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STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES

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BOARD OF PUBLIC UTILITIES
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**In the Matter of the Joint Petition of
KDC Solar LLC and Six Flags
Entertainment Corporation** :
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Seeking a Declaratory Judgment :
Pursuant to N.J.S.A. 52:14B-1, et :
seq., or a Waiver Pursuant to the :
Waiver Rule, N.J.A.C. 14:1-1.2(b). :

Docket No. Q014080885

March 19, 2015

KDC Solar LLC ("KDC") and Six Flags Entertainment Corporation ("Six Flags") (collectively, "Petitioners") submit this Compliance Response to the Amended Order dated February 18, 2014 issued by the Board of Public Utilities (attached as Exhibit A and referred to herein as the "Order"). The Order granted a waiver of N.J.A.C. 14:8-4.1(b)(2) subject to certain conditions as noted in the Order. This Response and the attached Exhibits B and C demonstrate that the Petitioners have satisfied or will satisfy all such conditions.

Petitioners respectfully state as follows:

1. Condition 1 - The waiver granted by the Board is based on the particular facts and circumstances presented in the Petition and shall not be deemed precedential.

The Petitioners agree to this condition.

2. Condition 2 - The Petitioners shall submit a site plan showing that the configuration of the proposed solar facility as designed satisfies the requirement for contiguous property pursuant to N.J.A.C. 14:8-4.1(b).

The Petitioners attach as Exhibit B the final site plan showing the location of the solar facility. Exhibit B clearly depicts that the solar facility, located on Block 3101 Lot 11.01, is "contiguous" (as such term is used in N.J.S.A. 14:8-4.1(b)) to the interconnection point with the electrical system of the Great Adventure entertainment complex, which is located on Block 3101 Lot 11. Six Flags owns all of the relevant property.

3. Condition 3 - The Petitioners must obtain all approvals and pay the costs associated with the interconnection process of Jersey Central Power & Light Company ("JCP&L").

The Petitioners agree to obtain all required approvals and will bear all associated costs with respect to the interconnection of the solar facility as determined by JCP&L.

4. Condition 4 – The Petitioners shall submit to Board Staff a plan setting forth a strategy for cost-effective energy efficiency measures at the Six Flags Great Adventure entertainment complex.

The Petitioners engaged PartnerEnergy, which has performed many independent energy efficiency studies for various industries throughout the country, to review and identify areas at Great Adventure at which cost-effective energy efficiency measures might be implemented and to prepare a report. The Petitioners attach as Exhibit C the Report of PartnerEnergy (the "Report").

As the Report makes clear, the unique nature of Six Flags' electric load and consumption creates an unusual and very significant challenge in identifying actions to reduce the usage of electric power by any meaningful amount. Moreover, even if this were possible, it would take decades to achieve economic recovery of the investment. When considered in light of this customary measure of cost-effectiveness, the opportunities for cost-effective energy savings are further reduced.

The principal problem is that the rides and entertainment facilities at Great Adventure, which account for the vast majority of the energy consumption, are simply off-limits for any energy efficiency measures, due to safety concerns. As the Report states:

In the team's assessment of the overall electric consumption at Six Flags, there are very limited energy efficiency opportunities due to the unique characteristics of Six Flags' usage. The primary usage within Six Flags are the rollercoasters, various other rides and associated entertainment facilities. They were not considered for analysis due to the inability to apply appropriate energy efficiency measures without jeopardizing the proper operation and electrical infrastructure for those rides. Therefore the liability of applying energy efficiency measures to the rides and entertainment facilities is not something that is in the best interest of the safety of the general public nor the park's mission.

As a result of these unusual concerns, the areas and activities available for conventional energy efficiency measures are extremely limited in comparison to the overall electric power usage at the entertainment complex. For this reason, the Report states that the areas examined for possible energy efficiency measures must necessarily focus "on the more traditional" areas, including "surface area lighting (e.g., parking lot) and HVAC unit replacement..." Moreover, as discussed below, because Six Flags has already implemented numerous energy efficiency measures, the areas of operations available for additional measures and concomitant reductions of power usage are further limited and the Report addresses only the actions that might be implemented in addition to those already undertaken.

With respect to the opportunities identified in the study, PartnerEnergy calculated an overall reduction of electric power usage of approximately 125,000 kilowatt hours. This compares to the annual power usage at Great Adventure of over 27,315,000 kilowatt hours in 2014.

The second factor to be considered in the evaluation of energy efficiency measures, as recognized in the Order, is whether it would be cost-effective to implement the actions identified. As Table 1-0 of the Report shows, the payback associated with the measures identified is an average of 41.7 years. The extraordinarily long period for recovery of the investment is due to the unique operating hours and seasonal operating schedule of the park. The extended period for payback prohibits the implementation of the actions identified by PartnerEnergy at this time.

At the same time, however, over the past several years, Six Flags has implemented many energy efficiency programs as part of an on-going program. Indeed, as the Report acknowledges, Six Flags has spent nearly one million dollars (\$1,000,000) over the last five (5) years on energy efficiency measures within the entertainment complex.

For 2015, Six Flags has committed to an additional expenditure of \$150,000 to implement energy efficiency measures. When implemented, these actions are expected to produce an annual energy savings of approximately 24,000 kilowatt hours (out of the 27,000,000 kilowatt hours of annual power usage as noted above).

The energy savings from these 2015 projects will enable KDC Solar to reduce the size of the solar facility commensurate with an expected energy savings of 24,000 kilowatt hours or approximately 18 kilowatts. KDC Solar will take this size reduction into account when sizing the final system (though the system will remain at 17 MW AC).

In summary, the Petitioners have performed the energy efficiency study required by the Order, engaging highly-qualified third-party consultants to conduct an independent assessment. As a result of the severe limitations in available opportunities and the unusually lengthy timeframe for recovering the cost of investment, the evaluation did not identify additional cost-effective energy efficiency measures that would permit a reduction of the size of the proposed solar array. However, the system size will be reduced as described herein in light of energy efficiency measures that Six Flags is already implementing this year.

Finally, as demonstrated by the actions taken over the past five years at a cost of approximately \$1 million, Six Flags is clearly committed to identifying energy efficiency measures as part of its on-going program and implementing those measures that are cost-effective in light of the energy savings achieved and the time period for recovery of the investment. Six Flags will consider the additional measures identified in the attached PartnerEnergy Report as part of its energy efficiency programs going forward.

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