

October 2, 2020

VIA E-MAIL & E-FILING

The Honorable Upendra J. Chivukula
New Jersey Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, NJ 08625-0350

Re: In the Matter of the Petition of South Jersey Gas Company for Approval of New Energy Efficiency Programs and Associated Cost Recovery Pursuant to the Clean Energy Act

BPU Docket No. GO20090618

Dear Commissioner Chivukula,

On behalf of our client, Google, LLC (“Google”), enclosed please find an electronic copy of Google’s Motion to Participate.

Please contact me if you have any questions.

Thank you.

Respectfully submitted,



Murray E. Bevan

Enclosure

cc: Service List (via e-mail & e-filing)

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE	:	
PETITION OF SOUTH JERSEY GAS	:	
COMPANY FOR APPROVAL OF	:	
NEW ENERGY EFFICIENCY	:	BPU Docket No. GO20090618
PROGRAMS AND ASSOCIATED	:	
COST RECOVERY PURSUANT TO	:	
THE CLEAN ENERGY ACT	:	

MOTION TO PARTICIPATE OF
GOOGLE, LLC

Google, LLC (“Google”) hereby moves before the New Jersey Board of Public Utilities (“Board”), pursuant to N.J.A.C. 1:1-16.1 et seq., to permit Google to participate in the above-captioned proceeding with all of those rights and obligations typically afforded to a participant in such proceedings. In support of its motion, Google states as follows:

1. On September 25, 2020, South Jersey Gas Company (“SJG”) initiated the above-captioned proceeding by filing a Petition seeking approval of a \$167 million investment to implement new Energy Efficiency Programs (“SJG EEP V Petition”). The Board first authorized SJG to offer EEPs, and to implement the existing cost recovery mechanism, the Energy Efficiency Tracker (“EET”), in July 2009. Since that time, South Jersey has made multiple filings seeking approval to implement EEPs that complement and supplement the offerings of the New Jersey Clean Energy Program, encourage customers to reduce their overall energy usage and create jobs.

The EEP V programs proposed in this SJG petition are designed to achieve targeted annual energy savings for the first three program years commencing July 1, 2021 and ending June 30, 2024.

2. Google is a multinational technology company and developer of the Nest Learning Thermostat and the Nest Thermostat E, two of the leading smart home thermostats available in the United States. Nest thermostats incorporate numerous features which help consumers reduce their energy consumption for heating and cooling and the Nest Learning Thermostat was the very first thermostat to be certified by the U.S. Environmental Protection Agency (EPA) under its Energy Star Smart Thermostat designation.¹

3. In addition to being able to save consumers on their heating and cooling consumption, Nest thermostats are also used by utilities across the country for demand response on hot summer afternoons through the Nest Rush Hour Rewards program. Customers participating in Rush Hour Rewards agree to let their household temperature rise a few degrees on selected days when the utility is concerned about system reliability in return for a payment or bill credit to the customer. Overall, dozens of gas and electric utilities across North America provide financial incentives to their customers for smart thermostats in order to meet their energy efficiency and demand response goals.

4. The SJG EEP V Petition proposes an Efficient Products program that includes smart thermostat rebates.

¹ https://www.energystar.gov/productfinder/product/certified-connected-thermostats/results?scrollTo=3255&search_text=&ct_device_brand_name_isopen=&brand_name_isopen=&markets_filter=United+States&zip_code_filter=&product_types=Select+a+Product+Category&sort_by=brand_name&sort_direction=asc¤tZipCode=20147&page_number=1&lastpage=0

5. The SJG EEP V Petition also proposes an Existing Homes - Home Performance with ENERGY STAR (“HPwES”) program that would include, among other things, a home energy audit and smart thermostat incentives.

6. Furthermore, the SJG EEP V petition includes an Existing Homes - Moderate-Income Weatherization subprogram that would provide an opportunity for low to moderate income customers to receive energy efficiency measures and upgrades at no additional cost. This program would include a home energy audit, during which customers would benefit from the installation of smart thermostats and other low-cost EE measures at no additional cost, in addition to behavioral suggestions to improve efficiency of the home and a review of thermostat and water heating setpoints.

