

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 New Jersey Natural Gas Company for Approval of Energy Efficiency Programs and the Associated Cost Recovery Mechanism Pursuant to the Clean Energy Act, N.J.S.A. 48:3-87.8 Et Seq. and 48:3-98.1 Et Seq.

BPU Docket No. GO20090622

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 :
NEW JERSEY NATURAL GAS :
COMPANY FOR APPROVAL OF :
ENERGY EFFICIENCY PROGRAMS AND : BPU Docket No. GO20090622
THE ASSOCIATED COST RECOVERY :
MECHANISM PURSUANT TO THE :
CLEAN ENERGY ACT, N.J.S.A. 48:3-87.8 :
et seq. and 48:3-98.1 et seq. :

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, New Jersey Natural Gas Company (“NJNG”) initiated the above-captioned proceeding by filing a Petition requesting Approval of its energy-efficiency (“EE”) programs offered through The SAVEGREEN™ Project (“SAVEGREEN”). NJNG is seeking Board approval of a \$249.12 million investment to expand the existing suite of programs through SAVEGREEN the energy-efficiency programs described herein and the On-Bill-Repayment-Program (“OBRP”) initially approved in the September 2010 Order, and as further approved in subsequent Board Orders. The programs proposed in the NJNG SAVEGREEN

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 NJNG SAVEGREEN 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 NJNG SAVEGREEN Petition also proposes an Existing Homes - Quick Home Energy Check Up (QHEC) subprogram, including a QHEC+ option that will involve, among other things, an NJNG auditor installing a smart thermostat during the home visit.

6. Furthermore, the NJNG SAVEGREEN Petition proposes 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. 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).

8. 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 NJNG will likely involve deployment of Google products and services. Google already participates in energy efficiency programs (involving smart thermostat rebates) with NJNG as well as South Jersey Gas and PSE&G, and believes that the programs proposed by NJNG in its SAVEGREEN Petition will enlarge this opportunity and bring further benefits to New Jersey residents and businesses. Google and NJNG also recently partnered to offer a Nest Thermostat E to every NJNG

customer at no cost, leveraging EE incentives and additional contributions, as part of an initiative to help engage customers by reducing their energy cost burden during the COVID-19 pandemic.²

9. 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 NJNG and the state in reaching its energy efficiency goals.

10. 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.

11. 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.

12. 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.

13. 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

² <https://www.njresources.com/news/releases/2020/njng/20-21njnggooglethermostat.aspx>

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.
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Attorneys for Google, LLC

Dated: October 2, 2020

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

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et seq. and 48:3-98.1 et seq. :

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
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et seq. and 48:3-98.1 et seq. :

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.
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Dated: October 2, 2020

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et seq. and 48:3-98.1 et seq.

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

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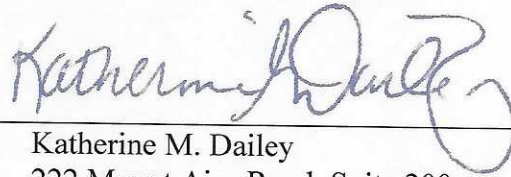
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Dated: October 2, 2020