



State of New Jersey  
DIVISION OF RATE COUNSEL  
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PHIL MURPHY  
*Governor*

SHEILA OLIVER  
*Lt. Governor*

STEFANIE A. BRAND  
*Director*

December 10, 2020

**Via Electronic Mail**

Hon. Joseph L. Fiordaliso, President  
New Jersey Board of Public Utilities  
44 South Clinton Avenue  
Trenton, New Jersey 08625

**Re: I/M/O the New Jersey Board of Public Utilities' Response to the  
COVID-19 Pandemic  
BPU Docket No. AO20060471**

Hon. President Fiordaliso:

The New Jersey Division of Rate Counsel writes to request that Your Honor, as the designated presiding Commissioner, set a procedural schedule in the above-referenced matter. Rate Counsel also requests that Your Honor direct Board Staff to immediately post on the Board's website the data reported to the Board by electric, gas and water utilities regarding the current amount of arrearages owed to these utilities and the number of customers facing service disconnection but for the moratorium on disconnections. Anecdotal reports suggest a rapidly worsening situation. The requested data is necessary to determine the severity of the problem and the selection of remedies.

On October 29, 2020 the Board issued a procedural Order in this matter, expanding its existing docket that permitted utilities to record COVID-related costs as regulatory assets and required quarterly reporting of the deferred costs. The October 29 Order opened an investigation

into the increasing amount of arrearages owed to utilities and consolidated Rate Counsel's October 2, 2020 petition into this docket. The October 29 Order sought comments from interested parties on how to proceed, and set a deadline of November 30 for those comments. However no further procedural dates were established in that Order. Those comments have now been filed and Rate Counsel requests that a prehearing conference be held to establish the next steps so that meaningful discussions can be conducted and remedial measures taken before the expiration of the disconnection moratorium on March 15.

In addition, Rate Counsel requests that Board Staff be directed to immediately post on the Board's website the monthly reports that the utilities have been filing with the Board setting forth the amount of arrearages they are owed. The Board has posted the quarterly reports that have been filed by the utilities regarding COVID-related costs, but most of those do not detail arrearages as they are not costs that would be included in the regulatory assets authorized by the Board's October 2, 2020 order. Some of the comments referenced monthly reports on arrearages that have been filed with the Board. See, e.g., November 30, 2020 Comments of PSE&G at p.3. However, those reports have not been served on Rate Counsel nor does it appear that they have been posted on the Board's website. Accordingly, since understanding the scope of the problem is the first step to finding solutions, Rate Counsel requests that Board Staff be directed to post these reports on the BPU website immediately.

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Copies of this letter are being provided electronically to each person on the service list and the Board Secretary by electronic mail only.<sup>1</sup> No paper copies will follow. **Please acknowledge receipt of this letter.**

Thank you for your consideration and attention to this matter. If you require any additional information, please do not hesitate to contact me.

Respectfully submitted,

STEFANIE A. BRAND  
DIRECTOR, DIVISION OF RATE COUNSEL

By: /s/ Brian Weeks  
Brian Weeks, Esq.  
Deputy Rate Counsel

cc: Electronic Mailing List  
Ms. Aida Camacho-Welch, Board Secretary  
Mr. Samuel Kaplan, Aide to the BPU President

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<sup>1</sup> Consistent with the March 19, 2020 Order of the New Jersey Board of Public Utilities in I/M/O the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations, BPU Docket No. EO20030254.