondent Testimony	March 28, 2013
ACE/ JCP&L Rebuttal Testimony	April 12, 2013
Discovery on Rebuttal Testimony	April 22, 2013
Responses to Discovery on Rebuttal Testimony	May 1, 2013
Evidentiary Hearings (if necessary) <sup>5</sup> :	Week of May 6, 2013
Position Papers	May 17, 2013
Anticipated Board Action	June 2013

This procedural schedule is conditioned upon the Board approving a stipulation to extend the 180-day review period for the JCP&L Program to June 30, 2013, which I am advised will be presented to the Board at the January agenda meeting.

Any subsequent change to the procedural schedule will apply to both ACE and JCP&L.

I **HEREBY DIRECT** that this Order be posted on the Board's website and include the following language in the heading: Notice of Procedural Schedule for ACE and JCP&L SREC Financing Petitions.

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: 1/18/2013

BY:

  
MARY-ANNA HOLDEN  
COMMISSIONER

<sup>5</sup> With the opportunity for live intervener sur-rebuttal testimony at hearing

I/M/O the 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

I/M/O 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

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