



January 19, 2021

IN THE MATTER OF THE PETITION OF PUBLIC  
SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL OF ITS  
CLEAN ENERGY FUTURE-ELECTRIC VEHICLE AND ENERGY STORAGE  
("CEF-EVES") ON A REGULATED BASIS

BPU Docket No. EO18101111

***VIA ELECTRONIC MAIL***

Aida Camacho-Welch, Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 9th Floor  
Trenton, New Jersey 08625

Dear Secretary Camacho-Welch:

Attached please find the executed Stipulation in the above-referenced case resolving all aspects of this matter. The following parties have signed the Stipulation: Public Service Electric and Gas Company ("PSE&G" or "Company"); the Staff of the New Jersey Board of Public Utilities; the New Jersey Division of Rate Counsel; New Jersey Large Energy Users Coalition; Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Gateway Energy Services Corporation, NRG Energy, Inc., Just Energy Group Inc., and Centrica Business Solutions (collectively, "Market Participants"); Climate Change Mitigation Technologies LLC; Mid-Atlantic Solar & Storage Industries Association (formerly known as "Mid-Atlantic Solar Energy Industries Association"); ChargePoint, Inc.; Enel X North America, Inc. and Electric Motor Werks, Inc.; Burns & McDonnell Engineering Company, Inc.; Sunrun, Inc.; EVgo Services, LLC; Tesla, Inc.; Blue Bird Body Company; and Power Edison, LLC.

There are no parties that object to the settlement; however, the following parties have not joined the settlement: Environment New Jersey, Environmental Defense Fund, Natural Resources Defense Council, and Sierra Club (collectively, "Environmental Intervenors"); Zeco Systems, Inc. d/b/a Greenlots; and Electrify America, LLC. It is PSE&G's understanding that these parties do not oppose the settlement, and intend to file comments stating their positions.

In accordance with the Order issued by the Board in connection with 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, Order dated March 19, 2020, this document is being electronically filed. No paper copies will follow.

It is PSE&G's understanding and request that the attached submission and proposed settlement agreement reflected therein will not be posted to the BPU website unless and until the settlement may be approved by the Board.

If you have any questions, please do not hesitate to contact me.

Thank you for your consideration in this matter.

Very truly yours,



Matthew M. Weissman

Attach.

C Attached Service List (E-Mail)

**BPU**

Alice Bator  
Board of Public Utilities 44  
South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 943-5805  
alice.bator@bpu.nj.gov

**BPU**

Paul Flanagan  
Board of Public Utilities 44  
South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-2836  
paul.flanagan@bpu.nj.gov

**BPU**

Sherri Jones  
Board of Public Utilities 44  
South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-7471  
sherri.jones@bpu.nj.gov

**BPU**

Scott Sumliner  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-4519  
scott.sumliner@bpu.nj.gov

**BPU**

Robert Brabston  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
robert.brabston@bpu.nj.gov

**BPU**

Sara Bluhm Gibson  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
sara.bluhm@bpu.nj.gov

**BPU**

Abe Silverman  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
abe.silverman@bpu.nj.gov

**BPU**

Bart Kilar  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
bart.kilar@bpu.nj.gov

**BPU**

Jacqueline O'Grady  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-2947  
jackie.ograd@bpu.nj.gov

**BPU**

Grace Strom Power  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
grace.power@bpu.nj.gov

**BPU**

Cathleen Lewis  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
cathleen.lewis@bpu.nj.gov

**BPU**

Andrea Hart  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
andrea.hart@bpu.nj.gov

**BPU**

Aida Camacho-Welch  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
Post Office Box 350  
Trenton NJ 08625-0350  
aida.camacho@bpu.nj.gov

**BPU**

Scott Hunter  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-1956  
B.Hunter@bpu.nj.gov

**BPU**

Christine Lin  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-2956  
christine.lin@bpu.nj.gov

**BPU**

Stacy Peterson  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
(609) 292-4517  
stacy.peterson@bpu.nj.gov

**BPU**

Christine Sadovy  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
christine.sadovy@bpu.nj.gov

**BPU**

Ryan Moran  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
ryan.moran@bpu.nj.gov

**BPU**

John Zarzycki  
Board of Public Utilities  
44 South Clinton Avenue 3rd  
Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
john.zarzycki@bpu.nj.gov

**BPU**

Ilene Lampitt  
Board of Public Utilities  
44 South Clinton Avenue  
3rd Floor, Suite 314  
P.O. Box 350  
Trenton NJ 08625-0350  
ilene.lampitt@bpu.nj.gov

**DAG**

Jenique Jones  
NJ Dept. of Law & Public Safety  
Division of Law  
124 Halsey Street, 5th Flr.  
P.O. Box 45029  
Newark NJ 07101  
jenique.jones@dol.lps.state.nj.us

**DAG**

Michael Beck  
Department of Law & Public Safety  
Division of Law  
Public Utilities Section  
R.J. Hughes Justice Complex,  
7th Floor West  
25 Market Street, P.O. Box 112  
Trenton, N.J. 08625  
michael.beck@law.njoag.gov

**DAG**

Alex Moreau  
Department of Law & Public Safety  
Division of Law  
Public Utilities Section  
R.J. Hughes Justice Complex,  
7th Floor West  
25 Market Street, P.O. Box 112  
Trenton, N.J. 08625  
Alex.moreau@law.njoag.gov

**DAG**

Pamela Owen  
Department of Law & Public Safety  
Division of Law  
Public Utilities Section  
R.J. Hughes Justice Complex,  
7th Floor West  
25 Market Street, P.O. Box 112  
Trenton, N.J. 08625  
Pamela.owen@law.njoag.gov

**DAG**

Matko Ilic  
Department of Law & Public Safety  
Division of Law  
Public Utilities Section  
R.J. Hughes Justice Complex,  
7th Floor West  
25 Market Street, P.O. Box 112  
Trenton, N.J. 08625  
matko.ilic@law.njoag.gov

**PSEG&G**

Michele Falcao  
PSEG Services Corporation  
80 Park Plaza, T5  
P.O. Box 570  
Newark NJ 07102  
(973) 430-6119  
michele.falcao@pseg.com

**PSEG&G**

Joseph F. Accardo, Jr.  
PSEG Services Corporation  
80 Park Plaza, T5G  
P.O. Box 570  
Newark NJ 07102  
(973) 430-5811  
joseph.accardojr@pseg.com

**PSEG&G**

Danielle Lopez Esq.  
Public Services Corporation  
80 Park Plaza, T5  
P.O. Box 570  
Newark NJ 07102  
973-430-6479  
danielle.lopez@pseg.com

**PSEG&G**

Joseph A. Shea Esq.  
PSEG Service Corporation  
80 Park Plaza, T5  
P.O. Box 570  
Newark NJ 07102  
(973) 430-7047  
joseph.shea@pseg.com

**PSEG&G**

Bernard Smalls  
PSEG Services Corporation  
80 Park Plaza-T5  
Newark NJ 07102-4194  
(973) 430-5930  
bernard.smalls@pseg.com

**PSEG&G**

Matthew M. Weissman Esq.  
PSEG Services Corporation  
80 Park Plaza, T5  
P.O. Box 570  
Newark NJ 07102  
(973) 430-7052  
matthew.weissman@pseg.com

**PSEG&G**

Caitlyn White  
PSEG Services Corporation  
80 Park Plaza, T-5  
P.O. Box 570  
Newark NJ 07102  
(973)-430-5659  
caitlyn.white@pseg.com

**PSEG&G**

Katherine E. Smith  
PSEG Services Corporation  
80 Park Plaza, T-5  
P.O. Box 570  
Newark NJ 07102  
katherine.smith@pseg.com

**Rate Counsel**

Stefanie A. Brand  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
sbrand@rpa.state.nj.us

**Rate Counsel**

Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460

**Rate Counsel**

James Glassen  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
jglassen@rpa.state.nj.us

**Rate Counsel**

Brian O. Lipman  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
blipman@rpa.nj.gov

**Rate Counsel**

Henry M. Ogden Esq.  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
hogden@rpa.nj.gov

**Rate Counsel**

Felicia Thomas-Friel  
Division of Rate Counsel  
140 East Front Street, 4th Flr  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
fthomas@rpa.nj.gov

**Blue Bird Body Company**

Paul Yousif, Esq.  
VP, General Counsel & Corporate  
Treasurer  
Blue Bird Body Corporation  
402 Blue Bird Blvd  
Fort Valley, Georgia 31030  
paul.yousif@blue-bird.com

**Burns & McDonnell Engineering  
Company, Inc.**

James H. Laskey  
Norris McLaughlin, P.A.  
400 Crossing Blvd, 8th Floor  
Bridgewater, New Jersey 08807  
jlaskey@norris-law.com

**Direct Energy Business**

Christopher E. Torkelson, Esq.  
Eckert Seamans Cherin &  
Mellot, LLC Princeton Pike  
Corporate Center 2000 Lenox  
Drive, Suite 203  
Lawrenceville, NJ 08648  
ctorkelson@eckertseamans.com

**Rate Counsel**

Shelly Massey  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
smassey@rpa.nj.gov

