



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 9th Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

CLEAN ENERGY

IN THE MATTER OF THE CLEAN ENERGY ORDER ) ORDER  
FOR FISCAL YEAR 2020 – 4<sup>th</sup> BUDGET REVISION )  
 ) DOCKET NO. QO19050645

**Parties of Record:**

- Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel
- Philip J. Passanante, Esq.**, Atlantic City Electric Company
- Joshua R. Eckert, Esq.**, Jersey Central Power and Light Company
- Andrew K. Dembia, Esq.**, New Jersey Natural Gas Company
- Matthew M. Weissman, Esq.**, Public Service Electric and Gas Company
- Margaret Comes, Esq.**, Rockland Electric Company
- Deborah M. Franco, Esq.**, Elizabethtown Gas Company and South Jersey Gas Company
- Michael Ambrosio**, TRC Energy Services

BY THE BOARD:

This Order memorializes action taken by the Board of Public Utilities (“Board” or “BPU”) at its September 9, 2020 public meeting, where the Board considered the fourth proposed revisions to the FY20 budget for New Jersey’s Clean Energy Program (“NJCEP”).

**BACKGROUND AND PROCEDURAL HISTORY**

On February 9, 1999, the Electric Discount and Energy Competition Act (“EDECA” or “Act”), N.J.S.A. 48:3-49 *et seq.*, was signed into law, creating the societal benefits charge (“SBC”) to fund programs for the advancement of energy efficiency (“EE”) and renewable energy (“RE”) in New Jersey. The Act also provided for the Board to initiate proceedings and undertake a comprehensive resource analysis (“CRA”) of EE and RE programs in New Jersey every four years. The CRA would then be used to determine the appropriate level of funding over the next four years for EE and Class I RE programs, which are part of what is now known as NJCEP. Accordingly, in 1999, the Board initiated its first CRA proceeding, and in 2001, it issued an order setting funding levels, the programs to be funded, and the budgets for those programs, all for the years 2001 through 2003. Since then, the Board has issued numerous Orders setting the funding levels, related programs, and program budgets for the years 2004 – FY20.<sup>1</sup>

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<sup>1</sup> In the early years, the budgets and programs were based on calendar years, but in 2012, the Board determined to begin basing the budgets and programs on fiscal years in order to align with the overall State budget cycle.

The Board originally established FY20 programs and program budgets through a Board Order dated June 21, 2019, trued up and revised them through a Board Order dated January 8, 2020,<sup>2</sup> revised them for a second time through an April 6, 2020 Board Order, extended them through a July 2, 2020 Board Order, extended them for a second time through a July 15, 2020 Board Order, and extended the fiscal year and made third budget reallocations through a July 29, 2020 Board Order.

Additionally, due to the COVID-19 pandemic, on April 14, 2020, Governor Phil Murphy signed into law a bill that extended the State's current FY20 to September 30, 2020.

## **PROPOSED FY20 FOURTH BUDGET REALLOCATIONS**

### **REALLOCATIONS AND RATIONALE FOR PROGRAMS ADMINISTERED BY THE DIVISION OF CLEAN ENERGY**

#### **Microgrids:**

The next phase for the Microgrid program, previously anticipated for award in FY20, will not issue before September 30, 2020; therefore, the budget will not be utilized during this fiscal year and will be reduced by \$4,000,000.

#### **Sponsorships:**

In order to continue to fund yearly memberships that are due each July, Board Staff ("Staff") recommends increasing this budget item by \$60,000 to cover these costs.

#### **Storage:**

Staff is still in the process of developing recommendations for an energy storage program, and funds of \$4,105,000 will not be needed in FY20. Therefore, Staff recommends reallocating these funds to be used elsewhere.

#### **Electric Vehicles:**

Robust participation in this program has exceeded prior forecasts. Given ongoing application trends, Staff recommends adding \$1,700,000 to ensure that the program can continue to process applications.

