

Renewable Energy Committee Meeting

June 7, 2011
CSG Office - Iselin, NJ
1:00 pm to 3:00 pm

Meeting called to order at 1 pm
Introductions

Regulatory Update (M. Winka)

Energy Mater Plan: There was a press event at 11 am today. The public document can be downloaded from the clean energy website. On the Energy Efficiency side, in summary, it talks about reducing the SBC costs by looking at other ways of providing that fund to revolve back to an account, by developing either a revolving loan funds or looking for other revenue streams similar to the SREC program but in energy efficiency for the PJM Capacity market. We're looking for ways to kick that off on the energy efficiency side this year and then rolling into the next program year. On the renewable side there's an analysis of the solar cost and the impact of solar and recommendations in terms of the solar ACP. There are a few discussion points in terms of looking at the solar ACP from 2012 to 2016 and reducing the solar ACP during that time, and there's a similar proposal in the EMP for a 20% reduction in the solar ACP in 2016 to account for all of those changes up through that period of time. The 2012-2016 reduction is based on the current federal investment tax credit. The Solar ACP going forward would be a 2.5% reduction after that 20% reduction in 2017. A lot of analysis being done on Renewables: solar & wind, the cost and benefits. There are public hearings scheduled for July 26 and going forward throughout the state, one in Newark, Stockton and Trenton. The schedule is on the website and you can submit comments to the EMP listserv on the website.

Staff straw proposal on transition: The funding level for 2013-2016 and the RFP for the new program structure going forward is all key to release with EMP and the public hearing comment period. You'll see those come out in July, may be on July agenda. That is just the start of the proceeding for the funding level.

No solar issues on ARRA, other than HMFA which is rolling along.

Filings: There are two filings on EE side- PSEG has an EE filing that we're going through the last rounds of negotiations/discovery for. NJ Natural Gas has an EE filing that it will be making. The first step is to sit down for a 30 day pre filing review meeting. That's all on EE programs, none on solar programs.

There is nothing on solar filing except that board has directed staff to do a review of all of the solar financing programs, including the Solar Loan Program, Solar 4 All and the EDC SREC financing program. That started with a discussion with the utilities and rate council, in terms of data- Scott?

Scott Hunter: We're trying to get together common set of data between all of the programs, to have a side by side comparison toward structuring the stake holder proceedings. It's at least an attempt to get all the data in one standard document.

MW: Yes, you have to look at administrative cost, cost to rate payers, all of those things have cost recovery. Same with the EE filings, they're all able to recover revenues, so that's important to put together in one structure. One other thing on the June 15th agenda, there's a number of extensions for EDC SREC contracts. In the EDC SREC financing program, once a contract is approved they have one year to construct that. If they need an extension, they need to come back to the board for an extension. There are several requests for an extension already, so the board staff will be sitting down with the utilities, to discuss if there are reasonable procedures to put in places so that the utilities can approve those, and what are those structures within the context of an amendment to the stipulation. That would include the rate council. We don't want to clog up the system. If there is some reasonableness that the utilities can approve something that's on its way to be complete, but not 100% complete after the 1 year date. So that will be coming through on the discussion on the stipulations.

On May 16th agenda there were several contracts. There are two solicitations that were approved in the EDC program, the Clean Energy Manufacturing Fund and the Green Growth Fund- both in terms of manufacturing for clean energy, both EE and RE. One is a grant loan program; the other is a loan program. They are actually just program filings and have been out on the street since May 23rd. We're going through the last solicitation, the EE revolving loan fund which will be on the agenda shortly.

The budget modification that was on the agenda and was approved on the back stop order- Mike do you want to got through that?

Mike Ambrosio: We were trying to manage the ARRA funds to make sure that we had enough applications in to ensure we could spend 100% of the ARRA funding, but not too many applications in that we had to send them back to customers. All of the ARRA programs, in one budget category, were closed for new applications on May 31st and what this order says is that if we have more applications than we have ARRA funds, then we can approve those applications with Clean Energy Program funds as opposed to sending them back to customers. From what we went over this morning, there's about \$9 million in applications that came in that this order will allow us to approve.