**Rate Counsel**

Sarah Steindel  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
ssteinde@rpa.state.nj.us

**Rate Counsel**

Brian Weeks  
Division of Rate Counsel  
140 East Front Street, 4th Flr  
P.O. Box 003  
Trenton NJ 08625  
bweeks@rpa.nj.gov

**Blue Bird Body Company**

Kevin L. Matthews  
NSI, LLC  
1990 Kst. NW Suite 320  
Washington, D.C. 20005  
kmatthews@nationalstrategies.com

**Climate Change Mitigation  
Technologies, LLC**

Matthew S. Solwinski, Esq.  
Slowinski Atkins, LLP  
Eisenhower Corporate Campus  
290 West Mt. Pleasant Avenue  
STE 2310  
Livingston, NJ 07039-2729  
mss@slowinskiatkins.com

**Electrify America, LLC**

Ira G. Megdal, Esq.  
Cozen O'Connor  
LibertyView, Suite 300  
457 Haddonfield Road  
Cherry Hill, NJ 08003  
imegdal@cozen.com

**Rate Counsel**

Kurt Lewandowski Esq.  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
klewando@rpa.state.nj.us

**Rate Counsel**

Ami Morita  
Division of Rate Counsel  
140 East Front Street, 4th Flr.  
P.O. Box 003  
Trenton NJ 08625  
(609) 984-1460  
amorita@rpa.state.nj.us

**Blue Bird Body Corporation**

Paul Yousif, Esq.  
Blue Bird Body Corporation  
402 Blue Bird Blvd  
Fort Valley, Georgia 31030  
paul.yousif@blue-bird.com

**Burns & McDonnell Engineering  
Company, Inc.**

Lindsay Grise  
9400 Ward Parkway  
Kansas City, MO 64112  
lgrise@bmmsmcd.com

**ChargePoint**

Murray E. Bevan, Esq.  
William K. Mosca, Jr., Esq.  
Jennifer McCave, Esq.  
Katherine M. Dailey, Paralegal Bevan, Mosca  
& Giuditta, P.C.  
222 Mount Airy Road, Suite 200 Basking  
Ridge, NJ 07920  
mbevan@bmg.law  
wmosca@bmg.law jmccave@bmg.law  
kdailey@bmg.law

**EVgo Services, LLC**

Martin C. Rothfelder, Esq.  
Bradford M. Stern, Esq.  
Rothfelder Stern, L.L.C.  
407 Greenwood Ave., Unit #301  
Trenton, New Jersey 08609-2158  
mrothfelder@rothfelderstern.com  
bstern@rothfelderstern.com

**EVgo Services, LLC**

Sara Rafalson  
Director of Market Development EVgo  
Services LLC  
11835 West Olympic Boulevard Suite  
900  
Los Angeles, CA 90064  
sara.rafalson@evgo.com

**NJLEUC**

Paul F. Forshay, Esq.  
Eversheds Sutherland (US), LLP  
700 Sixth Street, N.W., Suite 700  
Washington, D.C. 20001-3980  
paulforshay@eversheds-  
sutherland.com

**NJLEUC**

Steven S. Goldenberg, Esq.  
Giordano, Halleran & Ciesla, P.C.  
125 Half Mile, Suite 300  
Red Bank, NJ 07701  
sgoldenberg@ghclaw.com

**Direct Energy**

Karen O. Moury, Esq.  
Sarah C. Stoner, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8th Floor Harrisburg,  
PA 17101 kmoury@eckertseamans.com  
sstoner@eckertseamans.com

**Direct Energy**

Christopher E. Torkelson, Esq.  
Eckert Seamans Cherin & Mellott,  
LLC  
P.O. Box 5404  
Princeton, NJ 08543  
ctorkelson@eckertseamans.com

**Greenlots**

Nathan Howe  
McCarter & English, LLP  
100 Mulberry Street  
Newark, NJ 07102-4056  
nhowe@mccarter.com

**Greenlots**

Joshua J. Cohen Director, Policy  
Greenlots  
1910 Towne Centre Blvd., Ste. 250  
Annapolis, MD 21401  
jcohen@greenlots.com

**Greenlots**

Thomas Ashley  
Vice President, Policy  
Greenlots  
767 S. Alameda Street, Suite 200  
Los Angeles, CA 90021  
tom@greenlots.com

**Greenlots**

Guillermo C. Artiles  
McCarter & English, LLP  
100 Mulberry Street  
Newark, NJ 07102-4056  
gaitiles@mccarter.com

**Environment New Jersey,**  
**Environmental Defense Fund, Sierra**  
**Club and Natural Resources Defense**  
**Council**

William Bittinger, Esq.  
Daniel Greenhouse, Esq.  
Eastern Environmental Law Center 50  
Park Place, Suite 1025  
Newark, New Jersey 07102  
William.bittinger@easternenviromental.org  
Daniel.greenhouse@easternenviromental.org

**MSEIA**

Matthew S. Solwinski, Esq.  
Slowinski Atkins, LLP  
Eisenhower Corporate Campus  
290 West Mt. Pleasant Avenue  
Ste 2310  
Livingston, NJ 07039-2729  
mss@slowinskiatkins.com

**Sunrun**

Lauri A. Mazzuchetti  
Glenn T. Graham  
Kelley Drye & Warren, LLP  
One Jefferson Road, 2nd Floor  
Parsippany, New Jersey 07054  
lmazzuchetti@kellydrye.com  
ggraham@kelleydrye.com

**Enel X North American, Inc.**

William Harla  
Glenpointe Centre West  
500 Frank W. Burr Blvd, Suite 31  
Teaneck, New Jersey 07666  
wharla@decotiislaw.com

**ACE**

Philip J. Passanante, Esq.  
92DC42  
500 North Wakefield Drive  
Newark, DE 19702  
philip.passanante@pepcoholdings.com

**Tesla**

Kevin Auerbacher, Esq.  
Tesla, Inc.  
1050 K St, NW, Ste 101  
Washington, DC 20001  
kauerbacher@tesla.com

**Power Edison**

Shihab Kuran, Ph.D.  
Umar A. Sheikh  
Power Edison, LLC  
166 Deer Run  
Watchung, NJ 07069  
salkuran@poweredison.com

**Alliance**

Barbara Koonz  
Greenbaum, Rowe, Smith & Davis  
LLP  
75 Livingston Avenue  
Roseland, NJ 07068  
bkoonz@greenbaumlaw.com

**Alliance**

Michael I. K. rauthamer  
Alliance for Transportation  
Electrification  
michael@evTransportationAlliance.org

**JCP&L**

Lauren M. Lepkoski, Esq.  
FirstEnergy Service Company  
Legal Department  
2800 Pottsville Pike  
Reading, PA 19612-6001  
llepkoski@firstenergycorp.com

**RECO**

James C. Meyer  
Riker Danzig Scherer Hyland &  
Perretti LLP  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, NJ 07962-1981  
JMEYER@RIKER.com

**RECO**

Margaret Comes, Esq.  
Rockland Electric Company  
4 Irving Place  
Suite 1815-S  
New York, New York 10003  
comesm@coned.com

**RECO**

Jack Carley, Esq.  
Consolidated Edison Company of New  
York, Inc.  
4 Irving Place Suite 1815-S New York,  
New York 10003 carleyj@coned.com

**SemaConnect**

Josh Cohen  
SemaConnect Inc.  
4961 Tesla Drive  
Bowie, Maryland 20715  
josh.cohen@semaconnect.com

**SemaConnect**

John Hoffman  
Wilentz, Goldman & Spitzer, P.A.  
90 Woodbridge Center Drive  
Suite 900  
Woodbridge, New Jersey 07095  
jhoffman@wilentz.com

STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF  
PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY FOR APPROVAL OF ITS  
CLEAN ENERGY FUTURE – ELECTRIC  
VEHICLE AND ENERGY STORAGE  
("CEF-EVES") ON A REGULATED BASIS

**STIPULATION OF SETTLEMENT**  
BPU DOCKET NO.

**EO18101111**

**APPEARANCES:**

**Joseph F. Accardo Jr., Esq.**, Vice President - Regulatory & Deputy General Counsel, **Matthew M. Weissman, Esq.**, Managing Counsel-State Regulatory, and **Katherine E. Smith, Esq.**, Associate Counsel – State Regulatory, for the Petitioner, Public Service Electric and Gas Company

**Stefanie A. Brand, Esq.**, Director, **Brian O. Lipman, Esq.**, Litigation Manager, **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel, **Kurt Lewandowski, Esq.**, Assistant Deputy Rate Counsel, and **Brian Weeks, Esq.**, Deputy Rate Counsel for the New Jersey Division of Rate Counsel

**Matko Ilic**, Deputy Attorney General, for the Staff of the New Jersey Board of Public Utilities (**Gurbir S. Grewal**, Attorney General of New Jersey)

**Steven Goldenberg, Esq.**, Giordano Halleran & Ciesla, P.A. for the New Jersey Large Energy Users Coalition

**Christopher E. Torkelson, Esq.**, **Karen O. Moury, Esq.**, and **Sarah C. Stoner, Esq.**, Eckert Seamans Cherin & Mellott, LLC for Direct Energy Business, LLC; Direct Energy Business Marketing, LLC; Direct Energy Services, LLC; Gateway Energy Services Corporation; Centrica Business Solutions; Just Energy Group, Inc.; and NRG Energy, Inc. (the "Market Participants")

