



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

IN THE MATTER OF THE PROVISION OF)
BASIC GENERATION SERVICE FOR YEAR)
THREE OF THE POST-TRANSITION PERIOD-))
AUCTION RESULTS)

ENERGY

DECISION AND ORDER

Docket No. EO04040288

(Service List Attached)

BY THE BOARD:

By Order dated December 1, 2004, the Board of Public Utilities ("Board" or "BPU") approved, with modifications and clarifications, the joint Basic Generation Service ("BGS") proposal of Public Service Electric and Gas Company ("PSE&G"), Jersey Central Power & Light Company ("JCP&L"), Conectiv Power Delivery ("Conectiv") and Rockland Electric Company ("Rockland") (collectively the "EDCs"), for two descending clock auctions, as the best means to secure the EDCs' electricity requirements for the period beginning June 1, 2005. In an effort to mitigate the risk to ratepayers, the Board directed the EDCs to procure approximately one-third of the EDCs' current fixed-price ("BGS-FP") load for a 36-month period¹. The Board also found that a 12-month procurement period for the EDCs' hourly load ("BGS-CIEP") is appropriate and reasonable in its December 1, 2004 Order. The Board also committed to review the results of the BGS-FP Auction and the BGS-CIEP Auction (collectively the "BGS Auctions") each in its entirety and certify the results of each 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, once approved by the Board, will be converted into revised BGS rates for customers beginning June 1, 2005. This is the fourth year that the Board has authorized a similar auction process to secure BGS supply.

AUCTION SUMMARY

The BGS-FP Auction began on February 10, 2005 and ended on February 11, 2005 after 13 rounds with all of the EDCs' 50 tranches² filled with the following closing prices for each EDC:

¹ Approximately two-third of the EDCs' BGS-FP requirements are already under contract through May 31, 2006 and one-third through May 31, 2007 as a result of the 2003 and 2004 BGS-FP Auctions.

² A tranche in the BGS-FP Auction is approximately 100 Mw.

BGS-FP 36-Month Tranches

<u>EDC</u>	<u>Closing Price</u>	<u>Total Tranches</u>
	<u>¢/Kwh</u>	<u>Available</u>
CONNECTIV	6.648	8
JCP&L	6.570	12
PSE&G	6.541	28
ROCKLAND	7.179	2

The BGS-CIEP Auction began on February 10, 2005 and ended on February 15, 2005 after 52 rounds with all of the EDCs' 115 tranches³ filled and with the following closing prices for each EDC:

BGS-CIEP

<u>EDC</u>	<u>Closing Price</u>	<u>Total Tranches</u>
	<u>\$/Mw-day</u>	<u>Available</u>
CONNECTIV	\$39.76	12
JCP&L	\$25.38	35
PSE&G	\$22.62	67
ROCKLAND	\$20.47	1

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

The Auction Manager responsible for conducting the 2005 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 three previous BGS Auctions. The Auctions were continuously monitored by Staff from the Economist's Office and the Division of Energy, as well as by the Board's consultant, Charles River Associates ("CRA"). CRA was retained to assist the Board in this process, due to both its extensive experience with simultaneous descending clock auctions and its vast energy industry experience. CRA also advised the Board and Staff during previous BGS Auctions.

NERA has provided the Board and the Ratepayer Advocate with a confidential final report that includes an in-depth analysis on how the Auctions were conducted, and also includes a post-Auction evaluation form. The analysis indicates the following in support of accepting the Auction results: bidders had sufficient information to prepare for the Auctions; information was provided to bidders in a timely manner; no issues nor questions were left unresolved prior to the Auctions that created uncertainty for bidders; no procedural problems nor errors were observed during the Auctions; all communication protocols were followed; no hardware nor software problems with the Auctions and communication systems were observed; appropriate data back-up procedures were planned and carried out; no security breaches were observed during the Auction process; all guidelines for setting or changing the Auction parameters were followed; calculations produced by the auction software were double-checked 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 in a material manner; communications between

³ A tranche in the BGS-CIEP Auction is equivalent to approximately 25 Mw.

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 nor gaming by the bidders; there was no evidence of a breakdown in competition during the Auctions; public and sensitive information were treated appropriately; there were no factors exogenous to the Auctions that materially affected the Auctions; there were no concerns with the Auction outcomes with regard to any specific EDC(s); and finally 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.

CRA has also provided the Board with a confidential pre-certification report on how the Auctions were conducted, which includes a post-Auction evaluation form. CRA's analysis is consistent with NERA's analysis, and both recommend that the Board accept the final Auction results.

AUCTIONS' FINDINGS AND CONCLUSIONS

The independent NERA and CRA analyses are consistent with each other and indicate that the Auctions proceeded without meaningful interruption, according to the Board-approved Auction rules, in an acceptably fair and transparent manner and that the Board should certify the Auction results. Staff assigned to oversee the Auctions has also briefed the Board on the conduct of the Auctions and on the Auction results.