7. A Residential Demand Response pilot program is also proposed in the SJG EEP V Petition. This pilot will be used to test different technologies, smart thermostat vendors, and incentive offerings for a formal DLC program offering. The pilot program will include incentives for the installation of Wi-Fi enabled smart thermostats.

8. N.J.A.C. 1:1-16.6(a) provides the standard for participation in a proceeding before this Board. The party seeking to participate must show that it has a significant interest in the outcome of the case. In granting a motion to intervene, the Board must consider whether the participant’s interest is likely to add constructively to the case without causing undue delay or confusion. *See* N.J.A.C. 1:1-16.6(b).

9. Google has a significant interest in the outcome of this proceeding. As a leading developer of smart technology, including Nest smart thermostats, the programs proposed by SJG will likely involve deployment of Google products and services. Google already participates in

energy efficiency programs (involving smart thermostat rebates) with SJG as well as NJNG and PSE&G, and believes that the programs proposed by SJG in its EEP V Petition will enlarge this opportunity and bring further benefits to New Jersey residents and businesses.

10. Second, Google's participation will add constructively to this case. Google will participate in discussions with the parties in this matter to explain how its technology can assist SJG and the state in reaching its energy efficiency goals.

11. Third, intervention by Google will not cause confusion or delay the conclusion of this proceeding. Google is filing a motion to participate pursuant to the terms of the Board's Order. Google's participation will clarify certain issues and contribute to the development of a complete record based on its unique, significant interests. Moreover, Google will not seek to delay the proceeding in any manner.

12. Finally, Google was a participant in I/M/O the Petition of Public Service Electric and Gas Company for Approval of Its Clean Energy Future - Energy Efficiency ("CEF-EE") Program on a Regulated Basis, BPU Docket Nos. GO18101112 and EO10121113, based on reasons similar to those stated above.

13. The Certification of Vince Faherty is attached hereto certifying that the facts and statements herein are true and accurate to the best of his knowledge and belief.

14. All communications and correspondence concerning this proceeding should be directed to:

Murray E. Bevan, Esq.
Jennifer McCave, Esq.
Bevan, Mosca & Giuditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920

Phone: (908) 753-8300
Fax: (908) 753-8301
Email: mbevan@bmg.law
jmccave@bmg.law

In addition to the foregoing, Google submits that fundamental fairness and due process require that the Board grant its Motion to Participate in the above captioned matter and to grant such further relief as it deems is just, reasonable and proper.

Pursuant to N.J.A.C. 1:1-16.1 et seq., Google respectfully requests that it be permitted to participate in this proceeding.

Respectfully submitted,



Murray E. Bevan, Esq.
Jennifer McCave, Esq.
Bevan, Mosca & Giuditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920
Phone: (908) 753-8300
Fax: (908) 753-8301
Email: mbevan@bmg.law
jmccave@bmg.law

Attorneys for Google, LLC

Dated: October 2, 2020

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE :
PETITION OF SOUTH JERSEY GAS :
COMPANY FOR APPROVAL OF :
NEW ENERGY EFFICIENCY : BPU Docket No. GO20090618
PROGRAMS AND ASSOCIATED :
COST RECOVERY PURSUANT TO :
THE CLEAN ENERGY ACT :

CERTIFICATION OF VINCE FAHERTY

Vince Faherty, of full age and upon my oath, deposes and says:

1. I am Vince Faherty, Head of Energy Marketplace Partners and Industry Partnerships at Google, LLC.
2. I am authorized to make this statement on behalf of Google, LLC.
3. I have received the attached Motion to Participate and certify that the facts set forth therein are true and accurate to the best of my knowledge and belief.



Vince Faherty

Dated: October 2, 2020

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE :
PETITION OF SOUTH JERSEY GAS :
COMPANY FOR APPROVAL OF :
NEW ENERGY EFFICIENCY : BPU Docket No. GO20090618
PROGRAMS AND ASSOCIATED :
COST RECOVERY PURSUANT TO :
THE CLEAN ENERGY ACT :

CERTIFICATION

Pursuant to R. 1:4-4(c), I am an attorney-at-law duly admitted to practice in the State of New Jersey. I certify that Vince Faherty has acknowledged that the signature on the electronic transmission is his signature. I further certify that the original document bearing the original signature will be filed if requested by the Board or any party to this proceeding.



