



**State of New Jersey**  
BOARD OF PUBLIC UTILITIES  
44 SO. CLINTON AVENUE  
9<sup>TH</sup> FLOOR – P.O. BOX 350  
TRENTON, NEW JERSEY 08625-0350

**CHRIS CHRISTIE**  
**GOVERNOR**

**KIM GUADAGNO**  
**LT. GOVERNOR**

**ROBERT M. HANNA**  
**PRESIDENT**  
TEL: (609) 777-3310  
FAX: (609) 292-2264

## **REMINDER**

September 18, 2012

RE: Reminder of Notice Requirement under New Solar Act (P.L. 2012, c. 24)

On July 23, Governor Christie signed legislation that modified a number of solar policies in the State ("Solar Act"). Following the passage of the Solar Act, the Secretary of the New Jersey Board of Public Utilities ("Board") issued the attached instructions for fulfilling the requirement under the Solar Act for solar electric power generation facility developers to file notice of intent to be eligible for Board approval under subsection S (see attached Board Secretary's Letter, July 23, 2012).

It should also be noted that solar electric power generation facilities that are net metered or an on-site generation facility are qualified under the law as connected to the distribution system. All other facilities that have not commenced commercial operations by July 23, 2012 must await further guidance from the Board. The Board is working expeditiously to design a number of processes needed to implement the provisions of the Solar Act, and Board Staff will be consulting with stakeholders on the development of these processes. In the meantime, except as explained in the instructions issued in the attached July 23 Board Secretary's Letter, please refrain from filing any notices or applications related to the Solar Act until the processes necessary for the efficient administration of the Solar Act are developed by the Board and stakeholders are notified of the appropriate procedures to be followed.

Sincerely,

A handwritten signature in black ink that reads "B. Scott Hunter".

B. Scott Hunter  
Renewable Energy Program Administrator  
Office of Clean Energy  
Division of Economic Development and Energy Policy  
New Jersey Board of Public Utilities  
44 S. Clinton Ave., POB 350  
Trenton, NJ 08625-0350



Chris Christie  
**Governor**

Kim Guadagno  
**Lt. Governor**

## State of New Jersey

BOARD OF PUBLIC UTILITIES  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Kristi Izzo  
Secretary of the Board  
Tel. # (609) 292-1599

July 23, 2012

RE: New Solar Act (Senate Bill No. 1925)

Today, Governor Christie signed legislation that modifies a number of solar policies in the State ("Solar Act"). The New Jersey Board of Public Utilities ("Board") has a number of processes that it needs to design to implement the provisions of the Solar Act, and Board Staff will be consulting with stakeholders on the development of these processes. In the meantime, except as explained below, please refrain from filing any notices or applications related to the Solar Act until the processes necessary for the efficient administration of the Solar Act are developed, and stakeholders are notified of the procedures to be followed.

The Solar Act modifies, among other things, N.J.S.A. 48:3-87, and allows a solar electric power generation facility located on certain farmland to seek to qualify for Solar Renewable Energy Credits ("SRECs") subject to the following:

[...] a solar electric power generation facility that is not net metered or an on-site generation facility and which is located on land that has been actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964," 13 P.L.1964, c.48 (C.54:4-23.1 et seq.) at any time within the 10 year period prior to the effective date of [the new solar Act], shall only be considered "connected to the distribution system" if (1) the board approves the facility's designation pursuant to subsection q. of this section; or (2) (a) PJM issued a System Impact Study for the facility on or before June 30, 2011, (b) the facility files a notice with the [the Board of Public Utilities] within 60 days of the effective date of [the new solar Act], and (c) the facility has been approved as "connected to the distribution system" by the board.

As indicated, 2(b) above requires that a facility with a PJM System Impact Study file a notice with the Board within 60 days of the effective date of the Solar Act, indicating its intent to qualify under the section quoted above. To begin the designation process, the notice filed with the Board shall include the following information: (1) location of the project; (2) size in MWs of the project; (3) date the System Impact Study was issued; and (4) the PJM queue number. Please submit all notices to [John.Garvey@bpu.state.nj.us](mailto:John.Garvey@bpu.state.nj.us).

Sincerely,

A handwritten signature in black ink that reads "Kristi Izzo".

Kristi Izzo  
Secretary of the Board