

Submitted via E-Filing

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Secretary of the Board

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RE: Community Solar Energy Program, Docket Bo. QO22030153

The Natural Resources Defense Council (“NRDC”) is pleased to submit its comments on the Board of Public Utilities (“Board”) proposed Staff Straw Proposal for the Permanent Community Solar Energy Program.¹ New Jersey’s Community Solar Program is one of the most important programs in New Jersey to achieve equity in solar deployment by providing opportunities for Low-to-Moderate-Income (“LMI”) customers to receive the benefits of solar energy. Moreover, the program assists the state in achieving its 100% clean electricity by 2035 goal, and its 2030 and 2050 climate goals. Overall, NRDC strongly supports the design decisions made in the Staff Straw Proposal, only has broad recommendations to strengthen the permanent program.

1. Project Siting

NRDC supports the recommendation that community solar projects only be permitted on rooftops, carports and canopies over impervious surfaces, contaminated sites and landfills, and Man-made bodies of water.

2. Program Capacity

NRDC supports the Straw Proposals capacity recommendation and that permanent program annual capacity be set through the ADI Program MW Block process. Additionally, were the Board to consider increasing solar targets beyond the current ADI capacity blocks, NRDC recommends that it focus primarily on expanding community solar capacity rather than behind the meter ADI installations due to the wider spread of benefits that community solar can provide to energy customers, especially LMI customers.

3. Project Application and Selection

NRDC agrees with Staff’s recommendation that the Board increase the minimum maturity requirements prior to application to ensure that awards are given to projects with a high likelihood of commercial operation. In addition to the requirements contained in page 14 of the Straw Proposal, NRDC recommends the Board also consider the inclusion of a nonrefundable deposit from project developers, especially from projects proposed by professional developers, rather than public entities. This will provide even more assurance that projects will ultimately reach commercial operation. Similarly, NRDC cautions the Board that a “tie breaker” relying on bill credit discount rates may not yield the intended outcome, because such a “tie breaker” may result in project proposals with unrealistic discount rates, which will increase the chance those projects do not meet commercial operations of tax credit estimates or financing costs change.

¹<https://nj.gov/bpu/pdf/publicnotice/Notice%20%20Community%20Solar%20Straw%20Proposal%20with%20Draft%20Rules.pdf>

4. Consolidated Billing

NRDC strongly supports consolidated billing and refers to its earlier comments on the benefits of such bill structures.

5. Self-Attestation

NRDC strongly supports the Staff proposal for self-attestation of income. Given that one of the core goals of the community solar program is to increase solar access, particularly LMI customers, removing barriers to signing up for the program is crucial. Although NRDC believes self-attestation alone is likely sufficient to drive LMI participation, NRDC also recommends the Board consider whether allowing enrollment based on location in an Overburdened Community census tract could make the program even more successful in signing up LMI customers.

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