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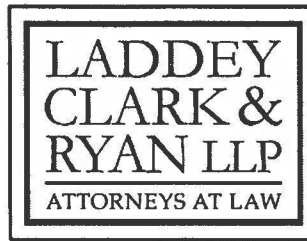
MAY 22 2023

BOARD OF PUBLIC UTILITIES  
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Cherry Hill • Hoboken • Morristown • New Brunswick • Newark • Sparta • Totowa

May 18, 2023

**VIA E-MAIL(board.secretary@bpu.nj.gov)**  
**AND FIRST CLASS MAIL**

NJ Board of Public Utilities  
Secretary of the Board  
44 South Clinton Ave., 1<sup>st</sup> Floor  
PO Box 350  
Trenton, New Jersey 08625-0350

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

Dear NJ BPU Members and Board Secretary:

I am the Municipal Attorney for the Township of Green in Sussex County and I am writing to you concerning the NJBPU Community Solar Program draft rules.

The Township of Green is interested in pursuing a ground-mounted solar installation. Therefore, it is requested that the Staff reconsider its recommendation that the Board only permit community solar projects on rooftops, carports and canopies over impervious surfaces as well as contaminated sites and landfills and man-made bodies of water that have little-to-no established floral and faunal resources,

**We recommend that the Board make an exception to allow ground mounted installation for properties that are owned by municipalities or other public entities, for various reasons, including:**

- The Township and solar companies held discussions during 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.
- Green Township and many municipalities have suitable property available to allow a community solar installation with minimal environmental impact.
- There are other examples of solar programs that give preference to ground mounted projects on publicly owned properties in different states such as IL Community Solar Program (IL ABP) and Connecticut's NRES SAM Program.

- Solar projects create benefits for municipalities: long term and predictable lease income, tax benefits, as well as the lower power bills for low-income families in municipalities.

Therefore, it is recommend that the BPU and Staff allow for ground mounted community solar on municipal-owned (non-contaminated, non-landfill) 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.

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

Very truly yours,



Ursula H. Leo

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cc: Mark Zschack, Green Township