



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE VERIFIED PETITION OF) ORDER EXTENDING THE
JERSEY CENTRAL POWER AND LIGHT COMPANY) 180-DAY REVIEW PERIOD
CONCERNING A PROPOSAL FOR AN SREC-BASED)
FINANCING PROGRAM UNDER N.J.S.A. 48:3-98.1) DOCKET NO. EO12080750

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Gregory Eisenstark, Esq., Jersey Central Power and Light Company

BY THE BOARD:

By Order dated May 23, 2012, 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 previously approved by the Board pursuant to an Order dated August 7, 2008¹.

On August 15, 2012, Jersey Central Power and Light Company ("JCP&L") filed a petition² with the Board requesting approval of its "Solar Renewable Energy Certificate 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. As proposed, 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 EO08090840.³

By Order dated October 4, 2012, the Board retained JCP&L's petition for review and hearing, and as authorized by N.J.S.A. 48:2-32, designated Commissioner Mary-Anna Holden as the presiding officer authorized to rule on all motions that arise during the pendency of the case.

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 EO06100744).

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).

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).

On January 15, 2013, ACE, JCP&L, Board Staff and the Division of Rate Counsel executed a stipulation ("Stipulation") agreeing to extend ACE's and JCP&L's respective 180-day statutory review periods under N.J.S.A. 48:3-98.1 b to June 30, 2013 in order to allow additional time for the review and processing of the petitions. The extension of ACE's 180-day review period has been granted by Commissioner Mary-Anna Holden as authorized by Board Order dated December 19, 2012, under Docket EO12090799.

DISCUSSION AND FINDING

The Board has carefully reviewed the record to date in this matter. The Board is satisfied and **HEREBY FINDS** that the Stipulation is reasonable and is in the public interest as it will provide additional time for a thorough review of the proposed JCP&L Program, and allow for the development of a full and complete record for review by the Board. Accordingly, the Board **HEREBY ADOPTS** the attached Stipulation as its own, incorporating by reference its terms and conditions as if fully set forth herein and **HEREBY EXTENDS** the JCP&L's 180-day review period to June 30, 2013.


DATED: 1/23/13

BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT


JEANNE M. FOX
COMMISSIONER

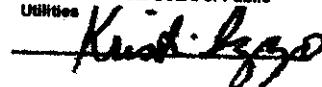

JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST: 
KRISTI IZZO
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 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

SERVICE LIST

Board of Public Utilities		
Jerome May, Director Division of Energy Board of Public Utilities 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	Alice Bator Division of Energy Board of Public Utilities 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	Michael Winka Division of Economic Development and Energy Policy 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350
Scott Hunter Division of Economic Development and Energy Policy 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	John Zarzycki Board of Public Utilities 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	Andrea Reid Division of Energy Board of Public Utilities 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350
Kristi Izzo Secretary's Office 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	Tricia Caliguire, Esq. Counsel's Office 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	
Rachel Boylan, Esq. Counsel's Office 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	John Garvey 44 S. Clinton Avenue, 9 th floor P.O. Box 350 Trenton, NJ 08625-0350	
Division of Rate Counsel		
Stefanie A. Brand, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101	Paul Flanagan, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101	Felicia Thomas-Friel, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101
Ami Morita, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101	Sarah Steindel, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101	James Glassen, Esq. 31 Clinton St -11 th floor P.O. Box 46005 Newark, NJ 07101
Andrea C. Crane The Columbia Group, Inc. 199 Ethan Allen Highway-2 nd Ridgefield, CT 08677	David E. Dismukes Acadian Consulting Group 5800 One Perkins Place Drive Building 5, Suite F Baton Rouge, LA 70808	

