



measures must be essential elements of the State's energy future, and that greater reliance on energy efficiency and conservation will provide significant benefits to the citizens of New Jersey. The Legislature also found that public utility involvement and competition in the conservation and energy efficiency industries are essential to maximize efficiencies. N.J.S.A. 26:2C-45.

Pursuant to Section 13 of the Act, codified as N.J.S.A. 48:3-98.1, an electric or gas public utility may, among other things, provide and invest in energy efficiency and conservation programs in its service territory on a regulated basis. Such investment in energy efficiency and conservation programs may be eligible for rate treatment approved by the New Jersey Board of Public Utilities ("Board"), including a return on equity, or other incentives or rate mechanisms that decouple utility revenue from sales of electricity and gas. N.J.S.A. 48:3-98.1(b). Ratemaking treatment may include placing appropriate technology and program cost investments in the utility's rate base, or recovering the utility's technology and program costs through another ratemaking methodology approved by the Board. An electric or gas public utility seeking cost recovery for any energy efficiency and conservation programs pursuant to N.J.S.A. 48:3-98.1 must file a petition with the Board.

### **August 2012 Filing**

On August 1, 2012, Public Service Electric and Gas Company ("PSE&G" or "Company") filed the instant petition with the Board. By letter dated August 31, 2012, Board Staff notified PSE&G that the filing was administratively incomplete. On September 12, 2012, PSE&G submitted a supplemental filing to address the deficiencies outlined in the August 31 letter from Staff. Subsequently, Board Staff notified PSE&G that with the information submitted in the September 12 supplemental filing, the filing was administratively complete.<sup>1</sup>

In the petition, PSE&G seeks approval to extend its current Solar 4 All Program through the addition of four distinct segments ("S4A Extension Program"). Under the proposal, PSE&G would develop an additional 136 megawatt dc of solar photovoltaic systems. It is estimated that the S4A Extension Program's capital investment will be approximately \$690 million over a five year period. PSE&G proposes to recover all S4A Extension Program costs through a new component of the Regional Greenhouse Gas Initiative Recovery Charge.

By Order dated October 23, 2012, the Board retained this matter for review and hearing as authorized by N.J.S.A. 48:2-32 and designated President Robert M. Hanna as the presiding officer in this proceeding. Subsequently, by Order dated November 19, 2012, President Hanna approved a procedural schedule in this matter. By Order dated November 29, 2012, President Hanna ruled on motions to intervene that had been filed as of that date. By various Orders since then, additional parties have been added to this proceeding with each new party agreeing

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<sup>1</sup> N.J.S.A. 48:3-98.1 requires the Board to decide cost recovery issues within 180 days. Pursuant to the Board Order issued in response to a further statutory directive within that section, Board Staff must review a petition for completeness within 30 days and, when a petition is determined to be complete, set the beginning of the 180-day period. In the Matter of Electric Public Utilities and Gas Public Utilities Offering Energy Efficiency and Conservation Programs, Investing in Class I Renewable Energy Resources, and Offering Class I Renewable Energy Programs in their Respective Service Territories on a Regulated Basis Pursuant to N.J.S.A. 48:3-98.1, Dkt. No. EO08030164 (May 8, 2008). Accordingly, the 180-day period for a Board determination commenced on September 12, 2012 and absent waiver by the Company would have expired on March 11, 2013.

to adhere to that schedule. By Order dated January 15, 2013, President Hanna approved a revised procedural schedule. By Order dated January 23, 2013, the Board approved a stipulation between the parties that extended the 180 day review period through April 1, 2013. By Order dated March 30, 2013, the Board approved a stipulation between the parties that extended the 180 day review period through May 1, 2013.

Intervenors, including the Division of Rate Counsel ("Rate Counsel"), filed testimony on January 18, 2013. On February 6, 2013, PSE&G filed rebuttal testimony which included a cost of equity study and extensive financial analysis. On February 8, 2013, Rate Counsel filed a motion in limine to strike this testimony and that of Company witness Jorge Cardenas or, in the alternative, to extend by sixty days the time for Rate Counsel to issue discovery on the rebuttal testimony and to present written surrebuttal testimony. On February 13, 2013, PSE&G filed its response to Rate Counsel's motion maintaining that the challenged testimony was properly submitted under the schedule and responsive to Rate Counsel's testimony.