MW: The next step is to make those decisions as to which ones to approve and which to send back. We haven't made any commitment on those, so those are not setting aside dollars at this point in time until we approve them.

It was ARRA funds or state entities for CHP in the order of 3.2 Million dollars that solicitation is on our website. The project has to be able to be in a state of completion though, and ready to complete by the end of this year, and ready to install the equipment within an existing structure. That is the CHP in that program and for state entities.

We had an approval of Solar 4 All stipulation on a bilateral sale of energy w/ PSE&G and Meadowlands structured contract where SunEndurance is the developer. That allows for the sale of that electricity to the Meadowlands, consistent with the stipulation which requires PSE&G sell all its electricity and return the revenues back to the ratepayer. This makes that all into a nice little package with a bow and consistent with the rebate requirements which require the use of that energy by the 'rebate-ee'.

There was also an approval of the CORE/REIP rebate extensions. It said that if an entity had no other opportunity to get another extension, they could be granted a 6 month a global extension though July 31st.

We opened up the window of opportunity on off shore wind for instate waters, that's open until June 15th? It's a 30 days open period, so whatever 30 days is from the May board order that was signed. We have one application in for the Fisherman's' Atlantic City Wind Farm, which we have completed a completeness review and will be sitting down with the applicants to discuss that.

On the June 15th agenda there's the AEG contract extension and the local government energy audit extension, the third revision in the budget that we'll be talking about today, and a couple of extensions on the EDC SREC Solar financing program.

Questions:

Scott Schultz (Advanced Solar Products): That SREC Solicitation extension was extended for how much additional time?

MW: I don't think we have decided that yet. We've got a lot of extension requests of the contracts that were issued by the EDC's. The stipulation requirement says that if you want to extend that, you have to come back to the board, and they're starting to clog up the process. Most are 90% complete. If you reject them it's harder for them to recover their money. So we want to develop a reasonable process within the stipulation so the utilities can make that first call without coming to us. The Solar alliance will sit down with EMCEIA, EDCs and Rate Council and figure out what that number is, and present it to the board, then go from there.

SS: How many solicitations are left in the program?

MW: Two, but this has to do with the contracts. We also have to do an evaluation by the end of the summer with some recommendations on how to go forward with the EDC financing program.

SS: Right now the last one is Dec/Jan?

SH: There's three in the reporting year, this one in June will be the first in the reporting year.

NERA: At a minimum, the Expressions of Interests were due yesterday, and then the last committed one will be at the end of this year, with an option for a third if capacity is needed.

MW: So before then we'll have a recommendation from the board of what to do.

Terry: ACP Compliance schedule? What will be the process going forward?

MW: It will be out shortly. We had a proposal developed; we were just waiting on EMP to come out, so that they could be coordinated. I think we could turn something back to the committees relatively quickly. Now that there are some recommendations on EMP and they are open for public discussion. The process was to go to the committee, then have a final recommendation for the board in a board order approving the solar ACP.

Terry: Do you anticipate staff changing the schedule that you have for the ACP payments?

MW: Yes...

SH: We'd have to wait for all the hearings to be held in order to get the comments.

MW: The best thing to do is to put it in front of the committee and get the comments from the committee.

Terry: What is the fastest amount of time?

MW: Not on June 16, so it would be on July's agenda date, I'm not sure what date it is. That would be the quickest. It has to be a board order. So, whatever the time frame is to get to the next agenda or the one following that.

Terry: We would advocate for that process to be done as quickly as possible.

MW: I think the EMP opens up the discussion of 2012 to 2016 which we had a discussion with the advisory committee about 2017 and going forward. It shouldn't take us a long time; we have some other things on our plate ahead of that, and then we'll see where this can come out overall.

SS: But we're not waiting for all the EMP comment period to end?

MW: The directive we had was to wait for the EMP to come out before we distribute this to the committee for their comments and review. Now it's out, we don't have to wait for the EMP to final was my understanding. Read the EMP and go to the comment section for now.

Phone Question: It was hard to difficult to hear that.