Murray E. Bevan, Esq.
Bevan, Mosca & Giuditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920
(908) 753-8300
mbevan@bmg.law

Dated: October 2, 2020

STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE :
PETITION OF SOUTH JERSEY GAS :
COMPANY FOR APPROVAL OF :
NEW ENERGY EFFICIENCY : BPU Docket No. GO20090618
PROGRAMS AND ASSOCIATED :
COST RECOVERY PURSUANT TO :
THE CLEAN ENERGY ACT :

CERTIFICATION OF SERVICE

I certify that on this 2nd day of October, 2020, I caused Google, LLC's Motion to Participate to be served by electronic mail upon the following individuals:

The Honorable Upendra Chivukula
New Jersey Board of Public Utilities
44 S. Clinton Ave., 3rd Fl. Ste. 314
P.O. Box 350
Trenton, NJ 08625-0350
upendra.chivukula@bpu.nj.gov

I further certify that I caused the aforementioned documents to be served upon the following individuals by electronic mail:

New Jersey Division of Rate Counsel

140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625-0003

Stefanie A. Brand, Esq., Director
sbrand@rpa.nj.gov

Brian O. Lipman, Esq., Litigation Manager
blipman@rpa.nj.gov

Felicia Thomas-Friel, Esq. Managing Attorney –
Gas fthomas@rpa.nj.gov

Kurt Lewandowski, Esq. Assistant Deputy Rate
Counsel klewando@rpa.nj.gov

Maura Caroselli, Esq., Assistant Deputy Rate
Counsel maura.caroselli@rpa.nj.gov

Rate Counsel Consultants

Robert J. Henkes Henkes Consulting 7 Sunset
Road
Old Greenwich, CT 06870
rhenkes@optonline.net

Ezra Hausman 77 Kaposia St.
Auburndale, MA 02466
ezra@ezrahausman.com

New Jersey Board of Public Utilities

44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch Secretary of the Board
board.secretary@bpu.nj.gov

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

Bob Brabston, Esq., Deputy Executive Director
robert.brabston@bpu.nj.gov

Counsel's Office

Abe Silverman, Esq., General Counsel
abe.silverman@bpu.nj.gov

Carol Artale, Esq. Deputy Chief Counsel
carol.artale@bpu.nj.gov

Rachel Boylan, Esq. rachel.boylan@bpu.nj.gov

Office of the Economist

Dr. Ben Witherell, Director
benjamin.witherell@bpu.nj.gov

Division of Clean Energy

Kelly Mooij, Director kelly.mooij@bpu.nj.gov

Stacy Ho Richardson, Esq. Deputy Director
stacy.richardson@bpu.nj.gov

Chris Colacello, Analyst I
chris.colacello@bpu.nj.gov

Benjamin Goldstein, Program Specialist
benjamin.goldstein@bpu.nj.gov

Mahogany A. Hall, Program Specialist 2
mahogany.hall@bpu.nj.gov

Division of Energy

Stacy Peterson, Director
stacy.peterson@bpu.nj.gov

Paul Lupo, Bureau Chief paul.lupo@bpu.nj.gov

Bart Kilar bart.kilar@bpu.nj.gov

New Jersey Division of Law

Department of Law & Public Safety Division of Law
R.J. Hughes Justice Complex, 7th Floor West 25
Market Street
P.O. Box 112
Trenton, NJ 08625-0112

David Apy, Assistant Attorney General
david.apy@law.njoag.gov

Daren Eppley, Section Chief, DAG
daren.eppley@law.njoag.gov

Pamela Owen, Assistant Section Chief, DAG
pamela.owen@law.njoag.gov

Michael Beck, DAG
michael.beck@law.njoag.gov

Matko Ilic, DAG matko.ilic@law.njoag.gov

Terel Klein, DAG terel.klein@law.njoag.gov

Butler Power and Light Company

Robert H. Oostdyk, Jr., Esq. Murphy McKeon
P.C.
51 Route 23 South
P.O. Box 70 Riverdale, NJ 07456
admin@butlerborough.com

