



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

ENERGY

IN THE MATTER OF THE PROVISION OF BASIC )  
GENERATION SERVICE FOR THE PERIOD )  
BEGINNING JUNE 1, 2015 )

DECISION AND ORDER

Docket No. ER14040370

**Parties of Record:**

**Gregory Eisenstark, Esq.**, Windels Marx Lane & Mittendorf, LLP, on behalf of Jersey Central Power & Light Company

**Alexander C. Stern, Esq.**, Attorney for Public Service Electric and Gas Company

**Philip J. Passanante, Esq.**, Associate General Counsel for Atlantic City Electric Company

**Margaret Comes, Esq.**, Senior Attorney for Rockland Electric Company

**Chantale LaCasse**, BGS Auction Manager, NERA Economic Consulting

**Stefanie A. Brand, Esq.**, Director, Division of Rate Counsel

**Murray E. Bevan, Esq.**, Bevan, Mosca, Giuditta & Zarillo, P.C., on behalf of the Retail Energy Supply Association

**Adam Kaufman**, Independent Energy Producers of New Jersey

**Aundrea Williams**, Director Regulatory Affairs, NextEra Power Marketing LLC

**Stuart Ormsbee**, Manager Power Marketing, TransCanada Power Marketing Ltd.

**James Laskey, Esq.**, Norris McLaughlin & Marcus, P.A. on behalf of Noble Americas Energy Solutions LLC.

**Ira G. Megdal, Esq.**, Cozen O'Connor, PC on behalf of FirstEnergy Solutions Corp.

**Christi L. Nicolay**, Division Director, Macquarie Energy LLC

**Divesh Gupta, Esq.**, Managing Counsel - Constellation New Energy, Inc. and Exelon Generation Company, LLC

BY THE BOARD<sup>1</sup>:

By Order dated November 24, 2014 in this docket, the New Jersey Board of Public Utilities ("Board") approved the joint Basic Generation Service ("BGS") proposal of Public Service Electric and Gas Company ("PSE&G"), Jersey Central Power & Light Company ("JCP&L"), Atlantic City Electric Company ("ACE") and Rockland Electric Company ("Rockland") (collectively the "EDCs") for two descending clock auctions to secure the EDCs' BGS electricity

<sup>1</sup> Commissioner Upendra J. Chivukula has recused himself due to a possible conflict of interest and did not participate in the deliberations on this matter.

requirements for the period beginning June 1, 2015 ("November 24, 2014 Order"). In an attempt to mitigate the risk to ratepayers, the Board directed the EDCs to procure approximately one-third of the EDCs' current fixed-price ("BGS-FP") BGS load for a 36-month period.<sup>2</sup> The Board also found that a 12-month procurement period for the EDCs' hourly load BGS Commercial and Industrial Electricity Pricing ("BGS-CIEP") customers is appropriate and reasonable. In the November 24, 2014 Order, the Board also committed to review the results of the BGS-FP Auction and the BGS-CIEP Auction (collectively the "BGS Auctions" or "Auctions") each in its entirety and certify the results of each auction for all of the EDCs, or for none of them, no later than the second business day after the last Auction closes.

The results of the BGS Auctions, if approved by the Board, will then be converted into revised BGS rates for customers beginning June 1, 2015. This is the fourteenth (14<sup>th</sup>) year the Board authorized a similar auction process to secure BGS supply.

The Auction Manager responsible for conducting the 2015 Auctions was National Economic Research Associates ("NERA"). NERA brings expertise in the conduct of simultaneous descending clock auctions in the energy and telecommunications industries, and was the Auction Manager for the past thirteen (13) BGS Auctions. The 2015 Auctions were continuously monitored by Staff from the Division of Energy, as well as by the Board's consultant, Boston Pacific Company, Inc. ("Boston Pacific"). Boston Pacific has experience with simultaneous descending clock auctions and energy industry experience.