On February 15, 2013, following discussions among the parties on February 14, 2013 and February 15, 2013, a revised schedule allowing time for written surrebuttal and limited discovery thereon was developed, dependent on a further extension of the 180-day time for a final decision. No party objected to the revised schedule after circulation to the e-service list. By Order dated February 21, 2013, President Hanna approved a revised procedural schedule. Pursuant to the modified procedural schedule, on March 1, 2013, Rate Counsel submitted the surrebuttal testimony of Andrea C. Crane, David E. Dismukes, Ph.D., and Matthew I. Kahal.

Hearings were held the week of March 18, 2013, and briefs were filed on April 12, 2013.

### **STIPULATION**

The parties have met to discuss the filing. On April 26, 2013, the Company and some of the parties entered into the attached stipulation ("Stipulation") agreeing to a further extension of the 180 day review period.

These Parties have agreed that to provide additional time for settlement discussions and responses, and to provide the Board with additional time to complete the processing of the petition and issue a final determination in this matter, the review period should be extended to May 31, 2013.

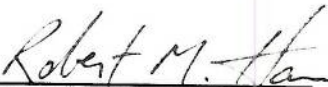
### **DISCUSSION AND FINDING**

The Board has carefully reviewed the record to date in this matter. The Board is satisfied and **HEREBY FINDS** that the Stipulation is reasonable and is in the public interest as it provides additional time for settlement discussions and for the filing of comments and a thorough review of the proposed extension of the Solar 4 All Program, and allows for the development of a full and complete record for review by the Board. Accordingly, the Board **HEREBY ADOPTS** the attached Stipulation as its own,


incorporating by reference its terms and conditions as it fully set forth herein, and pursuant to N.J.S.A. 48:2-21.3, **HEREBY EXTENDS** the review period under N.J.S.A. 48:3-98.1(b) to May 31, 2013.

DATED: 4/30/13

BOARD OF PUBLIC UTILITIES  
BY:

  
ROBERT M. HANNA  
PRESIDENT

  
JEANNE M. FOX  
COMMISSIONER

  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
MARY-ANNA HOLDEN  
COMMISSIONER

ATTEST:

  
KRISTI IZZO  
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 Public Service Electric and Gas Company for Approval of an Extension of a Solar Generation Investment Program and Associated Cost Recovery Mechanism and for Changes in the Tariff for Electric Service, B.P.U.N.J. No. 15 Electric Pursuant to N.J.S.A. 48:2-21, 48:2-21.1 and N.J.S.A. 48:3-98.1 - DOCKET NO. EO12080721

NOTIFICATION LIST

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STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

IN THE MATTER OF THE PETITION OF )  
PUBLIC SERVICE ELECTRIC AND GAS )  
COMPANY FOR APPROVAL OF AN EXTENSION )  
OF A SOLAR GENERATION INVESTMENT )  
PROGRAM AND ASSOCIATED COST )  
RECOVERY MECHANISM AND FOR CHANGES )  
IN THE TARIFF FOR ELECTRIC SERVICE, )  
B.P.U.N.J. NO. 15 ELECTRIC PURSUANT TO )  
N.J.S.A. 48:2-21, 48:2-21.1 AND N.J.S.A. 48:3-98.1 )  
("SOLAR4ALL EXTENSION PETITION") )

**EXTENSION STIPULATION**

BPU Docket No. EO12080721

IN THE MATTER OF THE PETITION OF )  
PUBLIC SERVICE ELECTRIC AND GAS )  
COMPANY FOR APPROVAL OF A SOLAR )  
LOAN III PROGRAM AND AN ASSOCIATED )  
COST RECOVERY MECHANISM AND FOR )  
CHANGES IN THE TARIFF FOR ELECTRIC )  
SERVICE, B.P.U.N.J. NO. 15 ELECTRIC )  
PURSUANT TO N.J.S.A. 48:2-21 AND )  
N.J.S.A. 48:2-21.1 )

BPU Docket No. EO12080726

**APPEARANCES FOR SOLAR4ALL EXTENSION**

**Matthew M. Weissman**, General Regulatory Counsel-Rates and **Sheree L. Kelly**, Assistant General Regulatory Counsel, for the Petitioner, Public Service Electric and Gas Company

**Paul E. Flanagan, Esq.**, Litigation Manager, **Kurt S. Lewandowski, Esq.**, Assistant Deputy Rate Counsel, **Maria Novas-Ruiz, Esq.**, Assistant Deputy Rate Counsel and **Sarah H. Steindel, Esq.**, Assistant Deputy Rate Counsel and **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel (**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel)

**Alex Moreau** and **T. David Wand**, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Jeffrey S. Chiesa**, Attorney General of New Jersey).

