

ASSEMBLY, No. 4782

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED OCTOBER 17, 2022

Sponsored by:

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District 27 (Essex and Morris)

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District 14 (Mercer and Middlesex)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Increases goal for annual capacity of solar energy projects to be developed under Community Solar Energy Program to 500 megawatts per year.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/27/2023)

1 AN ACT concerning the Community Solar Energy Program and
2 amending P.L.2018, c.17.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 5 of P.L.2018, c.17 (C.48:3-87.11) is amended to read
8 as follows:

9 5. a. No later than 210 days after the date of enactment of
10 P.L.2018, c.17 (C.48:3-87.8 et al.), the Board of Public Utilities
11 shall adopt, pursuant to the "Administrative Procedure Act,"
12 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
13 establishing a "Community Solar Energy Pilot Program" to permit
14 customers of an electric public utility to participate in a solar energy
15 project that is remotely located from their properties but is within
16 their electric public utility service territory to allow for a credit to
17 the customer's utility bill equal to the electricity generated that is
18 attributed to the customer's participation in the solar energy project.

19 b. The rules and regulations developed by the board shall
20 establish:

21 (1) a capacity limit for individual solar energy projects to a
22 maximum of five megawatts per project;

23 (2) an annual capacity limit for all solar energy projects under
24 the pilot program;

25 (3) geographic limitations for solar energy projects and
26 participating customers;

27 (4) a minimum number of participating customers for each solar
28 energy project;

29 (5) the value of the credit on each participating customer's bill;

30 (6) standards to limit the land use impact of a solar energy
31 project as required in subsection r. of section 38 of P.L.1999, c.23
32 (C.48:3-87);

33 (7) the provision of access to solar energy projects for low and
34 moderate income customers;

35 (8) standards to ensure the ability of residential and commercial
36 customers to participate in solar energy projects, including
37 residential customers in multifamily housing;

38 (9) standards for connection to the distribution system of an
39 electric public utility; and

40 (10) provisions to minimize impacts to the distribution system of
41 an electric public utility.

42 c. The board shall make available on its Internet website
43 information on solar energy projects whose owners are seeking
44 participants.

45 d. The board shall establish standards and an application
46 process for owners of solar energy projects who wish to be included

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 in the Community Solar Energy Pilot Program. The standards for
2 the Community Solar Energy Pilot Program shall include, but need
3 not be limited to, a verification process to ensure that the solar
4 energy projects are producing an amount of energy that is greater
5 than or equal to the amount of energy that is being credited to its
6 participating customer's electric utility bills pursuant to subsection
7 b. of this section, and consumer protection measures. Projects
8 approved by the board shall have at least two participating
9 customers.

10 The board may restrict qualified solar energy projects to those
11 located on brownfields, landfills, areas designated in need of
12 redevelopment, in underserved communities, or on commercial
13 rooftops.

14 e. Subject to review by the board, an electric public utility shall
15 be entitled to full and timely cost recovery for all costs incurred in
16 implementation and compliance with this section.

17 f. No later than 36 months after adoption of the rules and
18 regulations required pursuant to subsection b. of this section, the
19 board shall adopt rules and regulations, pursuant to the
20 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
21 seq.), to convert the Community Solar Energy Pilot Program to a
22 permanent program. The board shall adopt rules and regulations for
23 the permanent program that set forth standards for projects owned
24 by electric public utilities, special purpose entities, and nonprofit
25 entities. The rules and regulations shall also:

26 (1) limit the capacity of each solar energy project to a maximum
27 of five megawatts;

28 (2) establish a goal for the development of at least **[50]** 500
29 megawatts of solar energy projects per year, taking into account any
30 changes to the SREC program;

31 (3) set geographic limitations for solar energy projects and
32 participating customers;

33 (4) provide for a minimum number of participating customers
34 for each solar energy project;

35 (5) require the provision of access to solar energy projects for
36 low and moderate income customers;

37 (6) establish standards to ensure the ability of residential and
38 commercial customers to participate in solar energy projects,
39 including residential customers in multifamily housing;

40 (7) establish a method for determining the value of the credit on
41 each participating customer's bill;

42 (8) establish timeframes for the credit available to the customer;

43 (9) establish standards and methods to verify solar electric
44 energy generation on a monthly basis for a solar energy project;

45 (10) establish standards consistent with the land use provisions
46 for solar energy projects as provided in subsections r., s., and t. of
47 section 38 of P.L.1999, c.23 (C.48:3-87);

1 (11) establish standards, fees, and uniform procedures for solar
2 energy projects to be connected to the distribution system of an
3 electric public utility;

4 (12) minimize impacts to the distribution system of an electric
5 public utility;

6 (13) require monthly reporting requirements for the operators of
7 solar energy projects to the electric public utility, project customers,
8 and the board;

9 (14) require reporting by the electric public utility to the
10 operator of a solar energy project on the value of credits to the
11 participating customer's bills; and

12 (15) require transferability, portability, and buy-out provisions
13 for customers who participate in community solar energy projects.

14 g. As used in this section:

15 "Solar energy project" means a system containing one or more
16 solar panels and associated equipment.

17 "Solar panel" means an elevated panel or plate, or a canopy or
18 array thereof, that captures and converts solar radiation to produce
19 electric power, and is approved by the board to be included in the
20 Community Solar Energy Pilot Program.

21 "Solar power" includes flat plate, focusing solar collectors, or
22 photovoltaic solar cells and excludes the base or foundation of the
23 panel, plate, canopy, or array.

24 (cf: P.L.2018, c.17, s.5)

25
26 2. This act shall take effect immediately.
27
28

29 STATEMENT
30

31 This bill increases the goal for the annual capacity of solar
32 energy projects to be developed under the permanent Community
33 Solar Energy Program from 50 to 500 megawatts per year. The
34 Board of Public Utilities is currently in the process of developing a
35 proposal to convert the Community Solar Energy Pilot Program into
36 a permanent program pursuant to subsection f. of section 5 of
37 P.L.2018, c.17 (C.48:3-87.11).