MW: Terry's question was what is the time frame for solar ACP draft and comments to the advisory group, and what is the decision making progress. We have a proposal ready to go; we're just looking at our time frame to get to the advisory committee given some other tasks we're doing in between. We should be able to go the advisory committee relatively quickly, get comments on that and finalize a recommendation to the board by early or late July. I think the agenda date is July 6th, which might be cutting it a little close, so probably the second one we could target. We would get comments back, finalize the solar ACP July 25th, present a recommendation to the board on that date, and then proceed w/ memorializing that into a regulatory structure, which would be a proposal adoption, which is probably a good 9 month time frame.

Chris McDermott (Hartz Mountain): There's a line in the EMP that says "NJ should reevaluate the merit of being in strict accordance with the requirements of the solar energy advancement act of 2026." Should stake holders understand that the requirements' being alluded to is the GigaWatt hour schedule?

MW: I'll have to read it and get back to you on that. I'd assume solar advancement act, it's all the provisions of the solar advancement act.

Q: I thought the solar ACP levels were set in the law and couldn't change.

MW: The EMP wants to reevaluate the ACP from 2012 to 2016. We may have to change the act. That would go back to the solar advancement act. The legislature would have to change that based on the EMP. Changing the legislation was always an option.

Q: The recommendation at the end of the EMP was to just decrease the ACP by 20% by 2016, and then moderately after. They don't talk about changing from 2012 to 2016 in the recommendations.

MW: I'll go back to the document and read it verbatim.

Question: So, staff hasn't been directed to put a proposal together to change the RPS requirements?

MW: No, not yet. Not based on the draft EMP. They'll have a bunch of strategies, but I think it's a little premature to say what they are.

Ethan (SunRun): What is the framework for reviewing the SREC solar loan programs and finance program? Is that part of EMP or is that happening independent of the EMP?

MW: The direction from the board was to do that independent of the EMP. I'm sure the EMP will help to formalize that direction.

Ethan: Is there a timeframe on that proceeding?

MW: We are collecting data, and the next step will be to start those open stakeholder meetings with all the parties. We haven't set a date for those stakeholder meetings yet.

SS: Will you have a straw for that stakeholder meeting?

MW: Not at this point. That meeting will develop a straw proposal that will go to the next steps

Phone Question: Is it reasonable to assume that a decision on that based on the EDC financing program will be made prior to the last solicitation of that program?

MW: That's the directive we got from the board, was to come back by the end of the summer. I believe that was all in the board order. If not we can put together a more, detailed informal schedule.

CM: By the way, the reference I made is on page 94 of EMP.

Policy Update (S. Hunter)

The Chapter 8 rules are still out for public comment. The public comment period ends July 1st. After that point, staff will take the comments and put them into a recommendation to the board for re adoption or re proposal.

Terry: One of the things listed in the changes was list of requirements with respect to the preregistration application. It struck me that those requirements were rather robust. Under CORE/REIP processes, there was information necessary for the rebate. We've since made a lot of changes to strip out those administrative steps and costs, and information. Maybe it was just for the SRP requirements. It didn't seem to me that those reduced requirements were reflected in those re adoptions. Can you provide some rational.

SH: The SRP requirements were designed to give the market transparency to the intention of project developers and the proposed or potential pipeline of new capacity.
Terry: My personal perspective is that the information required for the registration goes far beyond what you need for transparency. It's going to introduce more costs and burden than ever. I feel like we could be taking a step backwards and I'm trying to find out if there's a reason for those more expansive requirements.
SH: They were developed through a stake holder proceeding, that lead up to the development of those rules, going back to a year or two from now. I look forward to reading your comments in the July 2nd comments.

2012 Renewable Energy Plan Kickoff Discussion (Mike A.)

Table on screen is showing the 2012 funding levels

MA: In 2008 the board issued a funding order which gave \$325 million for EE, \$54 million for RE as a guideline and subject to specific recommendations within the year, so there is \$379 million available for new funding next year.

Mike A. went through the breakdown of 2012 funding levels by clean energy programs.

