

Philip J. Passanante
Assistant General Counsel

92DC42
PO Box 6066
Newark, DE 19714-6066

667.313.0418 - Telephone
302.429.3801 - Facsimile
philip.passanante@pepcoholdings.com

500 N. Wakefield Drive
Newark, DE 19702

atlanticcityelectric.com

April 6, 2023

VIA ELECTRONIC MAIL

sherri.golden@bpu.nj.gov
board.secretary@bpu.nj.gov

Sherri L. Golden
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

RE: In the Matter of the Petition of Atlantic City Electric Company Requesting Approval of a Tariff Amendment to Add a Net Off-Peak Basic Generation Service (“BGS”) Energy Credit for Eligible Residential Electric Vehicle Customers Pursuant to N.J.A.C. 14:1-5.11 and N.J.A.C. 14:3-1.3
BPU Docket No. ER23040209

Dear Secretary Golden:

Attached for filing by Atlantic City Electric Company (“ACE” or the “Company”) is an electronic copy of the Company’s filing in accordance with the New Jersey Board of Public Utilities’ (“Board” or “BPU”) November 9, 2022 Order in BPU Docket No. ER22030127, directing the New Jersey Electric Distribution Companies (collectively, the “EDCs” or individually, an “EDC”) to create a “BGS Time-of-Use (‘TOU’) rate” for electric vehicle (“EV”) customers “on the residential supply side to take effect June 1, 2023.”¹

ACE makes this filing pursuant to N.J.A.C. 14:3-1.3(a)² and N.J.A.C. 14:1-5.11.³ With respect to, and as required by, N.J.A.C. 14:1-5.11(a)(1) (requiring a description of “the effect, if any, upon revenue”): inasmuch as the Board’s directive is intended to encourage off-peak electric vehicle charging through reduced supply charges on a time-of-use basis for certain customers with electric vehicles who receive their electric supply through BGS, the Company expects that its revenue will decrease.

The remaining information required by N.J.A.C. 14:1-5.11 is below and attached.

¹ In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2023, BPU Docket No. ER22030127, Order dated November 9, 2022, at 15 - 16.

² N.J.A.C. 14:3-1.3(a) requires that “each public utility shall, prior to offering a utility service to the public, submit a tariff or tariff amendments to the Board for approval, with electronic copy to Rate Counsel.”

³ N.J.A.C. 14:1-5.11 addresses tariff filings that do not propose increases in charges to customers.

I. Background

On February 17, 2021, in connection with the Company's 2018 petition titled In the Matter of the Petition of Atlantic City Electric Company for Approval of a Voluntary Program for Plug-In Vehicle Charging, the Board approved a Stipulation of Settlement (the "Stipulation") authorizing ACE to implement a Voluntary EV Charging Infrastructure Program (the "BPU Order Approving ACE Charging Program") pursuant to the terms of the Stipulation, the Board's Order on BPU Staff's Straw Proposal on Electric Infrastructure Vehicle Build Out, the Electric Vehicle Act of 2020, and orders or regulations promulgated by the Board pursuant to N.J.S.A. 48:25-11. As stated in Item 25, page 14 of the BPU Order Approving ACE Charging Program:

The Signatory Parties acknowledge that additional charging data is needed in order [for ACE] to design EV-only and whole-house time-of-use residential distribution rates. Once sufficient data has been generated by customer participation in offerings #1a and #1b included in Attachment A of the Stipulation, ACE commits to design an EV-only and whole-house time-of-use residential distribution rate and to propose that rate in a future base rate proceeding.

On February 26, 2021, the Company submitted a compliance filing amending its Tariff for Electric Service (the "Tariff") to reflect the changes approved by the BPU Order Approving ACE Charging Program, to be effective March 1, 2021.⁴

By Order dated April 6, 2022, the Board directed the EDCs and interested parties to file proposals by July 1, 2022 to determine how to procure the remaining one-third of the State's BGS requirements for Residential and Small Commercial customers and the annual Commercial and Industrial Energy Pricing requirements for the period beginning June 1, 2023 (the "2023 BGS Docket").⁵

II. The November 2022 Order

On November 9, 2022, the Board issued an Order in the 2023 BGS Docket considering the procurement process for BGS for retail customers who continue to purchase their electric supply from their franchised EDC for the period beginning June 1, 2023 (the "November 2022 Order").⁶

In the November 2022 Order, in a section titled "EV BGS Rates Issues," the Board noted that "the distribution side of residential EV charging was addressed in some of the EDCs' EV proceedings." (As noted above, this issue was *not* addressed in the BPU Order Approving ACE Charging Program.⁷) The November 2022 Order continued: "The Board believes a BGS Time-of-Use ('TOU') rate can be created and **HEREBY ORDERS** the EDCs to create a similar solution

⁴ The Company's current Tariff can be found on the ACE website at <https://www.atlanticcityelectric.com/MyAccount/MyBillUsage/Pages/Current-Tariffs.aspx>

⁵ In re the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2023, BPU Docket No. ER22030127, Order dated April 6, 2022.

