



Agenda Date: 10/12/22
Agenda Item: 8J

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

CLEAN ENERGY AND ENERGY

IN THE MATTER OF THE PETITION OF ROCKLAND)
ELECTRIC COMPANY FOR APPROVAL OF AN ELECTRIC)
VEHICLE PROGRAM, ESTABLISHMENT OF AN)
ELECTRIC VEHICLE SURCHARGE, AND FOR OTHER)
RELIEF) BPU DOCKET NO. EO20110730

Parties of Record:

Brian Lipman, Esq., Director, New Jersey Division of Rate Counsel
James C. Meyer, Esq., Riker Danzig Scherer Hyland & Perretti LLP, on behalf of Rockland Electric Company
Scott Dunbar, Esq., on behalf of ChargePoint, Inc.

BY THE BOARD:

By Board Order dated September 23, 2020, the New Jersey Board of Public Utilities (“Board” or “BPU”) directed all electric distribution companies (“EDCs”) to file electric vehicle (“EV”) proposals by February 28, 2021.¹ On November 23, 2020, Rockland Electric Company (“RECO” or “Company”) filed a petition with the Board seeking approval of its EV Program (“EV Program” or “Program”) (“Petition”). By this Decision and Order, the Board considers a stipulation of settlement (“Stipulation”) executed by RECO, the New Jersey Division of Rate Counsel (“Rate Counsel”), Board Staff (“Staff”), and ChargePoint, Inc. (“ChargePoint”) (collectively, “Parties”) intended to address the Company’s requests related to the above docketed matter.

¹ In re Minimum Filing Requirements for Light-Duty Publicly-Accessible Electric Vehicle Charging, BPU Docket No. QO20050357, Order dated September 23, 2020 (“Minimum Filing Requirements” or “MFR Order”).

PETITION

In the Petition, RECO proposed to invest approximately \$6.7 million over a five (5) year period between six (6) subprograms consisting of: 1) Charger Ready Program, 2) Voluntary Time-of-Day (“TOD”) Rate, 3) DC Fast Charger (“DCFC”) Public Charging, 4) Smart Charge Program, 5) Evolved Recharge Program, and 6) Outreach and Education Program. The proposed EV subprograms are as follows:

1. Charger Ready Program (\$4.804 million) – RECO proposed to provide incentives to help offset the costs of EV charging infrastructure, in order to increase charger deployment and address EV owner range anxiety;
2. Voluntary TOD Rate (\$55,000) – RECO proposed a voluntary TOD rate offered as a residential rate option under Service Classification (“SC”) No. 1 to customers who place their whole house usage under such rate, in order to encourage off peak charging and other home energy consumption to assist system peak by offering reduced rates;
3. DCFC Public Charging (\$377,362) – RECO proposed to provide incentives towards the upfront cost of DCFC equipment and installation. RECO also proposed to provide financial incentives to reduce operational costs;
4. Smart Charge Program (\$625,625) – RECO proposed to provide incentives to participating customers who charge their EVs off-peak anywhere in the RECO territory through the Smart Charge device;
5. Evolved Recharge Program (\$243,760) – RECO proposed to provide incentives to customers who enroll and participate in the Company’s managed charging program after purchasing on the Company’s online store a residential, in-home charger; and
6. Outreach and Education Program (\$577,500) – RECO proposed to provide outreach and education to increase consumer awareness of EVs and reduce range anxiety.

According to RECO, the proposed EV Program was designed to be responsive to its customers’ needs and to address critical adoption barriers for EV transportation by providing education and outreach, off-peak charging, and EV infrastructure solutions to reduce range anxiety. The Company stated it has no current plans to deploy, own and/or operate EV chargers. However, RECO indicated that should the Company decide to pursue the deployment, ownership, and/or operation of publicly accessible EV chargers, it would submit a separate filing with the Board setting forth the specifics of its proposed program, as outlined in the Board’s MFR Order.

Additionally, in the Petition, the Company proposed to implement a non-bypassable per kilowatt hour (“kWh”) Electric Vehicle Surcharge (“EVS”) applicable to all RECO distribution customers to recover the costs associated with the EV Program. The Company proposed to file an annual petition to adjust its EVS on a calendar basis, on or before September 1, with a revised EVS proposed to become effective January 1 of each year.

Rate Design Modifications

RECO proposed an initial EVS of \$0.000047/kWh, including Sales and Use Tax, which would result in approximately \$66,968 in revenue for the initial year of the Program. The proposed EVS would result in a rate increase for a typical residential customer using 925 kWh per month of \$0.04

or 0.02% during the initial recovery period, January 1, 2021 through December 31, 2021.

PROCEDURAL HISTORY

By Order dated January 27, 2021, the Board determined that the RECO EV Petition should be retained by the Board for hearing and, pursuant to N.J.S.A. 48:2-32, designated Commissioner Robert M. Gordon as the presiding officer authorized to rule on all motions that arise during the pendency of these proceedings and modify any schedules that may be set as necessary to secure a just and expeditious determination of the issues.² Further, the January 2021 Order directed that any entity seeking to intervene or participate in this matter file the appropriate application with the Board by March 1, 2021.

By Order dated April 8, 2021, Commissioner Gordon issued a Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate. In the Prehearing Order, intervenor status was granted to ChargePoint, Inc. and participation status was granted to Public Service Electric and Gas Company.³

By email dated June 22, 2021, Commissioner Gordon granted the parties' request to suspend the Procedural Schedule to facilitate settlement discussions.

Following proper public notice, public hearings were held virtually on April 21, 2022, and July 20, 2022, at 4:30 p.m. and 5:30 p.m.⁴ No public comments were made at the hearings or filed with the Board.

STIPULATION

Following extensive discovery and settlement meetings, the Parties executed the Stipulation, which provides the following:

1. The Parties agree that RECO may implement an EV Program pursuant to the terms of the Stipulation, the Board's MFR Order, and the Electric Vehicle Act of 2020, P.L. 2020, c. 362, N.J.S.A. 48:25-1 et seq. ("EV Act").
2. Definitions. All terms used in the Stipulation that are not otherwise expressly defined in the Stipulation, including Attachment C to the Stipulation, shall have the meanings as defined in the MFR Order.

² In re the Petition of Rockland Electric Company for Approval of an Electric Vehicle Program, Establishment of an Electric Vehicle Surcharge, and for Other Relief, - Order Designating Commissioner, Setting Manner of Service and Bar Date, BPU Docket No. EO20110730, Order dated January 27, 2021 ("January 2021 Order").

³ In re the Petition of Rockland Electric Company for Approval of an Electric Vehicle Program, Establishment of an Electric Vehicle Surcharge, and for Other Relief, Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate, BPU Docket No. EO20110730, Order dated April 8, 2021 ("Prehearing Order").

⁴ Due to the COVID-19 Pandemic, public hearings were held virtually.

THE EV PROGRAM

3. Subprograms. The Parties agree that the Company's EV Program will consist of the four individual subprograms set forth in detail in Attachment A to the Stipulation, with a total budget of up to \$7.6 million, inclusive of incentives, IT system upgrade costs, administrative costs (*i.e.*, utility incremental labor and third-party support costs), and customer education and outreach/marketing costs incurred in implementing the EV Program, and the cost recovery mechanism set forth in the Stipulation. As set forth in more detail in Attachment A to the Stipulation, the subprograms are: (1) Charger Ready program; (2) Voluntary TOD Rate program; (3) DCFC Incentive program; and (4) Outreach and Education program. Attachment A of the Stipulation also includes budgets for the four individual subprograms which may be expended over the EV Program's term that is defined in paragraph 7 of the Stipulation. The Company's EV Program includes significant investments in EV charging infrastructure Make Ready work to facilitate the growth of EV charging sites in New Jersey and the Company intends them to be consistent with the "shared responsibility" model for EV charging infrastructure deployment set forth in the MFR Order (p.25).

4. In order to qualify for an incentive, both residential and non-residential charging station hardware must be networked charging stations and UL certified. The Company will pre-qualify at least two manufacturers of networked charging equipment and charging network service providers for Charger-Ready eligibility. Site hosts may purchase the qualifying networked charging hardware and network technology of their choice. Site hosts and/or charging station owners and operators may control the price that drivers pay for charging services at their charging stations.

