

(c) The electric public utility shall update the plan submitted under (b) above annually, by March 1st of each year.

Amended by R.2004 d.13, effective January 5, 2004.
See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

Rewrote the section.

Amended by R.2006 d.211, effective June 5, 2006.

See: 37 N.J.R. 4518(a), 38 N.J.R. 2509(a).

In the introductory paragraph of (b), substituted "of service if requested to do so by PJM or another system operator." for "of service if necessary", and rewrote the last sentence; inserted (b)1 through (b)4; and in (c), inserted "electric public utility shall update the".

14:29-4.2 Programs to reduce energy consumption

(a) If the PJM independent system operator (ISO) determines that the measures set forth in N.J.A.C. 14:29-2.2, 2.3 and 2.4, combined with any simultaneous or anticipated relief actions by the PJM independent system operator (ISO) and the New York ISO, do not provide sufficient relief from energy emergency conditions, the electric utilities may take the following actions:

1. Departures from normal operating procedures, which have an acceptable impact on reliability and economy. These include, but are not limited to, the following:

- i. Voluntary customer energy reduction programs, as agreed upon from time to time by an electric utility and its customers, shall be placed in effect;
- ii. A five percent voltage reduction; and
- iii. Other reliability measures which, from time to time, may be authorized by the Board; and

2. Load interruptions, implemented in accordance with a plan filed by each electric utility with the Board in accordance with N.J.A.C. 14:29-4.1(b).

(b) If an electric utility implements the measures set forth at (a) above, the utility shall inform the Board of the implementation as soon as reasonably feasible and, if possible, prior to implementation of these measures.

(c) The Board may require the electric utilities to take any of the measures at (a) above if necessary to address conditions caused by the energy emergency.

Amended by R.2001 d.87, effective March 5, 2001.

See: 32 N.J.R. 3717(a), 33 N.J.R. 839(a).

Rewrote the section.

Partially recodified from N.J.A.C. 14:29-4.3 and amended by R.2004 d.13, effective January 5, 2004.

See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

Rewrote the section.

14:29-4.3 Reserved

Amended by R.2001 d.87, effective March 5, 2001.

See: 32 N.J.R. 3717(a), 33 N.J.R. 839(a).

Deleted "consistent with the interconnection agreements to which they are signatories".

Repealed by R.2004 d.13, effective January 5, 2004.

See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

Section was "Implementation".

SUBCHAPTER 5. PETROLEUM PRODUCTS

14:29-5.1 Required set aside of regulated petroleum products

(a) During an energy emergency, each prime supplier of a regulated petroleum product shall maintain a store of each regulated petroleum product that it supplies. This stored product shall be known as a "set aside," and the amount of each supplier's set aside for each regulated petroleum product shall be determined in accordance with this section.

(b) The amount of each prime supplier's set aside for a particular regulated petroleum product for a particular upcoming month shall be three percent of the amount of that product sold in New Jersey by that prime supplier during the same month of the previous year, as reported to the U.S. Department of Energy's Energy Information Agency on Form EIA-782C, Monthly Report of Prime Supplier Petroleum Product Sold for Consumption.

(c) Seven business days before the start of each month, each prime supplier shall notify the Board of the quantity of its set aside for the upcoming month for each regulated petroleum product handled by the supplier. Notification must be made by mail or by facsimile.

(d) If any portion of a set aside has not been used by the close of business on the 27th day of the month, the prime supplier may release this unused portion.

(e) The Board may increase or decrease the amount or percentage of the required set aside as necessary to address an energy emergency. The Board shall notify all prime suppliers at least two days before the adjusted set aside requirement takes effect.

New Rule, R.2004 d.13, effective January 5, 2004.

See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

Section was "Scope and purpose".

Amended by R.2006 d.211, effective June 5, 2006.

See: 37 N.J.R. 4518(a), 38 N.J.R. 2509(a).

Substituted "three percent" for "five percent" in (b).

14:29-5.2 Redirection of petroleum set aside

At any time during an energy emergency, the Board may, if necessary to facilitate relief of any hardship and meet the demand for regulated petroleum products, require one or more prime suppliers to redirect some or all of their set aside for one or more regulated petroleum products to a specified end-user.