⁶ In re the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2023, BPU Docket No. ER22030127, Order dated November 9, 2022.

⁷ Id. at 15.

Sherri L. Golden

April 6, 2023

Page 3

on the residential supply side to take effect June 1, 2023.”⁸

III. The Company’s Tariff Filing

To that end, and in compliance with the November 2022 Order and N.J.A.C. 14:1–5.11(a)(1) and (4), the Company files revised tariff sheets, effective June 1, 2023, to the Tariff. Proposed and redlined Tariff sheets are attached as **Exhibit A**. The mechanics of ACE’s proposal are outlined in the proposed Tariff language.

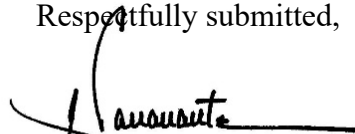
IV. Cost Recovery

ACE respectfully requests that all costs associated with the proposed Tariff attached hereto (including, but not limited to, the cost of the credits to customers, customer education and outreach, and the implementation costs of upgrading systems) flow through the Company’s periodic BGS reconciliation charge filings, consistent with the Board’s November 18, 2020 Order in BPU Docket No. ER20030190.⁹

Pursuant to the Order issued by the Board in connection with *In the Matter of the New Jersey Board of Public Utilities’ Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations*, BPU Docket No. EO20030254, Order dated March 19, 2020, this document is being electronically filed with the Secretary of the Board, the Division of Law, and the New Jersey Division of Rate Counsel. No paper copies will follow.

Thank you for your cooperation and courtesies. Feel free to contact me with any questions.

Respectfully submitted,



Philip J. Passanante
An Attorney at Law of the
State of New Jersey

Enclosure

cc: Service List (Electronic)

⁸ Id. at 16.

⁹ In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2021, BPU Docket No. ER20030190, Order dated November 18, 2020.

Exhibit A

Clean Tariff

RATE SCHEDULE RS (Continued)
(Residential Service)

TERM OF CONTRACT

None, except that reasonable notice of service discontinuance will be required.

TERMS AND CONDITIONS

See Section II inclusive for Terms and Conditions of Service.

"In accordance with P.L. 1997, c. 162, the charges in this Rate Schedule includes 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."

PRICE TO COMPARE

A customer may choose to receive electric supply from a third party supplier as defined in Section 11 of the Standard Terms and Conditions of this Tariff. A customer who receives electric supply from a third party supplier will not be billed the Basic Generation Service Charges or the Transmission Service Charges. Customers eligible for BGS CIEP who receive supply from a third party supplier will continue to be billed the CIEP Standby Fee.

ELECTRIC VEHICLE BASIC GENERATION SERVICE CUSTOMERS ONLY

Electric Vehicle Basic Generation Service ("BGS") Customers Only: Based upon the following eligibility criteria, Atlantic City Electric Company ("ACE") residential customers who receive their electric supply through BGS may elect to receive a net off-peak BGS energy credit exclusively for their electric vehicle usage. This option, upon ACE approval into the program, will be issued twice a year as an off-bill credit directly to the customer by check, after the entire usage has been billed at the RS rate.

A customer eligible for participation under this special provision must be an ACE Residential customer taking service under the RS rate schedule, install or utilize ACE approved smart charging equipment and network technology, and agree to share the Electric Vehicle Charging Data with ACE in a manner specified by ACE. In order for the customer to receive a credit, data must be available to ACE and the proper services must be in place to make this rate available. If data is not available for any reason, a customer may not receive a credit for the period that ACE does or did not have access to the required data.

The electric vehicle credit will be calculated by ACE's program administration team twice a year using the electric vehicle usage off-peak minus the on-peak electric vehicle usage multiplied by \$.02/kWh (ex. (off-peak kWh – on-peak kWh)*.02) for the corresponding billing period. If the customer's on-peak usage is higher than off-peak usage for the billing period, no credit for the corresponding billing period will be provided. BGS on-peak hours are 8:00 A.M. to 8:00 P.M., Monday through Friday. All other hours are considered off-peak hours.

For ratemaking purposes, the electric vehicle RS BGS provision credits associated with this special provision will be reflected as a reduction to the Rate Schedule RS BGS revenues. Recovery for program credits, implementation and administration, data and networking, and education and outreach expenses will flow through the BGS Reconciliation Charge.

This solution will fall under the ACE EVsmart umbrella of programs.

