



**ESKY SOLAR, LLC.
283 MULLICA HILL RD.
MULLICA HILL, N.J. 08062**

APRIL 23, 2020

State of New Jersey
Board of Public Utilities
P.O. Box 350
Trenton, NJ 08625
Attn. President and Commissioners

RE: Community Solar Energy Pilot Program BPU Docket No. QO 18060646 et al.

Dear Ladies and Gentlemen,

Thank you for the previous opportunity to submit an application in the above referenced Program. We applaud the effort made and need-basis of the Program. There is, however, a *fatal* flaw in the Program and I will attempt to briefly describe it herein for your consideration and investigation. While the flaw may be Program wide, my example relates to the EDC area of Atlantic City Electric.

1. The Program awarded 2 Conditional Approval's to a landfill in the Borough of Woodbine. It was our understanding that any given site was limited to 5 MWdc in size. Had ESKY been made ware that it could simply submit 2 applications for its site (see attached ESKY Application cover page), Esky would have done so and spread out its infrastructure costs accordingly.
2. The Woodbine landfill, at the time of Approval, neither had a NJDEP Landfill Closure Permit in existence nor is it currently remotely close to completing all of the requisite activities required of the NJDEP to obtain such a permit. It is functionally impossible for all such approvals to be obtained and closure be completed in order to properly close the landfill and prepare it for Community Solar construction activities within even a 2 year period. This indisputable fact can be confirmed with the NJDEP, Office of Brownfield and Community Revitlization (Mr. Ron Wienckowski, Remediation Specialist is a suggested point of contact at 609-984-4617) ESKY, however, was "pad ready" for installation in August, 2019 (please see attached example photo of piling demonstration on August 27, 2019) and had all required NJDEP approvals and support in place. This can likewise be reaffirmed by the NJDEP.

Again, we applaud the program but believe that since the Program truly prefers and shows appropriate preference for the use of old landfill's and Brownfield sites; the Program needs to better investigate the actual condition and level of preparedness of such sites for rapid use. Esky was (and remains) ready to initiate the physical installation of its application into the Pilot Program. Had ESKY been awarded the requisite Approval; Solar installation and operations would have occurred this year (2020). We also do intend to apply for the Year Two Program when it becomes available would simply ask that the flaws presented herein be taken into consideration moving forward. you may reach me on my personal cell telephone, 609-820-3246, if I can be of any further assistance. In the meantime, I remain,

Most Sincerely Yours,

Brian Horne, Owner
ESKY Solar, LLC
SLRD Company - Mullica Hill, LLC