



Agenda Date: 8/23/17  
Agenda Item: 2A

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 3rd Floor, Suite 314  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE PROVISION OF BASIC )  
GENERATION SERVICE AND THE )  
COMPLIANCE TARIFF FILING REFLECTING )  
CHANGES TO SCHEDULE 12 CHARGES IN PJM )  
OPEN ACCESS TRANSMISSION TARIFF- )  
JCP&L, PSE&G, AND ROCKLAND JUNE 22, )  
2017 FILING ) BPU DOCKET NO. ER17060671

**Parties of Record:**

**Hesser G. McBride, Jr., Esq.** on behalf of Public Service Electric and Gas Company  
**Gregory Eisenstark, Esq.** on behalf of Jersey Central Power & Light Company  
**John L. Carley, Esq.** on behalf of Rockland Electric Company  
**Stefanie A. Brand, Esq., Director,** New Jersey Division of Rate Counsel

**BY THE BOARD:**

By petition dated June 22, 2017, Jersey Central Power & Light Company ("JCP&L"), Public Service Electric & Gas Company ("PSE&G"), and Rockland Electric Company ("Rockland") (collectively, the "EDCs") filed a joint petition with the New Jersey Board of Public Utilities ("Board") requesting recovery of Federal Energy Regulatory Commission ("FERC") approved changes in firm transmission service related charges. The EDCs request that the changes in rates, if approved, be effective for service rendered on or after September 1, 2017.

The EDCs' proposed tariff changes reflect changes to the Basic Generation Service ("BGS") Residential and Small Commercial Pricing ("BGS-RSCP") and Commercial and Industrial Energy Pricing ("BGS-CIEP") rates to customers resulting from changes in the PJM Open Access Transmission Tariff ("OATT") made in response to: (i) the annual formula rate update filings made by PPL Electric Utilities Corporation ("PPL") in FERC Docket No. ER09-1148, by Baltimore Gas and Electric Company in FERC Docket No. ER09-1100, and by Tran-Allegheny Interstate Line Company ("TrAILCo") in FERC Docket No. ER07-562; and (ii) the formula rate update filings made by the public utility affiliates of Pepco Holdings Inc. ("PHI") in FERC Docket No. ER08-1423 and the respective utility affiliate compliance filings for formula rate updates made by Atlantic City Electric Company ("ACE") in FERC Docket No. ER09-1156, Delmarva Power and Light ("Delmarva") in FERC Docket No. ER09-1158, and Potomac Electric Power Company ("PEPCO") in FERC Docket No. ER09-1159. The filings referred to in (i) and (ii) above are collectively referred to as the "Filings."

The Transmission Enhancement Charges (“TECs”) detailed in Schedule 12 of the PJM OATT were implemented to compensate transmission owners for the annual transmission revenue requirements for “Required Transmission Enhancements” that are requested by PJM for reliability or economic purposes. TECs are recovered by PJM through an additional transmission charge in the transmission zones assigned cost responsibility for Required Transmission Enhancement projects.

On April 25, 2017, in Docket Nos. ER17-950-000 and ER17-940-001 (“ConEd Wheel Order”), FERC issued an Order that modified the PJM OATT as a result of the termination of a long-term firm point-to-point transmission service agreement between PJM and Consolidated Edison Company of New York, Inc. (the “ConEd Wheel”). The PJM tariff revisions remove ConEd as a party responsible for cost allocation under Schedule 12 of the PJM OATT. This, in turn, required that PJM reallocate the ConEd portion to the remaining entities as these costs relate to the ConEd Wheel. The cost reallocation being implemented pursuant to the ConEd Wheel Order is subject to ongoing legal challenges and protests before FERC by various interested entities.<sup>1</sup> By Order<sup>2</sup> dated July 26, 2017, the Board authorized the EDCs to begin collecting the TEC charges based on the reallocation related to the ConEd Wheel Order and track such collections until receipt of a Final FERC Order in the matter.