Date of Issue:

Effective Date:

Issued by:

Exhibit A

Redlined Tariff

**RATE SCHEDULE RS (Continued)
(Residential Service)****TERM OF CONTRACT**

None, except that reasonable notice of service discontinuance will be required.

TERMS AND CONDITIONS

See Section II inclusive for Terms and Conditions of Service.

"In accordance with P.L. 1997, c. 162, the charges in this Rate Schedule includes 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."

PRICE TO COMPARE

A customer may choose to receive electric supply from a third party supplier as defined in Section 11 of the Standard Terms and Conditions of this Tariff. A customer who receives electric supply from a third party supplier will not be billed the Basic Generation Service Charges or the Transmission Service Charges. Customers eligible for BGS CIEP who receive supply from a third party supplier will continue to be billed the CIEP Standby Fee.

ELECTRIC VEHICLE BASIC GENERATION SERVICE CUSTOMERS ONLY

Electric Vehicle Basic Generation Service ("BGS") Customers Only: Based upon the following eligibility criteria, Atlantic City Electric Company ("ACE") residential customers who receive their electric supply through BGS may elect to receive a net off-peak BGS energy credit exclusively for their electric vehicle usage. This option, upon ACE approval into the program, will be issued twice a year as an off-bill credit directly to the customer by check, after the entire usage has been billed at the RS rate.

A customer eligible for participation under this special provision must be an ACE Residential customer taking service under the RS rate schedule, install or utilize ACE approved smart charging equipment and network technology, and agree to share the Electric Vehicle Charging Data with ACE in a manner specified by ACE. In order for the customer to receive a credit, data must be available to ACE and the proper services must be in place to make this rate available. If data is not available for any reason, a customer may not receive a credit for the period that ACE does or did not have access to the required data.

The electric vehicle credit will be calculated by ACE's program administration team twice a year using the electric vehicle usage off-peak minus the on-peak electric vehicle usage multiplied by \$.02/kWh (ex. (off-peak kWh – on-peak kWh)*.02) for the corresponding billing period. If the customer's on-peak usage is higher than off-peak usage for the billing period, no credit for the corresponding billing period will be provided. BGS on-peak hours are 8:00 A.M. to 8:00 P.M., Monday through Friday. All other hours are considered off-peak hours.

For ratemaking purposes, the electric vehicle RS BGS provision credits associated with this special provision will be reflected as a reduction to the Rate Schedule RS BGS revenues. Recovery for program credits, implementation and administration, data and networking, and education and outreach expenses will flow through the BGS Reconciliation Charge.

This solution will fall under the ACE EVsmart umbrella of programs.

Date of Issue: ~~March 27, 2019~~

Effective Date: ~~April 1, 2019~~

**~~Issued by: David M. Velazquez, President and Chief Executive Officer – Atlantic City Electric Company~~
~~Filed pursuant to Board of Public Utilities of the State of New Jersey directives associated with the~~
~~BPU Docket No. ER18080925~~Issued by:**

I/M/O Petition of Atlantic City Electric Company Requesting Approval of a Tariff Amendment to Add a Net Off-Peak Generation Service (“BGS”) Energy Credit for Eligible Residential Electric Vehicle Customers Pursuant to N.J.A.C. 14:1-5.11 and N.J.A.C. 14:3-1.3

BPU Docket No. ER23040209

Service List

BPU

Sherri L. Golden
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, NJ 08625-0350
sherri.golden@bpu.nj.gov
board.secretary@bpu.nj.gov

Robert Brabston, Esquire
Executive Director
robert.brabston@bpu.nj.gov

Stacy Peterson
Deputy Executive Director
stacy.peterson@bpu.nj.gov

Mike Kammer
Director
Divisions of Energy and Water
mike.kammer@bpu.nj.gov

Malike Cummings
malike.cummings@bpu.nj.gov

Ryan Moran
ryan.moran@bpu.nj.gov

Heather Weisband, Esquire
heather.weisband@bpu.nj.gov

DAG

Pamela L. Owen, Esquire
Deputy Attorney General
Division of Law
Hughes Justice Complex
25 Market Street
P.O. Box 112
Trenton, NJ 08625
pamela.owen@law.njoag.gov

Daren Eppley, Esquire
Deputy Attorney General
daren.eppley@law.njoag.gov

RATE COUNSEL

Brian O. Lipman, Esquire
Director
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625-0003
blipman@rpa.nj.gov

T. David Wand, Esquire
dwand@rpa.nj.gov

Bethany Rocque-Romaine, Esquire
bromaine@rpa.nj.gov

Robert Glover, Esquire
rglover@rpa.nj.gov

Debra Layugan
dlayugan@rpa.nj.gov

ACE

Philip J. Passanante, Esquire
Assistant General Counsel – 92DC42
Atlantic City Electric Company
500 N. Wakefield Drive
P.O. Box 6066
Newark, DE 19714-6066
philip.passanante@pepcoholdings.com