Document will be circulated after the meeting (Charlie Garrison circulated)

These numbers are meant to start the discussions. The numbers will be more developed in the September time frame. This is just new funding, not budgets, budgets include carry over from 2011. What we've done the past number years is that in August we'll prepare a 7 and 5 report to project how much will be 'carry over' and we can add to these numbers.

SS: You show REIP Funding, there is no REIP program?

MA: There is, wind, biomass, REMI and admin fees for SREC.

GSO: How does this affect the budget with RGGI?

MA: Not at all.

Charlie Garrison presentation #1

C. Garrison outlined the draft timeline for Honeywell 2012 Filing.

CG: For the 2012 plan – operative word is Continue. Essentially there are not a lot of changes, just some tweaking. We are going to continue to process incentive payments. We have over 3000 approved projects- 30 or 40 of those being CORE and the rest are REIP. Also accepting and processing SRP & wind, biomass projects continuing in 2012. NJREMI is also a key element.

SS: Do we still have to do 100% of all the utility based programs?

CG: No that was scaled back in 2011.

CG: As for 2012 programs, we have the same programs from 2011. The REIP Wind and Biopower rebates. We will discuss the total allocation of the REIP program by how much should go to wind and biopower, and what the incentive levels should be. We also have the SREC registration program. In 2012 we're looking to curb the high values of applications through technical assistance and market outreach. We've always had the focus of the market managers on the objectives of the BPU, so as those are impacted by the EMP, it may have us focusing in on certain segments, and also to support BPU initiatives such as community solar pilot program, by developing and demonstrating a business model and that will be discussed at the interconnection and net metering stake holder meetings. Anything that arises out of that the market managers would be able to support.

CG: We haven't yet paid any NJREMI payments, but we have had many applicants that they're using it. There have been talks if that should be an EDA run program. Any comment Mike or Scott about that program?

MW: Yes we're talking with EDA about a possible shift over and link with their clean energy manufacturing fund.

We will ask for comments, but if anyone wants to comment on how we should take that 15 million and distribute to those three items please let us know.

2011 Program Update (C. Garrison)

Preliminary installed solar capacity as of 5/31/11 is 339 MW.

Preliminary solar capacity project pipeline as of 5/31/11 is 416 MW.

Q: Has there been any increase in drop outs?

CG: No, I haven't seen a significant increase, but that is something we will be looking at over the next couple of months. I've really only analyzed through April 30th, so I haven't had a chance to look at May, so I haven't seen an uptake yet.

Proposed Budget Modifications: These budget modifications were already approved at the May 16th meeting. The 2nd revised budget is \$64.68 million, and it includes \$9.3 million for new funds and \$3.7 for market manager funds. This will be in the compliance filing.

Proposed Modifications to ESFI: Proposed Modification is that ESFI is only available to projects participating in an EDC SREC solicitation occurring between January 1, 2011 and the June 2011 solicitation that is currently due on June 10, 2011.

Proposed Modification to Extension Process: projects that have not received an extension may be eligible for only one extension and must provide documentation to demonstrate significant production.

If approved, the extension will be granted as follows:

Residential:

- Projects < or = 10.0 kW will be eligible for a 4 month extension
- Projects > 10.0 kW will be eligible for a 6 month extension.
 - NO additional extensions will be granted.

Public projects > 10.0 kW that have already received one extension may be eligible for only one additional extension and must provide documentation.

Private sector projects and public projects less than 10.0 kW are not eligible for a 2nd extension through the Market Manager.

Question: Is this only for solar? Is it different for wind/biomass?

CG: This is only for solar. It'll be clear in the compliance filing that this is for solar.

MA: To be clear, everything that Charlie just outlined about the extension policy will be considered by the board on June 15th, so it's subject to the board approving that order.

Question: Last month you said 75-80% of the pipeline is built over how long?

CG: Within 1 year

Q: So projects that came in over a year ago for Rebate or SRP, do they get built or not?

CG: I looked at the universe of projects and over a course of a year, how many we'll construct. So, between those that need more than a year though the extension policy, or those that scrub out, that is somewhere between 20 and 25%. So combination of extension and scrub, it means 25% that need more than 12 months to construct.

