



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

ENERGY AND CLEAN ENERGY

IN THE MATTER OF THE PETITION OF ATLANTIC) ORDER
CITY ELECTRIC COMPANY FOR APPROVAL OF AN)
ENERGY EFFICIENCY PROGRAM, COST)
RECOVERY MECHANISM, AND OTHER RELATED)
RELIEF FOR PLAN YEARS ONE THROUGH THREE) DOCKET NO. EO20090621

Parties of Record:

Brian Lipman, Esq., Director, New Jersey Division of Rate Counsel
Philip J. Passanante, Esq., Assistant General Counsel, Atlantic City Electric Company
Nathan Howe, Esq., Counsel for the Energy Efficiency Alliance of New Jersey
Eric Miller, Esq., Counsel for the Natural Resources Defense Council

BY THE BOARD:

BACKGROUND AND PROCEDURAL HISTORY

On April 27, 2021, the New Jersey Board of Public Utilities (“Board”) issued an Order approving a stipulation of settlement (“Stipulation”) regarding Atlantic City Electric Company’s (“ACE” or “Company”) three (3)-year Energy Efficiency Program (“EE Program”) with a budget of approximately \$96.1 million (“EE Program”).¹ In the Stipulation approved by the April 2021 Order, ACE agreed to combine its current component filings as it relates to Rider Regional Greenhouse Gas Initiative (“RGGI”) into one (1) annual filing beginning in 2023. The component filings include: the Solar Renewable Energy Certificate (“SREC”), the Transition Renewable Energy Certificate (“TREC”) and the EE Surcharge.²

Via correspondence dated January 17, 2023, ACE stated that combining the reconciliation of its EE Program with its other Rider RGGI programs should await the conclusion of the initial three (3) year EE Plan due to the budgetary structure of the EE Program.³ However, ACE stated that

¹ In re the Implementation of L. 2018, C. 17 Regarding the Establishment of Energy Efficiency and Peak Demand Reduction Programs, BPU Docket No. QO19010040, and In re the Petition of Atlantic City Electric Company for Approval of an Energy Efficiency Program, Cost Recovery Mechanism, and Other Related Relief for Plan Years One Through Three, BPU Docket No. EO20090621, Order dated April 27, 2021 (“April 2021 Order”).

² In July 2023, the Company will also include in the combined filing its Community Solar program.

³ ACE filed this under the incorrect docket number “ER20090621.”

it would be willing to include the 2023 reconciliation of its EE Program with its annual Rider RGGI filing beginning July 2023. ACE stated that this request would require the Board to provide written communication to the Company, with notice to the New Jersey Division of Rate Counsel ("Rate Counsel"). Specifically, ACE requested that the Board agree to waive or adjust the requirement that the Company must file to adjust its EE Surcharge component of Rider RGGI no later than February 28 of each year.

On February 2, 2023, Rate Counsel filed a letter with the Board stating that it did not object to Board approval of ACE's request.

DISCUSSION AND FINDINGS

After a thorough examination of the record in this proceeding, including prior Board Orders and stipulations pertaining thereto, and based on the Board's review and consideration of ACE's request, the Board **HEREBY GRANTS** ACE's request to include the costs associated with the EE Program in its annual RGGI filing to be made in July 2023.

The effective date of this Order is February 24, 2023.

DATED: February 17, 2023

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT

MARY-ANNA HOLDEN
COMMISSIONER

DIANNE SOLOMON
COMMISSIONER

ROBERT M. GORDON
COMMISSIONER

DR. ZENON CHRISTODOULOU
COMMISSIONER

ATTEST:



CARMEN D. DIAZ
ACTING SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities.

IN THE MATTER OF THE PETITION OF ATLANTIC CITY ELECTRIC COMPANY FOR
APPROVAL OF AN ENERGY EFFICIENCY PROGRAM, COST RECOVERY MECHANISM,
AND OTHER RELATED RELIEF FOR PLAN YEARS ONE THROUGH THREE

DOCKET NO. EO20090621

SERVICE LIST

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