



Agenda Date: 2/11/10
Agenda Item: 2C-2

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF DEMAND RESPONSE)
PROGRAMS FOR THE PERIOD BEGINNING)
JUNE 1, 2009 – ELECTRIC DISTRIBUTION COMPANY)
PROGRAMS (PROPOSED EXTENSION OF PROGRAM)) ORDER

DOCKET NO. EO08050326

(SERVICE LIST ATTACHED)

BY THE BOARD¹

At its December 17, 2009 agenda meeting, the New Jersey Board of Public Utilities (“Board”) approved Staff’s recommendation to extend the Demand Response Working Group Modified Program (“Program”) for the period beginning June 1, 2010 with an option to extend it for an additional year beyond that if results warranted.

Staff had proposed that the Program extension be funded with revenues already collected by the four electric distribution companies (“EDCs”) through their respective RGGI Recovery Charges between May 1, 2009 and September 30, 2009 that were in excess of the revenues required to fund the Program for its first year. However, subsequent true-up filings by the EDCs showed that rather than an over collection, there had actually been a slight under collection.

On December 22, 2009, a Secretary’s Letter was sent to the parties in this proceeding advising them “to not take any actions in reliance of the December 17, 2009 vote” pending a resolution of the funding issue.

In light of the facts presented to the Board following its approval of the Program extension, the Board **FINDS** that the lack of available funds precludes its consideration of an additional year of premium payments for new and incremental capacity enrolled in PJM’s Interruptible Load for

¹ Commissioner Jeanne M. Fox abstained from voting in this matter.

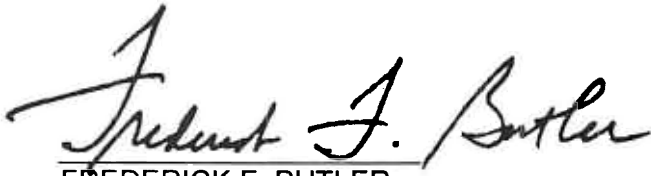
Reliability Program. Therefore, the Board HEREBY RESCINDS its December 17, 2009 vote to approve the Program extension.

DATED: 2/17/10

BOARD OF PUBLIC UTILITIES
BY:



ELIZABETH RANDALL
ACTING PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



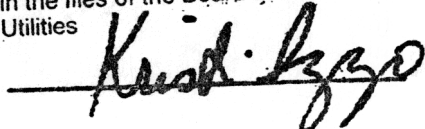
NICHOLAS ASSELTA
COMMISSIONER

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



Board of Public Utilities
I/M/O Demand Response Programs for the Period Beginning June 1, 2009 – Electric Distribution Company Programs Docket
No. EO08050326
Service List

BPU STAFF

Kristi Izzo, Secretary
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
kristi.izzo@bpu.state.nj.us

Ronald Reisman
Office of the Ombudsperson
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
ronald.reisman@bpu.state.nj.us

Frank Perrotti
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
frank.perrotti@bpu.state.nj.us

Alice Bator
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
alice.bator@bpu.state.nj.us

Linda Nowicki
Division of Energy
Board of Public Utilities
44 S. Clinton Ave.
Trenton, NJ 08625
linda.nowicki@bpu.state.nj.us

Robert Schultheis
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
robert.schultheis@bpu.state.nj.us

Sheila Iannaccone
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
sheila.iannaccone@bpu.state.nj.us

Jerome May
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
jerome.may@bpu.state.nj.us

John Garvey
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
john.garvey@bpu.state.nj.us

Nnajindu Ugoji
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
naji.ugoji@bpu.state.nj.us

Andrea Sarmentero-Garzon
Counsel's Office
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
andrea.sarmentero-garzon@bpu.state.nj.us

Suzanne Patnaude
Counsel's Office
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102
suzanne.patnaude@bpu.state.nj.us

DAG

Kenneth Sheehan
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102
kenneth.sheehan@dol.lps.state.nj.us

Babette Tenzer
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
babette.tenzer@dol.lps.state.nj.us

Alex Moreau
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
alex.moreau@dol.lps.state.nj.us

Jessica Campbell
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
jessica.campbell@dol.lps.state.nj.us

Anne Shatto
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
anne.shatto@dol.lps.state.nj.us

Kerri Kirschbaum
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
kerri.kirschbaum@dol.lps.state.nj.us

Caroline Vachier
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102
caroline.vachier@dol.lps.state.nj.us