#### **BGS-FP AUCTION SUMMARY**

The BGS-FP Auction began on February 9, 2015 and ended on February 10, 2015 after seventeen (17) rounds with all of the EDCs' fifty-seven (57) tranches<sup>3</sup> secured, with the following closing prices for each EDC:

<u>EDC</u>	<u>Closing Price</u> <u>¢/Kwh</u>	<u>Total Tranches</u> <u>Available</u>
ACE	8.606	7
JCP&L	8.042	20
PSE&G	9.954	29
ROCKLAND	9.066	1

A list of the BGS-FP Auction winners are included in Attachment A to this Order.

<sup>2</sup> Approximately two-thirds of the EDCs' BGS-FP requirements are already under contract through May 31, 2016, and one-third through May 31, 2017 as a result of the 2013 and 2014 BGS-FP Auctions.

<sup>3</sup> A tranche in the BGS-FP Auction is approximately 100 Mw.

## BGS-CIEP AUCTION SUMMARY

The BGS-CIEP Auction began on February 6, 2015, and ended on February 9, 2015 after twenty-seven (27) rounds with all of the EDCs' forty-five (45) tranches<sup>4</sup> secured, with the following closing prices for each EDC:

<u>EDC</u>	<u>Closing Price</u> <u>\$/Mw-day</u>	<u>Total Tranches</u> <u>Secured</u>
ACE	235.89	4
JCP&L	248.41	14
PSE&G	272.78	26
ROCKLAND	272.14	1

A list of the BGS-CIEP Auction winners is included in Attachment A to this Order.

## BGS AUCTION OVERSIGHT

NERA has provided a confidential post-Auction checklist form evaluating how the BGS-FP and BGS-CIEP Auctions were conducted. NERA's analysis supporting acceptance of the Auction results indicates, in part, that:

- No issues or questions were left unresolved prior to the Auctions that created uncertainty for bidders;
- Neither procedural problems nor errors were observed during the Auctions; all communication protocols were followed;
- Neither hardware nor software problems with the Auctions and communication systems were observed;
- No security breaches were observed during the Auction process;
- All guidelines for setting or changing the Auction parameters were followed;
- There was no evidence of confusion or misunderstanding on the part of bidders that delayed or impaired the Auctions in a material manner;
- Communications between the Auction Manager and bidders was timely and effective;
- There was no evidence that bidders were rushed;
- No complaints were received from the bidders;
- The Auctions were carried out in a fair and transparent manner;
- There was no evidence of collusion or gaming by the bidders;
- Public and sensitive information were treated appropriately;
- There were no factors exogenous to the Auctions that materially affected the Auctions; and
- The Auctions appear to have generated a result that is consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-FP and BGS-CIEP loads.

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<sup>4</sup> A tranche in the BGS-CIEP Auction is equivalent to approximately 75 Mw.

Boston Pacific also provided the Board with a confidential post-Auction evaluation form for the BGS-FP and BGS-CIEP Auctions, as well as a supplemental checklist reviewing how the Auctions were conducted. Boston Pacific's analysis is consistent with NERA's analysis. Both consultants recommend that the Board accept the final Auction results.

## **BGS AUCTION FINDINGS AND CONCLUSIONS**

The independent NERA and Boston Pacific analyses are consistent, indicating that the Auctions proceeded without meaningful interruption, according to the Board-approved Auction Rules, in an acceptably fair and transparent manner, and they both recommend that the Board certify the Auction results. Staff assigned to oversee the Auctions briefed the Board on the conduct and results of each Auction.