**Matthew S. Slowinski, Esq.**, Slowinski Atkins LLP for Climate Change Mitigation Technologies, LLC and MSEIA

**Murray E. Bevan, Esq.**, and **Jennifer McCave, Esq.**, Bevan Mosca & Guiditta, P.C. for ChargePoint, Inc.

**William Harla, Esq.**, Decotiis, FitzPatrick, Cole & Giblin, LLP for Enel X North American, Inc.

**Daniel Greenhouse, Esq.**, Environment New Jersey, Environmental Defense Fund, Sierra Club and Natural Resources Defense Council

**James H. Laskey, Esq.**, Norris McLaughlin, P.A. for Burns & McDonnell Engineering Company, Inc.

**Lauri A. Mazzuchetti, Esq.**, Kelley Drye & Warren, LLP for Sunrun

**Martin C. Rothfelder, Esq.**, Rothfelder Stern L.L.C. for EVgo Services, LLC

**Natalie Watson, Esq.**, McCarter & English, LLP for Greenlots

**Kevin Auerbacher, Esq.**, Tesla, Inc.

**Paul Yousif, Esq.**, Blue Bird Body Company

**Ira G. Megdal, Esq.**, Cozen O'Connor for Electrify America, LLC

**Umar A. Sheikh, Esq.**, Offit Kurman for Power Edison, LLC

**TO THE HONORABLE BOARD OF PUBLIC UTILITIES:**

It is hereby AGREED, by and between Public Service Electric and Gas Company (“Public Service,” PSE&G”, or “Company”); the Staff of the New Jersey Board of Public Utilities (“Board Staff”); the New Jersey Division of Rate Counsel (“Rate Counsel”); New Jersey Large Energy Users Coalition (“NJLEUC”); Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Gateway Energy Services Corporation, NRG Energy, Inc., Just Energy Group Inc., and Centrica Business Solutions (collectively, “Market Participants”); Climate Change Mitigation Technologies LLC (“CMMT”); Mid-Atlantic Solar & Storage Industries Association (“MSSIA”, formerly known as “Mid-Atlantic Solar Energy Industries Association”); ChargePoint, Inc. (“ChargePoint”); Enel X North America, Inc. and Electric Motor Werks, Inc. (collectively, “Enel X”); Burns & McDonnell Engineering Company,

Inc. (“Burns & McDonnell”); Sunrun, Inc. (“Sunrun”);<sup>1</sup> EVgo Services, LLC (“EVgo”); Tesla, Inc. (“Tesla”); Blue Bird Body Company (“Blue Bird”); and Power Edison, LLC (“Power Edison”); the undersigned parties and interveners (hereinafter referred to as “Signatory Parties”) to execute this Settlement Agreement resolving PSE&G’s Petition (“Petition”) for approval of the Clean Energy Future – Electric Vehicles and Energy Storage program (“CEF-EVES” or “Program”).

The Signatory Parties do hereby join in recommending that the New Jersey Board of Public Utilities (“Board” or “BPU”) issue a Decision and Order approving this Settlement Agreement.

### **BACKGROUND**

1. Legislative and executive action in New Jersey over the past several years has demonstrated a general State policy in support of electric vehicles (“EVs”) and energy storage (“ES”) projects.<sup>2</sup> The State codified its energy goals in the Clean Energy Law, which reflects an objective of achieving 600 megawatts (“MWs”) of energy storage by 2021 and 2,000 MWs by 2030. In addition, the December 2015 New Jersey Energy Master Plan dictated that “the State must continue to expand its efforts to promote the use of alternative fuel vehicles.”<sup>3</sup> Moreover, Governor Murphy’s Executive Order No. 28 issued in May 2018 called for the development of a revised New Jersey Energy Master Plan by June 1, 2019 to provide a

---

<sup>1</sup> Sunrun supports the Stipulation of Settlement with regard to holding the energy storage portion of this proceeding in abeyance pending future policy guidance from the Board. Sunrun takes no position on the Settlement Agreement with regard to the electric vehicle portion of this proceeding.

<sup>2</sup> Petition at 2-3.

<sup>3</sup> New Jersey Energy Master Plan Update at 13 (Dec. 2015).

blueprint for the conversion of New Jersey's energy production profile to 100% clean energy sources by January 1, 2050, including exploration of methods "to incentivize the use of clean, efficient energy and electric technology alternatives in New Jersey's transportation sector and at New Jersey's ports."

2. In response, on October 11, 2018, Public Service petitioned the Board in BPU Docket No. EO18101111 for approval of the CEF-EVES program and for the recovery of costs to jumpstart the EV industry and ES technology through proposed investment in regulated EV and ES programs that the Company asserts it developed for the purposes of helping New Jersey achieve its ES and EV goals, as well as providing significant benefits, including environmentally beneficial economic development and job growth.<sup>4</sup> Through the Petition, PSE&G sought approval of: (1) approximately \$261 million of investment for four (4) EV subprograms, specifically Residential Smart Charging, Level-2 Mixed Use Charging, Public Direct Current Fast Charging ("DCFC"), and Vehicle Innovation; (2) approximately \$109 million of investment for five (5) ES sub-programs, specifically Solar Smoothing, Distribution Deferral, Outage Management, Microgrids for Critical Facilities, and Peak Reduction for Public Sector Facilities; as well as (3) cross-program investments common to all programs, such as information technology ("IT") and education and outreach.<sup>5</sup>
3. The Petition proposed contemporaneous cost recovery for the Program investments via a new Technology Innovation Charge ("TIC") component of its electric tariff that was

---

<sup>4</sup> Petition at 2-3.

<sup>5</sup> Petition at 3-8.

consistent with the rate treatment applied to the Company's green programs via its Green Programs Recovery Charge.<sup>6</sup> The Petition also proposed that PSE&G would earn a return on its net investment based upon the authorized return on equity ("ROE") and capital structure including income tax effects that was approved in the Company's 2018 base rate case for the period until the next base rate case filing.<sup>7</sup>

4. By Order dated October 29, 2018, the Board retained jurisdiction of the Petition and designated Commissioner Upendra Chivukula as the presiding officer in the matter to rule on all motions that arise during the pendency of the proceeding, establish and modify any schedules that may be set as necessary, and conduct public and evidentiary hearings.
5. From October 2018 through November 2020, Commissioner Chivukula ruled on various Motions to Intervene or Participate in the proceeding. Intervention was granted to: NJLEUC, Market Participants, CCMT, MSSIA, ChargePoint, Enel X, Environmental Intervenors, Burns & McDonnell, Sunrun, EVgo, Greenlots, Tesla, Blue Bird, Electrify America, and Power Edison. Participant status was accorded to: Atlantic City Electric Company, Alliance for Transportation Electrification, Jersey Central Power & Light Company, SemaConnect, and Rockland Electric Company.
6. In January 2020, the New Jersey State Legislature enacted the Plug In Vehicles Act as part of the public utility law, confirming the State's commitment to accelerated EV adoption and build-out of EV infrastructure by 2025, including aggressive goals and targets that the Board

---

<sup>6</sup> Petition at 8-13; Swetz Direct Testimony.

<sup>7</sup> *Id.*

is directed to help meet.<sup>8</sup> Also in January 2020, the State issued the updated “2019 New Jersey Energy Master Plan, Pathway to 2050,” including a stated policy to move toward complete electrification of New Jersey’s transportation sector, and noting a clear role for public utility involvement in this important and challenging transition.<sup>9</sup>

7. On April 17, 2020, Rate Counsel filed a motion for summary dismissal of the EV sub-programs arguing that the sub-programs cannot be approved by the Board as a matter of law. On May 8, 2020, PSE&G filed an opposition to Rate Counsel’s motion, and Interveners Blue Bird, CCMT, ChargePoint, Environmental Interveners, EVgo, Greenlots, Burns & McDonnell, and MSSIA filed statements in opposition to Rate Counsel’s motion. Market Participants filed a statement in support of Rate Counsel’s motion. By Order dated July 1, 2020, Commissioner Chivukula denied Rate Counsel’s motion finding that the record would benefit from a full factual exploration of whether the proposed EV program assets benefit PSE&G customers and are used and useful.
8. On September 23, 2020, the Board issued an order in a separate docket adopting minimum filing requirements (“MFRs”) for light-duty, publicly accessible EV charging programs; however, the order notes that it does not require the re-filing of pending petitions, but would inform Staff’s position on any pending filings.<sup>10</sup> The MFR Order also reserves issues related

---

<sup>8</sup> *L.2019, c. 362*, codified at N.J.S.A. § 48:25-1-11.

<sup>9</sup> EMP at 68.

<sup>10</sup> *I/M/O Straw Proposal on Electric Vehicle Infrastructure Build Out*, BPU Docket No. QO20050357, Order Adopting the Minimum Filing Requirements for Light-Duty, Publicly-Accessible Electric Vehicle Charging, at 26 (Sept. 23, 2020) (“MFR Order”).

to medium- and heavy-duty EVs for further stakeholder proceedings to be held during the Board's Fiscal Year 2021.