**Stephen S. Goldenberg, Esq.**, and **Paul F. Forshay, Esq.**, Fox Rothschild, LLP, for New Jersey Large Energy Users Coalition

**James E. McGuire, Esq.**, Reed Smith LLP, for Wattlots, LLC

**Susan P. LeGros, Esq.** and **Michael A. Gruin, Esq.**, Stevens & Lee, P.C., for Solar Energy Industries Association



**William Potter, Esq.**, Potter and Dickson, for Mid-Atlantic Solar Energy Industries Association

**Basem Ramada, Esq.**, for Petra Solar

**Robert F. Shapiro, Esq.**, Chadbourne & Parke, LLP, for Prologis

**Hani Khoury, Esq.**, Awad & Khoury, Attorneys at Law, for New Jersey Solar Industry Manufacturers Association

**Robert T. Lawless Esq.**, Hedinger & Lawless, LLC, for SunDurance Energy

**Michael R. Yellin, Esq., David M. Kohane, Esq., Jason R. Melzer, Esq., & Marcie R. Horowitz, Esq.**, Cole, Schotz, Meisel, Forman & Leonard, P.A., for KDC Solar, LLC

**Pamela J. Scott, Esq.**, for Atlantic City Electric Company

**APPEARANCES FOR SOLAR LOAN III:**

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**Paul E. Flanagan, Esq.**, Litigation Manager, **Sarah H. Steindel, Esq.** and **James Glassen Esq.**, Assistant Deputy Rate Counsels and **Felicia Thomas-Friel, Esq.**, Deputy Rate Counsel (**Stefanie A. Brand, Esq.**, Director, New Jersey Division of Rate Counsel)

**Alex Moreau, T. David Wand**, and **Joshua T. Rabinowitz**, Deputy Attorneys General, for the Staff of the New Jersey Board of Public Utilities (**Jeffrey S. Chiesa**, Attorney General of New Jersey)

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**Susan P. LeGros, Esq. and Michael A. Gruin, Esq.**, Stevens & Lee, P.C., for Solar Energy Industries Association

**William Potter, Esq.**, Potter and Dickson, for Mid-Atlantic Solar Energy Industries Association

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

**Background- Solar4All Extension Petition**

On August 1, 2012, PSE&G filed a Petition ("S4AE Petition") with the Board seeking approval of an extension of its existing approved Solar 4 All Program.<sup>1</sup> PSE&G also filed the supporting testimonies of PSE&G's Vice President of Customer Operations, Joseph A.

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<sup>1</sup> In re Petition of Public Service Electric and Gas Company for Approval of a Solar Generation Investment Program and Associated Cost Recovery Mechanism, Docket No. E009020125.

Forline; Stephen Swetz, Director – Corporate Rates and Revenue Requirements, PSEG Services Corporation; and Donna M. Powell, Assistant Controller of PSEG Services Corporation.

By letter dated August 31, 2012, Board Staff notified PSE&G that the Petition was administratively incomplete.

On September 12, 2012, PSE&G submitted a supplemental filing to address the deficiencies identified in Staff's August 31, 2012 letter.

By letter dated October 19, 2012, Staff notified the Company that the Petition was administratively complete.

By Order dated October 23, 2012, the Board determined that this matter should be retained by the Board for review and hearing and designated Board President Hanna as the presiding officer.<sup>2</sup>

By Order dated November 19, 2012, President Hanna set forth the procedural schedule for this matter. The procedural schedule therein anticipated a March 2013 agenda date.

Motions to intervene were filed on behalf of: the Solar Energy Industries Association (“SEIA”), WattLots, L.L.C. (“WattLots”), Mid-Atlantic Solar Energy Industries Association (“MSEIA”), Prologis, New Jersey Solar Industry Manufacturers Association (“NJSIMA”), Sundurance Energy (“Sundurance”), KDC Solar LLC (“KDC Solar”), Petra Solar, Inc. (“Petra Solar”), the New Jersey Solar Energy Coalition (“NJSEC”) and the New Jersey Large Energy Users Coalition (“NJLEUC”). In addition, Atlantic City Electric Company

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<sup>2</sup> President Hanna subsequently designated BPU Commissioner Fiordaliso as the presiding officer in this matter.