### **June 2017 Petition**

The proposed rates included in the amended tariff sheets for each EDC reflect costs effective as of June 1, 2017 for TECs resulting from the above listed FERC-approved Filings, as well as the rate adjustments resulting from the ConEd Wheel Order.

The EDCs also requested that the BGS suppliers be compensated for the changes to the OATT resulting from the implementation of the updates to formula rates which became effective June 1, 2017. The EDCs represent that suppliers will be compensated subject to the terms and conditions of the applicable Supplier Master Agreements (“SMAs”). Any differences between payments to BGS-RSCP and BGS-CIEP suppliers and charges to customers will flow through BGS Reconciliation Charges.

According to the EDCs, this filing satisfies the requirements of paragraph 15.9(a) (i) and (ii) of the BGS-RSCP and BGS-CIEP SMAs, which mandate that BGS-RSCP and BGS-CIEP suppliers be notified of rate increases for firm transmission service, and that the EDCs file for and obtain Board approval for an increase in retail rates commensurate with the FERC-implemented rate increase.

Each EDC is allocated a different amount of TECs from PJM based on the cost for Required Transmission Enhancements in each EDC’s transmission zone. Based on the allocation of the TEC Filings transmission costs among the service classes, the monthly bill for a residential customer using 650 kWh per month will change by approximately the following

---

<sup>1</sup> With the exception of a protest filed by the Board, the entities challenging (i.e., Linden VFT, Hudson Transmission Partners, and New York Power Authority (collectively, “Merchant-related Protestors”)) the cost reallocation allege that less costs should be allocated to them and more costs should be allocated to the zones of the New Jersey EDCs.

<sup>2</sup> In re the Provision of Basic Generation Service and Compliance Tariff Filing Reflecting Changes to Schedule 12 Charges in PJM Open Access Transmission Tariff—May 12, 2017 Filing, BPU Docket No. ER17050499 (July 26, 2017). (“July 2017 Order”)

amounts (including Sales and Use Tax): an increase of \$0.01 or 0.01% for JCP&L; an increase of \$0.03 or 0.03% for PSE&G; and an increase of \$0.55 or 0.51% for Rockland.

### **DISCUSSION AND FINDING**

In the Board's Order dated December 2, 2003, in Docket No. EO03050394, the Board found that the pass through of any changes in the network integration transmission charge, and other charges associated with the FERC-approved OATT, is appropriate. Furthermore, by subsequent Orders, the Board approved Section 15.9 of the SMAs as filed by the EDCs which requires that the EDCs file for Board approval of any increases or decreases in their transmission charges that have been approved by FERC. The SMAs also authorize the EDCs to adjust the rates paid to suppliers for FERC-approved rates and increases to Firm Transmission Services once approved by the Board. The Board Orders further require that the EDCs review and verify any requested FERC authorized increases.

After review of the verifications and supporting documentation, the Board **HEREBY FINDS** that the June 22, 2017 filing satisfies the EDCs' obligations under paragraph 15.9 (a)(i) and (ii) of the relevant SMAs, and **HEREBY APPROVES** the changes to the BGS-RSCP and BGS-CIEP rates requested by each EDC for its transmission charges resulting from the FERC-approved changes to the TECs effective as of September 1, 2017. However, with respect to the reallocations derived from the ConEd Wheel Order, as noted in the Board's July 2017 Order, the ConEd Wheel Order is not a Final FERC Order and is still being contested at FERC. The Board's December 22, 2006 Order<sup>3</sup> at page 12 states,

"Upon receipt of Board approval for the increase in the rates charged to BGS Customers, the EDCs would begin collecting the increase from BGS Customers, tracking that portion of the rates charged to BGS Customers attributable to the rate increase, and retaining such tracked amounts for the ultimate benefit of the BGS Suppliers. Upon approval by the FERC of a proposed rate increase, in a Final FERC Order not subject to refund, the EDCs would increase, by the amount approved by the Board, the BGS-FP auction price paid to BGS-FP Suppliers, and the BGS-CIEP Transmission Charge paid to BGS-CIEP Suppliers, and would pay each BGS Supplier, in proportion to its BGS Supplier Responsibility Share, the amounts tracked and retained for the benefit of BGS Suppliers until the date final FERC approval was received."