9. Two (2) public hearings were held on the CEF-EVES Petition on the evenings of October 21 and October 22, 2020.<sup>11</sup> These hearings were well-attended by the public. Additionally, several letters of support were received by the Board.
10. On September 4 and 5, 2020, Rate Counsel and interveners, Blue Bird, Burns & McDonnell, ChargePoint, Electrify America, Enel X, Environmental Intervenors, EVgo, Greenlots, Market Participants, Sunrun, and Tesla submitted pre-filed direct testimony. On October 16, 2020, Public Service, ChargePoint, Electrify America, Environmental Intervenors, Greenlots, and Tesla submitted rebuttal testimony.

#### **Discovery and Settlement Discussions**

11. Over the course of 2020, discovery was issued and responded to in accordance with a procedural schedule issued by Commissioner Chivukula. Additionally, the parties engaged in discovery/settlement conferences during August 2020 to facilitate information gathering and to discuss opportunities for settlement. The parties also met telephonically for settlement conferences during November and December 2020.
12. At the request of the parties based on settlement negotiations, on December 1, 2020, Commissioner Chivukula issued a Prehearing Order in this matter suspending the evidentiary hearings and remaining procedural schedule.

---

<sup>11</sup> Public hearings were held telephonically due to the COVID-19 health state-of-emergency.

13. In this comprehensive settlement, the Signatory Parties agree, subject to submission of this Stipulation to the Board for approval, that: (1) it is prudent and reasonable for the Company to proceed with its EV program as described more fully below; (2) the associated CEF-EVES cost recovery and deferral mechanisms, modified from the mechanisms as-filed and as set forth herein, will be implemented; and (3) certain elements of the Company's CEF-EVES filing will be held in abeyance pending further policy guidance from the Board.

In light of the foregoing, the Signatory Parties have agreed to submit this Stipulation of Settlement, the terms of which are set forth below. Specifically, the Signatory Parties hereby **STIPULATE AND AGREE** to the following:

#### **STIPULATED MATTERS**

##### **A. CEF-EV Program Investment Levels**

14. Subject to Board approval of this Settlement Agreement, PSE&G is authorized to invest up to \$166.2 million in facilities associated with its CEF-EV programs and to incur up to \$39 million of incremental operation and maintenance ("O&M") expenses, including administrative costs incurred to support the programs. The Signatory Parties acknowledge that the proposed CEF-EV program is consistent with the Board's MFR Order and it is in the public interest for the Company to proceed with CEF-EV programs as described herein. The CEF-EV programs consist of the following three (3) subprograms: (i) a Residential Smart Charging Program, (ii) a Level 2 Mixed Use Charging Program, and (iii) a DCFC Program. The CEF-EV programs also provide for cross-program investments for IT system upgrades and modifications described more fully below. PSE&G will use first-come-first-served

implementation (*i.e.*, not based on geographical area or any other preference) to encourage early participation and to mitigate the risk of bias or favoritism.

15. A breakdown of the Company’s \$166.2 million of CEF-EV investments, as well as the associated incremental O&M expenses, are as follows:

Program Components - Investments

Residential Smart Charging Program

Make Ready – meter to charger stub <sup>12</sup>	\$60 million
Make Ready – Service Upgrade – pole to meter <sup>13</sup>	\$20 million

Mixed Use Commercial L2<sup>14</sup>

Make Ready – meter to charger stub	\$26.25 million
Make Ready – Service Upgrade – pole to meter	\$8.75 million

DCFC Public Charging<sup>15</sup>

Third party-owned Make Ready – meter to charger stub	\$25 million
Third party-owned charging sites for Make Ready – Service Upgrades – pole to meter	\$15 million

<sup>12</sup> Make Ready from the meter to the charger stub includes the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Service Equipment (“EVSE”), including, but not limited to, Level Two EVSE and DC Fast Chargers. Making a site Charger-Ready includes expenses related to service panels, junction boxes, conduit, wiring, etc., necessary to make a particular location able to accommodate EVSE on a “plug and play” basis. “Make-Ready” is synonymous with the term “Charger-Ready” as these terms are used in and defined in the MFR Order.

<sup>13</sup> Make Ready – Service Upgrade pole to meter means activities and facilities needed to upgrade an electric service to accommodate EV service equipment.

<sup>14</sup> This program is comprised of the following sub-elements and approximate budgets:

Sector	# Sites	# Chargers	Inv. (\$M)
Multi-Family Unit (MUD)	325	1,300	\$13
Government Entity	275	1,100	\$11
Public Entity	275	1,100	\$11
<b>Total</b>	<b>875</b>	<b>3,500</b>	<b>\$35</b>

<sup>15</sup> Colocation of a non-Combined Charging System (“CCS”) capable charger with one CCS capable charger makes a site eligible for 50% of the make-ready incentives, colocation with two or more CCS capable chargers grants full Make Ready eligibility to the site.

Rate Schedule GLP and LPL-S demand charge rebates	\$5 million
IT System Upgrades	
Cross Program Investments – IT system upgrades and modifications	\$6.2 million
Total Investment	\$166.2 million

O&M Expenses

Residential Vehicle Tracking Devices – Telematic tracking devices to understand residential charging behaviors for 500 customers	\$0.6 million
Marketing Education and Outreach	\$8.0 million
Data Acquisition – Ongoing platform use and services including charging data acquisition for all deployed chargers for six years	\$13.8 million
Administrative costs – All O&M costs to support programs including IT O&M	\$16.6 million
O&M Expense Total	\$39 million

16. The specific per site make ready incentives are detailed as follows:

Residential

- Utility incentives to offset up to \$1,500 of the Make Ready cost (utility meter to charger stub) per charger stub for up to 40,000 charger stubs, up to a total investment of \$60 million.
- Utility incentives to offset up to \$5,000 of the Make Ready costs (service upgrade) per location for up to 4,000 locations, up to a total investment of \$20 million.

Mixed Use Commercial L2

- Utility incentives to offset up to \$7,500 of the Make Ready cost (utility meter to charger stub) per charger stub for up to 3,500 charger stubs, up to a total investment of \$26.25 million.

- Utility incentives to offset up to \$10,000 of the Make Ready costs (service upgrade) per location for up to 875 locations, up to a total investment of \$8.75 million.

#### DCFC Public Charging

- Utility incentives to offset up to \$25,000 of the Make Ready cost (utility meter to charger stub) per charger stub for up to 1,200 charger stubs, up to a total investment of up to \$30 million.<sup>16</sup>
- Utility incentives to offset up to \$50,000 of the Make Ready costs (service upgrade) per location for up to 300 locations, up to a total investment of \$15 million.

17. All customers or stations receiving an incentive must be networked (i.e. charging station capable of sending and receiving communications via wi-fi or cellular network). Site owners and operators may purchase the smart networked charging hardware and network technology of their choice from no less than two hardware vendors and two software vendors prequalified by PSE&G as compatible with the technical needs of its electric distribution system for make ready eligibility. Consistent with the MFR Order, “site owner and operator” means site host, property manager, an EVSE Infrastructure Company, or an EDC with Board approval that is responsible for installing EVSE. For purposes of this Settlement Agreement, “site host” means the entity that owns, leases, manages, or otherwise possesses the premises upon which the electric vehicle charging station is or is planned to be located for the purpose

---

<sup>16</sup> Five million dollars of the total of \$30 million will be applied to the DCFC Demand Charge Rebate; to the extent those rebates are provided, the number of make ready sites receiving incentives may be reduced.

of charging an electric vehicle, and “site host” may or may not be the same entity as the station operator.

18. The Signatory Parties agree that in order to facilitate the Cost of Service Study (“COSS”) referenced in Paragraphs 33 and 35 below and the Distribution Grid Impact Study (“DGIS”) referenced in Paragraph 38, and to support calculation of demand charge rebates for DCFC charging discussed in Paragraph 34, PSE&G and/or Company’s contractors performing those studies must have access to EV Charging Data, with provisions to ensure that adequate data privacy and security measures are in place. Therefore, to be eligible for the CEF-EV incentives described in Section E below, program participants must agree to share session-level EV Charging Data with PSE&G. For purposes of this agreement:

- “EV Charging Data” may include each plug-in/plug-out transaction per vehicle and includes: timestamps showing session duration (between plug-in and plug-out); charging duration; energy delivered (kWh); average power during charging session (kW); and other information as may be determined to be necessary by the Company during program implementation. Additionally, for EV charging that is conducted on a meter that is not an EV charging-only dedicated meter, with the exception of minor ancillary items such as lighting, the data required further includes: timestamps showing when customers plug-in and plug-out; timestamps showing when charging starts and when it ends; peak power delivered during charging session (kW); interval data (15 minutes or shorter) for the charging duration; and unique device and port (where applicable) identifiers.
- Data should be submitted to PSE&G at least quarterly.