After reviewing the checklists and evaluation forms from NERA and Boston Pacific, and discussing the results and conduct of the Auctions with Staff, NERA and Boston Pacific, the Board **FINDS** that:

- bidders had sufficient information to prepare for the Auctions;
- information was generally provided to bidders in accordance with the published timetable, and the timetable was adjusted appropriately as needed;
- there were no Auction issues or questions left unresolved prior to the Auctions that created material uncertainty for bidders;
- from what could be observed, there were neither procedural problems nor errors with the Auctions, including the electronic bidding process, the back-up bidding process, and communications between bidders and the Auction Manager;
- from what could be observed, communication protocols between bidders and the Auction Manager were adhered to;
- appropriate data back-up procedures were planned and carried out;
- no security breaches were observed during the Auction process;
- from what could be observed, communication protocols among the EDCs, NERA, Staff, the Board, and Boston Pacific were followed during the Auctions;
- protocols were followed for decisions regarding changes in the Auction parameters (e.g. volume, load cap, bid decrements);
- the calculations (e.g. for bid decrements or bidder eligibility) produced by the Auction software were double-checked or reproduced off-line by the Auction Manager;
- there was no evidence of confusion or misunderstanding on the part of bidders that delayed or impaired the Auctions;
- from what could be observed, the communications between the Auction Manager and bidders was timely and effective;
- there were no complaints received from the bidders about the process;
- the Auctions were carried out in an acceptably fair and transparent manner;
- there was no evidence of gaming on the part of bidders;
- there was no evidence of collusion among bidders;
- information was made public in an appropriate manner and, from what could be observed, sensitive information was treated appropriately;
- there were no factors exogenous to the Auctions (e.g. changes in market environment) that materially affected the Auctions in unanticipated ways);
- there are no concerns with the Auctions' outcome with regard to any specific EDC(s);

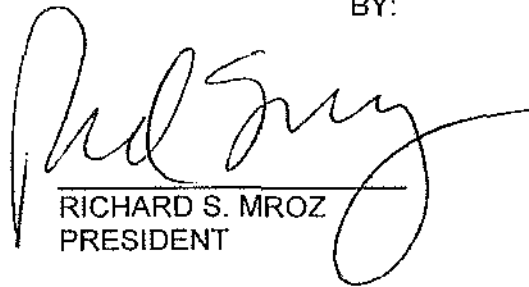
- the Auctions appear to have generated a result that is consistent with competitive bidding, market-determined prices, and efficient allocation of the BGS-FP and BGS-CIEP loads.

Based on the foregoing, the Board **HEREBY CERTIFIES** the final results of the BGS-FP and BGS-CIEP Auctions in their entirety, and subsequently **APPROVES** the closing prices for each EDC. Furthermore, the Board **HEREBY ORDERS** the EDCs to; 1) execute the necessary documents with the winning bidders, including the BGS Supplier Master Agreements, 2) implement the BGS rates resulting from the Auctions beginning June 1, 2015, and 3) file tariff sheets reflecting those rates by March 2, 2015.

Consistent with past Board practice, the Board is releasing the names of the winning bidders at this time. However, at this time, the Board will not release the specific tranche and service area details for each successful bidder, so as not to compromise the position of the winning bidders in the marketplace. The Board plans to make this additional information public prior to June 1, 2015.

DATED: 2/12/15

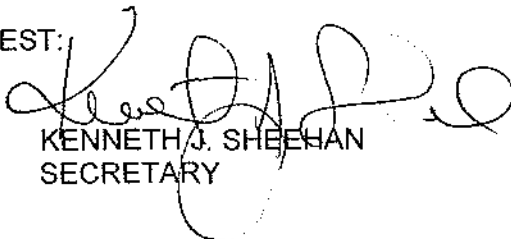
BOARD OF PUBLIC UTILITIES  
BY:

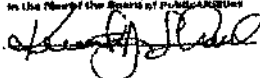
  
RICHARD S. MROZ  
PRESIDENT

  
JOSEPH L. FIORDALISO  
COMMISSIONER

  
MARYANNA HOLDEN  
COMMISSIONER

  
DIANNE SOLOMON  
COMMISSIONER

ATTEST:  
  
KENNETH J. SHEEHAN  
SECRETARY

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


**ATTACHMENT A**

**I/M/O the Provision of Basic Generation Service  
For The Period Beginning June 1, 2015  
Docket No. ER14040370**

Auction Winners Approved by the Board of Public Utilities on February 12, 2015.