5. The Company's estimated EV investments (“Investments”) for the subprograms and the associated incremental operations and maintenance (“O&M”) expenses are as follows:

Investments	Dollars (in thousands)
Charger Ready: Commercial Incentives	\$ 3,492
Charger Ready: Residential Incentives	\$ 1,878
Charger Ready: shared software setup	\$ 50
DCFC Incentives	\$ 314
Voluntary TOD Rate: System Modifications	\$ 19
Education and Outreach: IT System Upgrades and Modifications	\$ 124
Total Investment Costs	\$ 5,877
O&M	
Charger Ready: annual software license & maintenance	\$ 110
Education and Outreach: Marketing, Materials	\$ 303
Administrative Costs	\$ 910
Data Acquisition	\$ 400
Total O&M Expenses	\$ 1,723
EV Program Total Budget	\$ 7,600

6. The Parties agree that there is uncertainty as to the precise timing and budgets for the EV Program and subprograms, including as a result of the ongoing COVID-19 pandemic. Accordingly, the Company may make adjustments to subprogram budgets in response to real market and service conditions experienced via the process set forth in this paragraph. The Company may re-allocate the budgets for individual subprograms in Attachment A of the Stipulation between and among program years. In addition, the Company may re-allocate its budgets for the subprograms in Attachment A of the Stipulation between those subprogram offerings within the same category of spending (*i.e.*, investments or O&M), as follows: up to 5 percent of each subprogram's total budget with notification to Staff and Rate Counsel (which should be provided 30 days in advance of the change), 6 to 24 percent with Staff approval, 25 percent and over with the Board's approval. The Company shall provide all notifications and requests for approval under paragraph of the Stipulation to Staff and Rate Counsel and shall include a written description of, and rationale for, the proposed re-allocation. Any objections for matters requiring Staff approval shall be provided within 30 days of the Company's request.
7. Term. The Parties agree that the effective date of the EV Program shall be the date of the Board Order approving the Stipulation ("Effective Date"). The launch date of each of the subprograms is set forth in Attachment A of the Stipulation. The Company's expenditures for the EV Program shall terminate upon exhaustion of the budgeted program dollars or after four years from the commencement of the individual subprograms, whichever occurs first. Cost recovery shall continue following the conclusion of expenditures on the EV Program in accordance with the cost recovery mechanism set forth in paragraphs 12 through 18 of the Stipulation.
8. ECOS Study. The Company will conduct an embedded cost of service study ("ECOS study") based on EV Charging Data available to the Company for residential and non-residential customers. The Company requires a minimum of one year's worth of data to perform the ECOS study. The Company will provide a copy of the ECOS study and supporting information in its Next Base Rate Case (as defined in paragraph 14 of the Stipulation), assuming said base rate case is filed more than one year after the effective date of the Board Order approving the Stipulation. The ECOS study will inform the Company's proposal for cost-based EV charging rates for residential and non-residential EV charging sites operating on the Company's distribution system in its next base rate proceeding. If the Company decides not to make such a rate proposal in its Next Base Rate Case, the burden of proof shall remain with the Company to establish an adequate basis for not making such an EV rate proposal. The Parties agree that no Party shall be precluded from presenting alternative methodologies to the ECOS study in the development of EV charging rate(s). The Parties further agree that all Parties have reserved their rights to contest in a future base rate case, the Company's proposals regarding distribution rates, costs, and rate design, including those for EV charging facilities. The Parties acknowledge that the Company requires charging data to perform an ECOS study to identify and allocate accurately the costs of providing electric distribution service for EV charging, inform the possible development of EV rate tariffs, and provide data to evaluate other mechanisms to incent EV owners to use charging services in a manner that has the least impact on the reliability and costs of RECO's distribution system. The Parties agree that all customers - both residential and non-residential - who elect to receive incentives under the Company's EV Charging Program shall be required to provide customer charging data to RECO, upon request by RECO. The Parties agree to comply with any regulations promulgated by the Board regarding access to, and the use of charging data. In accordance with the Board's directive to the EDCs in its

November 17, 2021, Order in BPU Docket No. ER21030631 (p.18), subject to customer consent the Company will also collect EV charging data required to support the establishment of EV-specific Basic Generation Service (“BGS”) rates in a future BGS proceeding.

9. Tariffs. The Company's revised tariff pages implementing the Stipulation, which include the new voluntary TOD residential rate and the initial one-year price guarantee to residential customers who register their EV with the Company and take service under the new TOD rate, are attached to the Stipulation as Attachment B. Following the Board's approval of the Stipulation, the revised tariff pages will be filed showing their effective date.
10. Mapping. The Company has published on its website an interactive public map that displays an estimate of the remaining circuit and substation load capacity to help guide EV charging developers to areas where EV chargers can likely interconnect with minimal needs for system reinforcement. The Company made these maps available beginning in December 2020 and updates them on a semi-annual basis. The Company-prepared maps will be posted for informational purposes only and will not be used by the Company in responding to service requests. The Company agrees that it will comply with any regulations promulgated by the Board regarding mapping EV charging sites and capacity. Customers requiring a new service and/or capacity upgrade at a premise must submit a new service request to the Company.
11. Medium- and Heavy-Duty EV and Reservation. The Parties recognize that the MFR Order reserves issues related to medium- and heavy-duty EVs for further stakeholder proceedings, which are now proceeding in BPU Docket No. Q021060946. The Company states its present intention to propose additional EV charging infrastructure initiatives, upon the completion of Board proceedings to address charging infrastructure for medium- and heavy-duty EVs, consistent with requirements resulting from those proceedings. All parties reserve their rights to respond to that filing once it is made.

Cost Recovery

12. Until they are included in base rates via the process set forth in paragraphs 15 - 18 of the Stipulation, EV Program-related Investment costs as described in paragraph 5 of the Stipulation shall be deferred and placed in a regulatory asset (“EV Investment Regulatory Asset”).

13. The EV-Program related Investments costs to be deferred and included in the EV Investment Regulatory Asset include an amortization associated with new Investments. In addition, the EV Investment Regulatory Asset will earn a rate of return, which shall be deferred and included in the EV Investment Regulatory Asset, based on the Company's Board-approved Weighted Average Cost of Capital ("WACC") in effect at the time of the deferral. The formula for the Monthly EV Investment Regulatory Asset Deferral component of the EV Regulatory Asset is:

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

- A) The term "Pre-Tax Cost of Capital" means RECO's pre-tax overall WACC in effect at the time of the deferral. WACC is assessed on the ROE, long-term debt and capital structure approved by the Board in RECO's most recently approved base rate case. Any change in the WACC authorized by the Board in a subsequent base rate case will be applied to 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:
- EV Investment Regulatory Asset;
 - Less the associated Accumulated Amortization; and
 - Less the associated Accumulated Deferred Income Tax.
- C) The term "Amortization Expense" provides for the recovery of RECO's Investment over ten years.
14. The EV Program-related Investments costs, including those recorded in the EV Regulatory Asset, shall be reviewed for prudence and inclusion in base rates in the Company's next base rate case, which shall be filed not later than May 1, 2027 ("Next Base Rate Case").
15. The costs associated with the EV Program investment that are determined by the Board to be reasonable and prudent, and that are likely to be in-service by the end of six 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 standards.⁵
16. The revenue requirement in the Next Base Rate Case and subsequent base rate cases, if applicable, will include a return of and on the deferred amounts in the EV Regulatory Asset. 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 then-current income tax rates. The return of the deferred Investment will be based

⁵ 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, Order dated May 23, 1985.

on the amortization period approved by the Board in the Next Base Rate Case and subsequent base rate cases if applicable. The Parties reserve their rights to argue the appropriate amortization period.

17. For EV Investments placed in service more than six months following the end of the test year in the Next Base Rate Case, the Company has the option to make roll-in filings no more than once per year following the Next Base Rate Case to review such capital investment costs and include them in rates after the associated infrastructure has been placed in service. If the Company elects to file a base rate roll-in filing, it shall (a) include three 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 and (b) request that new rates be implemented three months after the end of the final forecast month. The schedule for the optional annual base roll-in filings shall be determined in the Company's Next Base Rate Case. For EV Investments placed in service more than six months following the end of the test year in the Next Base Rate Case that are not addressed in annual roll-in filings, the Investment costs shall be reviewed for prudence and included in rates in a subsequent base rate case or cases. All roll-ins approved between base rate cases shall be interim and subject to a prudence review at the next applicable base rate case.
18. Until they are included in base rates in accordance with this paragraph, incremental EV Program-related O&M costs as described in paragraph 5 of the Stipulation shall be deferred and placed in a regulatory asset ("EV O&M Regulatory Asset") with a monthly carrying charge at the prior month's two-year Treasury rate plus 60 basis points that shall be included in the EV O&M Regulatory Asset. The EV O&M Regulatory Asset shall be recovered in the Company's Next Base Rate Case and subsequent base rate cases if applicable. The costs in the EV O&M Regulatory Asset are subject to prudence review in the Next Base Rate Case and subsequent rate cases if applicable. The amortization period for recovery of the EV O&M Regulatory Asset will be determined in the Next Base Rate Case and subsequent base rate cases if applicable. The Parties reserve their rights to argue the appropriate amortization period.

Applicable Public Funding

19. If funding or credits from any subsequent state or federal action 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 EV Subprograms referenced in the 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 EV Program (excluding program incentive financing) fund more than 90% of the total cost of the project. If the Company determines that an installation or project will receive public funding equal to more than 90% of the total cost of the project, subject to any restrictions set forth in applicable law, incentive funding approved as part of this EV Program shall be reduced to bring the total rebates and incentives to no more than 90% of the total cost of the project. 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 the maximum amount authorized in the Stipulation for the EV Charger Ready Program.

Reporting

20. Progress Report. The Company will provide a semi-annual report on deployment of the EV Program ("EV Semi-Annual Report") to Staff and Rate Counsel, 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, under each of the Company's offerings (e.g., under Charger Ready Program number of plugs completed/incentivized for Commercial L2, Commercial DCFC, Residential L2);
 - The budgeted and actual EV Investments costs to date for the annual reporting period and for the program to date;
 - The budgeted and actual O&M expenses to date for the annual reporting period and for the program to date;
 - Aggregated, anonymized (i.e., subject to appropriate privacy standards) Charger Ready program-level AMI data; and
 - Hourly energy in kWh (obtained by AMI) for each charger associated with a participating site in the Charger Ready - Residential, Charger Ready-Commercial, and DCFC Incentive program data will be anonymized in a manner so that it can be reported to Staff and Rate Counsel, who may in turn share these reports publicly.

The program expenditures shall be broken out among labor, material, and other costs. The annual reporting will commence by March 15, 2023 and continue each year thereafter, based on actual results through December 31 of the prior year. The Company will continue to submit annual reports by March 15 of each year through March 15 of the year following the completion of the EV Program investment, through the end of the EV Program.