Q: I'm trying to understand this, you would think the drop out would change when there's higher volumes.

CG: Yes, your statement could have some truth once we start looking back at the numbers.

MA: We should track this continually.

SS: Is it safe to assume we've seen the end of extensions for the remaining CORE rebates?

MA: The proposal to the board is to tighten up what Honeywell proved. There's also language in the notice asking the board to consider tightening up. It has been 2.5 years since that program closed. At some point that needs to end. My suspicion is that it's a question we can't answer. It's going to depend on the status of the project asking for an extension. It's really up to the board though. At this point all the CORE project extensions would just go to the board anyway. I think about 26 of them expire in the next few weeks.

Terry: On the ESFI changes, are those all the proposals for changes in 2012?

CG: Yes, just a proposal to changing the eligibility period.

GSO: What about the Blanket extensions?

MW: We just went through that. The board approved a change to the expiration date for projects that were scheduled to expire between December 1st and May 31st, and not eligible for a 3rd extension. It would be changed to July 31st.

2011 Operations Update (T. Gray)

We received 876 new SRP registrations in May. We approved 102 MW. We are within our timelines for approval, and actually closer to 4 weeks for an approval. There was 21 MW of rebate processing and SRP completions, which are projects that received their certification numbers.

Q: What is the interval from passed inspection to certification number?

TG: It is based on the date of final paperwork – either the EDC notification or passed inspection. It is 5-7 weeks, usually sooner if all paperwork is complete.

Q: What about the interval from interconnection to them replacing the meter?

TG: That's the EDC. The interconnection meeting at Friday in Newark would be helpful.

Terry: Is that a technical or stakeholder policy meeting?

SH: This Friday is a working group meeting for implementation issues.

Terry: Whatever happened to the Portal?

CG: That is still in the works. Testing is slower than we hoped. It is a catch 22, where do you focus the time. We know we need to review the testing.

Terry: Doesn't testing and getting the portal online reduce processing? Also you asked a question earlier about input on where the \$15 million should be allocated across, wind and bio, REMI and admin, but its difficult answer the question on how much money should be dedicated to administrative costs when we don't know when that online portal could be done. It could affect productivity.

CG: Yes, even though we weren't really looking for too much input on admin side of things, but the two keys will be how much to wind an biopower, which we're going to look at the backlog, and the projects that people have that they haven't formally submitted; and then NJ REMI there has to be consideration if it goes to the EDA, or does it stay with the Market Manager.

Terry: It seems like it might make sense to consider the ESFI funds. See if those funds be transferred to working on the portal.

EDC Notification Process Update (J. Teague)

a. Development of Complaint Process

JT: Had a conference call on may 31st with EDC and OCE, and market manager's. We discussed EDC notification process and the formation of a spreadsheet to go on the NJCEP website. Had a follow up meeting on June 1st w/ Market Mangers, discussing the type of spreadsheet and what should go on there and what should be included. We'll try to have a sample for Friday's meeting, and have the final process by middle of June. How is that developing Charlie?

CG: We will have a spreadsheet ready for Friday; we're also going to present a screen that is a form of the BPU complaint page for all utility accounts. We basically wanted to keep a format for complaints. You can put all the data in, including your account number and some other information that the EDC's need to indentify you (no private information). We can pull the publically available information to go onto the website so that people can see the complaints by EDC and project. The one area we need to tackle still is how to get complaints removed from that list. Until we figure out a way to do that,

the list will probably just keep growing. We will probably put a disclaimer on there to view the list more as a historical reference.

MW: It's probably better to put a column on there that just says resolved

CG: The EDC would have to do that, and they're saying its double work to have to do that.

MW: Also to give some context on why we're doing this, is that we've heard a couple of complaints on the timing, and we can't track that in these meetings. Some come through with good information, but some come through with lists of projects they have concerns over.

SH: This web based process will reject anybody that doesn't fill in every cell

MW: It's a balance between keeping the EDC's accountable and making sure that the complaints are accountable as well, and that they're within the time frame that is listed in the rules. Also just to track the EDC's performance. We think performance and being accountable on a public forum helps everybody on both sides of the equation.

