



NJ Board of Public Utilities

Secretary of the Board

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May 10, 2023

RE: Docket No. QO22030153 – In The Matter of Community Solar Program

Dear NJ BPU Members and Board Secretary:

Thank you for allowing us to submit our comments regarding NJ BPU Community Solar Program draft rules.

Our company Citrine Power, LLC (“Citrine Power”) is a developer and investor of commercial scale and community solar projects in the Northeast. We are an early participant in the NJ Community Solar Program having developed the carport system in the Blue Army Shrine as depicted in the Staff’s presentation under PILOT Year 1.

We are looking forward to participating in the permanent community solar program. Accordingly, below are our comments for the Board and Staff to consider. If you have questions or concerns, please feel free to contact me at any time.

Regards,

Cela Sinay-Bernie

Managing Partner

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2. Project Siting

While we understand and appreciate the Staff recommendation that all projects should be located on preferred sites, **we recommend that the Board allow ground mounted installation for properties that are owned by municipalities or other public entities.** The reasoning for our recommendation is as follows:

- Many public entities have ran RFPs or similar processes to allow community solar installations on their vacant land to make productive use of such land and help the State of New Jersey achieve its RPS goals and to get ready for the permanent Community Solar Program.
- These RFPs were held in light of the PILOT program rules that did not prohibit ground mounted installations and such projects were developed in the period between PILOT Year 2 and permanent program draft rule announcement.
- These municipalities have chosen suitable properties to allow community solar installations after carefully reviewing their available land to make sure community solar installation is the best possible use with minimal environmental impact.
- Since these properties have been hand picked by the municipalities who are the permitting authorities, the permitting process of such projects is expected to be faster than general ground mounted solar projects.
- We see examples of solar programs that give preference to ground mounted projects on publicly owned properties under in different states such us Connecticut’s NRES SAM Program.
- In addition, these projects create multiple benefits for the municipalities: long term and predictable lease income, tax benefits, as well as the lower power bills for low-income families in the municipalities or in surrounding municipalities.
- Current Remote Net Metering program geared towards publicly owned entities is very restrictive as can be seen from the limited amount of applications of it thus far.
- **As a result, we recommend the BPU and Staff allow for ground mounted community solar on municipal, state or other publicly owned properties so that such public landlords can reap the benefits of the projects they have been developing since the inception of the community solar pilot programs.**

Qualification of Project Ownership

While we support staff’s recommendation of continuing to allow non-EDC development community to own the community solar projects, we strongly encourage the Board and BPU Staff to consider developer caps in MWs and number of projects in each utility territory. PILOT Year-2 was concentrated around projects owned by only few developers / operators not leaving much room for additional competition. Setting a developer cap will enable multiple developers to participate in the program, allowing a healthy competition for the best and most developed projects to move forward.

Project Maturity Requirements

We understand the requirement for interconnection application (less than 1 MW) and Part 1 execution (larger than 1 MW) of interconnection agreements. However, given that many projects have been developed and not selected during PILOT Years 1 and 2 with submitted interconnection applications, we encourage the Staff to provide clarity on how to prioritize such projects in the maturity scale. In addition, the EDCs have not been accepting any community solar interconnection applications given they have been



waiting for the final rules of the permanent program. Accordingly, we expect an overwhelming influx of interconnection applications once the program rules are finalized. We would appreciate if the Staff can provide rules of engagement around prioritization since the community solar applications will be processed first come first serve. Many states (eg. Illinois) provide maturity guidelines that honor projects that have been in development since PILOT years while permanent program rules are being finalized. Such prioritization criteria could include option and lease signature dates, old interconnection application dates etc. Regardless, we respectfully think continuing the PILOT program rules for allowing interconnection application for projects that have been accepted to the program is the most practical approach to interconnection.

Thank you for allowing us to provide our feedback,

Citrine Power LLC

A handwritten signature in black ink, appearing to read 'Cela Sinay Bernie'.

Cela Sinay Bernie

Managing Partner