- PSE&G will work collaboratively with the Signatory Parties regarding additional detail as to the type, period, and frequency of non-residential customer EV Charging Data delivery as well as the delivery format and methods; and to refine data reporting requirements for specific technology and use cases during program implementation to ensure that reported data effectively informs program analysis. The Signatory Parties agree that data quality, format, and delivery must be deemed by PSE&G within its reasonable discretion to be sufficient to facilitate necessary processes to enable the programs contemplated herein.
  - EV Charging Data will be aggregated by PSE&G for the purposes set forth in this Settlement Agreement.
  - Pending the development and implementation of a Third Party Data Access Plan in accordance with Section F of this Settlement Agreement, PSE&G agrees to treat EV Charging Data provided as a condition of service or eligibility for the Company's EV programs as confidential and proprietary to the providing party, and agrees to maintain the confidentiality of the information provided to PSE&G. The Company further agrees that it will comply with any regulations promulgated by the Board regarding access to, and the use of EV Charging Data.
19. The Signatory Parties recognize that there is uncertainty as to the precise timing and budgets for the CEF-EV Program and sub-programs. In particular, the ongoing COVID-19 pandemic and related health state-of-emergency is of unpredictable duration and may affect the Company's ability to invest in CEF-EV facilities. Accordingly, the Company may adjust the CEF-EV investment levels in response to real market and service conditions experienced.

Further, with the exception of the \$5 million of Rate Schedule GPL and LPL-S demand charge rebates, the estimated allocation of the \$166.2 million of total investment among the Sub-programs listed in paragraph 15 above may change due to market demand and customer requirements. PSE&G will use first-come-first-served implementation (*i.e.*, not based on geographical area or any other preference) to encourage early participation and to mitigate the risk of bias or favoritism. Accordingly, the Signatory Parties agree that a process enabling the Company to make adjustments to sub-program budgets in response to real market conditions experienced is justified. The process shall be as follows:

- PSE&G can shift its sub-program budgets for the Residential Smart Charging, Mixed Use Commercial L2 and DCFC Public Charging sub-programs up to 5% of each sub-program's total budget with notification to Staff and Rate Counsel (which should be provided 30 days in advance of the change), 5-25% with Staff approval, and over 25% with Board approval.
- All requests for budget adjustments shall be submitted to Staff and Rate Counsel. Staff retains the right to reject shifts requiring Staff notification. All requests for budget adjustments, including those necessitating Staff approval shall be submitted to Staff and Rate Counsel with a written description of and rationale for the proposed transfers, and objections, if any, shall be made within 30 days.

**B. CEF-EV Reporting and Performance Metrics**

20. PSE&G will provide semi-annual reports on the CEF-EV deployment ("CEF-EV Report") to the BPU Staff, and Rate Counsel, and will post the reports on the Company's website which is accessible to all other Signatory Parties, setting forth the following information:

- the estimated quantity of work and the quantity completed to date or, if the activity cannot be quantified with numbers, the major tasks completed, e.g., Residential, Mixed Use Commercial L2, and DCFC Public Charging Make Ready to Charger Stub units completed and number of service upgrades;
- the usage and balance remaining of the \$5 million DCFC EV C&I Distribution Charge Rebate funding;
- the forecasted and actual CEF-EV capital costs to date for the reporting period and for the program-to-date; and
- the forecasted and actual CEF-EV O&M expenses to date for the reporting period and for the program-to-date.

The project expenditures shall be broken out between labor, material and other costs. This reporting will be submitted by September 1, 2021 based on actual results through June 30, 2021. The second semi-annual report will be submitted by March 1, 2022 based on actual results through December 31, 2021. The Company will continue to submit semi-annual reports by March 1<sup>st</sup> and September 1<sup>st</sup> of each year through the completion of the CEF-EV investment.

21. PSE&G agrees to post on the Company's website public maps that detail areas which are best suited for EV infrastructure build-out by the end of calendar year 2021, and earlier if possible. These would be prepared and updated by the Company on a regular basis, at least annually, and available to the public in a timely manner in order to provide reasonably current maps showing options for EV charging in PSE&G's territory. The Company-prepared maps will be posted for information only and will not be used by the Company in responding to service requests. The Company further agrees that it will comply with any regulations promulgated by the Board regarding mapping EV sites and capacity.

**C. Cost Deferral and Recovery Details**

22. The Company will invest in EV infrastructure as described in paragraph 15 above. Until being rolled into base rates, as described further below, those CEF-EV-related capital costs shall be deferred and placed in a regulatory asset, for recovery in the Company's next base rate case, to be filed no later than January 1, 2024 (the "Next Base Rate Case"). Incremental CEF-EV-related O&M costs as defined above in paragraph 15 will be deferred separately for recovery in the Company's Next Base Rate Case. Nonetheless, all costs incurred in connection with this proceeding remain subject to prudence review in the Next Base Rate Case.
23. The reasonable and prudent costs associated with the CEF-EV investment that are likely to be in-service by the end of six (6) months after the end of the test year in the Company's Next Base Rate Case shall be reflected in the rates established in that case, consistent with the Board's *Elizabethtown Water*<sup>17</sup> standards.
24. CEF-EV investment that is not likely to be in-service by the end of six (6) months after the end of the test year, shall be deferred and placed in a regulatory asset. The Signatory Parties agree the Next Base Rate Case will remain open so that CEF-EV investment placed in service more than six (6) months after the end of the test year in the Next Base Rate Case will be reviewed and placed into rates, if deemed reasonable and prudent, as soon as

---

<sup>17</sup> *In re Elizabethtown Water Company Rate Case*, BPU Docket No. WR8504330, Decision on Motion for Determination of Test Year and Appropriate Time Period for Adjustments (May 23, 1985).

practicable after the associated infrastructure has been placed into service, through annual roll-in filings following the Next Base Rate Case. The annual roll-in filings will include three (3) months of forecast data that will be trued-up with actual data no later than 20 days after the end of the final forecast month. The annual roll-in filing will request that new rates be implemented three (3) months after the end of the final forecast month. The schedule of such annual roll-in filings shall be determined in the Company's Next Base Rate Case.

**D. Cost Deferral Mechanism Details**

25. As noted above, the Company will book a regulatory asset ("CEF-EV Regulatory Asset") comprised of the capital investments described in paragraph 15 above.
26. The formula for the CEF-EV Monthly Investment Deferral component of the CEF-EV Regulatory Asset is:

$$\text{CEF-EV Monthly Investment Deferral} = (((\text{Pre-Tax Cost of Capital} / 12) * \text{Average Monthly Rate Base}) + \text{Monthly Depreciation and/or Amortization Expense}) + (\text{Average Monthly Investment Deferral Balance} * (\text{WACC} / 12))$$

- a. The term "Pre-Tax Cost of Capital" means PSE&G's pre-tax overall weighted annual average cost of capital ("WACC") in effect at the time of the deferral. The WACC is based on the ROE, long-term debt and capital structure approved by the Board in PSE&G's most recently approved base rate case, which is currently 6.99%, or 9.02% on a pre-tax basis based on current tax rates. Any change in the WACC authorized by the Board in a subsequent base rate case will be applied to

CEF-EV investment in subsequent periods. Also, any change to current tax rates will be reflected in the WACC in a subsequent period.

- b. The term “Average Monthly Rate Base” refers to the total of the beginning and ending monthly balances for the following items, divided by 2:
- CEF-EV related Utility Plant in Service and Regulatory Asset Gross Plant
  - Less the associated Accumulated Depreciation and/or Amortization
  - Less the associated Accumulated Deferred Income Tax
- c. The term “Depreciation and/or Amortization Expense” provides for the recovery of PSE&G’s CEF-EV investment over the useful book lives of the assets as well as the recovery of the Program’s regulatory assets. The CEF-EV investments are comprised of the following categories:

<b>Investment Category</b>	<b>Depreciations/Amortization</b>
Make-Ready – Service Upgrade Pole to Meter – Capital	BPU approved depreciation rates by asset installed
Make-Ready – Service Upgrade Pole to Meter – Expense (Regulatory Asset)	30 years
CEF-EV Related IT Systems – Capital	Amortized over remaining life of specific system(s)
CEF-EV Related IT Systems – Expense (Regulatory Asset)	5 years
C&I Demand Charge Rebates (Regulatory Asset)	5 years
Make-Ready to Charger Stub (Regulatory Asset)	30 years

The Make-Ready to Charger Stub book life will be 30 years based on the weighted average life of make-ready investments included in the Company’s CEF-EV filing.

Any future changes in Board approved asset depreciation/amortization rates will be reflected in the deferral during the relevant future period.