Jim Lampmann Borough Administrator
jlampmann@butlerborough.com

Atlantic City Electric Company

Philip J. Passanante, Esq. Assistant General
Counsel 92DC42
P.O. Box 6066
Newark, DE 19714-6066
philip.passanante@pepcoholdings.com

Susan Marinelli smarinelli@pepcoholdings.com

Wayne Hudders
Manager, Demand Response and Energy
Efficiency Evaluation
701 9th St NW Washington, DC 20068
wayne.hudders@pepcoholdings.com

**Elizabethtown Gas Company and South
Jersey Gas Company**

Deborah M. Franco, Esq. Regulatory Affairs
Counsel SJI Utilities
520 Green Lane
Union, NJ 07083 dfranco@sjindustries.com

Maureen Minkel, General Manager Energy
Efficiency & Conservation South Jersey Gas
Company
1 South Jersey Place Atlantic City, NJ 08401
mminkel@sjindustries.com

New Jersey Natural Gas Company

1415 Wyckoff Road
PO Box 1464
Wall, NJ 07719

Andrew K. Dembia, Esq. Regulatory Affairs
Counsel adembia@njng.com

Anne-Marie Peracchio
Director, Conservation & Clean Energy Policy
aperacchio@njng.com

**Jersey Central Power and Light
Company**

300 Madison Avenue
Morristown, NJ 07962-1911

Joshua R. Eckert, Esq., Counsel
jeckert@firstenergycorp.com

Kurt Turosky kturosky@firstenergycorp.com

Kent Hatt khatt@firstenergycorp.com

Public Service Electric and Gas Company

PSEG Services Corporation 80 Park Plaza, T5
P.O. Box 570 Newark, NJ 07102

Matthew M. Weissman, Esq. General State
Regulatory Counsel
matthew.weissman@pseg.com

Joseph F. Accardo, Jr., Esq.
Vice President – Regulatory & Deputy General
Counsel joseph.accardo@pseg.com

Danielle Lopez, Esq. danielle.lopez@pseg.com

Tim Fagan
Manager, Planning and Evaluation PSE&G –
Renewables & Energy Solutions
tim.fagan@pseg.com

Karen Reif karen.reif@pseg.com

Todd Van Aken todd.vanaken@pseg.com

Caitlyn White
Regulatory Case Coordinator
caitlyn.white@pseg.com

Rockland Electric Company

Margaret Comes, Esq. Associate Counsel
4 Irving Place Room 1815-S New York, New
York 10003 comesm@coned.com

John Carley, Esq. Associate General Counsel 4
Irving Place Room 1815-S New York, New
York 10003 carleyj@coned.com

Charmaine Cigiliano, Section Manager
Customer Energy Services
Orange & Rockland Utilities, Inc. 390 West
Route 59

Spring Valley, NY 10977
ciglianoc@oru.com

Donald Kennedy, Director Customer Energy
Services Orange & Rockland Utilities, Inc. 390
West Route 59
Spring Valley, NY 10977 kennedyd@oru.com

Chemistry Council of New Jersey

Dennis Hart, Executive Director 150 West State Street
Trenton, NJ 08608
dhart@chemistrycouncilnj.org

Environmental Defense Fund

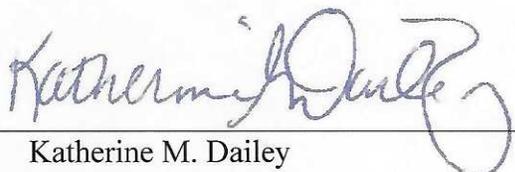
Mary Barber
Director, Regulatory & Legislative Affairs
mbarber@edf.org

New Jersey Utilities Association

Thomas R. Churchelow President
154 West State Street, 1st Floor Trenton, NJ
08608 tchurchelow@njua.com

Urban League of Essex County

Vivian Cox-Frasier President & CEO 508
Central Avenue
Newark, NJ 07107 vfrasier@ulec.org

By: 
Katherine M. Dailey
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920
Phone: (908) 753-8300
Fax: (908) 753-8301
kdailey@bmg.law

Dated: October 2, 2020