#### **R&D Energy Tech Hub:**

Staff recommends reallocating funds of \$250,000, which are not needed for the Tech Hub, out of the total \$1,500,000 FY20 budget to be used for programs that are currently offering incentives for energy efficiency measures.

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<sup>2</sup> I/M/O the Clean Energy Programs and Budget for FY20, BPU Docket No. QO19050645 (June 21, 2019); I/M/O the Clean Energy Programs and Budget for FY20, BPU Docket No. QO19050645 (January 8, 2020); I/M/O the Clean Energy Programs and Budget for FY20, BPU Docket No. QO19050645 (April 6, 2020); I/M/O the Fiscal Year 2020 Clean Energy Budget - Extension, BPU Docket No. QO19050645 (July 2, 2020); I/M/O the Fiscal Year 2020 Clean Energy Budget - Extension, BPU Docket No. QO19050645 (July 15, 2020).

## **REALLOCATIONS AND RATIONALE FOR PROGRAMS ADMINISTERED BY TRC**

### **Residential Existing Homes:**

As a result of current applications and spending trends, Staff recommends increasing the budget by \$2,700,000 in order to ensure that the program will continue accepting and processing applications through September 2020.

### **Residential New Construction:**

Staff has continued to review new and current applications and proposes increasing the budget by \$700,000.

### **Energy Efficiency Products:**

Due to the Appliance Recycling program and the Retail Lighting initiative being on hold for a period of time due to COVID-19 related issues, Staff recommends reducing the budget by \$500,000 so that funding can be used for the continuation of other programs.

### **Commercial and Industrial Buildings:**

In order to support unexpected rebound and increase in new applications, Staff recommends increasing the budget by \$5,010,000.

### **Local Government Energy Audits:**

Due to an increase in applications, Staff recommends adding an additional \$550,000 to continue the program through September.

### **Direct Install:**

Trends indicate that the Direct Install program will have excess funds; therefore, Staff recommends reducing the budget by \$1,250,000.

### **Renewable Storage:**

The FY20 budget had reserved \$140,000 for one remaining project that has since expired; Staff recommends adding this funding to allow for continuation of other programs.

### **Outreach, Website, Other:**

Due to reductions in Outreach staff participating in conferences and other events, the remaining funds of \$475,000 will not be utilized in FY20, and Staff recommends reallocating these funds for the continuation of other programs through September 2020.

**REVISED BUDGET TABLE:**

The following tables show the FY20 fourth budget revisions:

FY 2020 Budget Reallocation		Cost Category Budgets					
Program/Budget Line	Total Budget	Administration	Sales, Marketing, Website	Training	Rebates, Grants and Other Direct Incentives	Rebate Processing and QA	Evaluation
<b>Total -NJCEP + State Initiatives</b>	<b>560,087,029.42</b>	<b>30,094,524.53</b>	<b>12,415,959.90</b>	<b>7,971,665.63</b>	<b>482,997,336.64</b>	<b>15,110,898.14</b>	<b>11,496,644.58</b>
State Energy Initiatives	102,328,074.42	0.00	0.00	0.00	102,328,074.42	0.00	0.00
<b>Total NJCEP</b>	<b>457,758,955.00</b>	<b>30,094,524.53</b>	<b>12,415,959.90</b>	<b>7,971,665.63</b>	<b>380,669,262.22</b>	<b>15,110,898.14</b>	<b>11,496,644.58</b>
<b>EE Programs</b>	<b>380,237,257.27</b>	<b>19,161,887.96</b>	<b>1,901,091.90</b>	<b>1,484,165.63</b>	<b>344,172,623.03</b>	<b>13,450,842.61</b>	<b>66,646.14</b>
<b>Res EE Programs</b>	<b>83,454,228.70</b>	<b>6,844,074.38</b>	<b>217,534.50</b>	<b>510,000.00</b>	<b>68,414,675.34</b>	<b>7,467,944.48</b>	<b>0.00</b>
Residential Retrofit	36,389,970.96	3,626,810.34	108,767.25	501,000.00	29,582,973.70	2,570,419.67	0.00
RNC	17,384,371.82	1,958,825.95	54,383.55	9,000.00	14,327,321.30	1,034,841.02	0.00
EE Products	29,679,885.92	1,258,438.09	54,383.70	0.00	24,504,380.34	3,862,683.79	0.00
<b>Res Low Income</b>	<b>45,500,000.00</b>	<b>2,870,758.50</b>	<b>1,248,488.10</b>	<b>886,665.63</b>	<b>38,786,019.66</b>	<b>1,641,421.97</b>	<b>66,646.14</b>
Comfort Partners	45,500,000.00	2,870,758.50	1,248,488.10	886,665.63	38,786,019.66	1,641,421.97	66,646.14
<b>C&amp;I EE Programs</b>	<b>194,694,155.13</b>	<b>9,447,055.08</b>	<b>435,069.30</b>	<b>87,500.00</b>	<b>180,383,054.59</b>	<b>4,341,476.16</b>	<b>0.00</b>
C&I Buildings	145,833,490.07	7,090,450.92	326,301.90	37,500.00	134,757,420.94	3,621,816.31	0.00
LGEA	4,838,266.97	1,128,645.02	54,383.70	25,000.00	3,134,312.47	495,925.78	0.00
DI	44,022,398.09	1,227,959.14	54,383.70	25,000.00	42,491,321.18	223,734.07	0.00
<b>Multi-family EE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Multi-family	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>State Facilities Initiative</b>	<b>56,588,873.44</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>56,588,873.44</b>	<b>0.00</b>	<b>0.00</b>
State Facilities Initiative	56,588,873.44	0.00	0.00	0.00	56,588,873.44	0.00	0.00
<b>Distributed Energy Resources</b>	<b>22,953,909.11</b>	<b>814,031.29</b>	<b>54,383.70</b>	<b>12,500.00</b>	<b>21,785,970.79</b>	<b>287,023.33</b>	<b>0.00</b>
CHP - FC	22,953,909.11	814,031.29	54,383.70	12,500.00	21,785,970.79	287,023.33	0.00
RE Storage	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Microgrids	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>RE Programs</b>	<b>6,834,010.46</b>	<b>1,011,619.08</b>	<b>54,383.70</b>	<b>25,000.00</b>	<b>0.00</b>	<b>1,373,032.20</b>	<b>4,369,975.48</b>
Offshore Wind	4,369,975.48	0.00	0.00	0.00	0.00	0.00	4,369,975.48
Community Solar	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SREC Registration	2,464,034.98	1,011,619.08	54,383.70	25,000.00	0.00	1,373,032.20	0.00
<b>EDA Programs</b>	<b>113,236.20</b>	<b>113,236.20</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Planning and Administration</b>	<b>23,570,541.96</b>	<b>4,443,750.00</b>	<b>10,406,100.60</b>	<b>0.00</b>	<b>1,660,668.40</b>	<b>0.00</b>	<b>7,060,022.96</b>
<b>BPU Program Administration</b>	<b>4,443,750.00</b>	<b>4,443,750.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
BPU Program Administration	4,443,750.00	4,443,750.00	0.00	0.00	0.00	0.00	0.00