***BGS-FP Auction Winners***

BP Energy Company  
BTG Pactual Commodities (US) LLC  
DTE Energy Trading, Inc.  
Exelon Generation Company, LLC  
Macquarie Energy LLC  
NextEra Energy Power Marketing, LLC  
Noble Americas Gas & Power Corp.  
PSEG Energy Resources & Trade LLC  
TransCanada Power Marketing Ltd.

***BGS-CIEP Auction Winners***

ConocoPhillips Company  
DTE Energy Trading, Inc.  
Exelon Generation Company, LLC  
NextEra Energy Power Marketing, LLC  
PPL EnergyPlus, LLC



**In the Matter of the Provision of Basic Generation Service  
For the Period Beginning June 1, 2015  
Docket No. ER14040370  
Service List**

**BPU**

Kenneth J. Sheehan, Secretary  
New Jersey Board of Public Utilities  
Post Office Box 350  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350  
[kenneth.sheehan@bpu.state.nj.us](mailto:kenneth.sheehan@bpu.state.nj.us)

Frank Perrotti  
New Jersey Board of Public Utilities  
Post Office Box 350  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350  
[frank.perrotti@bpu.state.nj.us](mailto:frank.perrotti@bpu.state.nj.us)

Jerome May, Director  
New Jersey Board of Public Utilities  
Post Office Box 350  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350  
[Jerome.may@bpu.state.nj.us](mailto:Jerome.may@bpu.state.nj.us)

Mark Beyer, Chief Economist  
New Jersey Board of Public Utilities  
Post Office Box 350  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350  
[mark.beyer@bpu.state.nj.us](mailto:mark.beyer@bpu.state.nj.us)

Stacy Peterson  
New Jersey Board of Public Utilities  
Post Office Box 350  
44 South Clinton Ave., 9<sup>th</sup> Floor  
Trenton, NJ 08625-0350  
[stacy.peterson@bpu.state.nj.us](mailto:stacy.peterson@bpu.state.nj.us)

**DAG**

Babette Tenzer, Esq.  
Deputy Attorney General  
Division of Law  
Board of Public Utilities Section  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101  
[babette.tenzer@dol.lps.state.nj.us](mailto:babette.tenzer@dol.lps.state.nj.us)

**BPU's BGS CONSULTANTS**

Craig R. Roach  
Boston Pacific Company, Inc.  
1100 New York Avenue, NW  
Suite 490 east  
Washington, DC 2005  
[croach@bostonpacific.com](mailto:croach@bostonpacific.com)

Frank Mossburg  
Boston Pacific Company, Inc.  
1100 New York Avenue, NW  
Suite 490 east  
Washington, DC 2005  
[fmossburg@bostonpacific.com](mailto:fmossburg@bostonpacific.com)

**DIVISION OF RATE COUNSEL**

Stefanie A. Brand, Esq., Director  
Division of Rate Counsel  
140 East Front Street, 4th Floor  
Post Office Box 003  
Trenton, New Jersey 08625  
[sbrand@rpa.state.nj.us](mailto:sbrand@rpa.state.nj.us)

Ami Morita  
Division of Rate Counsel  
140 East Front Street, 4th Floor  
Post Office Box 003  
Trenton, New Jersey 08625  
[amorita@rpa.state.nj.us](mailto:amorita@rpa.state.nj.us)

Diane Schulze  
Division of Rate Counsel  
140 East Front Street, 4th Floor  
Post Office Box 003  
Trenton, New Jersey 08625  
[dschulze@rpa.state.nj.us](mailto:dschulze@rpa.state.nj.us)

**PSE&G**

Alexander C. Stern, Esq.  
Assistant General Regulatory Counsel  
Law Department  
80 Park Plaza, T-05  
Newark, New Jersey 07102-4194  
[Alexander.Stern@pseg.com](mailto:Alexander.Stern@pseg.com)

