FOR DISCUSSION ONLY

TITLE 14. PUBLIC UTILITIES
CHAPTER 8. RENEWABLE ENERGY AND ENERGY EFFICIENCY

SUBCHAPTER 1. RENEWABLE ENERGY GENERAL PROVISIONS AND DEFINITIONS

SUMMARY NOTES as of July 9, 2009:

Proposed revisions to address the following issues / amendments:

- 2,120 GWh Solar Requirement & Schedule as discussed 4/30
- Proposed Revision to Metering Requirements as discussed 4/30
- Solar Registration Requirements based on SREC Project Registration process
- Clarification on 2 yr SREC life
- Correction of Definition of True-up at § 14:8-2.2
- Clarification of requirement for solar systems to interconnect to distribution system to qualify for SRECs. (Include language on FERC guidelines for determination of interconnection)
- Provisions for solar systems to interconnect to transmission system within New Jersey if local benefit can be demonstrated.

  Notes: Real-time Net Metering Provisions as discussed 4/30 (To be included in Net Metering Phase II Amendments)

Proposed Rule Proposal Schedule:

July 9	Stakeholder Meeting for Review and Discussion
Aug 10	Comments on DRAFT Rule due to OCE
Aug 14	REVISED Rule Proposal to DAG for review
Aug 21	REVISED Rule Proposal to LM to forward to GO for Approval
Sep 16	Proposal to the Board @ Monthly Agenda Meeting
Sept.18	Proposal to OAL
Oct. 17	Proposal in N.J.R.
Dec 16	Comments Close
Jan 15-10	Adoption to Board
Jan 21-10	Adoption to OAL
Feb 16-10	Adoption in N.J.R.

TITLE 14. PUBLIC UTILITIES
CHAPTER 8. RENEWABLE ENERGY AND ENERGY EFFICIENCY
SUBCHAPTER 1. RENEWABLE ENERGY GENERAL PROVISIONS AND DEFINITIONS

SUBCHAPTER 1. RENEWABLE ENERGY GENERAL PROVISIONS AND DEFINITIONS

§ 14:8-1.2 Definitions

Comment [m1]: INSERT METER DEFINITION??

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise. Additional definitions that apply to this chapter can be found at 14:3-1.1 and 14:4-1.2.

…

"Electric distribution system" has the meaning assigned to the term at N.J.A.C. 14:4-1.2.

…

"Meter" means an electric meter that satisfies all requirements of American National Standards Institute (ANSI) "Electric Meters Code for Electricity Metering," C12.1-2008 (as amended or supplemented);

Comment [m2]: Definition as noted in the current proposed E-meter rule S14:8-2.9 (e)

SUBCHAPTER 2. RENEWABLE PORTFOLIO STANDARDS

§ 14:8-2.2 Definitions

Comment [m3]: **CORRECTED** Definition of True-up to October 1st

The following words and terms, when used in this subchapter, shall have the meanings given below, unless the context clearly indicates otherwise:

"Alternative compliance payment" or "ACP" means a payment of a certain dollar amount per megawatt hour, which a supplier/provider may, within the limits set forth in this subchapter, submit in lieu of supplying the class I or class II renewable energy or solar electric generation required under Table A in N.J.A.C. 14:8-2.3. Class I ACPs, Class II ACPs and SACPs are all types of ACPs, each corresponding to a particular type of renewable energy.

…

"True-up period" means the period each year from the end of the reporting year until [~~September~~] October 1.

…

§ 14:8-2.3 [~~Minimum percentage~~] Amount of renewable energy required

Comment [m4]: **INSERTED NEW SOLAR REQUIREMENT AND SCHEDULE** - TO MEET 2120 GWh

(a) Each supplier/provider, as defined at N.J.A.C 14:8-1.2, that sells electricity to retail customers in New Jersey, shall ensure that the electricity it sells each reporting year in New Jersey includes at least the minimum percentage of qualified renewable energy, as defined at 14:8-2.2, required for that reporting year from each category specified in Table A below, except as provided at (h), (j) or (k) below:

Table A
What Percentage Of Energy Supplied Must Be
Class I or Class II Renewable Energy?