RATE COUNSEL

Stefanie A. Brand, Director
Ratepayer Advocate & Director
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07102
sbrand@rpa.state.nj.us

Paul Flanagan
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07102
pflanagan@rpa.state.nj.us

Ami Morita
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101
amorita@rpa.state.nj.us

Board of Public Utilities
I/M/O Demand Response Programs for the Period Beginning June 1, 2009 – Electric Distribution Company Programs
Docket No. EO08050326
Service List

Diane Schulze
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101
dschulze@rpa.state.nj.us

Kurt Lewandowski, Esq.
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101
klewando@rpa.state.nj.us

James Glassen, Esq.
Division of Rate Counsel
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101
jglassen@rpa.state.nj.us

Rate Counsel Consultants
Brian Biewald
Synapse Energy Economics, Inc.
22 Pearl St.
Cambridge, MA 02139
bbiewald@synapse-energy.com

Robert Fagan
Synapse Energy Economics, Inc.
22 Pearl St.
Cambridge, MA 02139
rfagan@synapse-energy.com

Rick Hornby
Synapse Energy Economics, Inc.
22 Pearl St.
Cambridge, MA 02139
rhornby@synapse-energy.com

Jenn Kallay
Synapse Energy Economics, Inc.
22 Pearl St.
Cambridge, MA 02139
jkallay@synapse-energy.com

Matthew I. Kahal
c/o Exeter Associates, Inc.
5565 Sterrett Place, Suite 310
Columbia, MD 21044
mkahal@exeterassociates.com

ATLANTIC CITY ELECTRIC
Philip J. Passanante, Esq.
Assistant General Counsel
Atlantic City Electric Co. – 89KS42
800 King St., 5th Floor
P.O. Box 231
Wilmington, DE 19899-0231
philip.passanante@pepcoholdings.com

Nicholas W. Mattia, Jr., Esq.
Dickstein Shapiro LLP
1825 Eye St., NW
Washington, DC 20006-5304
mattian@dicksteinshapiro.com

Wayne Barndt
Pepco Holdings, Inc. – 79NC59
New Castle Regional Office 401
Eagle Run Road
P.O. Box 9239
Newark, DE 19714
wayne.barndt@pepcoholdings.com

Roger E. Pedersen
Manager, NJ Regulatory Affairs
Atlantic City Electric Co. – 63ML38
5100 Harding Highway
Mays Landing, NJ 08330
roger.pedersen@pepcoholdings.com

JCP&L
Michael J. Filippone
JCP&L
300 Madison Avenue
PO Box 1911
Morristown, NJ 07962-1911
mfilippone@firstenergycorp.com

Eva Gardow
JCP&L
300 Madison Ave,
P.O. Box 1911
Morristown, NJ 07962-1911
egardow@firstenergycorp.com

Chris Siebens
FirstEnergy – Rates Department
2800 Pottsville Pike
Reading, PA 19640
csiebens@firstenergycorp.com

Arthur E. Korkosz, Esq.
FirstEnergy Corp.
76 South Main St.
Akron, OH 44308
korkosza@firstenergycorp.com

Marc B. Lasky, Esq.
Morgan, Lewis & Bockius
Headquarters Plaza
Morristown, NJ
mlasky@morganlewis.com

Michael J. Connolly, Esq.
Morgan, Lewis & Bockius
Headquarters Plaza
Morristown, NJ
michael.connolly@morganlewis.com

ROCKLAND ELECTRIC
John L. Carley, Esq.
Consolidated Edison Co. of NY
4 Irving Place
New York, NY 10003
carleyj@coned.com

James C. Meyer, Esq.
Riker, Danzig, Scherer, Hyland &
Perretti LLP
Headquarters Plaza
One Speedwell Ave.
P.O. Box 1981
Morristown, NJ
jmeyer@riker.com

Jane Quin
Orange & Rockland
390 West Route 59
Spring Valley, NY 10977-5300
quinj@oru.com

PSE&G
Frances I. Sundheim, Esq.
Public Service Electric & Gas Co.
80 Park Plaza, T-08C
Newark, NJ 07101
frances.sundheim@pseg.com

Gregory Eisenstark, Esq.
PSEG Services Corporation
80 Park Plaza, T5G
Newark, NJ 07102
gregory.eisenstark@pseg.com

