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VIA EMAIL AND E-FILING

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Acting Secretary
New Jersey Board of Public Utilities
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Re: NEW JERSEY SOLAR SITING STRAW PROPOSAL (BPU Docket No. QO21101186)

Enel North America, Inc. (“Enel”) submits these comments regarding the design of the New Jersey Solar Siting Straw Proposal (“Siting Proposal”) in response to the Board of Public Utilities (“BPU”) Revised Stakeholder Notice dated April 19, 2022 (“Notice”). Enel appreciates the BPU’s continued engagement on these critical questions. More broadly, we are grateful for the BPU’s focus on ensuring that New Jersey can accomplish its clean energy objectives in a reliable, cost-effective manner. As one of the world’s largest utilities and global developer and operator of renewable capacity, we enthusiastically support state policies for rapid decarbonization and clean energy deployment.

Introduction

Enel Green Power North America is a leading owner and operator of renewable energy plants with a presence in 14 US states and one Canadian province. The company operates 64 plants with a managed capacity of over 8 GW powered by wind, geothermal and solar energy. Enel X in North America has around 4,500 business customers, spanning more than 35,000 sites, representing approximately \$10.5B in energy spend under management, approximately 4.7 GW

of demand response capacity and over 70 battery storage projects that are operational and under contract. Enel X Way is revolutionizing the EV charging market with its smart charging solutions deploying over 110,000 charging stations in the US.

Enel has ambitious development plans throughout the PJM region and is eager to expand its clean energy leadership in New Jersey through a robust utility-scale solar and energy storage development pipeline. Throughout New Jersey, Enel has over 400 MW of utility-scale solar plus energy storage projects in advanced stages of development and over 100 MW of utility-scale solar plus energy storage projects in early stages of development. As a leading developer, we appreciate the hard work by BPU Staff, the New Jersey Department of Environmental Protection (DEP), the State Agriculture Development Committee (SADC) and the New Jersey Department of Agriculture (NJDA) for their hard work in putting together preliminary suggestions for the implementation of Section 6 of the Solar Act of 2021. However, we strongly recommend that the BPU make these essential changes to the guidelines to create the conditions necessary to meet New Jersey's laudable goal of incentivizing the construction of at least 1,500 MW of large-scale solar facilities by 2026.

General Comments

The current Straw proposal and draft agricultural mitigation guidelines for grid-scale construction projects on specific farmlands in agricultural development areas contain significant issues and, in some cases, fail to provide the clarity required by project stakeholders to confidently develop and build under the CSI program. For details on these issues and recommended solutions, please refer to the joint comments submitted in response to the BPU's

April 19th, 2022, Notice from the “Clean Energy Trade Group”.¹ The BPU should review and strongly consider each section put forth in the joint Clean Energy Trade Group comments.

Additionally, to encourage utility-scale solar that is the ‘least cost and greatest benefit to consumers,’ the BPU should consider separate siting standards for non-participating CSI projects. In adopting Senate Bill 2605, the Legislature found that “in order to achieve the State’s goal of securing 50 percent of its electricity from renewable energy by 2030 with the *least cost and the greatest benefit to consumers*, it is critical to promote investment in new solar. [emphasis added].

Over the last few years, the clean energy industry has seen a dramatic increase in the number of companies adopting Environmental, Social and Governance (ESG) performance goals. Last year, companies bought a record 31 GW of renewable energy via power purchase agreements (PPAs) from private clean energy developers.² Enel believes it is in the best interest of New Jersey consumers for the BPU to ensure that complex siting standards do not have the unintended consequence of dissuading solar development whose risk is not borne by the State of New Jersey or its consumers, in particular, projects that do not participate in the CSI program but have PPAs.

While we remained concerned with the statute’s broad application to non-participating CSI projects and the impact this may have on the industry, we believe §48:3-119(6) gives the BPU discretion to adopt separate siting standards for non-participating CSI projects that at the very least meet the minimum requirements of §48:3-119.

¹ The joint commenters include The Solar Energy Industries Association (SEIA), New Jersey Solar Energy Coalition (NJSEC), Mid-Atlantic Renewable Energy Coalition Action (MAREC Action), and the American Clean Power Association (ACP).

² Renewable Energy Buyers Alliance, *Deal Tracker*, 2021

Conclusion

We appreciate the BPU's careful consideration of the program design and openness to input from industry stakeholders who bring decades of experience developing renewable energy projects across the country. Enel is ready to invest in helping New Jersey meet its clean energy goals and looks forward to collaborating with the BPU to craft a successful program. Collectively, these recommendations will help ensure that New Jersey maintains its place as a national leader in solar and achieves the state's aggressive clean energy goals. Thank you for considering these recommendations.

Respectfully,

/s/ Adam Stern

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