Tony Robinson  
Public Service Electric & Gas Co.  
80 Park Plaza, T-8  
Newark, NJ 07101  
[Anthony.Robinson@pseg.com](mailto:Anthony.Robinson@pseg.com)

**ATLANTIC CITY ELECTRIC CO.**

Joseph F. Janocha, Manager,  
Regulatory Affairs  
Atlantic City Electric Co. – 63ML38  
5100 Harding Highway  
Atlantic Regional Office  
Mays Landing, NJ 08330  
[joseph.janocha@pepcoholdings.com](mailto:joseph.janocha@pepcoholdings.com)

Gregory R. Marquis  
Pepco Holdings, Inc.  
701 Ninth Street NW  
Washington, DC 20068-0001  
[gmarquis@pepco.com](mailto:gmarquis@pepco.com)

Philip J. Passanante,  
Assistant General Counsel  
Atlantic City Electric Co. - 89KS42  
800 King Street, 5th Floor  
PO Box 231  
Wilmington, DE 19899-0231  
[philip.passanante@pepcoholdings.com](mailto:philip.passanante@pepcoholdings.com)

**JCP&L**

Kevin Connelly  
First Energy  
300 Madison Avenue  
Morristown, NJ 07960  
[kconnelly@firstenergycorp.com](mailto:kconnelly@firstenergycorp.com)

Gregory Eisenstark  
Windels Marx & Mittendorf, LLP  
120 Albany Street, 6<sup>th</sup> Floor  
New Brunswick, NJ 08901  
[geisenstark@windelsmarx.com](mailto:geisenstark@windelsmarx.com)

Sally J Cheong  
First Energy  
300 Madison Avenue  
P. O. Box 1911  
Morristown, NJ 07962-1911  
[scheong@firstenergycorp.com](mailto:scheong@firstenergycorp.com)

**ROCKLAND**

John L. Carley, Esq.  
Consolidated Edison Co. of NY  
Law Dept., Room 1815-S  
4 Irving Place  
New York, NY 10003  
[carleyj@coned.com](mailto:carleyj@coned.com)

James C. Meyer, Esq.  
Riker, Danzig, Scherer, Hyland  
& Perretti  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, NJ 07962  
[jmeyer@riker.com](mailto:jmeyer@riker.com)

William A. Atzl, Jr.  
Rockland Electric Company  
4 Irving Place - 2nd Floor SE  
New York, NY 10003  
[atzlw@coned.com](mailto:atzlw@coned.com)

Margaret Comes, Esq.,  
Consolidated Edison Co. of NY  
Law Department, Room 1815-S  
4 Irving Place  
New York, NY 10003  
[comesm@coned.com](mailto:comesm@coned.com)

**NERA**

Gene Meehan  
NERA Economic Consulting  
1255 23<sup>rd</sup> St. NW  
Washington, DC 20037  
[Gene.Meehan@NERA.com](mailto:Gene.Meehan@NERA.com)

Chantale LaCasse  
NERA Economic Consulting  
1255 23<sup>rd</sup> St. NW  
Washington, DC 20037  
[Chantale.LaCasse@NERA.com](mailto:Chantale.LaCasse@NERA.com)

**In the Matter of the Provision of Basic Generation Service  
For the Period Beginning June 1, 2015  
Docket No. ER14040370  
Service List**

**Third Party Suppliers**

Murray E. Bevin, Esq.  
Bevan, Mosca, Giuditta & Zarillo, P.C.  
776 Mountain Blvd.  
Suite 202  
Watchung, NJ 07069  
[mbevan@bmgzlaw.com](mailto:mbevan@bmgzlaw.com)

SueAnne I. Harrel  
Pepco Energy Services  
39 Crestview Drive  
Asset Mgmt Group  
Clinton, NJ 08809  
[sharrel@pepcoenergy.com](mailto:sharrel@pepcoenergy.com)