Accordingly, with respect to the allocations resulting from the ConEd Wheel Order, the Board **DENIES** the EDCs' request to pay suppliers at this time and **AUTHORIZES** the EDCs to collect from BGS customers, the costs associated with the reallocation per the ConEd Wheel Order and track such collections until receipt of Final FERC Orders in the matter. For the remaining TEC changes, the EDCs are **HEREBY ORDERED** to compensate the BGS suppliers for this transmission rate change subject to the terms and conditions of the SMAs.

Further, the Board **HEREBY DIRECTS** the EDCs to file tariffs and rates consistent with the Board's findings by September 1, 2017.

---

<sup>3</sup> In re the Provision of Basic Generation Service for the Period Beginning June 1, 2007, BPU Docket No. EO06020119 (December 22, 2006).

The EDCs' rates remain subject to audit by the Board. This Decision and Order does not preclude the Board from taking any actions deemed to be appropriate as a result of any Board audit.

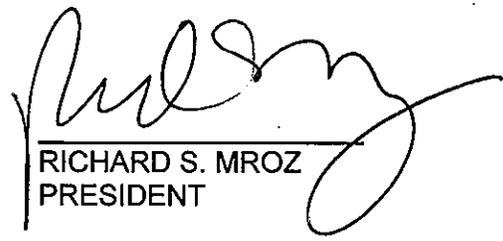
The effective date of this Order is August 31, 2017.

DATED: 8/23/17

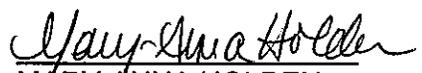
BOARD OF PUBLIC UTILITIES  
BY:



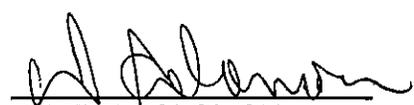
JOSEPH L. FIORDALISO  
COMMISSIONER



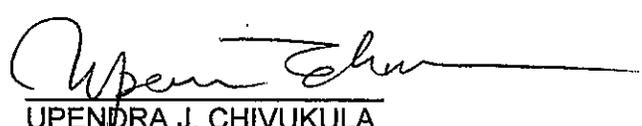
RICHARD S. MROZ  
PRESIDENT



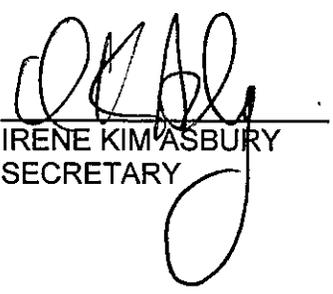
MARY-ANNA HOLDEN  
COMMISSIONER



DIANNE SOLOMON  
COMMISSIONER

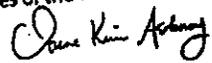


UPENDRA J. CHIVUKULA  
COMMISSIONER

ATTEST: 

IRENE KIM ASBURY  
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 PROVISION OF BASIC GENERATION SERVICE AND THE  
COMPLIANCE TARIFF FILING REFLECTING CHANGES TO SCHEDULE 12 CHARGES IN  
PJM OPEN ACCESS TRANSMISSION TARIFF- JCP&L, PSE&G, AND ROCKLAND  
JUNE 22, 2017 FILING  
BPU Docket No. ER17060671**

**SERVICE LIST**

Stefanie A. Brand, Esq., Director  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[sbrand@rpa.state.nj.us](mailto:sbrand@rpa.state.nj.us)

Brian Lipman, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[blipman@rpa.state.nj.us](mailto:blipman@rpa.state.nj.us)

Ami Morita, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[amorita@rpa.state.nj.us](mailto:amorita@rpa.state.nj.us)