("ACE") filed a motion to participate. By Orders dated November 29, 2012 and January 9, 2013, the Board granted the aforementioned motions to intervene<sup>3</sup> and motion to participate.

Public hearings were held in New Brunswick on November 27, 2012, in Hackensack on November 29, 2012 and in Mt. Holly on December 4, 2012.

On January 18, 2013, the New Jersey Division of Rate Counsel ("Rate Counsel") submitted the pre-filed direct testimony of Andrea C. Crane and David E. Dismukes. In addition, direct testimony was filed by interveners: SEIA, Wattlots, KDC, MSEIA, Sundurance and Petra Solar.

By Order dated January 23, 2013, the Board approved a Stipulation to extend the deadline for Board action on the Petition to April 1, 2013.

On February 4, 2013, PSE&G submitted the pre-filed rebuttal testimony of Terrence J. Moran, Director of Market Strategy and Development; Paul Ronald Moul - Managing Consultant at the firm P. Moul & Associates; Stephen Swetz - Director - Corporate Rates and Revenue Requirements; and Jorge L. Cardenas - Vice President - Asset Management and Centralized Services. Rate Counsel, also on February 4, 2013, submitted the rebuttal testimony of David E. Dismukes. SEIA witness Katie Bolcar-Rever filed rebuttal testimony in response to the direct testimony of Wattlots.

On February 8, 2013, Rate Counsel filed a motion *in limine* to strike the testimony of Paul Moul and Jorge Cardenas or, alternatively, extend by sixty days the time for Rate Counsel to issue discovery on the rebuttal testimony and to present written surrebuttal testimony.

On February 13, 2013, PSE&G filed its opposition to the motion.

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<sup>3</sup> NJSEC's motion was conditioned upon it obtaining counsel.

On February 15, 2013, a revised schedule was agreed to between the Parties, allowing time for written surrebuttal and limited discovery by Rate Counsel.

By Order dated February 21, 2013, President Hanna approved a revised procedural schedule. The procedural schedule was conditioned upon the Board approving an anticipated stipulation to extend the 180-day review period deadline.

By Order dated March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Commissioner Fiordaliso presided over evidentiary hearings in this matter, which took place on March 18, 19 and 21, 2013. Position Papers were filed on April 15, 2013.

Throughout the course of this proceeding, the parties have served and responded to numerous discovery requests, which have all been moved into evidence and are part of the record in this matter.

### **Solar Loan III Program**

On August 1, 2012, PSE&G filed a petition ("SLIII Petition") with the Board seeking approval of its Solar Loan III Program.<sup>4</sup> PSE&G also filed the supporting testimonies of PSE&G's Vice President of Customer Operations, Joseph A. Forline; Stephen Swetz, Director – Corporate Rates and Revenue Requirements, PSEG Services Corporation; and Donna M. Powell, Assistant Controller of PSEG Services Corporation.

By letter dated August 31, 2012, Board Staff notified PSE&G that the SLIII Petition was administratively complete and the 180-day review period under N.J.S.A. 48:3-98.1 commenced on August 31, 2012.

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<sup>4</sup> 1/M/O The Petition of Public Service Electric and Gas Company for Approval of a Solar Loan III Program and Associated Cost Recovery Mechanism, Docket No. E012080726.

By Order dated September 13, 2012, the Board determined that the matter should be retained by the Board for review and hearing and designated Commissioner Fiordaliso as the Presiding Officer.

By Order dated October 4, 2012 Commissioner Fiordaliso set forth the procedural schedule for this matter. The procedural schedule anticipated a March 2013 agenda date.

By Order dated January 23, 2013, the Board approved a Stipulation to extend the deadline for Board action on the Petition to April 1, 2013. On, March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Public hearings were consolidated with the S4AE public hearings and held in New Brunswick on November 27, 2012, in Hackensack on November 29, 2012, and in Mt. Holly on December 4, 2012.

Motions to intervene were filed on behalf of the following parties: SEIA, NJSEC, KDC Solar and MSEIA. By Order dated December 3, 2012 Commissioner Fiordaliso granted the motions to intervene.

On January 11, 2013, Rate Counsel submitted the pre-filed direct testimony of Andrea C. Crane and David E. Dismukes.