Susan DeVito
susan.devito@pepcoholdings.com

Thomas M. Hahn
thomas.hahn@pepcoholdings.com

Daniel A. Tudor
datudor@pepco.com

Diana C. DeAngelis
diana.deangelis@pepcopholdings.com

PSE&G

Terrance J. Moran
80 Park Plaza, T-13
Newark, NJ 07102-4194
terrance.moran@pseg.com

Matthew M. Weissman, Esquire
matthew.weissman@pseg.com

Myron Filewicz
BGS Manager
myron.filewicz@pseg.com

Deborah Marks
deborah.marks@pseg.com

JCP&L

Jennifer Spicigo
300 Morrison Avenue
Morristown, NJ 07962-1911
jspiricigo@firstenergycorp.com

Yongmei Peng
ypeng@firstenergy.com

Joshua Eckert, Esquire
jeckert@firstenergycorp.com

ROCKLAND

John L. Carley, Esquire
4 Irving Place
New York, NY 10003
carleyj@coned.com

William A. Atzl, Jr.
atzlw@coned.com

Margaret Comes, Esquire
comesm@coned.com

NERA

Rachel Northcutt
1255 23rd Street, NW, Suite 600
Washington, DC 20037
rachel.northcutt@nera.com

Paul Cardona
NERA Economic Consulting
777 S. Figueroa, Suite 1950
Los Angeles, CA 90017
paul.cardona@nera.com

Kathleen Orlandi
kathleen.orlandi@nera.com

THIRD PARTY SUPPLIERS

Murray E. Bevan, Esquire
Bevan Mosca Giuditta & Zarrillo
mbevan@bmgzlaw.com

Marc A. Hanks
Direct Energy Services LLC
marc.hanks@directenergy.com

Stacey Rantala
National Energy Marketers Assoc.
srantala@energymarketers.com

David B. Applebaum
NextEra Energy Resources, LLC
david.applebaum@nexteraenergy.com

David Gil
NextEra Energy Resources, LLC
david.gill@nexteraenergy.com

Kathleen Maher
Constellation NewEnergy
kathleen.maher@constellation.com

NJLEUC

Paul F. Forshay
Eversheds-Southerland LLP
paul.forshay@eversheds-southerland.com

Steven S. Goldenberg, Esquire
Giordano Halleran & Ciesla
sgoldenberg@ghclaw.com

BGS SUPPLIERS

Steven Gabel – IEPNJ
Gabel Associates
steven@gabelassociates.com

Holly Reed
Gabel Associates
holly.reed@gabelassociates.com

Raymond Depillo
PSEG Services Corporation
raymond.depillo@pseg.com

Shawn P. Leyden, Esquire
PSEG Energy Resources & Trade
shawn.leyden@pseg.com

Jason Halper
Cadwalader Wickersham & Taft
jason.halper@cwt.com

David K. Richter, Esquire
PSEG
david.richter@pseg.com

Craig S. Blume
UGI Energy Services
cblume@ugies.com

Cynthia Klots
DTE Energy Trading, Inc.
cynthia.klots@dteenergy.com

Don Hubschman
American Electric Power
dmhubschman@aepes.com

Christine McGarvey
AEP Energy Partners, Inc.
clmcgarvey@aepes.com

Matthew Davies
TransCanada Power Marketing, Ltd.
matthew_davies@transcanada.com

Becky Merola
Noble Americas Energy Solutions
bmerola@noblesolutions.com

Glenn Riepl
AEP Energy Services
gfriep@ae.com

Howard O. Thompson
Russo Tumulty Nester Thompson
hthompson@russotumulty.com

Sharon Weber
PPL Energy Plus
sjweber@pplweb.com

Glen Thomas
The P³ Group
gthomas@gtpowergroup.com

Divesh Gupta, Esquire
Exelon Business Services Group
divesh.gupta@constellation.com

Tom Hoatson
LS Power Development, LLP
thoatson@lspower.com

Adam Kaufman
Independent Energy Producers of NJ
akaufman@kzgrp.com

Anthony Pietranico
ConEdison Solutions Inc.
pietranicoa@conedsolutions.com

Christi L. Nicolay
Macquarie Energy LLC
christi.nicolay@macquarie.com

Joe Wadsworth
Vitol Inc.
jxw@vitol.com

Dinkar Bhatia
Hartree Partners LP
dbhatia@hartreepartners.com

Aundrea Williams
NextEra Power Marketing LLC
aundrea.williams@nexteraenergyservices.com

OTHER PARTIES

Ray Cantor
NJBIA
rcantor@njbja.org

John Holub
NJ Retail Merchants Association
john@njrma.org