Dana Swieson  
EPEX  
717 Constitution Drive  
Suite 110  
Exton, PA 19341  
[Dana.swieson@epex.cc](mailto:Dana.swieson@epex.cc)

Marc A. Hanks  
Senior Manager, Government &  
Regulatory Affairs  
Direct Energy Services, LLC  
[Marc.Hanks@directenergy.com](mailto:Marc.Hanks@directenergy.com)

Mark S. Kumm  
Pepco Energy Services, Inc.  
1300 N. 17th, Suite 1600  
Arlington, VA 22209  
[mkumm@pepcoenergy.com](mailto:mkumm@pepcoenergy.com)

Stacey Rantala  
National Energy Marketers Association  
3333 K Street, N.W., Suite 110  
Washington, D.C. 20007  
[srantala@energymarketers.com](mailto:srantala@energymarketers.com)

David B. Applebaum  
Director, Regulatory Affairs  
NextEra Energy Resources, LLC  
21 Pardee Place  
Ewing, New Jersey 08628  
[david.applebaum@nexteraenergy.com](mailto:david.applebaum@nexteraenergy.com)

David Gil  
Manager, Regulatory Affairs  
NextEra Energy Resources, LLC  
700 Universe Boulevard  
Juno Beach, Florida 33408  
[david.gil@nexteraenergy.com](mailto:david.gil@nexteraenergy.com)

Kathleen Maher  
Constellation NewEnergy  
810 Seventh Avenue, Suite 400  
New York, NY 10019-5818  
[kathleen.maher@constellation.com](mailto:kathleen.maher@constellation.com)

Bob Blake  
VP Elec. Operations & Regulatory  
Affairs  
MXenergy  
10010 Junction Dr, Suite 104S  
Annapolis Junction, MD 20701  
[rblake@mxenergy.com](mailto:rblake@mxenergy.com)

**NJLEUC**

Paul F. Forshay, Partner  
SUTHERLAND  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2415  
[paul.forshay@sutherland.com](mailto:paul.forshay@sutherland.com)

Steven S. Goldenberg, NJLEUC, Esq.  
Fox Rothschild LLP  
Princeton Corporate Center  
997 Lenox Drive, BLDG. 3  
Lawrenceville, NJ 08648-2311  
[SGoldenberg@foxrothschild.com](mailto:SGoldenberg@foxrothschild.com)

**BGS SUPPLIERS**

Steven Gabel - IEPNJ  
Gabel Associates  
417 Denison Street  
Highland Park, NJ 08904  
[steven@gabelassociates.com](mailto:steven@gabelassociates.com)

James Laskey, Esq. - IEPNJ  
Norris McLaughlin & Marcus  
721 Route 202-206  
Bridgewater, NJ 08807  
[jaskey@nmmlaw.com](mailto:jaskey@nmmlaw.com)

Mark Baird, Director, Regulatory Affairs  
RRI Energy, Inc.  
7642 West 450 North  
Sharpsville, IN 46068  
[mbaird@rrienergy.com](mailto:mbaird@rrienergy.com)

Raymond Depillo  
PSEG Energy Resources & Trade  
80 Park Plaza, T-19  
P.O. Box 570  
Newark, NJ 07101  
[raymond.depillo@pseg.com](mailto:raymond.depillo@pseg.com)

Shawn P. Leyden, Esq.  
PSEG Energy Resources & Trade  
80 Park Plaza, T-19  
P. O. Box 570  
Newark, NJ 07101  
[shawn.leyden@pseg.com](mailto:shawn.leyden@pseg.com)

David K Richter, Esq.  
PSEG  
Regulatory Department  
80 Park Plaza, T-5C  
P. O. Box 570  
Newark, NJ 07101  
[david.richter@pseg.com](mailto:david.richter@pseg.com)