DATA COLLECTION

21. 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 RECO, 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 electric vehicle service equipment ("EVSE") infrastructure company, or an EDC with Board approval that is responsible for installing EVSE.

22. To be eligible for the incentives set forth in Attachment A of the Stipulation, EV Program participants must agree to share session-level EV Charging Data with RECO. For purposes of the Stipulation:
- “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 EV Program implementation.
23. 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. In addition:
- Data shall be submitted to RECO at least quarterly.
 - RECO will work with Staff and Rate Counsel 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 EV Program implementation so that reported data effectively informs program analysis.
 - EV Charging Data will be aggregated by RECO for the purposes set forth in the Stipulation.

RECO agrees to treat EV Charging Data provided as a condition of service or eligibility for the EV Program as confidential and proprietary to the providing party, and agrees to maintain the confidentiality of the information provided to RECO. 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.

24. **Charging Data - Third Parties.** 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 and energy services market participants. A customer’s consent to provide EV Charging Data to the Company as a condition of service or eligibility for the Company’s EV programs to facilitate the ECOS study does not constitute consent to provide data to third parties for other, non-Company purposes. The 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.

ADDITIONAL COMMENTS

25. The Company acknowledges that guidance in the MFR Order (p. 23) recommends that EV chargers located at multi-family dwellings utilize the same rate as residential

customers are charged for EV charging. RECO has developed the following solution to address rate parity between EV charging at single-family residences and sites located at multi-family dwellings. For multi-family dwellings with Level 2 EV chargers, such chargers will be charged for distribution charges at a rate equal to that of an SC No. 1 single-family residence. All other charges will be those imposed on an SC No. 2 customer.

26. The Company will submit a filing to the Board for a program aimed at developing customer off-peak charging behavior (“Managed Charging Program”) with budget by December 31, 2022. This Managed Charging Program will be designed to encourage EV charging at beneficial times and lead to the development of positive charging habits thereby minimizing the need for additional distribution system infrastructure to serve peak demand and improving the use of existing utility assets. Any budget proposed for a Managed Charging Program will be incremental to the budgets defined in the Stipulation. Any charging data collected through a Managed Charging Program can be used to better understand customers’ charging behavior and further refine EV program to offer solutions that benefit EV owners, the distribution system, and all ratepayers.
27. The Company will not own or operate EV chargers for public use unless and until the Board has authorized RECO to own and operate such facilities as a provider in Areas of Last Resort consistent with the requirements set forth in the MFR Order.⁶
28. Participation in the Charger Ready program does not change the existing ownership structure of infrastructure.

DISCUSSION AND FINDINGS

In evaluating a proposed settlement, the Board must review the record, balance the interests of the ratepayers and the shareholders, and determine whether the settlement represents a reasonable disposition of the issues that will enable the Company to provide its customers in this State with safe, adequate and proper service at just and reasonable rates. In re Petition of Pub. Serv. Elec. & Gas, 304 N.J. Super. 247 (App. Div.), certif. denied, 152 N.J. 12 (1997), certif. denied, 152 N.J. 12 (1997). The Board has carefully reviewed the record in this matter, the Petition, extensive discovery and the Stipulation. As discussed below, the Board finds that the Stipulation represents a fair and reasonable resolution of this matter and is in the public interest.

In reaching its determination herein, the Board is mindful of the legislative and policy context in which it acts. The Board is committed to Governor Murphy’s stated goal of having 330,000 EVs on New Jersey’s roads by 2025.⁷ The Governor’s objectives were endorsed and amplified by the Legislature with the passage of the EV Act, highlighting the importance of addressing range anxiety through the build-out of EV charging infrastructure. The EV Act adopted aggressive targets for installation of vehicle chargers over the next five (5) years.⁸ In addition, through the

⁶ The MFR Order (p. 21) defines “Areas of Last Resort” as locations that have not generated private investment interest for the installation of publicly-accessible EV chargers for a minimum of 12 months after the EDC program has begun, for overburdened communities, or 18 months for other areas.

⁷ *Governor Murphy Announces State Interagency Electric Vehicle Partnership*, June 3, 2019, available at <https://www.nj.gov/governor/news/news/562019/20190603b.shtml>.

⁸ N.J.S.A. 48:25-3.

MFR Order, the Board began to lay the groundwork for EV charging in New Jersey. The Board **FINDS** that the Stipulation furthers State EV policy as expressed by the EV Act and Governor Murphy's stated EV goals.

Having found that the proposed Stipulation furthers State EV policy, the Board now considers the funding levels in this matter. The Board **FINDS** that the funding levels included in the Stipulation are adequate and that the "Shared Responsibility" model adopted in the MFR Order and in the Stipulation appropriately prioritizes private investment over utility ownership.

The Stipulation provides that to be eligible for the incentives set forth in Attachment A of the Stipulation, EV Program participants must agree to share session-level EV Charging Data with RECO. The Board **HEREBY FINDS** that data sharing requirements are necessary for both future rate creation as well as to better understand future charging eco-system investment. Furthermore, the data sharing requirements in the Stipulation appropriately reference compliance with future rulemaking.

The Company's EV program as detailed in the Stipulation contains a variety of offerings including residential, multi-unit dwelling, workplace, and public charging. Each of these individual facets of EV charging is critical to light-duty EV charging, and the offerings here begin to lay the foundation for decreased range anxiety in the state. Additionally, the Stipulation addresses barriers to multi-unit dwelling charging infrastructure, which has been identified as an equity issue in many overburdened areas.

By bridging the gap between public and private roles in EV infrastructure build-out through the shared responsibility model the Board established in the MFR Order, barriers to electrification are lessened and provide long-lasting benefits for residents who utilize this technology. The Company's EV programs, as revised in the Stipulation, align with the policy initiatives of the Board and the State by providing necessary services to the residents of New Jersey and by providing information that will inform future developments in the EV market and continue the growth and benefits that the electrification of transportation brings.

The Board acknowledges that the cost recovery mechanism agreed to by the Parties will allow the Company to establish a regulatory asset to be reviewed in its next base rate case. The Board is persuaded that the mechanism proposed in the Stipulation allows the Company to seek recovery for program expenditures that have been placed in service in future base rate cases. These costs will be subject to review by Board and the parties. The Board believes the cost recovery mechanism adopted in the Stipulation strikes an effective balance between giving the Company an opportunity to recover prudent and reasonable program costs while still protecting ratepayers from paying more than is necessary. The Stipulation goes further and requires the Company to provide semi-annual reports that include project expenditures, which will serve as an additional protection to ratepayers. Finally, the Board notes that the Stipulation requires the Company to conduct a COSS to determine a cost-based rate for EV charging sites operating on the Company's distribution system, and seek the Board's approval to impose the rate(s) determined in that COSS in a future base rate proceeding.

The Board carefully reviewed the record in this proceeding, including the Petition, discovery and the Stipulation. The Board **FINDS** that the negotiated terms of the Stipulation appropriately balance the interests of the Company, the parties and the ratepayers.

EV adoption is a central component to the 2019 Energy Master Plan and the Board has made significant progress in the last year, including launching the country's most generous EV incentive

program to great success in 2020. The Board is committed to upholding the Legislature and the Governor's goal to combat the consequences of climate change through the electrification of the transportation sector. The Board understands that all of New Jersey — its residents, its businesses, its economy, its environment — will benefit from the widespread adoption of EVs. The Board plans to continue its support of EV adoption this year through the rulemaking called for as part of the light-duty minimum filing requirements and through the Medium Heavy Duty EcoSystem Straw Proposal that the Board released in fiscal year 2021. Moreover, the Board continues to collaborate with other State agencies to ensure a coordinated effort to encourage EV adoption statewide. As stated above, the Stipulation in this proceeding furthers the State's goal of EV adoption.

The Board **HEREBY FINDS** the Stipulation to be reasonable, in the public interest, and in accordance with the law. Therefore, the Board **HEREBY ADOPTS** the attached Stipulation in its entirety and **HEREBY INCORPORATES** its terms and conditions as if fully stated in this Order.

The Board **HEREBY RATIFIES** the decisions made by Commissioner Gordon during the pendency of this proceeding for the reasons stated in his decisions and Orders.

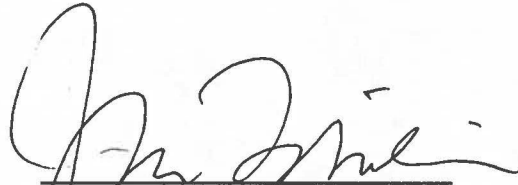
The Board **HEREBY ORDERS** RECO to file revised tariff sheets conforming to the terms of the Stipulation prior to October 31, 2022.

The Company's costs, including those related to the Program remain subject to audit by the Board. This Decision and Order shall not preclude nor prohibit the Board from taking any actions deemed to be appropriate as a result of any such audit.

The effective date of this Order is October 19, 2022.

DATED: October 12, 2022

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT




MARY ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER

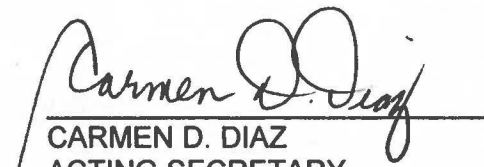


ROBERT M. GORDON
COMMISSIONER



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 ROCKLAND ELECTRIC COMPANY FOR APPROVAL OF AN
ELECTRIC VEHICLE PROGRAM, ESTABLISHMENT OF AN ELECTRIC VEHICLE SURCHARGE, AND
FOR OTHER RELIEF

BPU DOCKET NO. EO20110730

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August 29, 2022

Via Email

Hon. Robert Gordon, Commissioner
Hon. Carmen D. Diaz, Acting Secretary
Board of Public Utilities
44 South Clinton Avenue
1st Floor
Trenton, NJ 08625-0350

Re: I/M/O the Petition of Rockland Electric Company For Approval Of An Electric Vehicle Program, Establishment Of An Electric Vehicle Surcharge, And For Other Relief (“RECO-EV”)
BPU Docket No. EO20110730

Dear Commissioner Gordon and Secretary Diaz:

The undersigned is Counsel to Rockland Electric Company (“RECO” or the “Company”) in connection with the above-referenced matter.