Diane Schulze, Esq.  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[dschulze@rpa.state.nj.us](mailto:dschulze@rpa.state.nj.us)

Robert Fagan  
Synapse Energy Economics, Inc.  
485 Massachusetts Ave., Suite 2  
Cambridge, MA 02139

Caroline Vachier, Esq.  
Department of Law & Public Safety  
Division of Law  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029  
[Caroline.vachier@law.njoag.gov](mailto:Caroline.vachier@law.njoag.gov)

Irene Kim Asbury, Esq.  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Irene.asbur@bpu.nj.gov](mailto:Irene.asbur@bpu.nj.gov)

Thomas Walker, Director  
Division of Energy  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Thomas.walker@bpu.nj.gov](mailto:Thomas.walker@bpu.nj.gov)

Stacy Peterson, Deputy Director  
Division of Energy  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Stacy.peterson@bpu.nj.gov](mailto:Stacy.peterson@bpu.nj.gov)

Richard Derose  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Richard.derose@bpu.nj.gov](mailto:Richard.derose@bpu.nj.gov)

Mark Beyer, Chief Economist  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Mark.beyer@bpu.nj.gov](mailto:Mark.beyer@bpu.nj.gov)

Andrew Kuntz, Esq.  
Department of Law & Public Safety  
Division of Law  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029  
[Andrew.kuntz@law.njoag.gov](mailto:Andrew.kuntz@law.njoag.gov)

Alex Moreau, Esq.  
Department of Law & Public Safety  
Division of Law  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029  
[Alex.moreau@law.njoag.gov](mailto:Alex.moreau@law.njoag.gov)

Joseph Janocha  
Atlantic City Electric Co. – 63ML38  
5100 Harding Highway  
Atlantic Regional Office  
Mays Landing, NJ 08330

Dan Tudor  
Pepco Holdings, Inc.  
7801 Ninth Street NW  
Washington, DC 20068-0001

Phil Passanante, Esq.  
Atlantic City Electric Company  
Post Office Box 6066  
Newark, DE 19714-6066  
[Philip.Passanante@pepcoholdings.com](mailto:Philip.Passanante@pepcoholdings.com)

Sally J. Cheong, Manager  
Tariff Activity, Rates, NJ  
Jersey Central Power & Light Co.  
300 Madison Ave.  
Morristown, NJ 07962  
[scheong@firstenergycorp.com](mailto:scheong@firstenergycorp.com)

Kevin Connelly  
First Energy  
300 Madison Avenue  
Morristown, NJ 07960  
[kconnelly@firstenergycorp.com](mailto:kconnelly@firstenergycorp.com)

Gregory Eisenstark, Esq.  
Windels Marx Lane & Mittendorf, LLP  
120 Albany Street Plaza  
New Brunswick, NJ 08901  
[geisenstark@windelsmarx.com](mailto:geisenstark@windelsmarx.com)

Bethany Rocque-Romaine, Esq.  
Counsel's Office  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[Bethany.romaine@bpu.nj.gov](mailto:Bethany.romaine@bpu.nj.gov)

Steven Gabel  
Gabel Associates  
417 Denison Street  
Highland Park, NJ 08904

Shawn P. Leyden, Esq.  
PSEG Services Corporation  
80 Park Plaza – T-19  
P.O. Box 570  
Newark, NJ 07101

Rick Sahni  
Contract Services- Power  
BP Energy Company  
501 W Lark Park Blvd.  
WL1-100B  
Houston, TX 77079

Jackie Roy  
Conoco Phillips  
600 N Dairy Ashford, CH1081  
Houston, TX 77079

Matthew Clements  
Contract Services- Power  
BP Energy Company  
501 W Lark Park Blvd.  
WL1-100B  
Houston, TX 77079

Commodity Operations Group  
Citigroup Energy Inc.  
2800 Post Oak Boulevard  
Suite 500  
Houston, TX 77056