Reporting Year	[~~Solar Electric Generation (solar RECs)~~]	Class I Renewable Energy[1]	Class II Renewable Energy	Total Renewable Energy
June 1, 2004 - May 31, 2005	[~~0.01%~~]	.74%	2.5%	3.25%
June 1, 2005 - May 31, 2006	[~~0.017%~~]	0.983%	2.5%	3.5%
June 1, 2006 - May 31, 2007	[~~0.0393%~~]	2.037%	2.5%	4.5763%

[1] See N.J.A.C. 14:8-2.3(b).

Table A
What Percentage Of Energy Supplied Must Be
Class I or Class II Renewable Energy?

Reporting Year	~~[Solar Electric Generation (solar RECs)]~~	Class I Renewable Energy[1]	Class II Renewable Energy	Total Renewable Energy
June 1, 2007 - May 31, 2008	~~[0.0817%]~~	2.924%	2.5%	5.5057%
June 1, 2008 - May 31, 2009	~~[0.16%]~~	3.84%	2.5%	6.5%
June 1, 2009 - May 31, 2010	~~[0.221%]~~	4.685%	2.50%	7.406%
June 1, 2010 - May 31, 2011	~~[0.305%]~~	5.492%	2.50%	8.297%
June 1, 2011 - May 31, 2012	~~[0.394%]~~	6.320%	2.50%	9.214%
June 1, 2012 - May 31, 2013	~~[0.497%]~~	7.143%	2.50%	10.14%
June 1, 2013 - May 31, 2014	~~[0.621%]~~	7.977%	2.50%	11.098%
June 1, 2014 - May 31, 2015	~~[0.765%]~~	8.807%	2.50%	12.072%
June 1, 2015 - May 31, 2016	~~[0.928%]~~	9.649%	2.50%	13.077%
June 1, 2016 - May 31, 2017	~~[1.118%]~~	10.485%	2.50%	14.103%
June 1, 2017 - May 31, 2018	~~[1.333%]~~	12.325%	2.50%	16.158%
June 1, 2018 - May 31, 2019	~~[1.572%]~~	14.175%	2.50%	18.247%
June 1, 2019 - May 31, 2020	~~[1.836%]~~	16.029%	2.50%	20.365%
June 1, 2020 - May 31, 2021	~~[2.120%]~~	17.880%	2.50%	22.5%

(a) A supplier/provider may meet the class I and class II renewable energy requirements in Table A above by submitting RECs in accordance with 14:8-2.8.

(b) The Board shall adopt rules setting the minimum [~~percentages~~]amount of solar electric generation class I renewable energy, and class II renewable energy required for reporting year 2022

and each subsequent reporting year. These minimum [~~percentages~~]amounts shall be no lower than those required for reporting year 2021 in Table A above, except as may have been adjusted as provided in (j) and (k) below. [~~Each of the rules setting such minimum percentage amounts shall be adopted at least two years prior to the minimum percentage being required.~~]

Comment [m5]: NEW SOLAR REQUIREMENTS: BASED ON NO GROWTH SCENARIO; SWITCH OVER IN 2013 AND 1100 MWh production factor.

TABLE B

What Amount Of Energy Supplied as Class I Renewables Must be Solar ?