Attached please find a Stipulation of Settlement executed by all of the parties to this matter: the Company, the Division of Rate Counsel, Board Staff, and intervenor ChargePoint, Inc. Pursuant to paragraph 31 of the Stipulation, we respectfully request that this matter be addressed at the next appropriate agenda meeting.

Pursuant to the Board’s standing orders, this letter and enclosed Stipulation are being electronically filed by email with the Secretary and served by email upon the attached service list; no paper copies will follow.

Kindly have the Office of the Secretary or Case Management confirm receipt by email to the undersigned.

Thank you for your courtesy and cooperation.

Respectfully submitted,
/s/ James C. Meyer
James C. Meyer

cc: Service List (by email)

BPU

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*Receives two hard copies of pleadings when required; #Only receives filed pleadings-no discovery

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

I/M/O THE PETITION OF ROCKLAND	:	
ELECTRIC COMPANY FOR APPROVAL OF	:	BPU Docket No. EO20110730
AN ELECTRIC VEHICLE PROGRAM,	:	
ESTABLISHMENT OF AN ELECTRIC	:	
VEHICLE SURCHARGE, AND FOR OTHER	:	
RELIEF (RECO EV)	:	

STIPULATION OF SETTLEMENT

APPEARANCES:

James C. Meyer, Esq., Riker Danzig, LLP, and **John L. Carley, Esq.**, Associate General Counsel, for the Petitioner, Rockland Electric Company

Maura Caroselli, Esq., Managing Attorney, **Kurt S. Lewandowski, Esq.**, Assistant Deputy Rate Counsel, and **Brian Weeks, Esq.**, Deputy Rate Counsel, for the Division of Rate Counsel (**Brian O. Lipman, Esq.**, Director)

Meliha Arnautovic, Esq. and **Pamela Owen**, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Matthew Platkin, Esq.**, Acting Attorney General of New Jersey)

Scott Dunbar, Esq. and **David Wooley, Esq.**, Keyes & Fox, LLP, for the Intervenor Charge Point, Inc.

THIS STIPULATION OF SETTLEMENT (“Stipulation”) is made as of August __, 2022 by and among Rockland Electric Company (“RECO” or the “Company”), the New Jersey Division of Rate Counsel (“Rate Counsel”), Staff of the New Jersey Board of Public Utilities (“Staff”), and Charge Point, Inc. (“ChargePoint”) (referred to herein individually as a “Party” and collectively as the “Parties”). The Parties hereby join in recommending that the New Jersey Board of Public Utilities (“Board” or “BPU”) issue a Decision and Order approving this Stipulation without modification.

BACKGROUND

RECO is a corporation organized and existing under the laws of the State of New Jersey, subject to the jurisdiction of the Board, with an office at One Lethbridge Plaza, Route 17 North, Mahwah, New Jersey 07430. RECO is a wholly-owned subsidiary of Orange and Rockland Utilities, Inc. (“Orange and Rockland”), and an affiliate of Consolidated Edison Company of New York, Inc. (“Con Edison”). RECO provides electric distribution service to approximately 73,000 customers in an area which extends from eastern Bergen County at the Hudson River to western Passaic County and small communities in Sussex County, New Jersey.

On September 23, 2020, the Board issued its Order Adopting the Minimum Filing Requirements for Light-Duty, Publicly Accessible Electric Vehicle Charging.¹ In the EV Filing Order (p. 26), the Board directed the Company and New Jersey’s other three electric distribution companies (“EDCs”) to file Electric Vehicle (“EV”) proposals with the Board and required that such filings meet the minimum filing requirements for publicly-accessible EV charging outlined in the EV Filing Order.

On November 23, 2020, RECO filed a Verified Petition (“Petition”) with the Board seeking approval of a five-year, \$6.7 million electric vehicle program (“EV Program”) consisting of six EV subprograms applicable to light-duty vehicles² to support the EV market: the Charger Ready Program, the Direct Current Fast Charging (“DCFC”) Incentive Program, the Smart Charge Program, the Evolved Recharge Program, a Voluntary Time-of-Day Rate Option, and an

¹ *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 (dated September 23, 2020) (“EV Filing Order”). The Board reissued the EV Filing Order on October 20, 2020, to correct a typographical error in the definition of “publicly-available charging.”

² Light-duty vehicles are any two-axle, four-wheel vehicles, primarily designed for passenger travel or light-duty commercial use. N.J.S.A. 48:25-2.

Outreach and Education Program. In support, the Company included the pre-filed testimony of an Electric Vehicle Program Panel (consisting of Brian Picariello, Roberta Scerbo, and Raghusimha Sudhakara, and attaching White Papers for each program setting forth details of programs and incentives, implementation and budgets); an Accounting and Revenue Requirements Panel (consisting of Wenqi Wang and Kevin Lyons); and a Rate Panel (consisting of Cheryl Ruggiero and Eric Caban).

By Order Designating Commissioner, Setting Manner of Service and Bar Date, dated January 27, 2021, the Board retained jurisdiction over this matter, and designated Commissioner Robert M. Gordon as the presiding officer in this matter (with authority to rule on all motions that arise during the pendency of the proceeding, and to modify any schedules that may be set as necessary to secure a just and expeditious determination of the proceeding) and directed that any parties seeking to intervene or participate file the appropriate application by March 1, 2021.

On March 1, 2021, ChargePoint, Inc. (“ChargePoint”) filed a motion to intervene and Public Service Electric and Gas company (“PSE&G”) filed a motion to participate. RECO did not object to either motion.

On April 8, 2021, Commissioner Gordon issued a Prehearing Order with Procedural Schedule and Order on Motions to Intervene or Participate (“Prehearing Order”). The Prehearing Order granted ChargePoint’s motion to intervene and PSE&G’s motion to participate.

Extensive discovery was conducted by the Parties. In total, the Company responded to 138 formal discovery requests (not including additional subparts or responses to informal information requests), *i.e.*, 69 discovery requests from Staff, and 69 discovery requests from Rate Counsel.

On May 26, 2021, the Parties held the first settlement conference via video (*i.e.*, via TEAMS). By letter dated June 9, 2021, after obtaining the consent of the Parties, the Company requested a suspension of the procedural schedule from Commissioner Gordon so that settlement discussions could continue to proceed. On June 22, 2021, Commissioner Gordon suspended the procedural schedule.

On June 16, June 21, June 30, and July 19, 2021, the Parties held further video settlement conferences (*i.e.*, via TEAMS), where they addressed various settlement proposals and materials. The Parties continued to circulate and review settlement materials by email following those conferences, and held another video settlement conference (*i.e.*, via TEAMS) on January 13, 2022. As a result of the Parties' discussions, the Company's proposed EV Program evolved to include a budget of \$7.6 million, a term of four years, and four subprograms (described below and in Attachment A).

After proper notice to Municipal Clerks and County Executive Directors and public advertisement in a newspaper with circulation in the Company's service territory, two virtual public hearings on the EV Program were held on April 21, 2022, at 4:30 p.m. and 5:30 p.m. at which no members of the public attended. After proper notice to Municipal Clerks and County Executive Directors and public advertisement in a newspaper with circulation in the Company's service territory, two virtual public hearings on the EV Program were held on July 20, 2022, at 4:30 p.m. and 5:30 p.m. at which no members of the public attended. The Board received no letters of support or opposition regarding the EV Program Filing.

The Parties have reviewed the Petition, discovery, detailed pre-filed testimony, and information exchanged during the period of settlement discussions. As a result, the Parties have agreed to enter this Stipulation the terms of which are set forth below. In consideration of the

recitals and mutual promises and covenants set forth herein, the Parties hereby **STIPULATE AND AGREE** as follows:

STIPULATED MATTERS

1. The Parties agree that RECO may implement an EV Program pursuant to the terms of this Stipulation, the Board’s EV Filing Order, and the Electric Vehicle Act of 2020, P.L. 2020, c. 362, N.J.S.A. 48:25-1 et seq. (“EV Act”).

2. Definitions. All terms used in the Stipulation that are not otherwise expressly defined in the Stipulation, including Attachment C, shall have the meanings as defined in the EV Filing Order.

THE EV PROGRAM

3. Subprograms. The Parties agree that the Company’s EV Program will consist of the four individual subprograms set forth in detail in Attachment A hereto, with a total budget of up to \$7.6 million, inclusive of incentives, IT system upgrade costs, administrative costs (*i.e.*, utility incremental labor and third-party support costs), and customer education and outreach/marketing costs incurred in implementing the EV Program, and the cost recovery mechanism set forth in this Stipulation. As set forth in more detail in Attachment A, the subprograms are: (1) Charger Ready program; (2) Voluntary Time-of-Day (“TOD”) Rate program; (3) DCFC Incentive program; and (4) Outreach and Education program. Attachment A also includes budgets for the four individual subprograms which may be expended over the EV Program’s term that is defined in paragraph 7 below. The Company’s EV Program includes significant investments in EV charging infrastructure Make Ready work to facilitate the growth of EV charging sites in New Jersey and the Company intends them to be consistent with the

“shared responsibility” model for EV charging infrastructure deployment set forth in the EV Filing Order (p. 25).