Legal Department  
Citigroup Energy Inc.  
2800 Post Oak Boulevard  
Suite 500  
Houston, TX 77056

John Foreman

John L. Carley, Esq.  
Consolidated Edison Co. of NY  
Law Dept., Room 1815-S  
4 Irving Place  
New York, NY 10003

Margaret Comes, Sr. Staff Attorney  
Consolidated Edison Co. of NY  
Law Dept., Room 1815-S  
4 Irving Place  
New York, NY 10003

Hesser McBride, Esq.  
PSEG Services Corporation  
80 Park Plaza, T-5  
Newark, NJ 07102  
[hesser.mcbride@pseg.com](mailto:hesser.mcbride@pseg.com)

Myron Filewicz  
Manager- BGS  
PSE&G  
80 Park Plaza, T-8  
Newark, NJ 07101  
[Myron.filewicz@pseg.com](mailto:Myron.filewicz@pseg.com)

Eugene Meehan  
NERA  
1255 23<sup>rd</sup> Street  
Suite 600  
Washington, DC 20037

Chantale LaCasse  
NERA  
1166 Avenue of the Americas,  
29<sup>th</sup> Floor  
New York, NY 10036

Cara Lorenzoni  
Noble Americas Gas & Power  
Four Stamford Plaza, 7<sup>th</sup>.Fl.  
Stamford, CT 06902

Marlene Nobile  
PSEG Services Corporation  
80 Park Plaza, T-19  
PO Box 570  
Newark, NJ 07101

Conoco Phillips  
600 N Dairy Ashford, CH1081  
Houston, TX 77079

Marcia Hissong, Director, Contract  
Administration/Counsel  
DTE Energy Trading, Inc.  
414 South Main Street  
Suite 200  
Ann Arbor, MI 48104

James Buck  
DTE Energy Trading  
414 S. Main Street  
Suite 200  
Ann Arbor, MI 48104

Cynthia Klots  
DTE Energy Trading  
414 S. Main Street  
Suite 200  
Ann Arbor, MI 48104

Danielle Fazio  
Noble Americas Gas & Power  
Four Stamford Plaza, 7th Fl.  
Stamford, CT 06902

Mara Kent  
Engelhart CTP (US)  
400 Atlantic St., 11<sup>th</sup> Fl.  
Stamford, CT 06901

Rohit Marwaha  
Exelon Generation Co.  
100 Constellation Way, Suite 500C  
Baltimore, MD 21102

Paul Rahm  
Exelon Generation Co.  
100 Constellation Way, Suite 500C  
Baltimore, MD 21102

Jessica Miller  
Exelon Generation Co.  
100 Constellation Way, Suite 500C  
Baltimore, MD 21102

Stuart Ormsbee  
TransCanada Power Marketing Ltd.  
110 Turnpike Road, Suite 300  
Westborough, MA 01581

Alan Babp  
Talen Energy Marketing LLC  
GENPL7S  
835 Hamilton Street, Suite 150  
Allentown, PA 18101

Erin O'Dea  
TransCanada Power Marketing Ltd.  
110 Turnpike Road, Suite 300  
Westborough, MA 01581

Mariel Ynaya  
Talen Energy Marketing LLC  
GENPL7S  
835 Hamilton Street, Suite 150  
Allentown, PA 18101

Brian McPherson  
TransCanada Power Marketing Ltd.  
110 Turnpike Road, Suite 300  
Westborough, MA 01581

Connie Cheng  
Macquarie Energy LLC  
500 Dallas Street, Level; 31  
Houston, TX 77002

Sherri Brudner  
Macquarie Energy LLC  
500 Dallas Street, Level; 31  
Houston, TX 77002

Patricia Haule  
Macquarie Energy LLC  
500 Dallas Street, Level; 31  
Houston, TX 77002

Justin Brenner  
NextEra Energy Power Mktg.  
700 Universe Boulevard  
CTR/JB  
Juno Beach, FL 33408-2683