Reporting Year (June 1 – May 31)	NJ Retail Electric Sales, subject to RPS (MWh)	Solar Requirement as a Percentage of Retail Sales 2005-2012	Equivalent Solar Requirement in MWh	**Fixed Solar Requirement (MWh) - 2013 - 2021**	Est Required Installed Solar Capacity (MWdc)	Incremental Solar Capacity needed in DC
2005*	73,674,845	**0.01%**	**5,714**	5,714	**5.2**	-
2006*	84,353,329	**0.0170%**	**10,450**	10,450	**9.5**	4.31
2007*	83,311,447	**0.0393%**	**32,741**	32,741	**29.8**	20.26
2008*	80,028,793	**0.0817%**	**65,384**	65,384	**59.4**	26.74
2009**	80,028,793	**0.1600%**	**128,046**	128,046	**116.4**	56.97
2010**	80,028,793	**0.2210%**	**176,864**	176,864	**160.8**	44.38
2011**	80,028,793	**0.3050%**	**244,088**	244,088	**221.9**	61.11
2012**	80,028,793	**0.3940%**	**315,313**	315,313	**286.6**	64.75
2013**	80,028,793	0.4970%	397,743	**415,313**	**361.6**	**74.94**
2014**	80,028,793	0.6210%	496,979	**540,313**	**451.8**	**90.21**
2015**	80,028,793	0.7650%	612,220	**690,313**	**556.6**	**104.76**
2016**	80,028,793	0.9280%	742,667	**890,313**	**675.2**	**118.59**
2017**	80,028,793	1.1180%	894,722	**1,090,313**	**813.4**	**138.23**
2018**	80,028,793	1.3330%	1,066,784	**1,340,313**	**969.8**	**156.42**
2019**	80,028,793	1.5720%	1,258,053	**1,590,313**	**1,143.7**	**173.88**
2020**	80,028,793	1.8360%	1,469,329	**1,840,313**	**1,335.8**	**192.07**
2021**	80,028,793	2.1200%	1,696,610	**2,120,000**	**1,542.4**	**206.62**

Sales reflect a "No Retail Sales Growth Forecast" based on estimates for new energy demand and energy efficiency savings.

Estimated Required Installed Solar Capacity (MWdc) is estimated based on a production factor of 1100 MWh per MW. Actual results may differ due in part to tightened performance requirements.

* = actual
** = trend

(c) A supplier/provider shall meet the requirements [~~for solar electric generation in Table A above~~] of this subchapter through submittal of solar RECs, or through submittal of [~~one or more SACPs~~] ACPs, as those terms are defined at 14:8-2.2.

~~(d) A supplier/provider may meet the class I and class II renewable energy requirements in Table A above by submitting RECs in accordance with 14:8-2.8.~~ Reserved

~~(e) A supplier/provider may, in lieu of meeting the requirements in Table A and Table B above, comply with this subchapter by submitting the appropriate number of ACPs or SACPs, in accordance with 14:8-2.10.~~ Reserved

(f) The following requirements shall apply to the type of energy, the type of REC, the timing of energy generation and the type of documentation, used for compliance with each of the requirements in Table A and Table B above:

~~1. Solar RECs may be used to meet any requirement in Table A, whether the requirement is for solar electric generation, class I renewable energy, or class II renewable energy;~~

1. Class I RECs may be used to meet class I renewable energy requirements or class II renewable energy requirements, but shall not be used to meet solar electric generation requirements; and

2. Class II RECs shall be used only to meet class II renewable energy requirements, and shall not be used to meet solar electric generation requirements or class I renewable energy requirements.

3. Solar RECs may be used to meet any requirement in Table A and Table B, whether the requirement is for solar electric generation, class I renewable energy, or class II renewable energy;

~~(g) A supplier/provider shall not demonstrate compliance with this subchapter using direct supply of any type of renewable energy. All RPS compliance shall be submitted in the form of RECs.~~

(h) If a supplier/provider participated in the Board's ~~[~~2003~~]~~ basic generation service (BGS) auction prior to {effective date of this rule}., and won the right to supply one or more ~~34~~ 36-month tranches in that auction, the supplier/provider shall be subject to this subsection. For the portion of the supplier/provider's energy portfolio that is supplied pursuant to a ~~[~~2003~~]~~ BGS [~~34-month~~] tranche, the provisions of this subchapter that were in effect on the date of the ~~[~~2003~~]~~ BGS auction in which the supplier/provider won the tranche shall continue to apply for the life of the tranche. ~~shall apply.~~, ~~and the supplier/provider's RPS obligation shall not be determined under (a) above but instead shall be determined under Table B below.~~

Comment [m6]: REVISED TO BE GENERALLY APPLICABLE AND NOT SPECIFIC TO 2003.

(i) For all other energy in the supplier/provider's energy portfolio, which is ~~[not supplied pursuant to a 2003 BGS tranche~~ ~~tranche~~] subject to (h) above, the supplier/provider shall meet the ~~[percentage]~~ requirements of ~~[(a) above and all other requirements of]~~ this subchapter.