4. In order to qualify for an incentive, both residential and non-residential charging station hardware must be networked charging stations and UL certified. The Company will pre-qualify at least two manufacturers of networked charging equipment and charging network service providers for Charger-Ready eligibility. Site hosts may purchase the qualifying networked charging hardware and network technology of their choice. Site hosts and/or charging station owners and operators may control the price that drivers pay for charging services at their charging stations.

5. The Company’s estimated EV investments (“Investments”) for the subprograms and the associated incremental operations and maintenance (“O&M”) expenses are as follows:

Investments	Dollars (in thousands)
Charger Ready: Commercial Incentives	\$ 3,492
Charger Ready: Residential Incentives	\$ 1,878
Charger Ready: shared software setup	\$ 50
DCFC Incentives	\$ 314
Voluntary TOD Rate: System Modifications	\$ 19
Education and Outreach: IT System Upgrades and Modifications	\$ 124
Total Investment Costs	\$ 5,877
O&M	
Charger Ready: annual software license & maintenance	\$ 110
Education and Outreach: Marketing, Materials	\$ 303
Administrative Costs	\$ 910
Data Acquisition	\$ 400
Total O&M Expenses	\$ 1,723
EV Program Total Budget	\$ 7,600

6. The Parties agree that there is uncertainty as to the precise timing and budgets for the EV Program and subprograms, including as a result of the ongoing COVID-19 pandemic.

Accordingly, the Company may make adjustments to subprogram budgets in response to real market and service conditions experienced via the process set forth in this paragraph. The Company may re-allocate the budgets for individual subprograms in Attachment A between and among program years. In addition, the Company may re-allocate its budgets for the subprograms in Attachment A between those subprogram offerings within the same category of spending (*i.e.*, investments or O&M), as follows: up to 5 percent of each subprogram's total budget with notification to Staff and Rate Counsel (which should be provided 30 days in advance of the change), 6 to 24 percent with Staff approval, 25 percent and over with the Board's approval. The Company shall provide all notifications and requests for approval under this paragraph to Board Staff and Rate Counsel and shall include a written description of, and rationale for, the proposed re-allocation. Any objections for matters requiring Staff approval shall be provided within 30 days of the Company's request.

7. Term. The Parties agree that the effective date of the EV Program shall be the date of the Board Order approving this Stipulation ("Effective Date"). The launch date of each of the subprograms is set forth in Attachment A. The Company's expenditures for the EV Program shall terminate upon exhaustion of the budgeted program dollars or after four years from the commencement of the individual subprograms, whichever occurs first. Cost recovery shall continue following the conclusion of expenditures on the EV Program in accordance with the cost recovery mechanism set forth in paragraphs 12 through 18.

8. ECOS Study. The Company will conduct an embedded cost of service study ("ECOS study") based on EV Charging Data available to the Company for residential and non-residential customers. The Company requires a minimum of one year's worth of data to perform the ECOS study. The Company will provide a copy of the ECOS study and supporting

information in its Next Base Rate Case (as defined in paragraph 14 below), assuming said base rate case is filed more than one year after the effective date of the Board Order approving this Stipulation. The ECOS study will inform the Company's proposal for cost-based EV charging rates for residential and non-residential EV charging sites operating on the Company's distribution system in its next base rate proceeding. If the Company decides not to make such a rate proposal in its Next Base Rate Case, the burden of proof shall remain with the Company to establish an adequate basis for not making such an EV rate proposal. The Parties agree that no Party shall be precluded from presenting alternative methodologies to the ECOS study in the development of EV charging rate(s). The Parties further agree that all Parties have reserved their rights to contest in a future base rate case, the Company's proposals regarding distribution rates, costs, and rate design, including those for EV charging facilities. The Parties acknowledge that the Company requires charging data to perform an ECOS study to identify and allocate accurately the costs of providing electric distribution service for EV charging, inform the possible development of EV rate tariffs, and provide data to evaluate other mechanisms to incent EV owners to use charging services in a manner that has the least impact on the reliability and costs of RECO's distribution system. The Parties agree that all customers – both residential and non-residential – who elect to receive incentives under the Company's EV Charging Program shall be required to provide customer charging data to RECO, upon request by RECO. The Parties agree to comply with any regulations promulgated by the Board regarding access to, and the use of charging data. In accordance with the Board's directive to the EDCs in its November 17, 2021 Order in BPU Docket No. ER21030631 (p.18),³ subject to customer consent the

³ *I/M/O the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2022*, BPU Docket No. ER21030631, Decision and Order (dated November 17, 2021).

Company will also collect EV charging data required to support the establishment of EV-specific Basic Generation Service (“BGS”) rates in a future BGS proceeding.

9. Tariffs. The Company’s revised tariff pages implementing this Stipulation, which include the new voluntary TOD residential rate and the initial one-year price guarantee to residential customers who register their EV with the Company and take service under the new TOD rate, are attached hereto as Attachment B. Following the Board’s approval of this Stipulation, the revised tariff pages will be filed showing their effective date.

10. Mapping. The Company has published on its website an interactive public map⁴ that displays an estimate of the remaining circuit and substation load capacity to help guide EV charging developers to areas where EV chargers can likely interconnect with minimal needs for system reinforcement. The Company made these maps available beginning in December 2020 and updates them on a semi-annual basis. The Company-prepared maps will be posted for informational purposes only and will not be used by the Company in responding to service requests. The Company agrees that it will comply with any regulations promulgated by the Board regarding mapping EV charging sites and capacity. Customers requiring a new service and/or capacity upgrade at a premise must submit a new service request to the Company.

11. Medium- and Heavy-Duty EV and Reservation. The Parties recognize that the EV Filing Order reserves issues related to medium- and heavy-duty EVs for further stakeholder proceedings, which are now proceeding in BPU Docket No. QO21060946. The Company states its present intention to propose additional EV charging infrastructure initiatives, upon the

⁴ <https://www.oru.com/en/business-partners/hosting-capacity>

completion of Board proceedings to address charging infrastructure for medium- and heavy-duty EVs, consistent with requirements resulting from those proceedings. All parties reserve their rights to respond to that filing once it is made.

COST RECOVERY

12. Until they are included in base rates via the process set forth in paragraphs 15 - 18 below, EV Program-related Investment costs as described in paragraph 5 shall be deferred and placed in a regulatory asset (“EV Investment Regulatory Asset”).

13. The EV-Program related Investments costs to be deferred and included in the EV Investment Regulatory Asset include an amortization associated with new Investments. In addition, the EV Investment Regulatory Asset will earn a rate of return, which shall be deferred and included in the EV Investment Regulatory Asset, based on the Company’s Board-approved Weighted Average Cost of Capital (“WACC”) in effect at the time of the deferral. The formula for the Monthly EV Investment Regulatory Asset Deferral component of the EV Regulatory Asset is:

Monthly EV Investment Regulatory Asset Deferral = ((Pre-Tax Cost of Capital /12) * Average Monthly Rate Base) + Monthly Amortization Expense) + (Average Monthly Investment Deferral Balance * (Pre-Tax Cost of Capital /12))

- A) The term “Pre-Tax Cost of Capital” means RECO’s pre-tax overall WACC in effect at the time of the deferral. WACC is assessed on the ROE, long-term debt and capital structure approved by the Board in RECO’s most recently approved base rate case. Any change in the WACC authorized by the Board in a subsequent base rate case will be applied to 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:
- EV Investment Regulatory Asset;
 - Less the associated Accumulated Amortization; and
 - Less the associated Accumulated Deferred Income Tax.

C) The term “Amortization Expense” provides for the recovery of RECO’s Investment over ten years.

14. The EV Program-related Investments costs, including those recorded in the EV Regulatory Asset, shall be reviewed for prudence and inclusion in base rates in the Company’s next base rate case, which shall be filed not later than May 1, 2027 (“Next Base Rate Case”).

15. The costs associated with the EV Program investment that are determined by the Board to be reasonable and prudent, and that are likely to be in-service by the end of six 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 standards.⁵

16. The revenue requirement in the Next Base Rate Case and subsequent base rate cases, if applicable, will include a return of and on the deferred amounts in the EV Regulatory Asset. 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 then-current income tax rates. The return of the deferred Investment will be based on the amortization period approved by the Board in the Next Base Rate Case and subsequent base rate cases if applicable. The Parties reserve their rights to argue the appropriate amortization period.

17. For EV Investments placed in service more than six months following the end of the test year in the Next Base Rate Case, the Company has the option to make roll-in filings no more than once per year following the Next Base Rate Case to review such capital investment costs and include them in rates after the associated infrastructure has been placed in service. If the Company elects to file a base rate roll-in filing, it shall (a) include three months of forecast data that will be trued-up with actual data no later than 20 days after the end of the final forecast

⁵ *I/M/O Elizabethtown Water Company Rate Case*, BPU Docket No. WR8504330, Decision on Motion for Determination of Test Year and Appropriate Time Period for Adjustments (dated May 23, 1985).

month and (b) request that new rates be implemented three months after the end of the final forecast month. The schedule for the optional annual base roll-in filings shall be determined in the Company's Next Base Rate Case. For EV Investments placed in service more than six months following the end of the test year in the Next Base Rate Case that are not addressed in annual roll-in filings, the Investment costs shall be reviewed for prudence and included in rates in a subsequent base rate case or cases. All roll-ins approved between base rate cases shall be interim and subject to a prudence review at the next applicable base rate case.