- d. The term “Average Monthly Investment Deferral Balance” refers to the cumulative sum of the Monthly Investment Deferrals at the beginning and the end of each month divided by two. The term “WACC” refers to the Company’s annual weighted average cost of capital from its most recently approved base rate case. Any change in the WACC authorized by the Board in a subsequent base rate case will be utilized.
27. PSE&G’s Next Base Rate Case will include a request for recovery in base rates of all prudently incurred capital expenditures associated with the CEF-EV program. Those costs will include the CEF-EV Regulatory Asset described above, actual costs of engineering, design and construction, and deferred cost of removal (net of salvage), including actual labor, materials, overhead, and capitalized Allowance for Funds Used During Construction associated with the projects (the “Capital Investment Costs”). Capital Investment Costs will be recorded, during construction, in an associated Construction Work In Progress (“CWIP”) account or in a Plant In Service account upon the respective investment being deemed used and useful. The Company will follow its current policies and practices with regard to capitalizing costs, including overheads. All CEF-EV investment not recovered through a base rate case proceeding will be tracked separately from all other base investments.
28. The revenue requirement in the Next Base Rate Case or a subsequent base rate case, if

applicable, will include a return of and on the CEF-EV Regulatory Asset defined in paragraph 25 above. The return on the deferred investment will be based on the approved WACC in the Next Base Rate Case, or subsequent base rate case, adjusted for income taxes and BPU and Rate Counsel assessment fees. The return of the deferred investment will be based on the Board approved depreciation/amortization rates determined in the Next Base Rate Case or any other appropriate period approved by the Board.

29. The Company will defer incremental CEF-EV-related O&M costs as described above in paragraph 15 (“CEF-EV O&M Regulatory Asset”), with a monthly carrying charge at the prior month 2-year treasury rate plus 60 basis points, for recovery in the Company’s Next Base Rate Case. The amortization period of the CEF-EV O&M Regulatory Asset will be determined in the Next Base Rate Case.
30. The CEF-EV investment that is placed into service, but not yet reflected in customer base rates, will record a monthly accrual of a deferred return that will be capitalized and included in the plant balance. For ratemaking purposes, depreciation expense will not begin on CEF-EV investment until reflected in base rates in the Next Base Rate Case or any subsequent base rate case or rate case reopener. Since depreciation expense must be booked when the investment is placed in service for tax and financial reporting purposes, the Company will defer the depreciation in the CEF-EV investment regulatory asset.

**E. Rate Design Details**

Residential EV Rates

31. Residential customers with one or more household members who own or lease EVs can

participate in the Company's existing Rate Schedule Residential Load Management ("RLM") tariff for whole house time of use ("TOU") rates to promote EV charging during off-peak periods.

32. Alternatively, residential customers can choose to remain on the Company's existing Rate Schedule Residential Service ("RS") and, if eligible per the criteria below, effectively receive RLM on-peak and off-peak distribution energy charges exclusively for their EV usage under the "EV RLM Distribution Only Provision." This option will be issued as a credit on the customer bill on at least a quarterly basis.

- a. In order to qualify for the EV RLM Distribution Only Provision, a residential customer must install or utilize smart charging hardware and network technology of their choice from no less than two hardware vendors and two software vendors that are PSE&G-approved and is capable of sending and receiving communications via wi-fi or cellular network to PSE&G, and that is compatible with the technical needs of PSE&G's electric distribution system. Customers must also agree to share the EV Charging Data with PSE&G. Data must be available to the Company and necessary billing system changes must be in place in order for these incentives to begin. The Company agrees to implement billing system changes as soon as possible and estimates completion by the end of calendar year 2021.
- b. The EV credit will be calculated at least quarterly using the EV usage at the Rate Schedule RLM distribution rates less the EV usage billed at Rate Schedule RS distribution rates for the corresponding billing period. If the credit calculation results in charges that would be in excess of the bill calculated using the RS rate,

no adjustment for the corresponding period will be applied.

- c. For ratemaking purposes, the EV RLM Distribution Only Provision credits will be reflected as a reduction to the Rate Schedule RS distribution revenue. The credit will be applied at least quarterly to the customer bill and will indicate the corresponding period(s) for which the credit applies.
  - d. The EV RLM Distribution Only Provision for Rate Schedule RS will remain in effect until the conclusion of the Company's Next Base Rate Case.
33. The Signatory Parties agree that the Company will perform a COSS based on the EV Charging Data available to PSE&G to develop and present an EV specific rate schedule or new EV provision under the existing RS Rate Schedule in its Next Base Rate Case for residential customers. The Signatory Parties further agree that, subject to customer consent, the Company will collect EV charging data required to support the establishment of Basic Generation Service ("BGS") rates for the rate options discussed above in a future BGS proceeding.

DCFC EV Rates

34. The Signatory Parties agree that commercial customers whose sole usage is for DCFC EV charging and ancillary energy consumption (communications, area lighting, etc.) and who meet the requirements of part (a), below, will qualify for a C&I Distribution Demand Charge Rebate, as illustrated in Table 1, below, [excluding New Jersey Sales and Use Tax ("SUT")], totaling \$5 million for all qualifying customers in aggregate. The rebate will remain in effect until the \$5 million total has been reached or an EV tariff rate is established as a result of the Company's Next Base Rate Case.

- a. To qualify for the Demand Charge Rebate, a DCFC customer must agree to provide EV Charging Data to PSE&G in accordance with Paragraph 18 of this Settlement Agreement.
- b. Qualifying DCFC customers will be issued an off bill rebate quarterly that will indicate the corresponding period(s) for which the credit applies, and that will apply to a portion of the approved demand charges in the Company's General Lighting Purposes ("GLP") or Large Power Lighting – Secondary ("LPL-S") tariff, as described in paragraph 34(c) below. All rebates are contingent on timely availability of EV Charging Data for rebate calculation. The timing of rebate issuance will be as follows:
  - DCFC charging stations that enroll for the C&I Demand Charge Rebate within 90 days of a Board order approving this Settlement Agreement will be issued their first Demand Charge Rebate within 150 days from program enrollment. The first rebate issued will apply to demand charges incurred beginning with the first billing cycle following the Board's approval order, assuming EV Charging Data is available to support the rebate calculation, or for the billing periods for which EV Charging Data is available. Demand Charge Rebates will be issued quarterly thereafter.
  - DCFC charging stations that enroll for the C&I Demand Charge Rebate more than 90 days following the Board's order approving this Settlement Agreement will be issued their first Demand Charge Rebate by the end of the first quarter following their enrollment for demand charges incurred

beginning with the first billing cycle following enrollment, assuming EV Charging Data is available to support the rebate calculation, or for the billing periods for which EV Charging Data is available. Demand Charge Rebates will be issued quarterly thereafter.

- c. For years one and two of the Program, the monthly distribution demand charges will be rebated by 75%. For years three and until new rates become effective from the Company's Next Base Rate Case or the \$5 million budget is depleted, monthly distribution demand charges will be rebated by 50%. The effective rebated rates based upon current rates are shown in the table below. To the extent the GLP and LPL-S distribution demand charges change in response to non-base rate case rate adjustments applicable to all rates (such as infrastructure adjustments, NJ SUT, etc.), the rebated demand charges will be adjusted to maintain the same percentage relationship to the GLP or LPL-S rates, as applicable.

Table 1: Effective DCFC C&I Demand Charges After Rebate Based Upon Current Rates

Season	# of Months	EV Provision			
		Monthly Distribution Demand Charge (\$/kW)			
		Years 1-2		Year 3 - Eff date of Rates, Next Base Case	
		GLP	LPL-S (on-peak)	GLP	LPL-S (on-peak)
Summer	4	2.4687	2.2374	4.9373	4.4748
Annual	12	0.9845	0.9404	1.9689	1.8809

Rates are inclusive of the NJ SUT at the current rate.

- d. Participants do not need to enroll-in the Make-Ready provisions of the Company's DCFC EV program to be eligible for the C&I Demand Charge Rebate.

- e. Both new and existing DCFC Charging Locations are eligible for the C&I Demand Charge Rebate.

35. The Signatory Parties agree that the Company will perform a COSS based on the EV Charging Data available to PSE&G to develop and present a non-residential EV specific rate schedule or new EV provision under existing non-residential rate schedules in its Next Base Rate Case for commercial customers. The Signatory Parties further agree, subject to customer consent, to collect agreed-upon EV data required to support the establishment of BGS rates for rate options discussed above in a future BGS proceeding.

**F. Third Party Data Access Plan**

36. Upon consent, Customers may choose to, but are not required to, share their EV Charging Data, including the number of charging events, times, duration, usage and load profile with other third parties including for example, but not limited to third party suppliers (TPSs) and energy services market participants. A Customer's consent to provide EV Charging Data with PSE&G as a condition of service or eligibility for the Company's EV programs to facilitate a COSS or Distribution Grid Impact Study does not constitute consent to provide data to third parties for other, non-Company purposes. The Signatory Parties acknowledge that a customer's EV Charging Data may constitute confidential or proprietary data in accordance with New Jersey laws and regulations and agree to treat any such data in accordance with applicable laws and regulations.
37. The development of an EV Charging Data access plan to facilitate third party access to Customer EV Charging Data ("Third Party Data Access Plan") shall be deferred pending

the final outcome of the statewide proceeding at Docket No. QO20050357 and the resulting rulemaking process related to the MFRs for light-duty EVs. If that statewide proceeding does not produce a Board-approved Third Party Data Access Plan within 300 days of a BPU Order approving PSE&G's CEF-EVES Petition, then within 60 days after that period, BPU Staff, with the assistance of PSE&G, will convene at least one (1) meeting with the parties to discuss the data access issues raised by the Market Participants in this proceeding. The data access issues included in testimony submitted by the Market Participants and PSE&G in this proceeding may be supplemented at that time. The Signatory Parties agree to use best efforts to reach agreement on third party EV Charging Data access within 120 days of the initial stakeholder meeting. Consideration of the Third Party Data Access Plan shall include evaluation of data aggregation provisions and reporting requirements, which may include, but are not limited to, location (latitude/longitude), charging session duration, session frequencies, load curves, and utilization of home charging. If there is no agreement on the third party data access issues within 120 days, this proceeding will be reopened for the limited purpose of adjudicating data access issues, and the parties may supplement the record on third party data access issues at that time.