~~Table B~~

~~What Percentage of Energy Supplied Pursuant to 2003 BGS Tranches Must Be Renewable Energy?~~

~~Time Period~~	~~Class I~~	~~Class I or II~~	~~Total~~
~~June 1, 2005 through May 31, 2006~~	~~1.0%~~	~~2.5%~~	~~3.5%~~
~~After May 31, 2006~~	~~See N.J.A.C. 14:8-2.3(a), Table A~~	~~See N.J.A.C. 14:8-2.3(a), Table A~~	~~See N.J.A.C. 14:8-2.3(a), Table A~~

Table B – Example What Amount of Energy Supplied ~~Pursuant to BGS Tranches~~ Must Be Renewable Energy?					
	A	B	C	D	E
Time Period	Retail Sales	Class I	Class II	Solar	Total
June 1, 2012 through May 31, 2013	80,028,793 MWh	See N.J.A.C 14:8-2.3(a), Table A	See N.J.A.C. 14:8-2.3(a),	See N.J.A.C 14:8-2.3(a), Table B	See N.J.A.C 14:8-2.3(a), Table A
		7.977%	2.5%	*	10.477%
		(A * B)	(A * C)	(D)	
		6,383,897 MWh	2,000,720 MWh		
		(B - D)	(A * C)	(D)	(B + C+ D)
		5,968,584 MWh	2,000,720 MWh	415,313 MWh	8,384,617 MWh

[~~(i)~~] (j)The same MWh of renewable energy shall not be used for more than one of the following:

1. Creation of [~~a solar~~] any type of REC under [~~14:8-2.9~~] this subchapter;

2. [~~Creation of a REC under 14:8-2.8 or 2.9~~]; or

3. Creation of a REC, or of any other type of attribute or credit, under authority other than [14:8-2.9] this subchapter such as another state's renewable energy standards or any voluntary clean electricity market or voluntary clean electricity program.

[~~(j)~~] (k) If the Board determines that the total cost of solar incentives for a reporting year exceeds two percent of the total retail cost of electricity for that reporting year, then the percentage of solar electric generation required under Table A for the reporting year in which the Board makes its determination shall continue to be the percentage required in each subsequent reporting year, until the limitation ends under [~~(k)~~] (l) below. For example, if the Board determines on December 1, 2018 that the cost limitation was triggered, the percentage of solar electric generation required shall remain at 1.572 percent until the limitation ends under [~~(k)~~] (l) below. The Board may revise Table A accordingly by administrative correction pursuant to 1:30-2.7.

[~~(k)~~] (l) If the limitation in [(j)] (k) above was triggered, the limitation shall end after the Board determines that the total cost of solar incentives for a reporting year did not exceed two percent of the total retail cost of electricity for that reporting year.

1. For the next reporting year after the limitation ends under [~~(k) above~~] this subchapter, the percentage of solar electric generation required shall be the percentage in Table A for the reporting year immediately following the reporting year in which the limitation in [~~(j)~~] (k) above was triggered.

2. Thereafter, the percentage of solar generation shall continue to increase each reporting year in increments as set out in Table A above until it reaches 2.12 percent or, if a minimum percentage of solar electric generation has been adopted pursuant to (b) above for reporting year 2022 or after, then until it reaches the percentage for the last subsequent reporting year for which a minimum percentage has been adopted.

i. For example, if the limitation in [~~(j)~~] (k) above is imposed in the reporting year ending May 31, 2019, and the Board determines on December 1, 2020 that the two-percent threshold was not met in the reporting year ending May 31, 2020, then the percentage of solar electric generation required for the reporting year ending May 31, 2022 shall be 1.836 percent, and the percentage for the reporting year ending May 31, 2023 shall be 2.120 percent.