Ken Gfroerer  
RRI Energy  
RRI Box 246  
Stahlstown, PA 15687  
[kgfroerer@rrienergy.com](mailto:kgfroerer@rrienergy.com)

Craig S. Blume  
Director, Power Marketing  
UGI Energy Services / UGI  
Development Company  
One Meridian Boulevard, Suite 2C01  
Wyomissing, PA 19610  
[cblume@ugies.com](mailto:cblume@ugies.com)

Robert O'Connell,  
VP & Compliance Manager  
J.P. Morgan Ventures Energy Corp.  
1033 Squires Drive  
West Chester, PA, 19382  
[robert.oconnell@jpmorgan.com](mailto:robert.oconnell@jpmorgan.com)

Deborah Hart, Vice President  
Morgan Stanley Capital Group  
2000 Westchester Avenue  
Trading Floor  
Purchase, NY 10577  
[deborah.hart@morganstanley.com](mailto:deborah.hart@morganstanley.com)

Marcia Hissong, Director, Contract  
Administration/Counsel  
DTE EnergyTrading, Inc.  
414 South Main Street  
Suite 200  
Ann Arbor, MI 48104  
[hissongm@dteenergy.com](mailto:hissongm@dteenergy.com)

Don Hubschman  
American Electric Power  
155 W. Nationwide Blvd.  
Columbus, OH 43215  
[dmhubschman@aepes.com](mailto:dmhubschman@aepes.com)

Christine McGarvey  
AEP Energy Partners, Inc.  
Energy Trader  
155 W Nationwide Blvd  
Suite 500  
Columbus, OH 43215  
[clmcgarvey@aepes.com](mailto:clmcgarvey@aepes.com)

Glenn Riepl  
AEP Energy Services  
1 Riverside Plaza  
14th Floor  
Columbus, OH 43215-2373  
[gfriepl@aep.com](mailto:gfriepl@aep.com)

Jean-Paul St. Germain  
Sempra Energy Trading  
58 Commerce Road  
Stamford, CT 06902  
[jean-paul.st.germain@rbssempra](mailto:jean-paul.st.germain@rbssempra)

Howard O. Thompson - BGS  
Russo Tumulty Nester Thompson  
Kelly, LLP  
240 Cedar Knolls Road  
Suite 306  
Cedar Knolls, NJ 07927  
[htompson@russotumulty.com](mailto:htompson@russotumulty.com)



**In the Matter of the Provision of Basic Generation Service  
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Service List**

Sharon Weber  
PPL Energy Plus  
2 North 9th Street TW 20  
Allentown, PA 18101  
[sjweber@pplweb.com](mailto:sjweber@pplweb.com)

Stephen Wemple  
Con Edison Energy  
701 Westchester Avenue  
Suite 201 West  
White Plains, NY 10604  
[wemples@conedenergy.com](mailto:wemples@conedenergy.com)

Glen Thomas  
The P<sup>3</sup> Group  
GT Power Group LLC  
1060 First Avenue  
Suite 400  
King of Prussia, PA 19406  
[Gthomas@gtpowergroup.com](mailto:Gthomas@gtpowergroup.com)

Divesh Gupta  
Senior Counsel  
Constellation Energy  
100 Constellation Way, Suite 500C  
Baltimore, Maryland 21202  
[divesh.gupta@constellation.com](mailto:divesh.gupta@constellation.com)

Tom Hoatson  
LS Power Development, LLC  
2 Tower Center  
East Brunswick, NJ 08816  
[thoatson@lspower.com](mailto:thoatson@lspower.com)

John Citrolo  
Conectiv Energy Supply, Inc.  
PO Box 6066, MS 92DC69  
Newark, DE 19714  
[john.citrolo@connectiv.com](mailto:john.citrolo@connectiv.com)

Adam Kaufman  
Executive Director  
Independent Energy Producers of NJ  
Five Vaughn Drive, Suite 101  
Princeton, NJ 08540  
[akaufman@kzgrp.com](mailto:akaufman@kzgrp.com)