After reviewing the reports from NERA and CRA, and discussing the results and conduct of the Auctions with Staff, the Auction Manager and CRA, 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 no 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;
- from what could be observed, there were no hardware or software problems nor errors with the Auctions' system or its associated communication systems;
- 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 CRA 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 was no evidence that bidders felt unduly rushed during the process;
- 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;
- there was no evidence of a breakdown in competition in the Auctions;
- 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); and
- the Auctions appears 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.

Therefore, 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. The Board ORDERS the EDCs to execute the necessary documents, including the BGS Master Supply Agreements, with the winning bidders within three days of the date of this Order. Furthermore, the Board DIRECTS the EDCs to implement the BGS rates resulting from the Auctions beginning June 1, 2005 and to file tariff sheets reflecting those rates by March 1, 2005.

The Board notes that while the results of the BGS-FP Auction will result in a slight increase in rates for BGS customers, the rate increase will be significantly less than the increase in underlying fuel prices over the past year. Specifically, the annual bill for the average residential Conectiv customer will increase by approximately 5.12% beginning June 1, 2005. For an average JCP&L residential customer the annual increase will approximate 4.5%. Residential customers of PSE&G and Rockland⁴ will see 2.8% and 8.3% increases, respectively. When considered in the context of natural gas prices that have risen approximately 25% over the past year and crude oil which has risen 30% in the same time period, the BGS-FP Auction results are acceptable to this Board and demonstrate the ability of the current auction design and structure to effectively deal with changing market conditions.

This year's BGS-CIEP Auction to serve hourly-priced customers will produce a significant decrease in the capacity charges that customers pay beginning on June 1, 2005. The decrease in the capacity product varies from 20.3% for Conectiv customers to 64.5% for Rockland customers. While capacity is only a portion of a customer's overall rate, the significant decrease speaks well for the competitiveness of the process.

⁴ For Rockland, the 2005 BGS-FP Auction reflects approximately 50% of Rockland's FP load requirements rather than the approximately 33% of the other EDCs. This difference has the effect of accentuating the effect of this year's results on Rockland's customers.

Consistent with past Board practice, the Board is releasing the names of the winning bidders at this time. The Board, however will not, at this time, 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, 2005.

DATED: 2/17/05

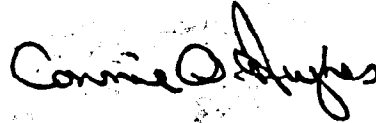
BOARD OF PUBLIC UTILITIES



JEANNE M. FOX
PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER



CONNIE O. HUGHES
COMMISSIONER



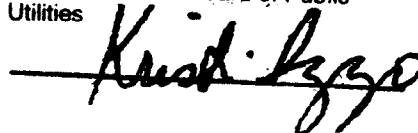
JACK ALTER
COMMISSIONER

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



ATTACHMENT A

I/M/O The Provision Of Basic Generation Service For Year Three Of The Post-Transition Period

Auction Winners Approved by the Board of Public Utilities on February 16, 2005.

BGS-FP Auction Winners

BP Energy Company
Conectiv Energy Supply
Constellation Energy Commodities Group
Morgan Stanley Capital Group
PSEG Energy Resources & Trade
Tractebel Energy Marketing

BGS-CIEP Auction Winners

Consolidated Edison Energy, Inc.
Constellation Power Source, Inc.
Dominion Retail, Inc.
DTE Energy Trading
Edison Mission Marketing & Trading
PPL Energy Plus, LLC
PSEG Energy Resources and Trade LLC
Select Energy, Inc.

Board of Public Utilities
Basic Generation Service ("BGS")
Service List

BPU STAFF

Kristi Izzo, Secretary
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Fred Grygiel
Chief Economist
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Mark Beyer
Office of the Economist
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Nusha Wyner, Director
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Frank Perrotti
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Peter Yochum, Issues Manager
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Kenneth Welch
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Thomas Langbein
Division of Audits
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Rene Demuynck
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Nnaji Ugoji
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Alice Bator, Chief
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Dennis Moran, Asst. Director
Division of Energy
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

DAG

Helene Wallenstein
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

Margaret Comes
Division of Law
Dept. of Law & Public Safety
124 Halsey Street
P.O. Box 45029
Newark, NJ 07102

RATEPAYER ADVOCATE

Seema M. Singh, Acting
Ratepayer Advocate & Director
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07102

Badrhn M. Ubushin, Esq.
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101

Ami Morita
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101

Kurt Lewandowski
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101

Diane Schulze
Division of Ratepayer Advocate
31 Clinton Street, 11th Floor
P.O. Box 46005
Newark, New Jersey 07101