3. The Board may revise Table A and Table B accordingly by administrative correction pursuant to 1:30-2.7.

§ 14:8-2.4 [~~Compliance with~~] Energy that qualifies for solar [~~electric generation requirements~~]

~~(a) The requirements in Table A in 14:8-2.3 for solar electric generation shall be met through the submittal of solar RECs, as defined at 14:8-2.2; or submittal of SACPs in accordance with 14:8-2.10.~~

~~(b) A supplier/provider shall not use a solar REC that has been used to satisfy another state's renewable energy requirements, or used for any other purpose, market or program, for compliance with the requirements at 14:8-2.3 for solar electric generation~~

(a) To qualify for issuance of a solar REC, solar electric generation shall be produced by a generating facility that is interconnected with an electric distribution system, as defined at N.J.A.C. 14:8-2.2, that supplies New Jersey. The Board may waive this requirement by Board order if the Board determines that such waiver would facilitate participation in the regional REC tracking system, and determines that such a waiver would significantly advance the purposes expressed in N.J.A.C. 14:8-2.1(a). This requirement does not apply to solar energy that is used as the basis for a class I REC.

(b) To qualify for issuance of a solar REC, solar electric generation shall be produced during the solar generation facility's qualification life, as defined at N.J.A.C. 14:8-2.?. Solar electric generation produced after the end of a facility's qualification life may be used as the basis for a class I REC in accordance with N.J.A.C. 14:8-2.5(b)1.

.

§ 14:8-2.5 [~~Compliance with~~] Energy that qualifies for class I [~~renewable energy requirements~~]

(a) This section sets forth the types of energy that qualify as class I renewable energy for the purposes of issuance of a class I REC usable for compliance with this subchapter. The Board has determined that energy listed at (b) below qualifies as class I renewable energy for class I REC issuance purposes, with no prior approval required. Energy listed at (d) and (e) below shall qualify as class I renewable energy if the conditions specified in those subsections are met.

(b) The following qualify as class I renewable energy for the purposes of this subchapter, with no prior approval required:

1. Solar electric generation ~~in the form of solar RECs~~;

2. Electricity derived from wind ~~energy~~;

3. Electricity derived from wave or tidal action;

4. Electricity that is geothermal energy, as defined in 14:8-2.2;

5. Electricity generated by the combustion of methane gas captured from a landfill;

6. Electricity generated by a fuel cell powered by methanol, ethanol, landfill gas, digestor gas, biomass gas, or other renewable fuel. Electricity generated by a fuel cell powered by a fossil fuel shall not qualify as class I renewable energy for the purposes of this subchapter; and

7. Electricity generated by the combustion of gas from the anaerobic digestion of food waste and sewage sludge at a biomass generating facility.

(c) – (l) no change

(m) To qualify for a class I REC for the purposes of this subchapter, energy shall be generated within or delivered into the PJM region, as defined in N.J.A.C. 14:4-1.2. Energy generated outside the PJM region shall be considered delivered into the PJM region if it has been added to the PJM region through dynamic scheduling of the output to load inside the PJM region, pursuant to section 1.12(b) of the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C., including future supplements and amendments. The Amended and Restated Operating Agreement is available at http://www.pjm.com/documents/agreements.html.

(n) If class I renewable energy is generated outside of the PJM region, but was delivered into the PJM region, the energy may be for a class I REC usable for compliance with this subchapter only if the energy was generated at a facility that commenced construction on or after January 1, 2003.

14:8-2.6 ~~[Compliance with]~~ Energy that qualifies for a class II ~~[renewable energy requirements]~~ REC

(a) This section sets forth the types of energy that qualify as class II renewable energy for the purposes of issuance of class II REC usable for compliance with this subchapter. The Board has determined that energy listed at (b) below qualifies as class II renewable energy, with no prior approval required. Energy described at (c) below shall qualify as class II renewable energy if the conditions specified in (c) are met.

(b) - (i) (No change.)

14:8-2.7 ~~[Requirements that apply to both class I and class II renewable energy]~~ Reserved.

~~[(a) To qualify as class I or class II renewable energy for the purposes of this subchapter, energy shall meet the requirements in N.J.A.C. 14:8-2.5 and 2.6, and in addition shall meet the requirements of this section.]~~

~~[(b)]~~ (j) To qualify ~~[as class I or]~~ for a class II ~~[renewable energy for the purposes of this subchapter]~~ REC, energy shall be generated within or delivered into the PJM region, as defined in N.J.A.C. 14:4-1.2. Energy generated outside the PJM region shall be considered delivered into the PJM region if it has been added to the PJM region through dynamic scheduling of the output to load inside

the PJM region, pursuant to section 1.12(b) of the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C., including future supplements and amendments. The Amended and Restated Operating Agreement is available at http://www.pjm.com/documents/agreements.html.