Program/Budget Line	Total Budget	Administration	Sales, Marketing, Website	Training	Rebates, Grants and Other Direct Incentives	Rebate Processing and QA	Evaluation
<b>Marketing</b>	<b>4,000,000.00</b>	<b>0.00</b>	<b>4,000,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
New Marketing Contract	4,000,000.00	0.00	4,000,000.00	0.00	0.00	0.00	0.00
<b>CEP Website</b>	<b>400,000.00</b>	<b>0.00</b>	<b>400,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Program Evaluation/Analysis</b>	<b>7,060,022.96</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7,060,022.96</b>
Program Evaluation	6,895,942.96	0.00	0.00	0.00	0.00	0.00	6,895,942.96
Research and Analysis	164,080.00	0.00	0.00	0.00	0.00	0.00	164,080.00
<b>Outreach and Education</b>	<b>7,564,769.00</b>	<b>0.00</b>	<b>6,006,100.60</b>	<b>0.00</b>	<b>1,558,668.40</b>	<b>0.00</b>	<b>0.00</b>
Sustainable Jersey	867,085.00	0.00	0.00	0.00	867,085.00	0.00	0.00
NJIT Learning Center	691,583.40	0.00	0.00	0.00	691,583.40	0.00	0.00
Conference	750,000.00	0.00	750,000.00	0.00	0.00	0.00	0.00
Outreach, Website, Other	5,256,100.60	0.00	5,256,100.60	0.00	0.00	0.00	0.00
<b>Sponsorships</b>	<b>102,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>102,000.00</b>	<b>0.00</b>	<b>0.00</b>
Sponsorships	102,000.00	0.00	0.00	0.00	102,000.00	0.00	0.00
<b>New Initiatives</b>	<b>24,050,000.00</b>	<b>4,550,000.00</b>	<b>0.00</b>	<b>6,450,000.00</b>	<b>13,050,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Community Energy Grants</b>	<b>100,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>100,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Storage</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Electric Vehicles</b>	<b>15,700,000.00</b>	<b>3,000,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>12,700,000.00</b>	<b>0.00</b>	<b>0.00</b>
Charge Up New Jersey Program	3,000,000.00	3,000,000.00	0.00	0.00	0.00	0.00	0.00
Plug In EV Incentive Fund	12,700,000.00	0.00	0.00	0.00	12,700,000.00	0.00	0.00
<b>NJ Wind</b>	<b>4,500,000.00</b>	<b>50,000.00</b>	<b>0.00</b>	<b>4,450,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>R&amp;D Energy Tech Hub</b>	<b>1,250,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,250,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Workforce Development</b>	<b>2,500,000.00</b>	<b>500,000.00</b>	<b>0.00</b>	<b>2,000,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Curriculum</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**SUMMARY OF COMMENTS FROM PUBLIC STAKEHOLDERS**

On August 21, 2020, Staff posted on the NJCEP website and distributed to the listserv a request for comments regarding the proposed FY20 fourth budget revisions. Staff accepted comments through August 27, 2020. Written comments submitted by EAM Associates (“EAM”), ReVireo, New Jersey Builders Association (“NJBA”), MaGrann Associates (“MaGrann”), New Jersey Public Interest Resource Group (“NJPIRG”), Environment New Jersey, New Jersey Sustainable Business Council (“NJSBC”), Energy Efficiency Alliance of New Jersey (“EEA-NJ”), the American Council for an Energy Efficient Economy (“ACEEE”), NJ Work Environment Council (“WEC”), Jersey Renewables, and Isles, Inc. (“Isles”) are summarized below, along with Staff’s responses.

**General**

**Comments:** NJPIRG, Environment New Jersey, NJSBC, EEA-NJ, ACEEE, WEC, Jersey Renews, and Isles expressed concern about the amount of funding in NJCEP's FY20 budget going towards State Energy Initiatives. Further, they supported reallocation of funds towards the Comfort Partners (\$45,500,000) and Workforce Development (\$2,500,000) programs. Specifically, they called for an increased focus on investments based on the whole-home approach, which includes efforts to address the health, safety, and energy security for all residents of New Jersey. The commenters supported the proposed reallocation of \$2,700,000 for Residential Existing Homes and \$1,700,000 for Electric Vehicle rebates.