**G. Distribution Grid Impact Study**

38. The Company will perform a DGIS and submit it to the Board as part of the Integrated Distribution Plan ("IDP") required under New Jersey's Energy Master Plan. The IDP will consider, *inter alia*, the impact of anticipated growth in EV charging on the Company's electric distribution system.

**H. Vehicle Innovation and Energy Storage Program**

39. The proposals advanced by PSE&G in this proceeding concerning a Vehicle Innovation subprogram and Energy Storage Program will be held in abeyance in this proceeding pending a future proceeding that will be commenced by the Board in 2021 to address policy guidance related to medium- and heavy-duty trucks and busses charging infrastructure and battery storage. Nothing in this Settlement Agreement shall prejudice the Company's rights to advance these or other programs relating to medium- and heavy-duty battery electric trucks and school buses charging infrastructure or energy storage in future proceedings.

**I. Applicable Public Funding**

40. If funding or credits from any subsequent state or federal action or program becomes available to the Company through the federal government, State of New Jersey, a County or Municipality for installation or project reimbursement, the Company agrees that any such funds or credits applicable to work related to any of the CEF-EV sub-programs referenced in this Stipulation will be used to benefit customers by offsetting the costs for which recovery will be sought to the extent permitted by law. The Company will also require program participants to disclose if they are seeking public funding, and in no case shall the combination of 1) any Federal funding, 2) other State, any other Government entity, or New Jersey Clean Energy Program incentive funding, and 3) incentives provided as part of this approved program (excluding program incentive financing) fund 90% of an installation or project's costs through rebates or other direct incentives at the time of installation. If it is determined that an installation or project would be funded through 90%

rebates or incentives the Signatory Parties agree that, subject to any restrictions set forth in the enabling law and other applicable law, incentive funding approved as part of this program shall be reduced to bring the total rebates and incentives under 90% of the program costs. The determination of the funding sources for a project shall be based on a certification by the program customer or participant. Nothing in this paragraph shall reduce the Company's ability to invest up to \$166.2 million pursuant to the program, as described in Paragraphs 15 and 16 above. Additionally, the Company may increase the number of sites eligible for incentives as described in paragraph 16, above, to the extent necessary to meet this level of investment if the application of this paragraph results in excess available CEF-EV program funding.

#### **FURTHER PROVISIONS**

41. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, any Party aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right, upon written notice, to be provided to all other parties within 10 days after receipt of any such adverse decision, to litigate all issues addressed herein to a conclusion. More particularly, in the event this Stipulation is not adopted in its entirety by the Board, in any applicable Order(s), then any Party hereto is free to pursue its then available legal remedies with respect to all issues addressed in this Stipulation as though this Stipulation had not been signed.

42. It is the intent of the Signatory Parties that the provisions herein be approved by the Board as being in the public interest. The Signatory Parties further agree that they consider the Stipulation to be binding on them for all purposes herein.
43. It is specifically understood and agreed that this Stipulation represents a negotiated agreement and has been made exclusively for the purpose of these proceedings. Except as expressly provided herein, Public Service, Board Staff, Rate Counsel and all other Signatory Parties shall not be deemed to have approved, agreed to, or consented to any principle or methodology underlying or supposed to underlie any agreement provided herein, in total or by specific item. The Signatory Parties further agree that this Stipulation is in no way binding upon them in any other proceeding, and that execution of the Stipulation does not represent a waiver of any rights of Signatory Parties with regard to any other existing or future proceeding including but not limited to the Next Base Rate Case and BGS proceedings, except to enforce the terms of this Stipulation.
44. The Signatory Parties further acknowledge that a Board Order approving this Stipulation will become effective upon the service of said Board Order, or upon such date after the service thereof as the Board may specify, in accordance with N.J.S.A. 48:2-40.

WHEREFORE, the Signatory Parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY

NEW JERSEY DIVISION OF RATE COUNSEL

BY: Matthew Weissman  
Matthew M. Weissman  
Managing Counsel – State Regulatory

BY: Brian O. Lipman  
Stefanie A. Brand     Brian O. Lipman  
Director                Litigation Manager

DATED: January 14, 2020

DATED: January 15, 2020

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
for the Staff of the Board of Public  
Utilities

NEW JERSEY LARGE ENERGY USERS  
COALITION

BY: Matko Ilic  
Matko Ilic  
Deputy Attorney General

BY: \_\_\_\_\_  
Steven Goldenberg  
Giordano Halleran & Ciesla, P.A.

DATED: January 15, 2021

DATED: \_\_\_\_\_

CLIMATE CHANGE MITIGATION  
TECHNOLOGIES LLC

MID-ATLANTIC SOLAR & STORAGE  
INDUSTRIES ASSOCIATION

BY: \_\_\_\_\_  
Matthew S. Slowinski  
Slowinski Atkins LLP

BY: \_\_\_\_\_  
Matthew S. Slowinski  
Slowinski Atkins LLP

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

**WHEREFORE**, the Signatory Parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY



BY: \_\_\_\_\_  
Matthew M. Weissman  
Managing Counsel – State Regulatory

DATED: January 14, 2020

NEW JERSEY DIVISION OF RATE COUNSEL

BY: \_\_\_\_\_  
Stefanie A. Brand  
Director

DATED: \_\_\_\_\_

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
for the Staff of the Board of Public  
Utilities

BY: \_\_\_\_\_  
Matko Ilic  
Deputy Attorney General

DATED: \_\_\_\_\_

NEW JERSEY LARGE ENERGY USERS  
COALITION



BY: \_\_\_\_\_  
Steven Goldenberg  
Giordano Halleran & Ciesla, P.A.

DATED: \_\_\_\_\_

CLIMATE CHANGE MITIGATION  
TECHNOLOGIES LLC

BY: \_\_\_\_\_  
Matthew S. Slowinski  
Slowinski Atkins LLP

DATED: \_\_\_\_\_

MID-ATLANTIC SOLAR & STORAGE  
INDUSTRIES ASSOCIATION


BY: \_\_\_\_\_  
Matthew S. Slowinski  
Slowinski Atkins LLP

DATED: \_\_\_\_\_

**WHEREFORE**, the Signatory Parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving it in its entirety, in accordance with the terms hereof, as soon as reasonably possible.

PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY

NEW JERSEY DIVISION OF RATE COUNSEL

BY:   
Matthew M. Weissman  
Managing Counsel – State Regulatory

BY: \_\_\_\_\_  
Stefanie A. Brand  
Director

DATED: January 14, 2020

DATED: \_\_\_\_\_

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
for the Staff of the Board of Public  
Utilities

NEW JERSEY LARGE ENERGY USERS  
COALITION

BY: \_\_\_\_\_  
Matko Ilic  
Deputy Attorney General

BY: \_\_\_\_\_  
Steven Goldenberg  
Giordano Halleran & Ciesla, P.A.

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

CLIMATE CHANGE MITIGATION  
TECHNOLOGIES LLC

MID-ATLANTIC SOLAR & STORAGE  
INDUSTRIES ASSOCIATION

BY: s/Matthew S. Slowinski  
Matthew S. Slowinski, Esq.  
SLOWINSKI ATKINS, LLP

BY: s/Matthew S. Slowinski  
Matthew S. Slowinski, Esq.  
SLOWINSKI ATKINS, LLP

DATED: January 19, 2021

DATED: January 19, 2021

ENEL X NORTH AMERICA, INC.  
AND ELECTRIC MOTOR WORKS, INC.

BY:   
William Harla  
Decottiis, FitzPatrick, Cole & Giblin LLP

BY: \_\_\_\_\_

DATED: 01/15/2021

BURNS & MCDONNELL ENGINEERING  
COMPANY, INC.

BY: \_\_\_\_\_  
James H. Laskey  
Norris McLaughlin, P.A.

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

SUNRUN, INC.

BY: \_\_\_\_\_  
Lauri A. Mazzuchetti  
Kelley Drye & Warren, LLP

DATED: \_\_\_\_\_

POWER EDISON, LLC

BY:   
Umar A. Sheikh  
Offit Kurman

DATED: 1/15/2021

DIRECT ENERGY BUSINESS, LLC;  
DIRECT ENERGY BUSINESS  
MARKETING, LLC; DIRECT ENERGY  
SERVICES, LLC; GATEWAY ENERGY  
SERVICES CORPORATION; NRG ENERGY, INC.,  
JUST ENERGY GROUP INC., AND CENTRICA  
BUSINESS SOLUTIONS  
(collectively, "MARKET PARTICIPANTS")

BLUE BIRD BODY COMPANY

BY: \_\_\_\_\_  
Christopher Torkelson  
Eckert Seamans Cherin & Mellott LLC

DATED: \_\_\_\_\_

BY: \_\_\_\_\_  
Paul Yousif  
Vice President, General Counsel  
and Treasurer

DATED: \_\_\_\_\_

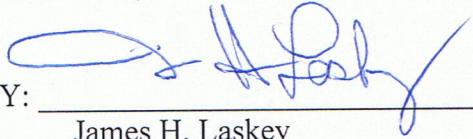
ENEL X NORTH AMERICA, INC.  
AND ELECTRIC MOTOR WORKS, INC.

