

New Jersey Board of Public Utilities

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In the matter of the design of the Permanent Community Solar Program

Docket No. Q022030153

Infiniti Energy Comments on the “Request for Comments” released by the NJ Board of Public Utilities for the design of Permanent Community Solar Program

Dated: May 6, 2022

Infiniti Energy comments on the design of the Permanent Community Solar Program

I. Brief

Infiniti Energy thanks the New Jersey Board of Public Utilities (NJBPU) for its support of New Jersey's Community Solar Pilot Program, a national model for the equitable access and participation of electricity customers going solar. Infiniti Energy also thanks the NJBPU for its ongoing support of the Permanent Community Solar Program, a critical step in the state's energy transition, and its commitment towards 100 percent clean energy by 2050.

Infiniti Energy (IE) is a turnkey commercial and industrial solar developer based in Howell, Monmouth County, New Jersey. IE provides customized solar solutions through programs like Community Solar offering customers savings, benefits, and access to an in-house Engineering Procurement Construction (EPC), finance, and policy teams. IE has formed partnerships and developed projects in NJ for Wells Fargo, PepsiCo., Kaplan Companies, and Teaneck Public School District amongst others.

Alongside its business model, Infiniti Energy has formed a non-profit fund, Infiniti Equity Fund (IEF), directed towards addressing environmental justice, clean energy equity, and workforce development issues in the state. Through bi-annual grant solicitations, IE distributes grants to nonprofit based organizations that are currently or plan on working on projects/initiatives addressing the relevant issues. IEF is a commitment by IE to equitably grow access to clean electricity for customers and support overburdened communities in participating in the solar industry and beyond.

II. Program Design

Infiniti Energy believes that in order to prevent a backlog of potential project "scrub" in the permanent program, projects should be put through a well vetted process of high project maturity requirements. IE believes requiring proof of site control, signed interconnection agreement or proof of payment for a portion of the projects upgrade cost, and proof that all non-ministerial permits have been received would separate projects that achieve commercial operation from those that won't. This would ensure that project will mature efficiently through the development process with clear sight of application and approval.

IE believes that permanent program capacity should be divided into separate blocks, specifically by project type and size. This would ensure equitable allocation of funds and requirements tailored by specific characteristics, rather than being clustered into a service territory.

Regarding land use restriction and limitations, IE recommends the Board to continue to focus incentives on preferred siting (ie. rooftops, brownfields, landfills), while keeping certain restrictions on federal and state lands (i.e.. preserved farmland).

In addition, IE strongly recommends the Board to address the lack of transparency and communication between utilities and developers. Securing and developing projects can take developers multiple years of investment and capital outlay. Project developers should not be penalized due to lack of response from Electric Distribution Companies (EDCs). We believe there should be a baseline publication of typical costs providing developers with historical data on upgrading cost. Addressing the lack of communication and transparency by EDCs alongside establishing clearly defined terms for permitting and means for extensions will help allocate the most qualified projects and achieve commercial operation.

Regarding minimizing negative impacts to the distribution system, IE recommends the board support a structured finance mechanism that would enable public utilities to improve their grid. IE also believes initiating a state funded program for interconnection costs, would support developers and utilities with the cost of upgrades needed to bring solar online and supply electricity customers.

III. Project Selection

Regarding the design of the application process, Infiniti Energy recommends the Board to reconsider implementing first come-first serve in the permanent program. There has been noted success in using a first come-first serve model in other states including Massachusetts's SMART Program and New York's NY-Sun Program and it can also be seen in newer markets that are developing strong climate and energy models such as the Illinois Long Term Plan: Adjustable Block Program. A first come-first serve application process would alleviate interconnection backlog, help weed out immature projects, and help mature projects reach commercial operation.

Regarding the creation of a waitlist for non-selected projects, IE believes projects should be selected on a rolling basis, therefore, if you hit maturity requirements and in doing so you should be able to proceed with commercial operation. IE also supports creating a waitlist for mature projects to enter in the next delivery year if they have proof of site control, signed interconnection agreement, and all non-ministerial permits have been received. IE also recommends the Board provide a transparent timeframe and maintain accountability for timeframe of funding for approved projects.

IV. LMI Access

IE strongly recommends the Board to increase both physical and digital distribution of program advertising to customers. In addition, IE recommends having an opt-in opt out situation where Low-to-Moderate Income customers have preference and first choice to subscribe in the community solar program. IE also believes the Permanent Program's income verification standards should be determined by the census tract. Using a Census tract would most accurately verify customers based on the small well defined geographic area used by census data to ensure proper income verification.

V. Community Solar Subscribers

Regarding geographic limitation for community solar projects and subscribers, IE maintains that it should be kept within EDC territory.

Regarding the Pilot Program's mandate on subscriber minimums and maximums, Infiniti Energy recommends the Board to remove the maximum number of subscribers restriction.

Regarding the Board's proposed rule amendment of subscriber enrollment, Infiniti Energy believes that prioritizing automatic enrollment for LMI communities and allowing option opt-out would increase subscriber education, awareness, while providing options to that subscriber. Providing subscriber, a window to opt-out and a bill insert notifying automatic enrollment along with associated savings would increase program education. IE recommends extending this option to all community solar facilities, not just ones owned by public entities.

VI. Other

Infiniti Energy thanks the NJBPU for allowing Infiniti Energy to comment and we look forward to the release of the straw proposal and the future success of the permanent program.