

ASSEMBLY, No. 4254

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JUNE 9, 2022

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Senator PATRICK J. DIEGNAN, JR.

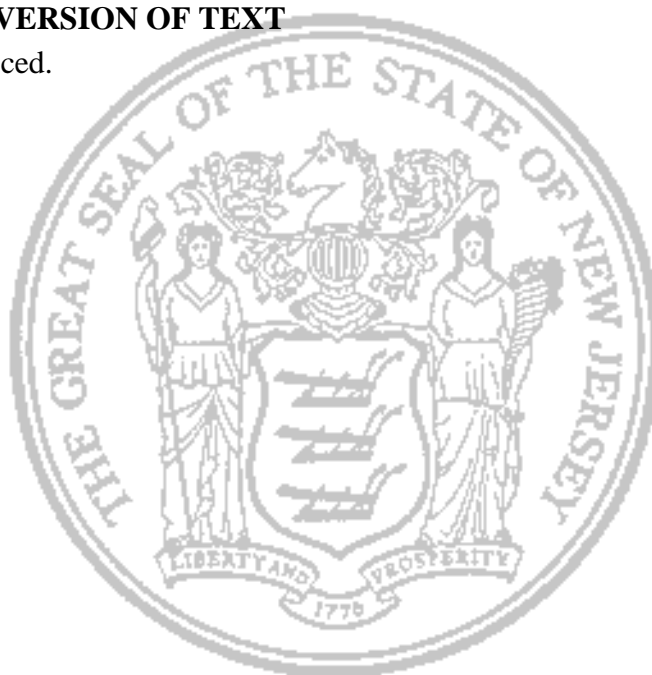
District 18 (Middlesex)

SYNOPSIS

Excludes electricity supplied to recycled materials manufacturing facilities from renewable energy portfolio standards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning electricity sold to recycled material
2 manufacturing facilities, and supplementing P.L.1999, c.23
3 (C.48:3-49 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. As used in this section:

9 “Recycled materials” means any item or commodity which is
10 manufactured or produced in whole or in part from post-consumer
11 waste material.

12 “Recycled materials manufacturing facility” means a facility
13 that: (1) receives service under an electric public utility rate at or
14 above 110 kilovolts delivery; (2) manufactures products made from
15 recycled materials, provided that not less than 90 percent of the
16 content of such products manufactured in the State meet the
17 definition of recycled materials; and (3) employs not less than 200
18 employees in the State.

19 b. (1) Notwithstanding the provisions of section 38 of P.L.1999,
20 c.23 (C.48:3-87), or any rule, regulation, or board order adopted
21 pursuant thereto, to the contrary, an electric power supplier or basic
22 generation service provider shall be exempt from all renewable
23 energy portfolio standards obligations, including Class I RECs,
24 Class II RECs, S RECs, ORECs, or any other RECs, established
25 pursuant to section 38 of P.L.1999, c.23 (C.48:3-87) or any other
26 subsequent law, and any rule, regulation, or board order adopted
27 pursuant thereto, for all kilowatt hours of electricity supplied by
28 such electric power supplier or basic generation service provider to
29 a recycled materials manufacturing facility.

30 A recycled materials manufacturing facility shall not be required
31 to pay any charges designed to offset any renewable energy
32 portfolio standards obligation of its electric power supplier or basic
33 generation service provider, including Class I RECs, Class II RECs,
34 SRECs, ORECs, or any other RECS.

35 (2) For each electric power supplier or basic generation service
36 provider requesting the exemption established by paragraph (1) of
37 this subsection, the kilowatt hours of electricity sold to recycled
38 materials manufacturing facilities shall be subtracted from the total
39 kilowatt hours of electricity supplied to all customers in the State by
40 that electric power supplier or basic generation service provider
41 during that energy year such that the reduced total retail sales
42 number shall be used to calculate the renewable energy portfolio
43 standards obligation for each energy year.

44 (3) Each recycled materials manufacturing facility shall provide
45 its electric power supplier or basic generation provider with (a)
46 documentation establishing that it meets the definition of a recycled
47 materials manufacturing facility, and (b) a sworn affidavit which
48 certifies the number of kilowatt hours of electricity that the electric

1 power supplier or basic generation provider sold to that recycled
2 materials manufacturing facility during that energy year.

3 (4) At the end of each energy year, each electric power supplier
4 or basic generation supplier shall (a) submit to the board the sworn
5 affidavit received from each recycled materials manufacturing
6 facility pursuant to paragraph (3) of this subsection, and (b) provide
7 this information on the Retail Sales Adjustment Form that every
8 electric power supplier and basic generation provider is required to
9 submit to the board at the end of each energy year.

10 (5) The provisions of this subsection shall apply to all electricity
11 sold to recycled materials manufacturing facilities beginning on
12 January 1, 2022.

13

14 2. This act shall take effect immediately.

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STATEMENT

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19 This bill would revise the applicability of certain provisions of
20 the “Electric Discount and Energy Competition Act,” P.L.1999,
21 c.23 (C.48:3-49 et al.), concerning energy sold to recycled materials
22 manufacturing facilities.

23 The bill provides that an electric power supplier or basic
24 generation service provider would be exempt from all current and
25 future renewable energy portfolio standards obligations, including
26 Class I RECs, Class II RECs, SRECs, ORECs, or any other RECs,
27 established pursuant to section 38 of P.L.1999, c.23 (C.48:3-87) or
28 any other subsequent law, and any rule, regulation, or board order
29 adopted pursuant thereto, for the amount of kilowatt hours of
30 electricity supplied by that electric power supplier or basic
31 generation service provider to a recycled materials manufacturing
32 facility. The bill also specifies that a recycled materials
33 manufacturing facility would not be required to pay any charges
34 designed to offset any renewable energy portfolio standards
35 obligation of its electric power supplier or basic generation service
36 provider. The provisions of the bill would apply to all electricity
37 sold to recycled materials manufacturing facilities beginning on
38 January 1, 2022.

39 The bill defines “recycled materials manufacturing facility” as a
40 facility that: (1) receives service under an electric public utility rate
41 at or above 110 kilovolts delivery; (2) manufactures products made
42 from recycled materials, provided however, that not less than 90
43 percent of the content of such products produced in this State meet
44 the definition of recycled materials; and (3) employs not less than
45 200 employees in this State. “Recycled materials” means any item
46 or commodity which is manufactured or produced in whole or in
47 part from post-consumer waste material.