Recodified from N.J.A.C. 14:29-5.1 and amended by R.2004 d.13, effective January 5, 2004.

See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

Rewrote the section. Former N.J.A.C. 14:29-5.2, Responsibilities of prime suppliers, recodified to N.J.A.C. 14:29-5.3.

14:29-5.3 Prime suppliers—reporting, non-discrimination

(a) Each prime supplier, as defined at N.J.A.C. 14:29-1.2, shall continuously maintain and designate a representative to act on behalf of the prime supplier with respect to available supplies. Each prime supplier shall notify the Board in writing of such designation, and shall include the name, office telephone number, e-mail address, fax number and cell phone (if available) of the representative. The prime supplier shall resubmit this information annually on March 1st of each year. In the event of a redesignation, the prime supplier shall notify the Board of such redesignation within one day of its occurrence.

(b) The representative identified under (a) above shall provide daily updates to the Board during a declared energy emergency. The updates shall provide information regarding available and anticipated supplies of the regulated petroleum products handled by the supplier.

(c) Each prime supplier shall submit to the Board the New Jersey posted dealer tank wagon price, posted reseller tank car price, or other posted price for each regulated petroleum product for each class of customer within 24 hours after a price change. Submittals postmarked within 24 hours after a price change shall be deemed to be in compliance with this subsection.

(d) The information required under this section shall be sent to:

Energy Emergency Coordinator
Division of Energy
New Jersey Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

(e) Each prime supplier shall distribute regulated petroleum products fairly without discrimination between wholly owned affiliates and nonwholly owned affiliates.

(f) During an energy emergency, a prime supplier shall not make any change in its distribution of regulated petroleum products without prior approval by the Board.

Recodified from N.J.A.C. 14:29-5.2 and amended by R.2004 d.13, effective January 5, 2004.
See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).
Rewrote the section.

14:29-5.4 Interruptible dual-fuel (natural gas and petroleum) customers

In accordance with N.J.A.C. 14:29-3.1(b), during an energy emergency that was declared based on the shortage of a regulated petroleum product, a natural gas utility shall not reduce or discontinue supply to interruptible customers for economic reasons, if the reduction or discontinuation would cause the customer to increase its use of a regulated petro-

leum product. This provision shall not apply in the case of a coincident natural gas and petroleum shortage.

New Rule, R.2004 d.13, effective January 5, 2004.
See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).

SUBCHAPTER 6. REGULATION AND CONTROL OF SALE OF MOTOR FUEL**14:29-6.1 Scope**

If, during an energy emergency, the Board determines that there is a significant shortage of motor fuel, this subchapter shall apply to all sales of motor fuel made by retail dealers to operators of motor vehicles. The terms "sales," "motor fuel," "retail dealer" and "motor vehicle" are defined at N.J.A.C. 14:29-1.2.

Amended by R.2004 d.13, effective January 5, 2004.
See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).
Rewrote the section.

14:29-6.2 Days of access to retail dealers—odd/even measure

(a) Upon determination of motor fuel shortage by the Board in accordance with N.J.A.C. 14:29-6.1, no retail dealer shall sell any motor fuel for use in a service tank in a passenger automobile, as defined at N.J.A.C. 14:29-1.2, except as set forth in the following schedule:

1. Operators of passenger automobiles bearing license plates the last number of which is an even number shall be permitted to purchase motor fuel for use in the service tank of said passenger automobile on even numbered days of each month;
2. Operators of passenger automobiles bearing license plates the last number of which is an odd number or containing no number shall be permitted to purchase motor fuel for use in the service tank of said passenger automobile on odd numbered days of each month; and
3. Operators of passenger automobiles bearing license plates from any other state or foreign nation shall be permitted to purchase motor fuel on the same odd/even basis described at (a)1 and 2 above.

Amended by R.2004 d.13, effective January 5, 2004.
See: 35 N.J.R. 1508(a), 36 N.J.R. 205(a).
Rewrote the section.

Cross References

- Exemptions, see N.J.A.C. 14:29-6.5.
Exceptions, see N.J.A.C. 14:29-6.7.

14:29-6.3 Quantity of motor fuel

Upon a determination by the Board in accordance with N.J.A.C. 14:29-6.1, the Board may establish minimum or