BY: \_\_\_\_\_  
William Harla  
Decottiis, FitzPatrick, Cole & Giblin LLP

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

BURNS & MCDONNELL ENGINEERING  
COMPANY, INC.

BY:  \_\_\_\_\_  
James H. Laskey  
Norris McLaughlin, P.A.

BY: \_\_\_\_\_

DATED: January 15, 2021

SUNRUN, INC.

BY: \_\_\_\_\_  
Lauri A. Mazzuchetti  
Kelley Drye & Warren, LLP

DATED: \_\_\_\_\_

POWER EDISON, LLC

BY: \_\_\_\_\_  
Umar A. Sheikh  
Offit Kurman

DATED: \_\_\_\_\_

DIRECT ENERGY BUSINESS, LLC;  
DIRECT ENERGY BUSINESS  
MARKETING, LLC; DIRECT ENERGY  
SERVICES, LLC; GATEWAY ENERGY  
SERVICES CORPORATION; NRG ENERGY, INC.,  
JUST ENERGY GROUP INC., AND CENTRICA  
BUSINESS SOLUTIONS  
(collectively, "MARKET PARTICIPANTS")

BY: \_\_\_\_\_  
Christopher Torkelson  
Eckert Seamans Cherin & Mellott LLC

DATED: \_\_\_\_\_

BLUE BIRD BODY COMPANY

BY: \_\_\_\_\_  
Paul Yousif  
Vice President, General Counsel  
and Treasurer

DATED: \_\_\_\_\_

ENEL X NORTH AMERICA, INC.  
AND ELECTRIC MOTOR WORKS, INC.

BURNS & MCDONNELL ENGINEERING  
COMPANY, INC.

BY: \_\_\_\_\_  
William Harla  
Decottiis, FitzPatrick, Cole & Giblin LLP

BY: \_\_\_\_\_  
James H. Laskey  
Norris McLaughlin, P.A.

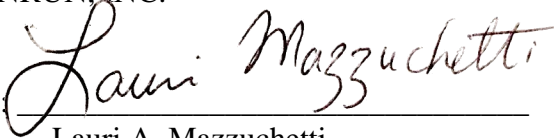
BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

SUNRUN, INC.

BY:  \_\_\_\_\_  
Lauri A. Mazzuchetti  
Kelley Drye & Warren, LLP

POWER EDISON, LLC

BY: \_\_\_\_\_  
Umar A. Sheikh  
Offit Kurman

DATED: 1/19/21 \_\_\_\_\_

DATED: \_\_\_\_\_

DIRECT ENERGY BUSINESS, LLC;  
DIRECT ENERGY BUSINESS  
MARKETING, LLC; DIRECT ENERGY  
SERVICES, LLC; GATEWAY ENERGY  
SERVICES CORPORATION; NRG ENERGY, INC.,  
JUST ENERGY GROUP INC., AND CENTRICA  
BUSINESS SOLUTIONS  
(collectively, "MARKET PARTICIPANTS")

BLUE BIRD BODY COMPANY

BY: \_\_\_\_\_  
Christopher Torkelson  
Eckert Seamans Cherin & Mellott LLC

BY: \_\_\_\_\_  
Paul Yousif  
Vice President, General Counsel  
and Treasurer

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

ENEL X NORTH AMERICA, INC.  
AND ELECTRIC MOTOR WORKS, INC.

BY: \_\_\_\_\_  
William Harla  
Decottiis, FitzPatrick, Cole & Giblin LLP

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

BURNS & MCDONNELL ENGINEERING  
COMPANY, INC.

BY: \_\_\_\_\_  
James H. Laskey  
Norris McLaughlin, P.A.

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

SUNRUN, INC.

BY: \_\_\_\_\_  
Lauri A. Mazzuchetti  
Kelley Drye & Warren, LLP

DATED: \_\_\_\_\_

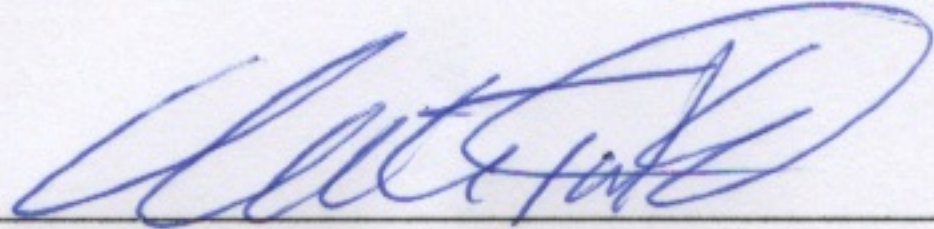
POWER EDISON, LLC

BY: \_\_\_\_\_  
Umar A. Sheikh  
Offit Kurman

DATED: \_\_\_\_\_

DIRECT ENERGY BUSINESS, LLC;  
DIRECT ENERGY BUSINESS  
MARKETING, LLC; DIRECT ENERGY  
SERVICES, LLC; GATEWAY ENERGY  
SERVICES CORPORATION; NRG ENERGY, INC.,  
JUST ENERGY GROUP INC., AND CENTRICA  
BUSINESS SOLUTIONS

(collectively, "MARKET PARTICIPANTS")

BY:  \_\_\_\_\_  
Christopher Torkelson  
Eckert Seamans Cherin & Mellott LLC

DATED: 1-15-2021

BLUE BIRD BODY COMPANY

BY: \_\_\_\_\_  
Paul Yousif  
Vice President, General Counsel  
and Treasurer

DATED: \_\_\_\_\_

ENEL X NORTH AMERICA, INC.  
AND ELECTRIC MOTOR WORKS, INC.

BY: \_\_\_\_\_  
William Harla  
Decottiis, FitzPatrick, Cole & Giblin LLP

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

BURNS & MCDONNELL ENGINEERING  
COMPANY, INC.

BY: \_\_\_\_\_  
James H. Laskey  
Norris McLaughlin, P.A.

BY: \_\_\_\_\_

DATED: \_\_\_\_\_

SUNRUN, INC.

BY: \_\_\_\_\_  
Lauri A. Mazzuchetti  
Kelley Drye & Warren, LLP

DATED: \_\_\_\_\_

POWER EDISON, LLC

BY: \_\_\_\_\_  
Umar A. Sheikh  
Offit Kurman


DATED: \_\_\_\_\_

DIRECT ENERGY BUSINESS, LLC;  
DIRECT ENERGY BUSINESS  
MARKETING, LLC; DIRECT ENERGY  
SERVICES, LLC; GATEWAY ENERGY  
SERVICES CORPORATION; NRG ENERGY, INC.,  
JUST ENERGY GROUP INC., AND CENTRICA  
BUSINESS SOLUTIONS  
(collectively, "MARKET PARTICIPANTS")

BLUE BIRD BODY COMPANY

BY: \_\_\_\_\_  
Christopher Torkelson  
Eckert Seamans Cherin & Mellott LLC

DATED: \_\_\_\_\_

BY: \_\_\_\_\_  
  
Paul Yousif  
Vice President, General Counsel  
and Treasurer

DATED: 1-15-21

CHARGEPOINT, INC.

BY: Murray E. Bevan  
Murray E. Bevan  
Bevan Mosca & Guiditta, P.C.

DATED: Jan. 15, 2021

TESLA, Inc.

BY: \_\_\_\_\_  
Kevin Auerbacher  
Managing Counsel

DATED: \_\_\_\_\_

EVGO SERVICES, LLC

BY: \_\_\_\_\_  
Martin C. Rothfelder  
Rothfelder Stern L.L.C.


DATED: \_\_\_\_\_

CHARGEPOINT, INC.

BY: \_\_\_\_\_  
Murray E. Bevan  
Bevan Mosca & Guiditta, P.C.

DATED: \_\_\_\_\_

TESLA, Inc.

BY:  \_\_\_\_\_  
Kevin Auerbacher  
Managing Counsel

DATED: January 15, 2021

EVGO SERVICES, LLC

BY: \_\_\_\_\_  
Martin C. Rothfelder  
Rothfelder Stern L.L.C.

DATED: \_\_\_\_\_

CHARGEPOINT, INC.

TESLA, Inc.

BY: \_\_\_\_\_  
Murray E. Bevan  
Bevan Mosca & Guiditta, P.C.

BY: \_\_\_\_\_  
Kevin Auerbacher  
Managing Counsel

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

EVGO SERVICES, LLC

BY: Martin C. Rothfelder  
Martin C. Rothfelder  
Rothfelder Stern L.L.C.

DATED: 01/15/2021