**Response:** Staff appreciates the comments and seeks to clarify that the COVID-19 pandemic created an environment of significant financial uncertainty throughout the State. However, the proposed FY20 fourth budget revisions ensure that NJCEP's programs remain operational through the remainder of this fiscal year. NJCEP's budget is continually reassessed to best allocate funding where it is most needed, including in the Comfort Partners and Workforce Development programs. Also, Staff works closely with those administering the programs that support residential energy efficiency for all residents in order to ensure that the proper level of funding exists to successfully achieve the goals of the programs. Staff agrees with the call for addressing health and safety barriers to energy efficiency investments, including through the whole-home approach, and is exploring ways and means to do so.

**Residential New Construction**

**Comment:** EAM expressed its support for the budget revisions, including the increase to the RNC program.

**Response:** Staff appreciates EAM's support.

**Comment:** ReVireo strongly expressed its support for the proposed additional reallocation of \$700,000 to the RNC program, saying that the program's suspension would have a severe negative impact on participation.

**Response:** Staff appreciates ReVireo's support.

**Comment:** NJBA stated its support for the proposed additional reallocation of \$700,000 to the RNC program based on its belief that reliability and predictability of funding is key to the long-term success of the homebuilding community's participation.

**Response:** Staff appreciates NJBA's support.

**Comment:** MaGrann supported the proposed additional reallocation of \$700,000 to the RNC program in order to avoid any interruption and loss of confidence by participants.

**Response:** Staff appreciates MaGrann's support.

## **BOARD STAFF RECOMMENDATIONS**

Consistent with the Board's contracts with its program administrators, Staff has coordinated with TRC regarding the proposed budget revisions. The FY20 fourth budget revisions include the reallocations and detailed budgets presented here.

Having reviewed and considered the comments, Staff recommends that the Board adopt and approve the proposed FY20 fourth budget revisions and program changes.

## **DISCUSSION AND FINDINGS**

Staff distributed the proposed FY20 fourth budget revisions to the listserv, posted them on the NJCEP website, and solicited written comments about them from stakeholders and the public. Staff and the Board considered those comments. Accordingly, the Board **FINDS** that the processes utilized in developing these proposed revisions were appropriate and provided stakeholders and interested members of the public with adequate notice and opportunity to comment.

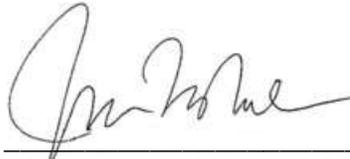
The Board has reviewed Staff's recommendations on the FY20 fourth budget revisions and written and oral comments submitted by stakeholders. The Board **FINDS** that the budget revisions will benefit customers and are consistent with the goals of reducing energy usage and associated emissions. Therefore, the Board **HEREBY APPROVES** the FY20 fourth budget revisions.

The Board **HEREBY DIRECTS** Staff, with assistance from TRC, to update relevant program documents (i.e., applications, program manuals, etc.) and take the necessary steps to implement the programs and changes ordered herein, including, without limit, the provision of adequate notice of such changes.

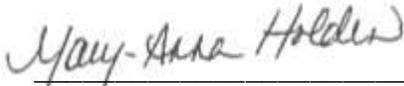
This Order shall be effective on September 9, 2020.

DATED: September 9, 2020

BOARD OF PUBLIC UTILITIES  
BY:



\_\_\_\_\_  
JOSEPH L. FIORDALISO  
PRESIDENT



\_\_\_\_\_  
MARY-ANNA HOLDEN  
COMMISSIONER



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DIANNE SOLOMON  
COMMISSIONER



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UPENDRA J. CHIVUKULA  
COMMISSIONER



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ROBERT M. GORDON  
COMMISSIONER

ATTEST:



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AIDA CAMACHO-WELCH  
SECRETARY

IN THE MATTER OF THE CLEAN ENERGY ORDER FOR FISCAL YEAR 2020 – 4<sup>th</sup> BUDGET  
REVISION - DOCKET NO. QO19050645

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