



Elizabethtown Gas™

An AGL Resources Company

520 Green Lane
Union, NJ 07083

908 289 5000 phone
www.elizabethtowngas.com

July 2, 2015

Irene Kim Asbury, Secretary
State of New Jersey
Board of Public Utilities
44 S. Clinton Avenue
Trenton, New Jersey 08625

Re: *In the Matter of The Request of Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas To Refund Its Current Clean Energy Program Overrecovery Balance Through A Bill Credit To Customers BPU Dkt. No. _____*

Dear Secretary Asbury:

Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas ("Elizabethtown" or "Company") hereby submits this letter petition by which it requests the Board of Public Utilities ("Board") to issue an order permitting Elizabethtown to provide a bill credit to its customers to enable the Company to refund its estimated Clean Energy Program ("CEP") overrecovery balance of \$6.9 million. Elizabethtown respectfully requests the Board to act on this request at its earliest convenience.

The CEP was created through the Electric Discount and Energy Competition Act in an effort to promote energy efficiency and renewable energy programs by offering financial incentives, programs and services to New Jersey residents. Elizabethtown assesses a CEP rate as a component of its Societal Benefits Charge to enable the Company to recover its allocated share of the costs of the CEP.

Elizabethtown's current CEP rate is \$0.0244 per therm. Elizabethtown filed a petition on July 18, 2014 in Docket No. GR14070755 seeking to reduce its CEP rate from \$0.0385 per therm to \$0.0244 per therm. Elizabethtown's proposed rate was approved by Order dated February 11, 2015 and became effective February 23, 2015.¹ Because of the passage of time

¹ *I/M/O The Petition of Pivotal Utility Holdings Inc. d/b/a Elizabethtown Gas To (1) Revise Its Weather Normalization Clause Rate, (2) Revise The Clean Energy Component Of Its Societal Benefits Charge Rate; and (3) Revise Its On-System Margin Sharing*, BPU Docket No. GR14070755, "Decision And Order Adopting Initial Decision And Approving Stipulation" (February 11, 2015).

between the filing of the current CEP rate and its effectiveness, Elizabethtown estimates it will have a CEP overrecovery balance of \$6.9 million as of June 30, 2015. The Company submits that it would be in the public interest for Elizabethtown to refund this overrecovery balance to its customers at this time by means of a bill credit. Elizabethtown proposes to determine each customer's credit on the basis of historical usage for the 12 month period ending June 30, 2015. Using this methodology the Company estimates that this will result in a total credit of \$14.00 to a residential heating customer that used 1,000 therms during the period ending June 30, 2015.

Elizabethtown requests the Board to grant such waivers of its regulations as may be necessary to accept this letter petition and to approve this request as expeditiously as possible. Elizabethtown plans to make its annual filing to update its CEP rate in July 2015² and would like to receive approval to make the refund before revising its CEP rate so that it can propose a CEP rate that will reflect the Company's best estimate of its ongoing CEP cost responsibility. Elizabethtown is authorized to state that the Division of Rate Counsel does not object to this proposed refund subject to its right to review the appropriateness of the refund in the proceedings concerning the CEP filing that the Company will make in July 2015.

Please contact the undersigned if you have any questions.

Respectfully submitted,

/s/ Mary Patricia Keefe

Mary Patricia Keefe
Vice President, Regulatory Affairs
And Business Support

Enclosures

cc: Richard Mroz, President
Joseph L. Fiordaliso, Commissioner
Mary-Anna Holden, Commissioner
Dianne Solomon, Commissioner
Upendra Chivukula, Commissioner
Jerome May, Director, Division of Energy
Stefanie A. Brand, Director, Rate Counsel
Parties to BPU Docket No. GR14070755 (see attached service list)

² The Company's July 2015 filing will reflect a reconciliation of CEP costs and cost recoveries for the twelve months ending June 30, 2015 and projections of CEP costs and cost recoveries for the twelve months ending June 30, 2016. Approval of the proposed CEP refund at this time will not prejudice the rights of any party to review and/or challenge the CEP costs, cost recoveries and projections reflected in the Company's July 2015 filing.

**IN THE MATTER OF THE PETITION OF PIVOTAL UTILITY HOLDINGS, INC. d/b/a
ELIZABETHTOWN GAS TO (1) REVISE ITS WEATHER NORMALIZATION CLAUSE RATE (2) REVISE
THE CLEAN ENERGY PROGRAM COMPONENT OF ITS SOCIETAL BENEFITS CHARGE RATE (3)
REVISE ITS ON-SYSTEM MARGIN SHARING CREDIT**

BPU DOCKET NO. GR14070755

SERVICE LIST

Mary Patricia Keefe, Esq.
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
pkeefe@aglresources.com

Thomas Kaufmann
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
Tom.Kaufmann@aglresources.com

Susan Potanovich
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
spotanov@aglresources.com

Diane Rojek
Elizabethtown Gas
520 Green Lane
Union, NJ 07083
drojek@aglresources.com

Erica McGill, Esq.
AGL Resources
Ten Peachtree Place
Atlanta, GA 30309
emcgill@aglresources.com

David Weaver
AGL Resources
Ten Peachtree Place
Atlanta, GA 30309
dweaver@aglresources.com

Mark Beyer
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Mark.Beyer@bpu.state.nj.us

Irene K. Asbury, Secretary
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Irene.Asbury@bpu.state.nj.us

Eric Hartsfield
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Eric.Hartsfield@bpu.state.nj.us

Megan Lupo
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Megan.Lupo@bpu.state.nj.us

Jerome May
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Jerome.May@bpu.state.nj.us

Henry Rich
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Henry.Rich@bpu.state.nj.us

Robert Schultheis
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Robert.Schultheis@bpu.state.nj.us

Beverly Tyndell
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, NJ 08625-0350
Beverly.Tyndell@bpu.state.nj.us

Stefanie A. Brand, Director
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
sbrand@rpa.state.nj.us

James W. Glassen, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
jglassen@rpa.state.nj.us

Brian Lipman, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
blipman@rpa.state.nj.us

Sarah Steindel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
ssteinde@rpa.state.nj.us

Felicia Thomas-Friel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625
ftomas@rpa.state.nj.us

Alex Moreau, DAG
Dept. of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Alex.Moreau@dol.lps.state.nj.us

Patricia Krogman
Dept. of Law & Public Safety
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101
Patricia.Krogman@dol.lps.state.nj.us

Deborah Franco, Esq.
Cullen & Dykman
Garden City Center
100 Quentin Roosevelt Blvd.
Garden City, NY 11530
dfranco@cullenanddykman.com

Kenneth T. Maloney
Cullen & Dykman
1101 14th Street NW, Suite 550
Washington, DC 20005
kmaloney@cullenanddykman.com

David E. Peterson
Chesapeake Regulatory Consultants, Inc.
10351 Southern Maryland Blvd.
Suite 202
Dunkirk, MD 20754-9500
davep@chesapeake.net