Question: I've submitted things to the EDC's and I don't know if they've received it, or if it's deficient, or if it's complete.

MW: Don't they have to get back to you within 20 days?

Question: Yes, but I don't know if they've even received it.

SH: They only have to notify you if it's deficient, they don't have to notify you if they've received it.

TG: They said that's what they've done; they notify you if it's deficient.

MW: Again, that's all reason for the tracking sheet; we're not going to deal with them here, we're not going to deal with them verbally, there's no accountability for standing up in a meeting other than putting it on the record, which is good and all, but that's what we're doing, we're putting together a trackable reporting system on the website that says here's what was submitted, we did this within the time frames and the rules, we didn't get this response, the EDC will be able to respond and resolve it.

Jim: Can we fill these out or does it have to be the account holder.

MW: You can fill it out, or the customer, we just don't want account #'s given out. It will be similar to the way the status reports are given out.

Mahogany Hendrics: Can a survey be sent out to determine if the complaint has been satisfied?

MW: Maybe, we're trying to do this on a web based process. That might be a way to do it, but then again EDC may turn around to say it's resolved, but the customer says it's still open. We'd have to figure out how to get some quality control on that process.

TG: This is only for the EDC process, not for dispute resolution.

CG: Yes, basically the point is that we've gotten a lot of verbal complaints and we've said that they need to put it in writing. Now people are doing that and it's coming in with all different formats, and we want to have this mechanism for people to put all their complaints in one spot, and keep the public informed as well as the EDC of the issues.

MW: It's fair to both parties, and you need a process to be fair.

Question: Is there a requirement for the utilities to respond to complaints that come to the BPU within a certain period of time?

MW: There is. I could check with Eric at the consumer complaint hotline, when you call the utility complaint hotline it will give you the correct number of who to contact. Mostly they were about applications though. That's a good point though, for valid EDC utility complaints we could put a time frame on what they're supposed to do and respond.

Q: I'm just thinking of the contractors, the contractors are trying to get word about their system. And if we give the utilities the information, have them contact the contractor directly and take everybody out of the loop. Why are we generating lists and putting them on websites? Really we just want to talk to them and fix whatever is wrong.

Joe Genello: Then they come back and you get 6 different situations, often times the complaint is the same day as they submit the application. There is just a different story for every situation.

Q: I think standardization is fine, but once you standardize it and provided the EDC with the information, they should contact that contractor within some number of days and let them know what the status is.

Question: I think there's a concern about seeing that complaint list too big, and customers can see it, then they might step back and say 'oh this is too much of a headache'. What's being described in terms of the exchange of information and to monitor the status seems like something should be provided on a contractor portal or something. It may be something that may be the BPU's concern to monitor, but not necessarily in the public sphere.

Terry: There was a feeling that there was not efficient accountability. I think this gives transparency in the process. I don't think this is a developer issue I think it's a question of how the process is working, and under the time frames that they are expected to do so.

Question: From the utility perspective, on the point of accountability, seeing the numbers from the aggregate, instead of in isolated anecdotes here and there, that's the kind of thing that would get a call from the executive director from the board, or someone at a higher level as complaints get worse.

MW: I don't think we want to have the Executive Director call a CEO and say we need to address this. I think we're trying to put this together to hopefully put all the right structures together and get it resolved. And this can be resolved at a lower level. The best thing to do is to put those things in writing and make it transparent. We're not trying to embarrass or EDC, and we're not trying to take the complaints and issues. We're just trying to be fair and unbiased in the process.

Upcoming Events

- a. Upcoming June 8 Solar technical working group meeting – Starts at 1pm at Woodbridge Center. Agenda has been sent to the attendees
- b. RE Committee meeting schedule for summer months - Next is July 12th and then August 9th in Iselin

Meeting adjourned 2:30 pm

Renewable Energy Committee Meeting

Attendees

Tuesday, June 07, 2011
 Conservation Services Group

1:00pm - 3:30pm

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