Department of Law and Public Safety		
Caroline Vachier, DAG Division of Law 124 Halsey Street, P.O. Box 45029 Newark, NJ 07101	Babette Tenzer, DAG Division of Law 124 Halsey Street, P.O. Box 45029 Newark, NJ 07101	Alex Moreau, DAG Division of Law 124 Halsey Street, P.O. Box 45029 Newark, NJ 07101
David Wand, DAG Division of Law 124 Halsey Street, P.O. Box 45029 Newark, NJ 07101		
JCP&L		
Gregory Eisenstark Morgan, Lewis & Bockius LLP On behalf of JCP&L 89 Headquarters Plaza North, suite 1419 Morristown, NJ 07960		
Intervenors		
Howard O. Thompson, Esq. Russo Tumulty Nester Thompson & Kelly, LLP On behalf of NJ Land 240 Cedar Knolls Road, Suite 306. Cedar Knolls, New Jersey 07927	William Potter, Esq. Potter and Dickson On behalf of MSEIA 194 Nassau Street, Princeton, New Jersey 08542	Michael A. Gruin, Esq. Stevens & Lee On behalf of SEIA 17 North Second Street, 16 th floor. Harrisburg, PA 17101

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

IN THE MATTER OF THE 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
("SREC II")

BPU DOCKET NO. E012080750

IN THE MATTER OF THE PETITION OF
ATLANTIC CITY ELECTRIC COMPANY
CONCERNING A PROPOSAL FOR AN
EXTENDED SOLAR RENEWABLE
ENERGY CERTIFICATE (SREC)-BASED
FINANCING PROGRAM PURSUANT TO
N.J.S.A. 48:3-98.1

BPU DOCKET NO. E012090799

**STIPULATION
TO EXTEND THE 180-DAY RGGI
PERIOD**

APPEARANCES:

Gregory Eisenstark, Esq. (Morgan, Lewis & Bockius LLP) for Petitioner, Jersey Central Power & Light Company

Phillip J. Passanante, Esq., Associate General Counsel, for Petitioner, Atlantic City Electric Company

Felicia Thomas-Friel, Esq., Deputy Rate Counsel and **Sarah H. Steindel, Esq.**, Assistant Deputy Rate Counsel (Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel)

Carolyn McIntosh, Alex Moreau, and T. David Wand, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (Jeffrey S. Chiesa, Attorney General of New Jersey)

TO THE HONORABLE NEW JERSEY BOARD OF PUBLIC UTILITIES:

1. On August 15, 2012, Jersey Central Power and Light Company ("JCP&L") filed a Verified Petition ("JCP&L's Petition") with the New Jersey Board of Public Utilities

("Board"), requesting approval of its "SREC II" solar financing program, pursuant to the Board's Order dated May 23, 2012 in Docket No. EO11050311V (the "May 23 Order"), and pursuant to N.J.S.A. 48:3-98.1 et seq. ("the RGGI Act"). According to JCP&L, its proposed SREC II Program is a 52 MW SREC Financing Program modeled closely on the Company's original SREC Financing Program. JCP&L avers that based on requirements in the Board's May 23 Order and experience with the original Program, JCP&L has proposed certain new elements for the SREC II Program, and the entire scope of the proposed SREC II Program is discussed in detail in the Verified Petition and supporting exhibits and schedules.

2. On September 6, 2012, Atlantic City Electric Company ("ACE") filed a Verified Petition ("ACE's Petition") with the Board requesting approval of its "SREC II" solar financing program, also pursuant to the May 23 Order and the RGGI Act. According to ACE, it intends the SREC II Program to be similar in all material respects to the current SREC I Program. ACE further states that its Program will solicit 23 MW of solar capacity. ACE has also proposed certain new elements for the SREC II Program, and the entire scope of the proposed SREC II Program is discussed in detail in ACE's Verified Petition and supporting exhibits and schedules.

3. On September 14, 2012, Board Staff advised JCP&L that, for this Petition, Board Staff was amending the minimum filing requirements in Appendix A of the May 12, 2008 Board Order in Docket No. EO08030164 (the "May 12 Order") to waive any filing deficiencies that may be present in the Company's Petition without precluding subsequent request for any information. As stated in the May 12 Order, if Board Staff notifies the utility that the Petition is complete as filed, then the 180-day period for the Board to approve, modify or deny the Petition will

commence on the date that the Petition was filed. In accordance with the May 12 Order, Board Staff deemed JCP&L's Petition administratively complete. Therefore, the Board's 180-day review period under the RGGI Act commenced on August 15, 2012 and will expire on February 11, 2013 (the "JCP&L RGGI date").