On February 6, 2013, PSE&G submitted the pre-filed rebuttal testimony of Terrence J. Moran, Director of Market Strategy and Development; Paul Ronald Moul - Managing Consultant at the firm P. Moul & Associates; Stephen Swetz - Director – Corporate Rates and Revenue Requirements; and Jorge L. Cardenas - Vice President – Asset Management and Centralized Services. SEIA also filed rebuttal testimony.

On February 12, 2013, Rate Counsel filed a motion *in limine* to strike the testimony of Paul Moul and Jorge Cardenas or, in the alternative, extend by sixty days the time for Rate Counsel to issue discovery on the rebuttal testimony and to present written surrebuttal testimony.

On February 15, 2013, the Parties agreed to a revised schedule, allowing time for written surrebuttal and limited discovery by Rate Counsel.

By Order dated February 21, 2013, Commissioner Fiordaliso approved that revised procedural schedule, and on March 1, 2013, Rate Counsel submitted the surrebuttal testimonies of Andrea C. Crane, David E. Dismukes, and Matthew I. Kahal.

On, March 20, 2013, the Board subsequently approved a Stipulation to extend the deadline for Board action until May 1, 2013.

Throughout the course of the proceeding, the Parties served and responded to numerous discovery requests, which are part of the record in this matter. In addition, a discovery conference was held on November 7, 2012.

Hearings in this matter were scheduled for April 1 and 2, 2013.

By Order dated April 1, 2013, Commissioner Fiordaliso approved a Stipulation canceling the hearings and accepting the agreement of the parties with respect to items comprising the record. Position Papers were filed on April 15, 2013.

**Background Applicable to Both S4AE and SLIII Proceedings**

Throughout the course of both the S4AE and SLIII proceedings, both formal and informal settlement efforts have been on-going. Settlement meetings among all parties were

conducted on November 27, 2012, December 4, 2012, and January 14, 2013 at PSE&G's offices in Newark, New Jersey and on April 24, 2013 at PSE&G's offices in Trenton, New Jersey.

On April 18, 2013, PSE&G circulated a global Settlement Agreement to the parties, which proposed to amicably resolve all matters at issue in S4AE and SLIII proceedings. The global Settlement Agreement was re-circulated to the parties, with revisions reflecting certain discussions among the parties, between April 23 and April 26, 2013.

The global Settlement Agreement executed by PSE&G, the Board Staff, and certain other parties on April 26, 2013, was submitted to the Board for filing and approval on April 26, 2013.

The Parties have agreed to request an extension to May 31, 2013 in order to provide the Board with additional time to complete the processing of the Settlement Agreement and issue a final determination in this matter.

Accordingly, the undersigned parties hereby **STIPULATE AND AGREE** as follows:


1. The undersigned parties, pursuant to N.J.S.A. 48:2-21.3, have agreed to extend the 180-day RGGI Period for Board action on PSE&G's S4AE and SLIII Petitions, required under N.J.S.A. 48:3-98.1, to May 31, 2013.
2. The undersigned parties have further agreed that parties have until May 9, 2013 to submit comments on the Settlement Agreement, with reply comments due on or before May 13, 2013.

3. The undersigned parties have further agreed that the S4AE and SLIII matters will be listed for determination at the Board Agenda meeting scheduled for May 29, 2013 and that a Board Order will be issued on or before May 31, 2013.
4. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, any of the undersigned parties aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right to litigate all issues addressed herein to a conclusion. More particularly, in the event this Stipulation is not adopted in its entirety by the Board, in any applicable Order(s), then any of the undersigned parties hereto is free to pursue its then available legal remedies with respect to all issues addressed in this Stipulation as though this Stipulation had not been signed.

**WHEREFORE**, the undersigned parties hereto do respectfully submit this Stipulation and request that the Board issue a Decision and Order approving an extension until May 31, 2013.

JEFFREY S. CHIESA  
ATTORNEY GENERAL OF NEW JERSEY  
Attorney for the Staff of the New Jersey  
Board of Public Utilities


By:

  
F. David Wand  
Deputy Attorney General

Dated: April 26, 2013

PUBLIC SERVICE ELECTRIC AND  
GAS COMPANY

By:

  
Matthew M. Weissman  
General Regulatory Counsel - Rates

Dated: April 26, 2013



DIVISION OF RATE COUNSEL

By: \_\_\_\_\_  
Paul E. Flanagan, Esq.  
Litigation Manager

Dated: April \_\_, 2013

KDC SOLAR LLC (SLIII)

By: James P. McGuire  
~~James E. McGuire, Esq.~~  
~~Reed Smith LLP~~

Dated: April 26, 2013

PETRA SOLAR, INC.