~~[(c)]~~ (k) If ~~[class I or]~~ class II renewable energy is generated outside of the PJM region, but was delivered into the PJM region, the energy may be used to meet the requirements of this subchapter only if the energy was generated at a facility that commenced construction on or after January 1, 2003.

14:8-2.8 ~~[Renewable Energy Certificates (RECs)]~~ Compliance procedures

(a) A supplier/provider ~~[may]~~ shall submit one or more Renewable Energy Certificates, or RECs, as defined in 14:8-2.2, to meet the ~~[percentage of renewable energy required under~~ the requirements in Table A and/or Table B in N.J.A.C 14:8-2.3. ~~[A supplier /provider that wishes to use RECs to comply with this subchapter shall meet the requirements]~~ in accordance with ~~of~~ this section.

(b) RECs may be used for compliance with this subchapter as follows:

a. For solar RECs based on ~~[energy]~~electricity generated on or after June 1, 2009, a solar REC shall be used for compliance with this subchapter ~~shall be based on energy that was generated either during the reporting year when the electricity was generated for which the REC is submitted, or during thereporting year immediately preceding the reporting year for which the REC is submitted following the year when it was generated~~ only during the following two reporting years:The reporting year during which the electricity that formed the basis for the REC was generated; or

b. The reporting year immediately following the reporting year described at 1i above;

2. For solar RECs based on ~~[energy~~]electricity generated before June 1, 2009, a solar REC shall be used for compliance with this subchapter [~~shall be based on energy that was generated~~] only during the same the reporting year in which the electricity that formed the basis for the REC was generated.

3. For all RECs other than solar RECs, [~~all RECs~~] shall be used for compliance with this subchapter~~shall be based on energy that was generated during the reporting year for which the REC is submitted~~only during the same reporting year in which the electricity that formed the basis for the REC was generated; and.

4. For all types of RECs, fractional megawatt-hours may be carried over in accordance with 14:8-2.9(g).

~~(c) An REC used for compliance with this subchapter shall be issued by the Board or its designee, or by PJM-EIS through GATS, as follows:~~

~~1. A class I REC that is based on electricity generated on a customer-generator's premises shall be issued by the Board or its designee in accordance with 14:8-2.9;~~

~~2. A solar REC shall be issued by the Board or its designee in accordance with 14:8-2.9;~~

~~3. A class I REC that is not based on electricity generated on a customer-generator's premises shall be issued by PJM-EIS through GATS; and~~

~~4. A class II REC shall be issued by PJM-EIS through GATS.~~

~~(d) A supplier/provider shall not use a REC that is based on electricity generated on a customer-generator's premises to comply with this subchapter unless the customer-generator facility is eligible for net metering under 14:8-3.~~

~~[(e)]~~ (c) Once a REC has been submitted for compliance with this subchapter, the REC shall be permanently retired and shall not be used again.

14:8-2.9 ~~[Board Issuance]~~ Issuance of RECs

(a) The Board or its designee shall issue ~~class I~~ RECs in accordance with this section. for use in complying with this subchapter ~~the class I renewable portfolio standards in Table A of 14:8-2.3, based on electricity generated by a customer-generator on the customer-generator's premises. The Board or its designee shall issue solar RECs in accordance with this section, for use in complying with the renewable portfolio standard for solar electric generation in Table A B of 14:8-2.3, based on electricity generated by a solar electric generation facility~~. As of { the effective date of these rules} The Board has designated PJM-EIS as the entity that issues RECs for use in complying with the New Jersey RPS requirements of this subchapter. The Board may, after public notice, issue an order discontinuing ~~Board~~PJM-EIS issuance of ~~[such]~~ RECs and/or approving use of such RECs issued by ~~[PJM Interconnection or]~~ another entity for compliance with this subchapter. (b) In measuring generation in order to determine the number of RECs to issue, the Board or its designee shall accept either of the following measurement methods, as applicable:

~~1. Periodic readings of a meter that records megawatt-hour production of electrical energy. The readings may be taken or submitted by any person, but shall be verified by the Board or its designee;~~

~~2. For a solar electricity system with a capacity of less than 10 kilowatts, annual engineering estimates and/or monitoring protocols approved by the Board. Acceptable estimation methodologies and monitoring protocols are located on the Board's website at www.njcleanenergy.com. This method is not applicable for class I RECs~~.

