



Agenda Date: 12/2/20

Agenda Item: IIB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY

IN THE MATTER OF THE PETITION OF PUBLIC)
SERVICE ELECTRIC AND GAS COMPANY)
PURSUANT TO N.J.S.A. 48:3-9 AND N.J.A.C. 14:1-)
5.9, FOR AUTHORITY TO ISSUE AND SELL SHORT-)
TERM OBLIGATIONS NOT EXCEEDING \$1.0)
BILLION AGGREGATE PRINCIPAL AMOUNT AT ANY)
ONE TIME OUTSTANDING THROUGH)
JANUARY 3, 2023)

ORDER

DOCKET NO. EF20060400

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Joseph F. Accardo Esq., Public Service Electric and Gas Company

BY THE BOARD:

Public Service Electric and Gas Company (“Petitioner”), a public utility of the State of New Jersey, by petition filed June 15, 2020 (“Petition”), requests authority, pursuant N.J.S.A. 48:3-9 and N.J.A.C. 14:1-5.9, to issue and sell (a) short-term obligations consisting of borrowings from banks, trust companies, insurance companies or other lenders, and (b) promissory notes (“commercial paper”) (together, “Short-term Obligations”) not to exceed \$1.0 billion in aggregate principal amount at any one time outstanding, through January 3, 2023.

The request in the instant proceeding is virtually identical to the request in Docket No. EF18050524 wherein the Board authorized Petitioner to issue Short-term Obligations, not exceeding \$1.0 billion in aggregate principal amount at any one time outstanding, through January 4, 2021.¹

¹ In re the Petition of Public Service Electric and Gas Company Pursuant to NJSA 48:3-9 and NJAC 14:1-5.9 For Authority to Issue and Sell Short Term Obligations Not Exceeding \$1.0 Billion Aggregate Principal Amount at Any One Time Outstanding Through January 4, 2021, BPU Docket No. EF16070679, Order dated September 17, 2018.

Petitioner provides that permanent financing and refinancing for its continuing facilities improvement programs are provided through the issuance of long-term debt and by internally generated cash and equity contributions. However, Petitioner also must fund its utility obligations and corporate transactions, including working capital, purchases of energy and natural gas, payment of State income and other taxes, temporary funding of long-term debt including maturities and obligations, and to manage timing differences which may occur between its cash receipts, including collections from customers, and its cash outflows, including Basic Generation Service (“BGS”) contract payments. In order to employ internally generated cash efficiently and to provide the flexibility necessary to effectively manage cash flows and meet continued cash needs, Petitioner maintains that it needs to continue to issue Short-term Obligations.

According to the Petition, the requested authority will provide Petitioner with the flexibility it requires to meet continued cash needs and manage cash flows during 2021 and 2022. To the extent that any Short-term Obligation is a renewal or extension of a short-term obligation previously issued, such renewal or extension could be payable later than twelve months after the date of the original instrument. Petitioner requests that, within the limitation of \$1.0 billion aggregate principal amount at any one time outstanding, such Short-Term obligations may be issued, extended, or renewed from time to time through January 3, 2023 without further application to or approval of the Board.

Petitioner asserts that the interest or discount rate applicable to the Short-term Obligations will be the best rate obtainable for the type of transaction involved. In the case of borrowings from banks and trust companies, such rate, in each instance, will normally be referenced to the prime commercial lending rate, the federal funds rate, or the London Interbank Offered Rate (“LIBOR”), or the successor thereto if the Intercontinental Exchange Group, New York is no longer making LIBOR available, as the case may be. In the case of commercial paper, the rate will normally be the market rate or discount rate for commercial paper of comparable quality and maturity.

Petitioner represents that the proceeds from the issuance of Short-term Obligations will be added to its general funds, and will be used for utility purposes, including working capital, interim financing of State income and other tax obligations, purchases of energy and natural gas, temporary funding of long-term debt maturity and obligations, and payment of other current utility transactions.

The New Jersey Division of Rate Counsel (“Rate Counsel”) has reviewed this matter and, by letter dated November 6, 2020, is not opposed to Board approval subject to certain conditions that are incorporated herein.

DISCUSSION AND FINDINGS:

The Board, after its investigation, **HEREBY FINDS** that:

1. The purposes of the Short-term Obligations are necessary and proper; and
2. The Petitioner’s financing is appropriate at this time.

Therefore, having considered the record and exhibits submitted in these proceedings, being satisfied with the action proposed to be taken by Petitioner as indicated above, and finding that the transaction is to be made in accordance with law, is in the public interest, and approving the purposes thereof, the Board **HEREBY ORDERS** that Petitioner be and it is **HEREBY**

AUTHORIZED to issue and sell Short-term Obligations not exceeding \$1.0 billion in aggregate principal amount at any one time outstanding, all as described above.

This Order is issued subject to the following conditions:

1. This Order shall not be construed as directly or indirectly fixing for any purpose whatsoever any value of the tangible or intangible assets now owned or hereafter to be owned by Petitioner.
2. This Order shall not affect or in any way limit the exercise of the authority of this Board, or of this State, in any future petition or in any proceeding with respect to rates, franchises, service, financing, accounting, capitalization, depreciation, or in any other matters affecting the Petitioner.
3. The authority granted in this Order shall become null and void and of no effect with respect to any portion which is not exercised by January 3, 2023.
4. Petitioner should be obligated to conduct its short-term borrowing at lowest reasonable cost, in accordance with its commitment in Paragraph 5 of its Petition.
5. Short-term issuance authority shall be used to fund utility operations and investments only, not to fund unregulated affiliates. In addition, Petitioner shall conduct short-term borrowing on a stand-alone basis and not in conjunction with its parent or affiliates.
6. The Board's approval of the Petition does not constitute pre-approval of any cost recovery from customers or rate setting.
7. The Board's approval of the Petition does not constitute pre-approval of any capital structure targets, financing plans or capital spending plans.
8. Petitioner retains the affirmative obligation to use a prudent mix of capital to finance its utility operations and investments to provide service at lowest reasonable cost.
9. Rate Counsel reserves all rights to take appropriate positions in future Board proceedings involving Petitioner.

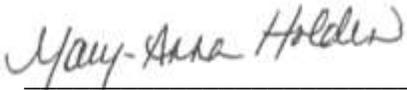
This Order shall become effective on December 12, 2020

DATED: December 2, 2020

BOARD OF PUBLIC UTILITIES
BY:



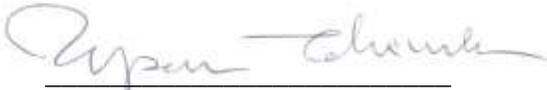
JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

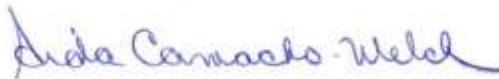


UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

**IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY
PURSUANT TO N.J.S.A. 48:3-9 AND N.J.A.C. 14:1-5.9, FOR AUTHORITY TO ISSUE AND
SELL SHORT-TERM OBLIGATIONS NOT EXCEEDING \$1.0 BILLION AGGREGATE
PRINCIPAL AMOUNT AT ANY ONE TIME OUTSTANDING THROUGH JANUARY 3, 2023**

DOCKET NO. EF20060400

SERVICE LIST

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