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**State of New Jersey**  
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**Secretary of the Board**  
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## NOTICE<sup>1</sup>

### **Public Notice of Opportunity to Comment on Applications for Designation for SREC Eligibility**

Pursuant to Subsection r of the Solar Act of 2012, N.J.S.A. 10:4-6 et seq., the New Jersey Board of Public Utilities (“Board”) hereby gives notice of the opportunity to review and comment on applications for designation as “connected to the distribution” received in response to the following Order:

IN THE MATTER OF THE IMPLEMENTATION OF N.J.S.A. 48:3-87(R), DESIGNATING GRID-SUPPLY PROJECTS AS CONNECTED TO THE DISTRIBUTION SYSTEM - ORDER IMPLEMENTING CERTAIN PROVISIONS OF N.J.A.C. 14:8-2.4(G) FOR ENERGY YEAR 2020 - DOCKET NO. QO16020130

Governor Christie signed P.L. 2012, c. 24 (“the Solar Act”) into law on July 23, 2012. The Solar Act amended certain aspects of the statute governing the generation, interconnection, and financing of solar energy. Subsection r of the Solar Act provides that:

r. (1) For all proposed solar electric power generation facility projects except for those solar electric power generation facility projects approved pursuant to subsection q. of this section and for all projects proposed in each energy year following energy year 2016, a proposed solar electric power generation facility, may be considered “connected to the distribution system” only upon designation as such by the board, after notice to the public and opportunity for public comment or hearing. A proposed solar power electric generation facility seeking board designation as “connected to the distribution system” shall submit an application to the board that includes for the proposed facility: the nameplate capacity; the estimated energy and number of SRECs to be produced and sold per year; the estimated annual rate impact on ratepayers; the estimated capacity of the generator as defined by PJM for sale in the PJM capacity market; the point of interconnection; the total project acreage and location; the current land use designation of the property; the type of solar technology to be used; and such other information as the board shall require.

(2) The board shall approve the designation of the proposed solar power electric generation facility as “connected to the distribution system” if the board determines that:

(a) the SRECs forecasted to be produced by the facility do not have a detrimental impact on the SREC market or on the appropriate development of solar power in the State;

(b) the approval of the designation of the proposed facility would not significantly impact the preservation of open space in this State;

(c) the impact of the designation on electric rates and economic development is beneficial; and

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(d) there will be no impingement on the ability of an electric public utility to maintain its property and equipment in such a condition as to enable it to provide safe, adequate, and proper service to each of its customers.

(3) The board shall act within 90 days of its receipt of a completed application for designation of a solar power electric generation facility as “connected to the distribution system,” to either approve, conditionally approve, or disapprove the application. If the proposed solar electric power generation facility does not commence commercial operations within two years following the date of the designation by the board pursuant to this subsection, the designation of the facility as “connected to the distribution system” shall be deemed to be null and void, and the facility shall thereafter be considered not “connected to the distribution system.”

[N.J.S.A. 48:3-87(r).]

The Board promulgated rules at N.J.A.C. 14:8-2.4(g) to implement Subsection r of the Solar Act but suspended those rules by Order dated September 22, 2017. By Order dated February 27, 2019, the Board announced:

- that the upper limit of aggregate capacity for which qualifying projects may seek conditional designation as "connected to the distribution system" is 100 MWdc,
- that the project qualifications for SREC eligibility include the requirement that commercial operations commence prior to the Board’s determination that the market has attained 5.1% solar electricity,
- that an alternative transition incentive is currently under development for which other projects may be eligible,
- that a Subsection r application round will be open from March 1 to March 14, and
- that the attached draft Subsection r application form and escrow agreement is available for immediate release.

On March 14, 2019, Staff received five (5) applications for designation pursuant to Subsection r. The applications are available for review online in the Solar Act archives of the New Jersey Clean Energy Program website at;

<http://www.njcleanenergy.com/renewable-energy/program-updates/solar-act/solar-act-proceedings-archive#r>

Written comments on the applications may be submitted electronically in word or other easily converted format to [OCE@bpu.nj.gov](mailto:OCE@bpu.nj.gov) or in hardcopy to Aida Camacho-Welch, Secretary, New Jersey Board of Public Utilities, 44 South Clinton Avenue, 3rd Floor, Suite 314, CN 350, Trenton, New Jersey 08625. All comments must be received on or **before 5:00 p.m. March 22, 2019.**

Persons interested in reviewing the above mentioned applications may schedule an appointment during business hours from March 15 until March 22, 2019 with Sharon Hobdy at (609) 292-1990. Persons interested in reviewing the above mentioned applications who require special accommodations because of disability should contact the Office of the Secretary of the Board at (609) 292-1599 at least three (3) days prior to scheduling an appointment so that appropriate arrangements can be made.



Aida Camacho-Welch  
Board Secretary

Dated: March 15, 2019