4. On October 9, 2012, Board Staff advised ACE that, for this Petition, Board Staff was amending the minimum filing requirements in Appendix A of the May 12 Order to waive any filing deficiencies that may be present in the Company's Petition without precluding subsequent request for any information. As stated in the May 12 Order, if Board Staff notifies the utility that the Petition is complete as filed, then the 180-day period for the Board to approve, modify or deny the Petition will commence on the date that the Petition was filed. In accordance with the May 12 Order, Board Staff deemed ACE's Petition administratively complete. Therefore, the Board's 180-day review period under the RGGI Act commenced on September 6, 2012 and will expire on March 5, 2013 (the "ACE RGGI date").

5. By Order dated October 4, 2012, in the JCP&L matter, the Board retained JCP&L's Petition for review and designated Commissioner Mary-Anna Holden as the presiding officer who is authorized to rule on all motions that arise during the pendency of this case and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues. By Order dated December 19, 2012, the Board retained ACE's Petition for review and designated Commissioner Holden as the presiding officer authorized to rule on all motions during the pendency of this matter and to render a decision on a stipulation pursuant to N.J.S.A. 48:2-21.3, extending the 180-day review period, if submitted, provided that the stipulation submitted is executed by all the parties to the proceeding. This authority was limited to a single extension of the 180-day period.

6. The undersigned parties (collectively referred to herein as the "Parties") have commenced discovery and discussions concerning these matters. In light of the fact that the Parties' discussions may not be completed and a settlement may not be ready for submission to the Board by the JCP&L RGGI date and the ACE RGGI date, the Parties have agreed to request an extension of the RGGI dates to June 30, 2013 in order to provide the Board with additional time to complete the processing of the Petitions and issue final determinations in this matter.

STIPULATION

Accordingly, the Parties hereby **STIPULATE AND AGREE** as follows:

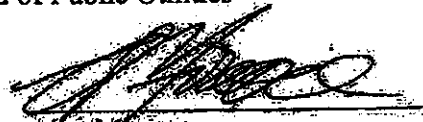
7. The Parties, pursuant to N.J.S.A. 48:2-21.3, request that the Board issue an Order extending the JCP&L RGGI date of February 11, 2013 and the ACE RGGI date of March 5, 2013, and establishing a revised RGGI date for purposes of extending the 180-day RGGI Period until June 30, 2013 for both the JCP&L and ACE Petitions.

8. 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 Party 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, then any Party 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 an Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

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

By:



Alex Moreau
Deputy Attorney General

**JERSEY CENTRAL POWER & LIGHT
COMPANY**

By:

Gregory Eisenstark, Esq.

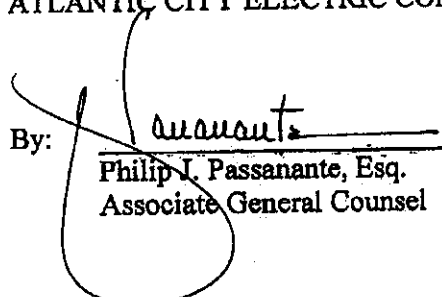
DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR

By:

Sarah H. Steindel, Esq.
Assistant Deputy Rate Counsel

ATLANTIC CITY ELECTRIC COMPANY

By:

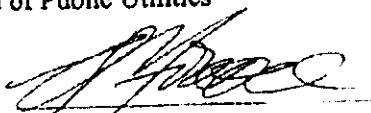


Philip J. Passanante, Esq.
Associate General Counsel

Dated: January 11, 2013

WHEREFORE, the undersigned Parties hereto do respectfully submit this Stipulation and request that the Board issue an Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

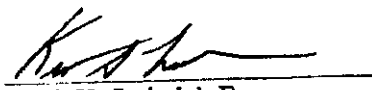
JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the New Jersey
Board of Public Utilities

By: 
Alex Moreau
Deputy Attorney General

JERSEY CENTRAL POWER & LIGHT
COMPANY

By: 
Gregory Eisenstark, Esq.

DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR

By: 
~~Sarah H. Steindel, Esq.~~
Assistant Deputy Rate Counsel
KURT S. LEWISOWSKI, Esq.

ATLANTIC CITY ELECTRIC COMPANY

By: _____
Philip J. Passanante, Esq.
Associate General Counsel

Dated: January 14, 2013