18. Until they are included in base rates in accordance with this paragraph, incremental EV Program-related O&M costs as described in paragraph 5 shall be deferred and placed in a regulatory asset ("EV O&M Regulatory Asset") with a monthly carrying charge at the prior month's two-year Treasury rate plus 60 basis points that shall be included in the EV O&M Regulatory Asset. The EV O&M Regulatory Asset shall be recovered in the Company's Next Base Rate Case and subsequent base rate cases if applicable. The costs in the EV O&M Regulatory Asset are subject to prudence review in the Next Base Rate Case and subsequent rate cases if applicable. The amortization period for recovery of the EV O&M Regulatory Asset will be determined in the Next Base Rate Case and subsequent base rate cases if applicable. The Parties reserve their rights to argue the appropriate amortization period.

APPLICABLE PUBLIC FUNDING

19. If funding or credits from any subsequent state or federal action 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 EV Subprograms 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 EV Program (excluding program incentive financing) fund more than 90% of the total cost of the project. If the Company determines that an installation or project will receive public funding equal to more than 90% of the total cost of the project, subject to any restrictions set forth in applicable law, incentive funding approved as part of this EV Program shall be reduced to bring the total rebates and incentives to no more than 90% of the total cost of the project. 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 the maximum amount authorized in this Stipulation for the EV Charger Ready Program.

REPORTING

20. Progress Reports. The Company will provide a semi-annual report on deployment of the EV Program ("EV Semi-Annual Report") to Staff and Rate Counsel, 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, under each of the Company's offerings (*e.g.*, under Charger Ready Program number of plugs completed/incentivized for Commercial L2, Commercial DCFC, Residential L2);
- The budgeted and actual EV Investments costs to date for the annual reporting period and for the program to date;

- The budgeted and actual O&M expenses to date for the annual reporting period and for the program to date;
- Aggregated, anonymized (*i.e.*, subject to appropriate privacy standards) Charger Ready program-level AMI data; and
- Hourly energy in kWh (obtained by AMI) for each charger associated with a participating site in the Charger Ready – Residential, Charger Ready- Commercial, and DCFC Incentive program data will be anonymized in a manner so that it can be reported to Board Staff and Rate Counsel, who may in turn share these reports publicly.

The program expenditures shall be broken out among labor, material, and other costs. The annual reporting will commence by March 15, 2023 and continue each year thereafter, based on actual results through December 31 of the prior year. The Company will continue to submit annual reports by March 15 of each year through March 15 of the year following the completion of the EV Program investment, through the end of the EV Program.

DATA COLLECTION

21. 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 RECO, as compatible with the technical needs of its electric distribution system for make ready eligibility. Consistent with the EV Filing Order, “site owner and operator” means

site host, property manager, an electric vehicle service equipment (“EVSE”) infrastructure company, or an EDC with Board approval that is responsible for installing EVSE.⁶

22. To be eligible for the incentives set forth in Attachment A, EV Program participants must agree to share session-level EV Charging Data with RECO. For purposes of this Stipulation:

- “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 EV Program implementation.

23. 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. In addition:

- Data shall be submitted to RECO at least quarterly.
- RECO will work with Board Staff and Rate Counsel 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

⁶ EV Filing Order (p. 17).

specific technology and use cases during EV Program implementation so that reported data effectively informs program analysis.

- EV Charging Data will be aggregated by RECO for the purposes set forth in this Stipulation.
- RECO agrees to treat EV Charging Data provided as a condition of service or eligibility for the EV Program as confidential and proprietary to the providing party, and agrees to maintain the confidentiality of the information provided to RECO. 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.

24. Charging Data – Third Parties. 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 and energy services market participants. A customer's consent to provide EV Charging Data to the Company as a condition of service or eligibility for the Company's EV programs to facilitate the ECOS study does not constitute consent to provide data to third parties for other, non-Company purposes. The 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.

ADDITIONAL COMMITMENTS

25. The Company acknowledges that guidance in the EV Filing Order (p. 23) recommends that EV chargers located at multi-family dwellings utilize the same rate as residential customers are charged for EV charging. RECO has developed the following solution to address rate parity between EV charging at single family residences and sites located at multi-

family dwellings. For multi-family dwellings with Level 2 EV chargers, such chargers will be charged for distribution charges at a rate equal to that of an SC No. 1 single family residence. All other charges will be those imposed on an SC No. 2 customer.

26. The Company will submit a filing to the Board for a program aimed at developing customer off-peak charging behavior (“Managed Charging Program”) with budget by December 31, 2022. This Managed Charging Program will be designed to encourage EV charging at beneficial times and lead to the development of positive charging habits thereby minimizing the need for additional distribution system infrastructure to serve peak demand and improving the use of existing utility assets. Any budget proposed for a Managed Charging Program will be incremental to the budgets defined in this Stipulation. Any charging data collected through a Managed Charging Program can be used to better understand customers’ charging behavior and further refine EV program to offer solutions that benefit EV owners, the distribution system, and all ratepayers.

27. The Company will not own or operate EV chargers for public use unless and until the Board has authorized RECO to own and operate such facilities as a provider in Areas of Last Resort consistent with the requirements set forth in the EV Filing Order.⁷

28. Participation in the Charger Ready program does not change the existing ownership structure of infrastructure.

FURTHER PROVISIONS

29. Schedules. All schedules referenced in and attached to this Stipulation are incorporated by reference herein as if set forth in the body of this Stipulation.

⁷ The EV Filing Order (p. 21) defines “Areas of Last Resort” as locations that have not generated private investment interest for the installation of publicly-accessible EV chargers for a minimum of 12 months after the EDC program has begun, for overburdened communities, or 18 months for other areas.

30. Voluntariness. The Parties agree that this Stipulation is voluntary, consistent with law, and fully dispositive of the issues addressed herein. The Parties have entered this Stipulation after consideration of the Petition and updates, the pre-filed testimony of the Parties, and discovery in this matter.

31. Board Approval. The Parties agree that the Board should issue an Order that adopts this Stipulation and thereby authorizes RECO to implement the EV Program and recover the costs thereof in accordance with this Stipulation. Each Party agrees to use its best efforts to ensure this Stipulation is submitted to the Board in a timely fashion and to urge the Board to issue expeditiously their approvals of this Stipulation at the earliest date practicable and issuing and serving a written Order approving this Stipulation expeditiously thereafter. The Parties hereby request that the Board: (i) address this matter at the next appropriate agenda meeting, and (ii) thereafter expeditiously issue and serve a written Order approving this Stipulation. The Parties' agreements above are consistent with their understanding that the Board's written Order approving this Stipulation will become effective in accordance with N.J.S.A. 48:2-40 upon the service of said Order or upon such date after service as the Board may specify.

32. Waiver of Rights of Appeal. Each Party specifically waives any right it may have to seek reconsideration of or to appeal an order by the Board that approves this Stipulation in the manner provided for herein without modification.

33. Rights Upon Disapproval or Modification. This Stipulation contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. This Stipulation is an integral settlement and the various parts hereof are not severable without upsetting the balance of agreements and compromises achieved among the Parties. In the event the Board disapproves this Stipulation as a whole, it shall be null and void. In the

event that any particular aspect of this Stipulation is not accepted and approved by the Board in its entirety, without modification, or is modified by a court of competent jurisdiction: (i) the Parties are not waiving any legal or procedural rights, arguments or claims they may have before the Board or in any forum including rights to appeal the Board decision, and (ii) this Stipulation shall, at the option and discretion of any Party aggrieved thereby, exercised by written notice to the other Parties within ten days after receipt of any such adverse decision, be deemed null and void in which case the Parties shall be placed in the same position that they were in immediately prior to its execution, and the Parties may proceed to litigate issues addressed herein to a conclusion and pursue other available legal remedies as though this Stipulation had not been signed.

34. Party Reservations. This Stipulation represents a negotiated compromise resolution that has been made exclusively for the purpose of resolving the issues addressed in the above-captioned case and docket. Although binding on the Parties with respect to the issues resolved herein in this proceeding, this Stipulation, in total or by specific item, is in no way binding upon the Parties and is not to be considered or cited as precedent in favor of or against their respective positions on any issue in any other proceeding, except to enforce the terms of this Stipulation. The Parties agree that the resolution of the issues herein shall apply only to the above-captioned case and that any similar future cases shall be reviewed by the Board on an individual basis, except as specifically set forth herein. This Stipulation is without prejudice to the positions of the respective Parties with respect to any future proceedings involving the Company, except as specifically set forth herein. Further, by executing this Stipulation, no Party waives any rights it possesses under any prior Stipulation or Board Order, except where the terms of this Stipulation supersede such prior Stipulation.

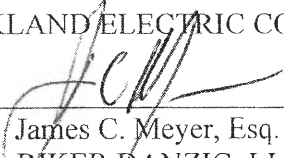
35. Amendment. This Stipulation represents the full scope of the agreement between the Parties. This Stipulation may only be modified by a further written agreement executed by all of the Parties to this Stipulation.

36. Governing Law. This Stipulation shall be governed and construed in accordance with the laws of the State of New Jersey.

37. Execution. This Stipulation may be executed in one or more counterparts and shall become effective when one or more counterparts have been signed by each of the Parties. Each Party has caused its duly authorized representative to execute below and deliver this Stipulation.

