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Lt. Governor

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
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President

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Dianne Solomon  
Commissioner

Upendra Chivukula  
Commissioner

Bob Gordon  
Commissioner

## NOTICE

**NOTICE TO ALL NEW JERSEY ELECTRIC DISTRIBUTION CUSTOMERS, ELECTRICITY SUPPLIERS, ELECTRIC DISTRIBUTION COMPANIES, AND ELECTRIC GENERATORS**

**IN THE MATTER OF THE APPLICATION OF PSEG NUCLEAR, LLC AND EXELON GENERATION COMPANY, LLC FOR THE ZERO EMISSION CERTIFICATE PROGRAM - SALEM UNIT 1**

**IN THE MATTER OF THE APPLICATION OF PSEG NUCLEAR, LLC AND EXELON GENERATION COMPANY, LLC FOR THE ZERO EMISSION CERTIFICATE PROGRAM - SALEM UNIT 2**

**IN THE MATTER OF THE APPLICATION OF PSEG NUCLEAR, LLC FOR THE ZERO EMISSION CERTIFICATE PROGRAM – HOPE CREEK**

### **Notice of Public Hearings BPU Docket Nos. ER20080557, ER20080558, & ER20080559**

**PLEASE TAKE NOTICE** that on May 23, 2018, Governor Phil Murphy signed into law L. 2018, c. 16 (codified at N.J.S.A. 48:3-87.3 to -87.7) (“Act”). The Act requires the New Jersey Board of Public Utilities (“Board”) to create a program and mechanism for the issuance of Zero Emission Certificates (“ZECs”), each of which is intended to represent the fuel diversity, air quality, and other environmental attributes of one megawatt-hour of electricity generated by an eligible nuclear power plant selected by the Board to participate in the program. Under the program, the Board may determine the need to issue ZECs to certain eligible nuclear energy generators for the State of New Jersey’s energy supply. Those ZECs must be purchased by the state’s Electric Distribution Companies (“EDCs”), who in turn may recover the cost of those purchases from customers through a non-bypassable ZEC charge. The Act identifies the steps required to establish this program, including program logistics, funding, costs, application, eligibility requirements, selection process, and the timelines associated with each aspect of the legislation.

On April 18, 2019, the Board determined that the Hope Creek, Salem 1, and Salem 2 nuclear generators (“Hope Creek and Salem Plants”) were eligible to receive ZECs during the first eligibility period under the Act, from April 18, 2019 through May 31, 2022.

The second ZEC eligibility period begins on June 1, 2022 and concludes on May 31, 2025. On May 20, 2020, the Board approved Staff's recommendations, provided following a stakeholder proceeding, on future ZEC program requirements and timelines. The Board approved Staff's proposed modifications to the application that the Board will use as part of the process to determine which, if any, nuclear power plants will be eligible to receive ZECs during the second three-year eligibility period. On August 12, 2020, following the receipt of comments on the draft application recommended by Staff, the Board issued an order approving a final form of application, and directing that applications must be submitted by October 1, 2020. In that August 12, 2020 order the Board also directed Staff to retain a consultant to assist Staff in reviewing, evaluating, and providing recommendations on the eligibility and ranking (if applicable) of nuclear power plant applications in the second eligibility period. The Board further directed that the consultant shall aid in the analysis of the ZEC charge, which may be reduced during the second eligibility period under the circumstances set forth at N.J.S.A. 48:3-87.5(j)(3).

On October 1, 2020 PSEG Nuclear, LLC ("PSEG") and Exelon Generation Company, LLC ("Exelon") submitted applications (the "Applications") seeking ZEC certification for the second eligibility period for the Hope Creek and Salem Plants. In subsequent scheduling orders the Board established a procedural schedule, calling for the issuance of preliminary findings by the Board Staff's consultant on January 15, 2021; the public hearings described in this Notice, to take place on February 1, 2021; evidentiary hearing, to take place the week of March 8, 2021; and Board Action on the Applications, to take place on April 27, 2021.

Copies of the Act are available for inspection at the following link: [https://www.nileg.state.nj.us/2018/Bills/PL18/16\\_.PDF](https://www.nileg.state.nj.us/2018/Bills/PL18/16_.PDF) Copies of the Applications can be found at the following link: <https://www.bpu.state.nj.us/bpu/agenda/zec.html>

**PLEASE TAKE FURTHER NOTICE** that the Board is now interested in soliciting comments regarding the Applications submitted by PSEG and Exelon. Pursuant to the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq., the New Jersey Board of Public Utilities hereby gives notice that, due to the COVID-19 pandemic, a virtual public hearing will be conducted on the following date and times:

**Date:** February 1, 2021

**Time:** 4 pm

Registration link -

<https://register.gotowebinar.com/register/2422167353731701515>

Call in number: (562) 247-8321

Access code: 138-689-048

**Date:** February 1, 2021

**Time:** 6 pm

Registration link -

<https://register.gotowebinar.com/register/4308891923600064523>

Call in number: (415) 655-0052

Access code: 921-302-512

Representatives from PSEG, Exelon, other participants and interveners, Board Staff, and Rate Counsel will participate in the virtual public hearing. Members of the public are invited to utilize the Dial-In, Meeting ID, and Passcode information set forth above and express their views on this filing. Such comments will be made part of the final record to be considered by the Board.

The Board is also accepting emailed and written comments. While all comments will be given equal consideration and made part of the final record, the preferred method of transmittal is via email to ensure timely receipt while the Board continues to work remotely due to the COVID-19 pandemic. Members of the public may email their comments to [Zec.Comments@bpu.nj.gov](mailto:Zec.Comments@bpu.nj.gov) in PDF or Word format.

Commenters are encouraged to file their comments electronically through the Board's External Access Portal upon obtaining a MyNewJersey Portal ID. Once you establish a MyNewJersey account, an authorization code is required which you can request by emailing the NJBPU's IT Helpdesk at [BPUITHELPDESK@bpu.nj.gov](mailto:BPUITHELPDESK@bpu.nj.gov).

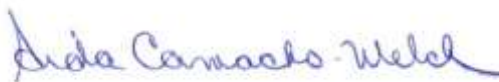
Written comments may be submitted to the Board Secretary, Aida Camacho-Welch, at the Board of Public Utilities, 44 South Clinton Avenue, 9th Floor, P.O. Box 350, Trenton, NJ 08625-0350.

All comments must include the name of the Application and the docket number, and must be received on or before **5:00 p.m. on Friday, February 12, 2021**.

Please note that these comments are considered "public documents" for purposes of the State's Open Public Records Act. Commenters may identify information that they seek to keep confidential by submitting them in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.

In order to encourage full participation in this opportunity for public comment, please submit any requests for special needed accommodations to the Office of the Secretary of the Board at (609) 777-3300 at least 48 hours prior to the scheduled hearing so that appropriate arrangements can be made.

Hearings will continue, if necessary, on such additional dates and at such locations as the Board may designate, to ensure that all interested persons are heard.



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Aida Camacho-Welch  
Secretary of the Board

Dated: January 15, 2021