

REPORTING YEAR 2009 RPS REPORTING INSTRUCTIONS

The Renewable Portfolio Standards at N.J.A.C. 14:8-1.1 apply to BGS suppliers/providers, electric power suppliers (aka Third Party Suppliers) and electric public utilities (aka electric distribution companies or EDCs). BGS suppliers must submit to each EDC for which they serve load the compliance documentation specific to the load served in that territory. The data reported to the EDC must be specific and relevant to the load served and the compliance sought by the BGS supplier for that particular EDC market. Each EDC must compile and summarize the reports provided by the BGS suppliers serving load in their market and submit this information under one cover to the Office of Clean Energy. Third Party Suppliers report directly to the OCE for their entire load regardless of where in New Jersey it was served. The RPS compliance reports are now due by October 1, 2009.

Each BGS supplier must provide the following to each EDC for which they serve load. Third Party Suppliers report the same information directly to the OCE. Please note that any claims of confidentiality **must** be submitted in compliance with NJAC 14:1-12 – Procedures for Determining the Confidentiality of Submitted Information.

Current rules may be viewed at:

<http://www.lexisnexis.com/njoal>.

To see currently effective rules, log in and click on “search New Jersey Administrative Code”. The online New Jersey Administrative Code is updated quarterly.

1. Printout from the SREC system showing SRECs retired toward meeting the solar RPS. (Questions regarding the NJ REC System for New Jersey customer-sited, behind the meter facilities can be directed to njsrec@cleanpowermarkets.com).
2. Board approved affidavits from each supplier affirming the SRECs were retired and not used anywhere else (see attached, 2009 RPS Compliance Instructions.PDF Forms)
3. Board approved affidavits, titled Class I and Class II Certification Forms for biomass and resource recovery facilities respectively, certifying that the facilities that generated the RECs continue to operate in compliance with

their permits (see attached, 2009 RPS Compliance Instructions. PDF Forms)

The Class I and Class II Certification Forms, for biomass and resource recovery facilities respectively, are still required since they contain affirmative attestation from representatives of the generating facility that the facility generating the electricity was operated in conformity with the NJDEP requirements which has not been verified with GATS.

4. Printout from GATS demonstrating compliance with Solar, Class I and Class II RPS requirements based on guidance from PJM EIS. Please ensure with committed supply numbers that you are the owner of these RECs and they have been retired. (There is a report from PJM GATS that will eliminate the need to go to multiple reports to get this information. See below.)

5. Documentation confirming Alternative Compliance Payment (ACP) and/or Solar Alternative Compliance Payments (SACP) payment, if needed, in the form of copies of checks for each ACP and/or SACP payment. ACP and SACP payments are to be made separately according to the attached instructions. A supplier's report should document the need to pay ACPs or SACP and include a copy of each check or checks made payable to "Treasurer, State of New Jersey". PSEG has developed a template titled "RPS Report.xls" which satisfies the ACP/SACP obligation calculation and reporting requirement. The ACP and SACP payments must be mailed directly to NJBPU Office of Clean Energy as described in the attached procedure. (See attached, 2009 ACP SACP Payment Instruction.PDF)

Finally, also attached is the May 15, 2009 Board Order memorializing actions taken by the Board at its May 14th Agenda meeting "In the Matter of the RPS - Request for Board Action Regarding RECs - Extension of Time Period for Satisfying RPS Requirements Through Submitting Affidavit", Docket No. EO07110886. This Directive permits the use of non-New Jersey connected Class I energy generator RECs whose energy does not settle in the PJM settlement market if a sworn affidavit (attached) is signed by the appropriate company official, with personal knowledge and they provide a true and correct copy of billing statements produced as part of the transaction reflecting the MWh generated in Energy Year 2009. The affidavit and billing statements must be sent to and received by the NJBPU Office of Clean Energy prior to October 1, 2009.

Thank you in advance for your cooperation in documenting your company's compliance with New Jersey's Renewable Portfolio Standard. Please direct questions or comments to ronald.jackson@bpu.state.nj.us.

GATS My RPS Compliance Report Information:

To All Company Account Managers~

New Jersey's RPS Reports are due by October 1, 2009 for the Reporting Year 2009.

If you serve BGS Load then the EDC's will be reporting directly to the BPU for you. You must transfer over your load obligation as well as the number of certificates that are needed for you to comply. Please contact your EDC as to the timing of when they would like this completed by.

If you serve Third Party Load you will be reporting directly to the NJ BPU.

If you are using certificates from your CEPS account please remember that you CAN NOT transfer them to your Retail LSE Subaccount. They must be transferred to Reserve with the RPS reason being selected.

PJM EIS has implemented a report in GATS, "My RPS Compliance Report", to make reporting easier. You can find the "My RPS Compliance Report" listed in the Account Holder Report section. This report consists of three tabs. The first tab is a Summary tab of what the obligations are in your Retail LSE Subaccount for that reporting year. You will also see a breakdown of the total certificates that are in your Retail LSE Subaccounts and your Reserve Subaccount. The second and third tab is a detailed break down of the certificates that were placed into either the Retail LSE Subaccount or the Reserve Subaccount. This report eliminates the need to go to multiple reports within GATS to obtain the data that is needed.

For more information regarding New Jersey Reporting Requirements, please review the rules at the New Jersey Office of Administrative Law (OAL) and Lexis/Nexis website at this link:
<http://www.lexisnexis.com/njoal>

You will have to register with the site before you can view the rules at Title 14: Board of Public Utilities, Chapter 8; Renewable Energy and Energy Efficiency; Subchapter 2: Renewable Portfolio Standards.

For questions directly pertaining to the New Jersey requirements please contact Ron Jackson at the NJ BPU. ronald.jackson@bpu.state.nj.us

Please feel free to contact PJM-EIS if you have any questions:

PJM-EIS GATS

GATS Administrator

Phone: 610-666-2245

GATSAdmin@pjm-eis.com.