



Philip D. Murphy  
Governor

Sheila Y. Oliver  
Lt. Governor

## State of New Jersey

BOARD OF PUBLIC UTILITIES  
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### NOTICE<sup>1</sup>

#### In the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic

**Notice of Public Hearing**  
**February 25, 2021 – 4:30 p.m. and 5:30 p.m.**  
**Virtual format via GoToWebinar:**

<https://attendee.gotowebinar.com/register/2571300713256396813>

Pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., Staff of the New Jersey Board of Public Utilities ("NJBP" or "Board") offers this Notice to provide the public and interested parties with details of two hearings to be held on **February 25, 2021 at 4:30 p.m. and 5:30 p.m.** The purpose of these hearings is for the Board to solicit comments to determine the appropriateness of any additional Board action to protect New Jersey ratepayers relative to Governor Murphy's Executive Order No. 190 ("EO 190") and the Board's Order from October 28, 2020 ("October 28 Order").

On March 9, 2020, Governor Phil Murphy signed Executive Order No. 103 ("EO 103")<sup>2</sup>, declaring a State of Emergency and a Public Health Emergency in response to the COVID-19 pandemic in order to ensure the continuity of government services and protect the public. On March 13, 2020, the Board announced that the State's public electric and gas utilities had universally agreed to suspend service shutoffs given the statewide Public Health Emergency and the effort currently underway in response to the COVID-19 pandemic. Additionally, on March 20, 2020, New Jersey Lieutenant Governor and Department of Community Affairs Commissioner Sheila Y. Oliver, New Jersey Department of Environmental Protection Commissioner Catherine R. McCabe, and Board President Joseph L. Fiordaliso issued a joint statement which asked, among other things, "that every water system, private or public, including those operated by our municipal governments, commit to a suspension of any water shut offs for reasons of non-payment, safe reconnection of anyone previously shut off, and a suspension of the use of liens as a collection practice until the outbreak of COVID-19 has subsided."<sup>3</sup> The utilities voluntarily extended the moratoria until October 15, 2020.

<sup>1</sup> Not a paid legal advertisement.

<sup>2</sup> EO 103 and all other executive orders referenced in this Order are available online at <https://njgov/infobank/eo/056murphy/>.

<sup>3</sup> The joint statement referenced in this Order is available online at <https://www.state.nj.us/dep/watersupply/pdf/dep-dca-bpu-ask-water-suppliers.pdf>.

On July 2, 2020, the Board issued an Order authorizing each of the State's utilities to create a COVID-19 related regulatory asset by deferring on their books and records the prudently incurred incremental costs related to COVID-19 beginning on March 9, 2020 through September 30, 2021 or 60 days after Governor Murphy issues an order, declaration, proclamation, or similar announcement that the Public Health Emergency is no longer in effect or, in the absence of such an order, declaration, proclamation or similar announcement, 60 days from the time the Public Health Emergency automatically terminates pursuant to N.J.S.A. 26:13-3(b), whichever is later.

The moratorium period was ultimately extended on October 15, 2020 through EO 190 to March 15, 2021, which prohibited the gas, electric, and water utilities from discontinuing any gas, electric, or water service to New Jersey residents due to nonpayment or from collecting any fee or charge imposed for late or otherwise untimely payments or service reconnections that have accrued, and will continue to accrue, during the Public Health Emergency. EO 190 also required that any gas, electric, or water service that was discontinued due to nonpayment after the social distancing measures went into effect, including where the disconnection was for unpaid bills incurred prior to the current Public Health Emergency, be reconnected at any occupied residence at no cost to the customer.

Due to the complexity of the issues, the growing size and number of arrearages, and the necessity of formally addressing the potential rate impacts of the extended moratoria, the Board issued the October 28 Order expanding the scope of this docket to address these issues, which allowed for a public comment period through November 30, 2020.<sup>4</sup>

On January 28, 2021, President Fiordaliso issued an Order pursuant to his powers under the October 28 Order setting out a Procedural Schedule in this matter.

This public hearing will provide the Board an opportunity to hear from interested parties and the public on the impact of the pandemic on the ability of customers to pay bills; the sufficiency of existing assistance programs; and any further actions necessary in this matter. Due to the COVID-19 pandemic, the **public hearings will be held virtually via GoToWebinar on February 25, 2021 at 4:30 p.m. and 5:30 p.m.** The hearings will be recorded as a public record.

**You must register for the virtual public hearings at:**

<https://attendee.gotowebinar.com/register/2571300713256396813>.

Following the public comment period and the public hearing, the Board will thereafter determine whether additional action is appropriate to protect New Jersey ratepayers.

Comments may be filed either at [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov) or electronically through the Board's e-Filing Portal upon obtaining a MyNewJersey Portal ID. Once you establish a MyNewJersey account, an authorization code is required which you can request by emailing the NJBPU's IT Helpdesk at [BPUITHELPDESK@bpu.nj.gov](mailto:BPUITHELPDESK@bpu.nj.gov). If you have questions about the e-Filing portal, please consult NJBPU's [e-Filing FAQs](#).

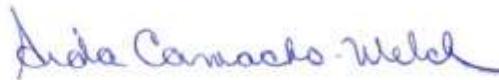
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<sup>4</sup> On October 21, 2020, a Secretary's Letter was issued to Rate Counsel extending the time period for comments to November 30, 2020 pursuant to the Board's authority under N.J.A.C. 14: 1-6.2(c).

Comments may be filed in either Word or PDF formats and should include in the subject "I/M/O the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic" along with the name and company/organization of the commenter. All comments will be posted on the Board's website. **Comments are due at 5:00 p.m. on March 1, 2021.**

Please note that these comments are considered "public documents" for purposes of the State's Open Public Records Act. Commenters may identify information that they seek to keep confidential by submitting them in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.

Any questions regarding this public hearing may be submitted via email to [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov).



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Aida Camacho-Welch  
Secretary of the Board

Date: February 1, 2021