By: \_\_\_\_\_  
Basem Ramada, Esq

Dated: April \_\_, 2013

PROLOGIS

By: \_\_\_\_\_  
Robert F. Shapiro, Esq.  
Chadbourne & Parke, LLP

Dated: April \_\_, 2013

WATTLOTS, L.L.C.

By: \_\_\_\_\_  
James E. McGuire, Esq.  
Reed Smith LLP

Dated: April \_\_, 2013

MID-ATLANTIC SOLAR ENERGY  
INDUSTRIES ASSOCIATION

By: \_\_\_\_\_  
William Potter, Esq.  
Potter and Dickson

Dated: April \_\_, 2013

NEW JERSEY SOLAR INDUSTRY  
MANUFACTURERS ASSOCIATION

By: \_\_\_\_\_  
Hani Khoury, Esq.  
Awad & Khoury

Dated: April \_\_, 2013

DIVISION OF RATE COUNSEL

By: \_\_\_\_\_  
Paul E. Flanagan, Esq.  
Litigation Manager

Dated: April \_\_, 2013

KDC SOLAR LLC (SLIII)

By: \_\_\_\_\_  
James E. McGuire, Esq.  
Reed Smith LLP

Dated: April \_\_, 2013

PETRA SOLAR, INC.

By: \_\_\_\_\_  
Basem Ramada, Esq

Dated: April \_\_, 2013

PROLOGIS

By: \_\_\_\_\_  
Robert F. Shapiro, Esq.  
Chadbourne & Parke, LLP


Dated: April \_\_, 2013

WATTLOTS, L.L.C.

By: \_\_\_\_\_  
James E. McGuire, Esq.  
Reed Smith LLP

Dated: April \_\_, 2013

MID-ATLANTIC SOLAR ENERGY  
INDUSTRIES ASSOCIATION

By:  \_\_\_\_\_  
William Potter, Esq.  
Potter and Dickson

Dated: April 26, 2013

NEW JERSEY SOLAR INDUSTRY  
MANUFACTURERS ASSOCIATION

By: \_\_\_\_\_  
Hani Khoury, Esq.  
Awad & Khoury

Dated: April \_\_, 2013

DIVISION OF RATE COUNSEL

By: \_\_\_\_\_  
Paul E. Flanagan, Esq.  
Litigation Manager

Dated: April \_\_, 2013

KDC SOLAR LLC (SLIII)

By: \_\_\_\_\_  
James E. McGuire, Esq.  
Reed Smith LLP

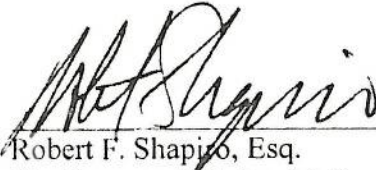
Dated: April \_\_, 2013

PETRA SOLAR, INC.

By: \_\_\_\_\_  
Basem Ramada, Esq.

Dated: April \_\_, 2013

PROLOGIS

By:  \_\_\_\_\_  
Robert F. Shapiro, Esq.  
Chadbourne & Parke, LLP

Dated: April 26, 2013

WATTLOTS, L.L.C.

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Dated: April \_\_, 2013

MID-ATLANTIC SOLAR ENERGY  
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Dated: April \_\_, 2013

SUNDURANCE ENERGY

By: \_\_\_\_\_  
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Dated: April \_\_, 2013

NEW JERSEY LARGE ENERGY USERS  
COALITION

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Stephen S. Goldenberg, Esq.  
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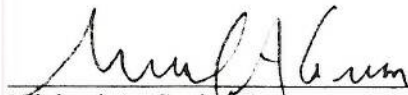
Dated: April \_\_, 2013

KDC SOLAR LLC (S4AE)

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Michael R. Yellin, Esq.  
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Dated: April \_\_, 2013

SOLAR ENERGY INDUSTRIES  
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Dated: April 6, 2013

SUNDURANCE ENERGY

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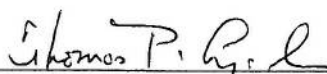
Dated: April \_\_, 2013

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Stephen S. Goldenberg, Esq.  
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