John Stutz
Tellus Institute
11 Arlington Street
Boston, MA 02116-3411

CONNECTIV

Gary Ferenz
Conectiv Energy Supply Inc.
Christiana Bldg.
252 Chapman Road
P. O. Box 6066
Newark, DE 19714-6066

Charles F. Morgan, Jr.
Conectiv Power Delivery
(Mail Stop 63ML94)
5100 Harding Highway
Mays Landing, NJ 08330

Mark Mucci, Esq.
LeBoeuf, Lamb, Greene &
MacRae
One Riverfront Plaza
Newark, NJ 07102

Katharine Olinchak
Conectiv Power Delivery
401 Eagle Run Rd.
PO Box 9239
Newark, DE 19714-9239

JCP&L

Michael J. Filippone
JCP&L
300 Madison Avenue
PO Box 1911
Morristown, NJ 07962-1911

Kevin Connolly
JCP&L
300 Madison Avenue
PO Box 1911
Morristown, NJ 07962-1911

Larry Sweeney
JCP&L
300 Madison Ave.
P.O. Box 1911
Morristown, NJ 07962-1911

Marc B. Lasky, Esq.
Thelen Reid & Priest, LLP
200 Campus Drive, St. 210
Florham Park, NJ 07932

Julie Friedberg, Esq.
Thelen Reid & Priest, LLP
200 Campus Drive, St. 210
Florham Park, NJ 07932

PSE&G

Francis E. Delany, Jr., Esq.
Public Service Electric & Gas Co.
80 Park Plaza, T8C
Newark, NJ 07101

Frances I. Sundheim, Esq.
Public Service Electric & Gas Co.
80 Park Plaza T8C
Newark, NJ 07101

ROCKLAND

John L. Carley, Esq.
Consolidated Edison Co. of NY, Inc.
4 Irving Place
New York, NY 10003

Maria Robinson
Con Edison Energy
701 Westchester Avenue
Suite 201 West
White Plains, NY 10604

Stephen Wemple
Con Edison Energy
701 Westchester Avenue
Suite 201 West
White Plains, NY 10604

James C. Meyer, Esq.
Riker, Danzig, Scherer, Hyland &
Perretti, LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962

NJ NATURAL GAS

Tracey Thayer
NJ Natural Gas Co.
1415 Wyckoff Rd.
PO Box 1464
Wall, NJ 07719

PJM

Denise Foster &
Lindsay Johnston
General Counsel
PJM Interconnection, L.L.C.
955 Jefferson Avenue
Valley Forge Corporate Center
Norristown, PA 19403-2497

SUPPLIERS

Hazel Mouzon
AEP Energy Services
1 Riverside Plaza, 14th Floor
Columbus, Ohio 43215-2373

Geoffrey Allen
AEP Service Corp.
155 W. Nationwide Blvd. St. 500
Columbus, OH 43215

David Koehnig
Allegheny Energy
909 3rd Avenue, 33rd Floor
New York, NY 10022

Eric Konopacky
Constellation Power Source, Inc.
11 Market Place, Suite 500
Baltimore, MD 21202

Murry Weaver
Entergy Power Marketing Corp.
Parkwood Two Building, Suite 500
10055 Grogan's Mill Road
The Woodlands, TX 77380

David Samuels
Morgan Stanley Capital Group, Inc.
2000 Westchester Ave.
Purchase, NY 10577

Deborah Hart
Morgan Stanley Capital Group, Inc.
2000 Westchester Ave.
Purchase, NY 10577

Sharon Weber
PP&L Energy Plus
2 North 9th Street TW 20
Allentown, PA 18101

Gary Sorenson
PSEG Power
80 Park Plaza, T-21A
Newark, NJ 07102

Shawn P. Leyden
PSEG Energy Resources & Trade
80 Park Place, T-19
Newark, NJ 07102

Ken Salamone
Sempra Energy Trading Corp.
58 Commerce Road
Stamford, CT 06902

Board of Public Utilities
Basic Generation Service ("BGS")
Service List

Bonnie Graziano
Pepco Energy Services, Inc.
543 Valley Road
Montclair, NJ 07043

Marilena Marrelli
Sempra Energy Trading Corp.
58 Commerce Road
Stanford, CT 06902

Ike Gibbs
Reliant Energy, Inc.
379 Thornal Street
Fifth Floor
Edison, NJ 08837

Angelo Chambrone
Select Energy NY, Inc.
507 Plum Street
Syracuse, NY 13204

Leonard E. Navitsky
Select Energy, Inc.
3301 Cherokee St
Emmaus, PA 18049

John Llodra
UBS Warburg Energy, LLC
82 Smith Street
Groton, MA 01450

Steve Sheppard
DTE Energy Trading
414 S. Main St., Suite 200
Ann Arbor, MI 48104

D. Michael Cornwell
Dominion Retail, Inc.
120 Tredegar Street
Richmond, VA 23219

William Barkas
Dominion Retail, Inc.
625 Liberty Ave., 21st Floor
Pittsburgh, PA 15222