Stuart Ormsbee  
TransCanada Power Marketing Ltd.  
110 Turnpike Road, Suite 300  
Westborough, MA 01581  
[Stuart\\_ormsbee@transcanada.com](mailto:Stuart_ormsbee@transcanada.com)

Gregory K. Lawrence  
Cadwalader, Wickersham & Taft LLP  
One World Financial Center  
New York, NY 10281  
[greg.lawrence@cwt.com](mailto:greg.lawrence@cwt.com)

Victoria M. Lauterbach  
Cadwalader, Wickersham & Taft LLP  
700 Sixth Street, N.W.  
Washington, DC 20001  
[tory.lauterbach@cwt.com](mailto:tory.lauterbach@cwt.com)

Anthony Pietranico  
ConEdison Solutions Inc.  
Electricity Supply Specialist  
Tel: 732-741-5822 x204  
[pietranicoa@conedsolutions.com](mailto:pietranicoa@conedsolutions.com)

Aundrea Williams  
Director Regulatory Affairs  
NextEra Power Marketing LLC  
700 Universe Boulevard  
Juno Beach, FL 33408  
[aundrea.williams@nexteraenergyservice.com](mailto:aundrea.williams@nexteraenergyservice.com)

Ira G. Megdal, Esq.  
Cozen O'Connor  
457 Haddonfield Road  
Suite 300 P.O. Box 5459  
Cherry Hill, NJ 08002  
[imegdal@cozen.com](mailto:imegdal@cozen.com)

Christi L. Nicolay  
Division Director  
Macquarie Energy LLC  
500 Dallas St., Level 31  
Houston, TX 77002  
[Christi.Nicolay@macquarie.com](mailto:Christi.Nicolay@macquarie.com)

**OTHER PARTIES**

Sara Bluhm  
NJBIA  
102 West State Street  
Trenton, NJ 08608-1199  
[sbluhm@njbja.org](mailto:sbluhm@njbja.org)

John Holub  
NJ Retail Merchants Assoc.  
332 West State Street  
Trenton, NJ 08618  
[John@njrma.org](mailto:John@njrma.org)

Judy Misoyianis, Administrator  
New Jersey Retail Merchants Assoc.  
332 West State Street  
Trenton, NJ 08618  
[judy.njrma@verizon.net](mailto:judy.njrma@verizon.net)

Holly Minogue  
Gabel Associates  
Energy, Environmental, and Public  
Utility Consulting  
417 Denison Street  
Highland Park, NJ 08904  
[holly.minogue@gabelassociates.com](mailto:holly.minogue@gabelassociates.com)

Larry Spielvogel, PE  
L. G. Spielvogel, Inc.  
190 Presidential Blvd # 310  
Bala Cynwyd, PA 19004-1151  
[spielvogel@comcast.net](mailto:spielvogel@comcast.net)

Robert Macksoud, Jr, CEP  
Director Energy Procurement  
EnergySolve  
One Executive Dr, Suite 401  
Somerset, NJ 08873  
[rmacksoud@energysolve.com](mailto:rmacksoud@energysolve.com)

Lyle Rawlings  
Mid-Atlantic Solar Energy Industries  
Association  
Rutgers EcoComplex, Suite 208-B  
1200 Florence-Columbus Road,  
Bordentown, NJ 08505  
[lrawlings@mscia.net](mailto:lrawlings@mscia.net)

Katie Bolcar  
Mid-Atlantic Director  
Solar Energy Industries Association  
575 7<sup>th</sup> Street, NW, Suite 400,  
Washington DC 20005  
[kbolcar@scia.org](mailto:kbolcar@scia.org)

Bruce H. Burcat, Esq.  
Executive Director  
Mid-Atlantic Renewable Energy Coalition  
208 Stonegate Way  
Camden, DE 19934  
[bburcat@marec.us](mailto:bburcat@marec.us)