ROCKLAND ELECTRIC COMPANY


By: _____


James C. Meyer, Esq.
RIKER DANZIG, LLP

Title: Counsel

BRIAN O. LIPMAN
Director, Division of Rate Counsel

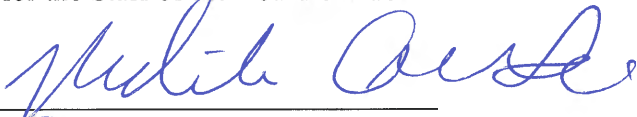
By: _____

 8/29/22
Maura Caroselli

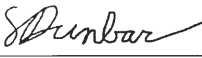
Title: Managing Attorney

EO20110730

ANDREW J. BRUCK
ACTING ATTORNEY GENERAL OF
NEW JERSEY
Attorney for the Staff of the Board of Public
Utilities

By: 
~~Matko Titi~~, Esq.
MELIHA ARNAUSTOVIC
Title: Deputy Attorney General

CHARGE POINT, INC.

By: 
Scott Dunbar, Esq.
Keyes & Fox LLP

Title: Counsel

ATTACHMENT A

EV SUBPROGRAMS

EV Subprogram Budget

RECO Program Summary of Investments and O&M (000s)						
ID	Program Detail	2022	2023	2024	2025	Total
1	Charger Ready Program: Commercial (Investment)	\$ 349	\$ 698	\$ 1,047	\$ 1,398	\$ 3,492
	Charger Ready Program: Residential (Investment)	\$ 188	\$ 376	\$ 563	\$ 751	\$ 1,878
	Charger Ready Program (Investment)	\$ 25	\$ 25	\$ -	\$ -	\$ 50
	Charger Ready Program (O&M)	\$ 10	\$ 20	\$ 40	\$ 40	\$ 110
2	Voluntary TOD Rate (Investment)	\$ 19	\$ -	\$ -	\$ -	\$ 19
3	DCFC Incentives (Investment)	\$ 31	\$ 63	\$ 94	\$ 126	\$ 314
4	Education and Outreach Program (Investment)	\$ 31	\$ 31	\$ 31	\$ 31	\$ 124
	Education and Outreach Program (O&M)	\$ 70	\$ 70	\$ 80	\$ 83	\$ 303
1,3	Data Acquisition (O&M)	\$ 100	\$ 100	\$ 100	\$ 100	\$ 400
1-4	Administrative Cost (O&M)	\$ 124	\$ 217	\$ 283	\$ 286	\$ 910
Portfolio Category		2022	2023	2024	2025	Total
Portfolio Investments (Incentives and IT system upgrades)		\$ 643	\$ 1,193	\$ 1,735	\$ 2,306	\$ 5,877
Portfolio O&M (licenses, marketing, and data acquisition)		\$ 180	\$ 190	\$ 220	\$ 223	\$ 813
Portfolio O&M (administrative cost)		\$ 124	\$ 217	\$ 283	\$ 286	\$ 910
Portfolio Total		\$ 947	\$ 1,600	\$ 2,238	\$ 2,815	\$ 7,600

Charger Ready Subprogram

The Charger Ready Subprogram has two components: Charger Ready– Residential and Charger Ready – Commercial. The Charger Ready Subprogram will reduce economic barriers by providing financial incentives to both residential and commercial customers to help offset the costs of EV charging infrastructure. It will thereby increase charger deployment (in homes, multi-family dwellings, workplaces, and publicly accessible locations such as highways and malls) and address EV owner range anxiety. The Charger Ready Subprogram has a budget of \$5,530,000 over the term of the EV Program.

Charger Ready - Residential	
Program Term Budget for Incentives	\$1,878,000
Equipment Eligibility	<ul style="list-style-type: none"> Limited to utility-sided and customer-sided equipment for Level 2 chargers installed in a residence in the RECO service territory on or after the Effective Date.
Operational Eligibility	<ul style="list-style-type: none"> Utility-sided costs include the costs for utility-sided equipment, which are in excess of the customer’s entitlement and that would typically be borne by a Participant Customer-sided costs may include service panels, junction boxes, conduit, and wiring necessary to make a location able to accommodate an EV charger on a “plug and play” basis EV charger costs are not eligible for an incentive The customer will own the EV charger and be solely responsible for its operation and maintenance To receive Charger Ready incentives, residential customers must agree to permit the Company to share their AMI data, related to the meter associated with their EV charger, with the BPU on a confidential basis, as part of program reporting.
Dollar Incentive Maximums	<p>The incentive paid will be the greater of the eligible costs incurred or the maximum per plug incentive, as follows:</p> <ul style="list-style-type: none"> For Utility-sided costs: maximum per plug is \$5,000 For Customer-sided costs: maximum incentive per plug is \$1,000
Target	Level 2 plugs: 1,448
Time Frame:	The Charger Ready – Residential program will launch 60 days after the Effective Date. Program Effective Date through exhaustion of the Charger

	Ready - Residential program budget or after four years from the commencement of the Charger Ready – Residential program.
Charger Ready - Commercial	
Program Term Budget for Incentives	\$3,492,000
Equipment Eligibility	<ul style="list-style-type: none"> Limited to utility-sided and customer-sided equipment for EV chargers installed in the RECO service territory on or after the Effective Date.
Operational Eligibility	<ul style="list-style-type: none"> Charger Ready costs will be incentivized according to Table A-1 below. MFDs will qualify for Tier 1 or Tier 2, depending upon whether they are located in an Overburdened Community. To receive incentives, Level 2 plugs in MFDs do not need to be publicly accessible. Utility-sided costs include the costs for utility-sided equipment, which are in excess of the customer’s entitlement and that would typically be borne by a Participant Customer-sided costs may include service panels, junction boxes, conduit, and wiring necessary to make a location able to accommodate an EV charger on a “plug and play” basis EV charger costs are not eligible for an incentive The customer will own the EV charger and be solely responsible for its operation and maintenance. DCFC stations with more than ten plugs and/or demand in excess of 2MW will only be allowed to participate in the Charger Ready Program if development of the site does not cause RECO to incur new business costs greater than the cost that would be incurred to develop a site with a maximum demand of 2MW For DCFC stations, the number of plugs eligible for the incentive will be defined as those plugs capable of simultaneously charging at 50 kW or greater. DCFC stations must comply with Federal Americans With Disabilities Act guidelines. Publicly accessible chargers (including those not located at workplaces or MFDs) must be listed on the U.S. Department of Energy Alternative Fueling Station Locator.

	<ul style="list-style-type: none"> • To receive Charger Ready incentives, customers must agree to permit the Company to share their charging data and AMI data, related to the meter associated with their EV charger, with the BPU on a confidential basis, as part of program reporting. • Site hosts must guarantee public accessibility and operational functionality in a manner consistent with the definitions for publicly accessible plugs and operational requirements as defined in Attachment D. • Level 2 chargers located at MFDs that take service under RECO’s Service Classification (SC) No. 1 residential rate must be separately metered. The separate meter can be installed at the time of charger installation or at a later date and must be installed prior to receiving service under SC1. This option is not available to DCFCs installed at MFDs.
Maximum Incentive for Level 2 plugs	<p>The incentive paid will be the greater of the eligible costs incurred or the maximum per plug incentive, as follows:</p> <ul style="list-style-type: none"> • For Utility-sided costs: maximum per plug is \$4,400 • For Customer-sided costs: maximum incentive per plug is \$9,200
Maximum Incentive for DCFC plugs	<p>The incentive paid will be the greater of the eligible costs incurred or the maximum per plug incentive, as follows:</p> <ul style="list-style-type: none"> • For Utility-sided costs: maximum per plug is \$2,000 • For Customer-sided costs: maximum incentive per plug is \$81,000
Targets	<ul style="list-style-type: none"> • Level 2 Plugs: 413 • DCFC Plugs: 30
Time Frame:	<p>The Charger Ready – Commercial program will launch 60 days after the Effective Date. Program Effective Date through exhaustion of the Charger Ready - Commercial program budget or after four years from the commencement of the Charger Ready – Commercial program</p>

Table A-1: Incentive Levels and Corresponding Criteria

Incentive Levels	Tier 1	Tier 2	Tier 3
Utility-side Incentive level	100%	100%	50%
Customer-side Incentive level	up to 100%	up to 90%	up to 50%
Incentive Criteria			
Overburdened location	Yes	No	No
Standard plug	Yes	Yes	No
Publicly accessible plug	Yes	Yes	No
Meets all other Eligibility Requirements*	Yes	Yes	Yes

*This includes the requirements defined in Eligibility Requirements section above.

Voluntary Time-of-Day Rate

The Voluntary Time-of-Day Rate encourages EV charging and other home consumption during off-peak times to assist in the management of the electric distribution system peak, which benefits both customers and the distribution system.

The Voluntary Time-of-Day Rate includes:

Term Budget (excluding price guarantee)	\$19,000
Eligibility	<ul style="list-style-type: none">• Voluntary participation• Residential rate option• Customers take service under Service Classification No. 1 for their entire house usage
Peak and Off Peak Hours	<ul style="list-style-type: none">• Peak: 12:00 p.m. to 8:00 p.m., Monday through Friday• Off Peak: All other times
Price Guarantee	<ul style="list-style-type: none">• Available to customers who register their EVs with the Company and take service under this rate• Price guarantee for first year
Timeframe	<ul style="list-style-type: none">• The Voluntary Time-of-Day Rate will launch on September 1, 2022 and will remain in effect after EV Program ends• Price guarantee available from period beginning on September 1, 2022 until four years from the commencement of the EV Program

Direct Current Fast Charging (DCFC) Incentive Subprogram

The DCFC Incentive Subprogram is intended to address cost barriers, and encourage DCFC deployment, by effectively lowering operating costs through demand charge relief in the near-to medium-term while station utilization increases to levels where such support can be lowered or eliminated.

