



AC Power LLC • 20 W 22nd St, Suite 1501 • New York NY 10010
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AC Power Community Solar Comments Answering Staff Questions:

AC Power is a woman-owned solar development company that repurposes disturbed land. We specialize in developing solar on previously disturbed properties like closed and capped landfills, brownfields, quarries, sand and gravel pits, and reclaimed coal sites. We are based in New York City and have built several projects in New Jersey, including Community Solar – Year 1 and Year 2 awardees. We are keenly supportive of environmental justice, and appreciate the value that community solar programs bring to LMI communities throughout the state and country.

Our mission as a company complements New Jersey’s goals towards renewable energy development and environmental justice. Focusing on previously disturbed properties preserves the land-use potential of the State’s limited greenfield space and maintains natural forest ecosystems. Brownfields, landfills, and other contaminated sites tend to be concentrated near disadvantaged communities – developing these sites into thriving solar energy projects will be a tangible demonstration of the State’s commitment to investing in these communities.

1) Project size and co-location of projects

Issue: Should the Board permit co-location of a community solar project with another solar installation?

A project located on a brownfield, landfill, or man-made body of water that has little-to-no established floral and faunal resources should be permitted to co-locate with another solar installation. Co-location will enable more development of these types of projects as they will greatly benefit from economies of scale with equipment and construction costs.

2) Project siting

Issue: What land use restrictions and limitations, if any, should apply to the siting of community solar projects? While Section 6 of the Solar Act of 2021 does not establish siting standards for Community Solar projects, should the Board adopt standards comparable to those in the Board’s proposed solar siting rules¹³ for community solar facilities? What should those standards look like?

N/a.

3) Overall program capacity

Issue: What should be the annual Permanent Program capacity? Should the annual Permanent Program capacity limit account for potential project “scrub” (i.e., planned projects that do not reach commercial operation)?

Given the projected accumulation of Community Solar projects since the Pilot Program Year 2 submission date of February 2021, AC Power believes that the community solar allocation should be increased to 300 MWs over the next two years. Without additional capacity, there is going to be a significant logjam in Program Year 1 of the Permanent Program and the utility interconnection queue will ultimately determine what projects are eligible to



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participate in the Program. By increasing the allocation in the first two years of the program, it will feel less like a race of which project finishes their interconnection study first.

4. Program Capacity Segmentation

Issue: Should the CSEP capacity be divided into separate blocks, and if yes, how? (e.g., by EDC service territory? By project type or size)?

Yes – the allocation should include a specific carve-out for landfill and brownfield ground-mount projects. Under the proposed framework of the Straw Proposal, rooftop projects will secure a high majority of the available capacity because rooftop projects do not require the same degree of non-ministerial permits as brownfield and landfill projects. However, ground-mount brownfield projects repurpose disturbed land, provide additional community benefits by ensuring site remediation has been performed, and generally can serve much larger populations. We recommend at least a 40MW carve-out for brownfield and landfills sites to ensure a fair and competitive process.

5) Qualifications for Project Ownership

Issue: Should the Board set restrictions on the ownership of community solar projects?

N/a.

6) Application Process and Project Selection

Issue: How should projects be selected for participation in the Permanent Program? Should the Board considers creating a waitlist for non-selected projects?

Projects should be selected in a fair and transparent manner – meaning that there should not be an advantage for projects with existing interconnection studies who might have had advance notice. Further, projects should be evaluated for their additional benefit to the community, as they were in the Pilot Program. This ensures that holistically beneficial projects are selected.

We see value in creating a waitlist for non-selected projects, as projects may fall out during the course of the year, and waitlist projects can use that lead time to secure relevant permits and advance development.

7) Minimum project maturity requirements

Issue: What minimum project maturity requirements should projects be required to meet before applying to participate in the Permanent Program?

Projects with designated redevelopment status should be explicitly stated as having appropriate site control to move forward.



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8) Other project eligibility criteria

Issue: What other project eligibility criteria should the Board consider for projects seeking to participate in the CSEP?

N.a.

9) Definition of LMI subscriber

Issue: What types of subscribers are considered low- and moderate-income?

N.a.

10) LMI participation

Issue: How should a high level of LMI participation in the community solar program be maintained?

N.a.

11) LMI Income verification standards

Issue: How should incomes be verified for qualification of low- to moderate-income subscribers?

N.a.

12) Participation by affordable housing providers

Issue: Should the Board consider modification to how affordable housing providers may subscribe to community solar projects?

N.a.

13) Value of the bill credit

Issue: What modifications, if any, should the Board consider making to the value of the community solar bill credits.

N.a.

14) Bill credit banking/excess bill credits



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Issue: Should the Board modify the standards for banking of excess bill credits or unallocated generation?

N.a.

15) Consolidated billing

Issue: Should the Board adopt consolidated billing for community solar? Who should handle consolidated billing and how should it be conducted?

N.a.

16) Interconnection process

Issue: The CEA states that the CSEP rules and regulations shall “establish standards, fees, and uniform procedures for solar energy projects to be connected to the distribution system of an electric public utility” (N.J.S.A. 48:3-87.11(f)(11)). What changes, if any, should be made to the existing community solar interconnection standards and processes?

We recommend that a publicly available interconnection queue should be posted to each utility’s website. Additionally, the utilities should have a fixed number of business days to complete the applicable studies. Developers should also have a fixed number of business days to respond to utility requests for additional information.

17) Distribution system support

Issue: What measures should the Board implement to minimize negative impacts to the distribution system and maximize grid benefits?

N.a.

18) ADI Program registration

Issue: Should the Board consider any changes to the coordination between community solar project awards and the process for registering for the ADI Program?

N.a.

19) SREC-II values

Issue: The Solar Act of 2021 allows the Board to consider “the economic and demographic characteristics of the area served by the facility, including whether it is located in an overburdened community” in the assignment of an



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SREC-II value. How should the Board address this criterion? What should the value of the ADI Program incentive be?

N.a.

20) Number of subscribers

Issue: Should the Board consider changes to the minimum and maximum number of subscribers to a project?

N.a.

21) Geographic distance between project and subscribers

Issue: Should subscribers be required to live in the same or adjacent municipality or county as their projects?

No, this is an unnecessary restriction.

22) Consumer protection

Issue: Should the Board consider changes to the consumer protection measures implemented under the Pilot?

N.a.

23) Automatic enrollment

Issue: Should the Board consider allowing automatic enrollment of subscribers to community solar projects?

N.a.

24) Community engagement

Issue: What requirements for community engagement should the Board set?

Community engagement with long-term impacts, such as ongoing workforce opportunities or providing trainings that allow for new forms of employment.

25) Other Rules

Issue: What other rules of the Pilot should the Board include in the Permanent Program?



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N.a.

26) Pilot Program

Issue: What rules of the Pilot should the Board modify?

N.a.

27) Energy accounting

Issue: How should community solar energy generation be accounted for?

N.a.