Board of Public Utilities
I/M/O Demand Response Programs for the Period Beginning June 1, 2009 – Electric Distribution Company Programs
Docket No. EO08050326
Service List

Connie E. Lembo
Public Service Electric & Gas Co.
80 Park Plaza, T-08C
Newark, NJ 07101
Constance.lembo@pseg.com

OTHERS

Tom Rutigliano
CPower
17 State Street, 19th Floor
New York, NY 10004
Tom.rutigliano@cpowered.com

Glen Smith, President and CEO
Energy Curtailment Specialists
4455 Genesee Street
Buffalo NY 14225
gesmith@ecsny.com

Paul Tyno, Exec. Vice President
Energy Curtailment Specialists
4455 Genesee Street
Buffalo NY 14225
ptyno@ecsny.com

Dara Biltekoff, Corporate Counsel
Energy Curtailment Specialists
4455 Genesee Street
Buffalo NY 14225
dara@ecsgrid.com

Kenneth D. Schisler
Senior Director, Regulatory Affairs
EnerNOC, Inc.
75 Federal St., Suite 300
Boston, MA 02110
kschisler@enernoc.com

Aaron Breidenbaugh
Senior Mgr., Regulatory Affairs
EnerNOC, Inc.
101 Federal St., Suite 1100
Boston, MA 02110
abreidenbaugh@enernoc.com

Divesh Gupta, Counsel
Constellation Energy Resources, LLC
111 Market Place, Suite 500
Baltimore, MD 21202
divesh.gupta@constellation.com

Timothy Daniels, Dir., Energy Policy
Constellation Energy Resources, LLC
810 Seventh Avenue, Suite 400
New York, NY 10019
timothy.daniels@constellation.com

Marc A. Hanks
Director, Gov. & Regulatory Affairs
Direct Energy
marc.hanks@directenergy.com

Anthony J. Roselle
Bevan, Mosca, Giuditta & Zarillo, PC
776 Mountain Blvd, Suite 202
Watchung, NJ 07069
aroselle@bmgzlaw.com

David Holland, Account Executive
Honeywell Utility Solutions
Wayne Interchange Plaza 1
145 Rt. 46 West
Wayne, New Jersey 07470
dave.holland@honeywell.com

Steven S. Goldenberg, Esq.
Fox Rothschild LLP
997 Lenox Drive, Building 3
Lawrenceville, NJ 08648
SGoldenberg@foxrothschild.com

Phil Germinario
Manager, DR and Green Power
SUEZ Energy Resources NA, Inc.
333 Thornall St., 6th Floor
Edison, NJ 08837
phil.germinario@suezenergyna.com

Ritchie Don Priddy
Director, DR Marketing
SUEZ Energy Resources NA, Inc.
1990 Post Oak Blvd., Suite 1900
Houston, TX 77056
rpriddy@suezenergyna.com

Joseph Janocha
Manager, Regulatory Affairs
Atlantic City Electric Co. – 63ML38
5100 Harding Highway
Mays Landing, NJ 08330
joseph.janocha@pepcoholdings.com

Andrea Reid, Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
andrea.reid@bpu.state.nj.us

Frank Magnotti
Comverge, Inc.
120 Eagle Rock Ave.
East Hanover, NJ 07936
fmagnotti@comverge.com

Troy Anatra
Comverge, Inc.
120 Eagle Rock Ave.
East Hanover, NJ 07936
tanatra@comverge.com

David D. Ellis
SVP, Business Development
Comverge, Inc.
511 School House Road, Suite 200
Kennett Square, PA 19348
dellis@comverge.com

Laurie Wiegand-Jackson
North America Power Partners LLC
307 Fellowship Rd., Suite 116
Mount Laurel, NJ 08054
lwj@nappartners.com

Lisa Gurkas
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07102
lgurkas@rpa.state.nj.us

Paul F. Forshay
Sutherland
1275 Pennsylvania Ave., N.W.
Washington, DC 2004-2415
paul.forshay@sutherland.com

Susan T. Covino
Senior Consultant, Market Strategy
PJM Interconnection LLC
955 Jefferson Avenue
Valley Forge Corporate Center
Norristown, PA19403-2497
covins@pjm.com

Rick Struck
Orange & Rockland
390 West Route 59
Spring Valley, NY 10977-5300
struckr@oru.com

Bruce Campbell
Director, PJM Regulatory Affairs
Energy Connect, Inc.
bcampbell@energyconnectinc.com