Comment [m7]: DELETED PER DISCUSION 4/30 …SEE DEFINITION OF METER. TO BE CLARIFIED PENDING DISCUSSION WITH PJM

(c) The Board or its designee shall issue RECs in whole units, each representing the environmental attributes of one megawatt-hour of electric generation.

(d) To qualify for issuance of an class I, class II or solar REC, electric generation shall be produced by a generating facility that is interconnected with an electric distribution system, as defined at 14:8-2.2, that supplies New Jersey; or, for class I renewable energy other than solar electric generation, the electric generation need not be interconnected with an electric distribution system that supplies New Jersey if its sale is settled in the PJM wholesale market. The Board may waive this requirement by Board order if the Board determines that such waiver would facilitate participation in the regional REC tracking system adopted by the Board.

(e) (Reserved)

(f) If a REC is to be used for RPS compliance for a reporting year, the application for the REC shall be submitted within the reporting year, or within the true-up period immediately following the reporting year, except for an SREC governed by N.J.A.C. 14:8-2.

(g) If a generator has accumulated a fraction of a megawatt hour by the end of a reporting year, the fraction may be carried over and combined with energy generated in one or more subsequent reporting years in order to make a full megawatt hour that is eligible for a REC. In such a case, the combined energy shall be eligible for issuance of a REC only during the reporting year in which accumulated generation reaches one full megawatt hour. Only a fraction of a megawatt hour shall be carried over. If a full megawatt hour is generated by the end of a reporting year and an application for a REC is not submitted by the end of the true-up period immediately following the reporting year, the megawatt hour shall not be eligible for a REC and shall not be usable for RPS compliance.

(h) Because each true-up period is also the first three months of a new reporting year, an REC based on energy generated during this three-month period shall be used only for RPS compliance for the new reporting year; provided however, that a solar REC generated during that three-month period can be used for compliance either in the new reporting year or the immediately subsequent reporting year.

(i) [~~A request for issuance of a solar REC or class I RECs shall be submitted to the Board on a form posted on the Board's website at www.njcleanenergy.com. The Board shall require submittal of information and certifications needed to enable the Board or its designee to verify the generation that forms the basis of the requested RECs. The Board shall require inspections of generation equipment, monitoring and metering equipment, and other facilities relevant to verifying electric generation. The Board shall impose application fees, inspection fees, and/or other charges for work required to verify electric generation and issue RECs.~~] Reserved

~~(i)~~(ii)

(j) ~~Each REC shall include the following:~~

~~1. The date upon which or period during which the electricity was generated;~~

~~2. The date upon which the REC was issued;~~

~~3. A unique tracking number, assigned by the issuer of the REC; and~~

~~4. An expiration date. The expiration date of a solar REC shall be the last day of the true-up period following the reporting year after the reporting year in which the energy that formed the basis for the solar REC was generated. The expiration date of an REC other than a solar REC shall be the last day of the true-up period following the reporting year in which the energy that formed the basis for the REC was generated.~~ Reserved.

(k) The Board or its designee shall not issue a REC based on electric generation that has previously been used for compliance with this subchapter, or that has been used to satisfy another state's renewable energy requirements or any voluntary clean electricity market or program.

~~(l) The Board or its designee shall not issue a solar REC based on electricity generated by a solar electric generation facility after the end of its qualification life. However, the Board or its designee may issue class I RECs based on electricity generated by the facility after the end of its qualification life; such class I RECs may be used for compliance with the requirements in 14:8 2.3, Table A, for class I renewable energy.~~

~~(m) A customer-generator that is eligible for net metering owns the renewable attributes of the energy it generates on or after October 4, 2004, unless there is a contract with an express provision that assigns ownership of the renewable attributes. The owner of a solar electric generation facility that is not eligible for net metering owns the renewable attributes of the energy it generates on or after March 16, 2009, unless there is a contract with an express provision that assigns ownership of the renewable attributes.~~