MARKETERS

Michael Drago
First Energy Solutions
24 Fisher Place
Trenton, NJ 08618

Kevin Laguardia
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095

Stephen Fernands
Customized Energy Solutions
(for AES New Energy)
215 South Broad Street, 10th Fl.
Philadelphia, PA 19107

Sara O'Neill
Constellation NewEnergy
810 7th Ave., Ste. 400
New York, NY 10019

Steven Gabel
Gabel Associates
417 Denison Street
Highland Park, NJ 08904

John Holtz
Green Mountain Energy Co.
3000 Atrium Way
Mail Box 275
Mount Laurel, NJ 08054

Paul Dwyer
Green Mountain Energy Co.
123 Bloomingdale Ave.
Suite 202
Wayne, PA 19087

Douglas S. Elliot
First Energy Services
395 Ghent Road
Akron, OH 44333

Alyssa Weinberger
Amerada Hess Corp.
One Hess Plaza
Woodbridge, NJ 07095

Michael Renier
Shell Energy Services Company
1221 Lamar Street
PO Box 4402
Houston, TX 77010

Tom Michelman
Senior Professional - XENERGY
3 Burlington Woods - 4th Floor
Burlington, MA 01803-4543

Lisa Ferguson
Duke Energy North America
5400 Westheimer Court
Houston, TX 77056

Michael G. Briggs
Reliant Resources, Inc.
801 Pennsylvania Ave. NW
Washington, DC 20004-2604

SueAnne I. Harrel
Pepco Energy Services
101 Castle Pointe Blvd.
Piscataway, NJ 08854

James P. McCormick
Strategic Energy
1940 Robert Road
Meadowbrook, PA 19046

Dana Swieson
EPEX
102 Pickering Way, Suite 102
Exton, PA 19341-1330

Dale Kanterman, VP
Eastern Energy Services
60 Fostertown Road
Medford, NJ 08055

Marc Hanks
Select Energy, Inc.
107 Selden Street
Berlin, CT 06037

OTHER PARTIES

Jack Johnson
President
Geophonic, Inc.
P.O.Box 580
Summit, NJ 07901

James R. Lacey, Esq.
Graham, Curtin, & Sheridan, P.A.
4 Headquarters Plaza
P.O. Box 1991
Morristown, NJ 07962-1991

Nathaniel Greene
NRDC
40 W. 20th Street, 11th fl.
New York, NY 10011

Ira Megdal
Cozen, O'Connor
Libertyview, St. 300
457 Haddonfield Road
P.O. Box 5459
Cherry Hill, NJ 08002-2220

OTHER PARTIES

Sara Bluhm
NJBIA
102 West State Street
Trenton, NJ 08608-1199

Stephen Dilts
Director/Government Affairs
Chemical Industry Council
of New Jersey
150 W. State Street
Trenton, NJ 08608

Kate McNamara
Delaware River Port Authority
Port Authority Transit Corp.
One Port Center
2 Riverside Drive
Camden, NJ 08101

Roger M. Schwarz
Governmental Affairs (MAPSA)
130 W. State Street 1st Floor
Trenton, NJ 08608

Marvin Spira
Food Policy Institute
71 Lipman Drive
New Brunswick, NJ 08901

James E. McGuire
Reed Smith LLP
136 Main Street
Princeton, NJ 08540

Jack O'Connor
Rutgers Food Policy Institute
ASB III, 3 Rutgers Plaza
New Brunswick, NJ 08901

Richard Santoro
NJ Retail Merchants Assoc.
332 W. State Street
Trenton, NJ 08618

James Benton
NJ Petroleum Council
150 W. State Street
Trenton, NJ 08608

David Gillespie
NJ Transit
One Penn Plaza East
Newark, NJ 07105-2246

Linda Doherty
NJ Food Council
30 W. Lafayette St
Trenton, NJ 08608

Frank Magnotti
Comverge, Inc
120 Eagle Rock Ave., St. 190
East Hanover, NJ 07936

Gregory Lawrence
McDermott Will & Emery
28 State Street
Boston, MA 02109-1775

Divesh Gupta
McDermott Will & Emery
600 Thirteenth ST, NW
Washington, DC 20005

Paul Forshay
Sutherland Asbill & Brennan
1275 Pennsylvania Ave. NW
Washington, DC 20004-2415

Steven S. Goldenberg, Esq.
Greenbaum, Rowe, Smith, Ravin,
Davis & Himmell, LLP
99 Wood Avenue South
Iselin, NJ 08830

Howard Thompson
Russo Tumulty Nester
Thompson & Kelly LLP
One Exchange Place, Suite 501
Jersey City, NJ 07302