



Agenda Date: 7/13/22  
Agenda Item: 2F

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 1<sup>st</sup> Floor**  
**Post Office Box 350**  
**Trenton, New Jersey 08625-0350**  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

ENERGY

IN THE MATTER OF THE LETTER PETITION OF )  
ATLANTIC CITY ELECTRIC COMPANY REQUESTING )  
APPROVAL OF ITS RIDER REMOTE NET )  
ENERGY METERING (“RNEM”) TARIFF PURSUANT )  
TO N.J.A.C. 14:1-5.11 AND N.J.A.C. 14:3-1.3 )

ORDER

DOCKET NO. ET21101152

**Parties of Record:**

**Brian O. Lipman, Esq., Director**, New Jersey Division of Rate Counsel  
**Cynthia L.M. Holland, Esq.**, Assistant General Counsel, on behalf of Petitioner, Atlantic City Electric Company

BY THE BOARD:

On October 1, 2021, Atlantic City Electric Company (“ACE” or “Company”) filed a letter petition with the New Jersey Board of Public Utilities (“Board”) pursuant to N.J.A.C. 14:1-5.11 and N.J.A.C. 14:3-1.3 seeking approval of the Company’s proposed Rider Remote Net Metering (“RNM”) Tariff (“Letter Petition”). By this Order, the Board considers ACE’s Letter Petition requesting approval of the Company’s Rider RNM Tariff.

**BACKGROUND AND PROCEDURAL HISTORY**

Remote net metering (“RNM”) was authorized in New Jersey as part of the Clean Energy Act, codified at N.J.S.A. 48:3-87.12. In accordance with N.J.S.A. 48:3-87.12, the Board approved a RNM process on September 17, 2018.<sup>1</sup> The Board-approved process defines “public entity,” for purposes of RNEM eligibility, consistent with the list of entities identified as eligible for aggregated net metering in the Solar Act of 2012 (L. 2012, c. 24). Additionally, the Board-approved process defines a “host customer” as a public entity that proposes to host a solar electric generation facility on their property, while “entities designated to receive credits,” or “receiving customers,” are public entities located in the same Electric Distribution Company (“EDC”) territory as the host customer. Both the host customer and the receiving customer must be a “customer of record” of the same EDC.

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<sup>1</sup> In re the Remote Net Metering Application Filed Pursuant To The Board's Application And Approval Process Implementing Provisions Of The Clean Energy Act Of 2018, BPU Docket No. QO18070697, Order dated September 17, 2018 (“2018 RNM Order”).

Based upon the 2018 RNM Order, the host customer must agree to the installation of a revenue grade production meter, which will be used to record the solar generation at the host site. On a monthly basis, the Company will use the metered kilowatt-hour (“kWh”) data produced by the solar electric generation facility on the host customer property to calculate the credits due to receiving customers. The apportioned amount of solar electricity generated in kWh, the gross amount of electricity consumed and the net amount of kWh after credit allocation will be identified on the monthly electric bills of the designated receiving customer account.

The Board has set the value of an RNM credit to reflect a rough approximation of the generation, transmission, and distribution value of a kWh produced by the solar electric generation facility. Each credited kWh for a receiving customer(s) offsets all the variable kWh charges of a receiving customer(s), except for the SBC, but does not offset any fixed or demand charges.

Under N.J.A.C. 14:3-1.3(a), “[e]ach public utility shall, prior to offering a utility service to the public, submit a tariff or tariff amendments to the Board for approval, with an electronic copy to Rate Counsel.” In the Letter Petition, ACE asserted that the proposed Rider RNM Tariff is consistent with the law and will provide clarity into the application approval process for the public entity customers seeking this service.

On November 24, 2021, Intersect Energy, LLC (“Intersect”) submitted comments objecting to various portions of ACE’s proposed tariff language. Intersect noted that ACE’s proposed tariff language departs from the Jersey Central Power & Light Company’s Board approved tariff language in a few places and asserted that ACE’s language departs from what is authorized in the Clean Energy Act, the Board’s Net Metering Rules, and the Board’s Remote Net Metering and Solar Transition Orders.

The Company, the New Jersey Division of Rate Counsel (“Rate Counsel”), Board Staff (“Staff”), and Intersect met to discuss the proposed RNM Tariff language. On March 16, 2022, ACE submitted a revised RNM Tariff.

On June 15, 2022, Staff provided ACE with proposed non-substantive language changes to the revised RNM Tariff, which ACE agreed to incorporate. On June 24, 2022, Rate Counsel submitted comments to the Board noting the below proposed addition to ACE’s revised RNM Tariff, as previously provided by Staff to the Company on June 15, 2022, more accurately reflects the consensus reached by the parties.

Specifically, Rate Counsel indicated that it “has no objection to the Board’s approval of the tariff as reflected in ACE’s March 16, 2022 filing, provided the next-to-last sentence of the third paragraph of the proposed tariff is amended to read as follows:

The Company, contingent on the cooperation of the Public Entity Applicant(s), will continue to perform any additional technical processing of the eligible public entities’ interconnection application, subject to the Board’s final approval of denial.”

**DISCUSSION AND FINDINGS**

After careful review of the Letter Petition, Rate Counsel's Comments and the proposed RNM Tariff, the Board **FINDS** the RNM Tariff to be reasonable and in accordance with N.J.S.A. 48:3-87.12 as well as the Board's regulations at N.J.A.C. 14:1-5.11 and N.J.A.C. 14:3-1.3. The Board **FURTHER FINDS** the proposed RNM Tariff will clarify and update the process to be followed by customers who qualify for remote net metering. Moreover, as represented by the Company, the tariff conforms to current law and will not affect customer rates. Therefore, the Board **HEREBY APPROVES** the proposed RNM Tariff subject incorporation of the revision enumerated in Rate Counsel's June 24, 2022 correspondence described above.

The Company is **HEREBY DIRECTED** to file tariff sheets consistent with this Order by July 30, 2022 to become effective August 1, 2022. The Board **HEREBY DIRECTS** Staff to review the compliance tariff filings for consistency with this Order.

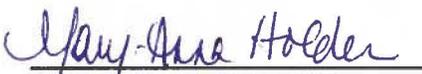
The Company's rates remain subject to audit by the Board. This Decision and Order shall not preclude the Board from taking any actions deemed to be appropriate as a result of any Board audit.

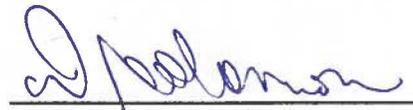
This Order shall be effective on July 20, 2022.

DATED: July 13, 2022

BOARD OF PUBLIC UTILITIES  
BY:

  
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JOSEPH L. FIORDALISO  
PRESIDENT

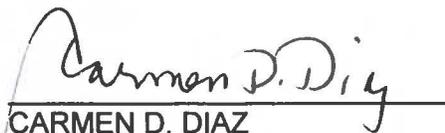
  
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MARY-ANNA HOLDEN  
COMMISSIONER

  
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UPENDRA J. CHIVUKULA  
COMMISSIONER

  
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ROBERT M. GORDON  
COMMISSIONER

ATTEST:

  
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CARMEN D. DIAZ  
ACTING SECRETARY

IN THE MATTER OF THE LETTER PETITION OF ATLANTIC CITY ELECTRIC COMPANY  
REQUESTING APPROVAL OF ITS RIDER REMOTE NET ENERGY METERING  
("RNEM") TARIFF PURSUANT TO N.J.A.C. 14:1-5.11 AND N.J.A.C. 14:3-1.3  
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