The DCFC Incentive Subprogram includes:

Term Budget	\$314,000
Incentive Amounts	<ul style="list-style-type: none"> • Annual per-plug incentive of 75 percent of demand charge. • Maximum dollar incentive of \$5,400 each year in years 1 and 2 • Maximum dollar incentive of \$3,600 each year in years 3 and 4
Eligibility	<ul style="list-style-type: none"> • Available to new and existing DCFC plugs • DCFC plugs must be standard (see definition in appendix) • Participants must take service under a demand-based tariff • Participants must guarantee public accessibility and operational functionality in a manner consistent with the definitions for publicly accessible plug and operational requirement as defined in Attachment D • The number of plugs eligible for the incentive will be defined as those plugs capable of simultaneously charging at 50 kW or greater • DCFC stations with more than ten plugs and/or demand in excess of 2MW will only be allowed to participate in the DCFC Incentive Program if development of the site does not cause RECO to incur new business costs greater than the cost that would be incurred to develop a site with a maximum demand of 2MW • Plugs must comply with Federal Americans With Disabilities Act guidelines, and must be listed on the U.S. Department of Energy Alternative Fueling Station Locator • To receive DCFC incentives, customers must agree to permit the Company to share their charging data and AMI data, related to the meter associated with their DCFC, with the BPU on a confidential basis, as part of

	program reporting
Target	DCFC plugs: 31
Timeframe	The DCFC Incentive Program will launch 60 days after the Effective Date. Program Effective Date through exhaustion of the DCFC Incentive program budget or after four years from the commencement of the DCFC Incentive program.

Outreach and Education Subprogram

The Outreach and Education Subprogram will increase consumer awareness of EVs, incentives, and charging alternatives; reduce range anxiety through charger-related information; and provide opportunities for consumers to interact with knowledgeable individuals, thereby encouraging EV adoption.

The Outreach and Education Subprogram includes:

Program Term Budget	\$427,000	
Program Activities and Description		
	Ride and Drive Events	<ul style="list-style-type: none"> Partner with third parties to sponsor Ride and Drive Events throughout the term of the program. Maximum spending of \$100,000 during EV Program term
	EV Advisor Tool	<ul style="list-style-type: none"> Add and update information on incentives and programs offered by New Jersey and RECO to online EV advisor tool Online customer bill impact calculator
	Outreach and Education Materials	Develop and distribute outreach and education materials that provide both current and potential EV owners with information on EVs, types of EV chargers, beneficial EV charging, electric rates offered by the Company, incentives and rebates offered by a variety of sources, the total cost of EV ownership, and the Company’s website and online EV Advisor tool
	Community Outreach	Conduct community outreach and education at municipal events, and through media and other marketing avenues
Timeframe	Spending for the Education and Outreach program will begin following the Effective Date. Program Effective Date through exhaustion of the Outreach and Education program budget or after four years from the commencement of the Outreach and Education program.	

ATTACHMENT B

TARIFF PAGES

**SERVICE CLASSIFICATION NO. 1
 RESIDENTIAL SERVICE**

APPLICABLE TO USE OF SERVICE FOR

Sales and delivery of electric power supply provided by the Company or delivery of electric power supply provided by an electric generation supplier under the Company's Retail Access Program to residential customers. All service at each residence shall be taken through one meter. Service will also be furnished hereunder to a church and adjacent buildings (other than school buildings which substitute for public education), owned by the church and operated in connection therewith; provided, however, that if the buildings of any such church group are separated by a highway or highways, then the electricity delivered to each group so separated shall not be combined with the electricity delivered to other buildings of the church group but shall be billed separately under this rate.

CHARACTER OF SERVICE

Continuous, 60 cycle, A.C., from any of the following systems as designated by the Company:

- (1) Single phase at approximately 120, 120/208 or 120/240 volts.
- (2) Three phase four wire at approximately 120/208 volts in limited areas.

RATE – MONTHLY

	<u>Summer Months*</u>	<u>Other Months</u>
(1) <u>Customer Charge</u>	\$5.75	\$5.75
(2) <u>Distribution Charge</u>		
(a) Distribution Charge Applicable to non-Time-of-Day Service		
First 600 kWh	@ 6.062 ¢ per kWh	6.062 ¢ per kWh
Over 600 kWh	@ 7.633 ¢ per kWh	6.062 ¢ per kWh
(b) Distribution Charge Applicable to Voluntary Time-of-Day Service		
<u>Peak</u>		
All kWh measured between 12:00 p.m. and 8:00 p.m., Monday Through Friday.....	@ 14.032 ¢ per kWh	10.794 ¢ per kWh
<u>Off Peak</u>		
All other kWh.....	@ 4.235 ¢ per kWh	4.235 ¢ per kWh

* Definition of Summer Billing Months - June through September

(Continued)

ISSUED:

EFFECTIVE:

ISSUED BY: Robert Sanchez, President
 Mahwah, New Jersey 07430

**SERVICE CLASSIFICATION NO. 1
RESIDENTIAL SERVICE (Continued)**

RATE – MONTHLY (Continued)

(5) Basic Generation Service

Customers taking Basic Generation Service from the Company will be billed for such service in accordance with General Information Section No. 31.

In accordance with Riders CBT and SUT, the charges in this Rate Schedule include provision for the New Jersey Corporation Business Tax and the New Jersey Sales and Use Tax. When billed to customers exempt from one or more of these taxes, as set forth in Riders CBT and SUT, such charges will be reduced by the relevant amount of such taxes included therein.

MINIMUM CHARGE EACH CONTRACT EACH LOCATION

\$5.75 monthly, not less than \$34.50 per contract.

TERMS OF PAYMENT

Bills are due in accordance with General Information Section No. 10.

TERM

Terminable at any time unless a specified period is required under a line extension agreement.

Customers taking service under Part 2(b) of RATE – MONTHLY hereunder shall not be entitled to service at the same location under Part 2(a) of RATE – MONTHLY or Service Classification No. 3 until one year from the date of service or thereafter on the annual anniversary date upon 5 days' prior written notice. A customer cannot opt back into taking service under Part 2(b) of RATE – MONTHLY for at least one year after opting out of such rate.

EXTENSION OF FACILITIES

Where service is supplied from an extension the charges thereon shall be determined as provided in General Information.

(Continued)

ISSUED:

EFFECTIVE:

ISSUED BY: Robert Sanchez, President
Mahwah, New Jersey 07430

**SERVICE CLASSIFICATION NO. 1
RESIDENTIAL SERVICE (Continued)**

SPECIAL PROVISIONS

(A) Short Term Service

Customers desiring service under this schedule for less than six months, where service is already installed, shall pay in advance the contract minimum as specified under "Minimum Charge Each Contract Each Location" or under an applicable line extension agreement, or, if the estimated bill for two months or such shorter period as service may be desired exceeds the contract minimum, the Company reserves the right to request a deposit equal to this estimated bill. A part of a month shall be considered a full month for computing all charges hereunder.

(B) Budget Billing Plan

Any customer taking service under Part 2(a) of RATE – MONTHLY hereunder may, upon request, be billed monthly in accordance with the budget billing plan as provided for in General Information Section 8 of this tariff.

(C) Metering for Voluntary Time-of-Day Service

Customers who wish to take service under Part 2(b) of RATE – MONTHLY hereunder shall not be permitted to opt out of AMI or AMR metering.

(D) Price Guarantee for Residence with Plug-in Electric Vehicle(s)

A customer taking service under Part 2(b) of RATE – MONTHLY hereunder for a residence that includes a Plug-In Electric Vehicle ("PEV") and registers such PEV with the Company will receive a price guarantee for a period of one year commencing with the first full billing cycle after the customer registers the PEV with the Company. Under the price guarantee, the customer will receive a credit following the initial one-year period for the difference, if any, between what the customer paid and what the customer would have paid under Part 2(a) under Rate-Monthly over that one-year period if the Part 2(a) amount is lower.

(Continued)

ISSUED:

EFFECTIVE:

ISSUED BY: Robert Sanchez, President
Mahwah, New Jersey 07430

ATTACHMENT C

Definitions

Definitions

Multi-family dwelling (MFDs): apartments, condominiums or mixed residential locations that feature a minimum of five units

Operational requirements: Participants in the Charger Ready program will be required to adhere to the following operational requirements, at a minimum: (a) DCFC plugs must be operational 95 percent of the time annually; (b) DCFC charging stations must be operational 99 percent of the time annually, with a minimum of half of the plugs considered to be “up” at all time; and (c) all charging stations in the EV Program must operate for a minimum of five years.

Overburdened community: Any census block group, as determined in accordance with the most recent United States Census, in which at least one half of the households qualify as low income households and either: (1) at least 40% of the residents of the census block group identify as Black, African American, Hispanic or Latino, Asian, Pacific Islander, or as members of a State recognized tribal community; or (2) at least 40% of the households in the census block group have limited English proficiency

Participant: An entity that applies for and receives incentives through the Charger-Ready or DCFC Incentive programs. A Participant may include a developer, contractor, equipment owner, site host, customer, or other entity.

Publicly accessible plug: A plug located on public land, a community location, or a travel corridor. Such chargers are owned and operated by a site owner, property manager or management company, EVSE Infrastructure Company or, in limited cases, an EDC that is accessible to the public 24 hours a day, seven days a week; however, generic parking restrictions or requirements, such as in a commercial garage, or emergency restrictions, including construction, street cleaning, are not applicable. Such chargers may charge the EV owner a fee for charging; such fees will be clearly displayed to the user.

Standard plug: For DCFC, plugs which are non-proprietary, or stations where a proprietary plug type is collocated at a station with an equal number of non-proprietary plug types of equal or greater charging capacity. For L2, only plugs that are non-proprietary, such as SAE J1772 plugs.