THE DUAL-USE SOLAR ENERGY PILOT PROGRAM

TATLEAUX SOLAR GROUP COMMENTS

SUBCHAPTER 1. RENEWABLE ENERGY GENERAL PROVISIONS AND DEFINITIONS

Mid-Atlantic States Career and Education Center (MASCEC)-Tatleaux Solar Group (Tatleaux) partnership to develop, construct and operate New Options Farms® Agrivoltaic Centers

The U.S. and N.J. Farm Industries have been declining. Meanwhile, for 20 years, the vast majority of solar has been placed on farmland, thus solar has grown at the expense of farming. We believe proper implementation of the BPU's Dual Use-Agrivoltaic Program is crucial to solving these problems and it is important to the entire country because it's the first program that incentivizes solar growth with carve-outs of SREC subsidies for solar on farmland but requires no diminishment in crop growth and income for farms and farmowners.

MASCEC (co-founder Benjamin Wood taught agriculture at Cornell University for 30 years prior to co-founding with Glen Donelson MASCEC) formulated the New Options Farm Agrivoltaic Program concept in 2013 to address the above macro problems; MASCEC is also a BPU partner for workforce development programs). The Program combines extremely high yielding greenhouse crop farming (more than 100 times per acre than traditional farming) with low-cost solar energy (provided by Tatleaux's adjacent agrivoltaic solar project at zero cost to the farming operation) and hydroponics to deliver substantially greater farm income with year-round farming, and significantly discounted clean solar electricity to local farms and communities. The numbers show the concept will solve the above problems. In addition, New Options Farms® Centers achieves another important macro goal: job training and jobs in both farming and solar construction at all New Options Farms® Agrivoltaic Center.

The primary obstacle to greenhouse farming in the U.S. and the world is the large up-front investment required to build the greenhouses and greenhouse infrastructure. In the MASCEC-Tatleaux's partnership, Tatleaux shares its solar project profits with MASCEC greenhouse farming in the form of large grants for MASCEC discretionary use to fund the greenhouses manufacturing, infrastructure construction, farming operation and greenhouse farming and solar installation training.

MASCEC-Tatleaux comments below reflect our proposals that some of the Dual Use Solar Energy straw proposal rules and requirements are not necessarily applicable to the MASCEC-Tatleaux New Options Farms® Agrivoltaic concept and program as these are mostly applicable to traditional farming agrivoltaics.

Thank you.

Page 6 Section 14:8-13.2 DEFINITIONS

"Farmer"

"MASCEC-TATLEAUX" note that the farmland in our New Options Farms® Agrivoltaic Centers have not been farmed in any or all of the last 3 years for reasons of poor economic conditions, such as low crop prices, and/or market labor shortages. MASCEC is the farmer for our Agrivoltaic Centers.

"Non-permanent agriculture structure"; "Permanent agriculture structure"

MASCEC-Tatleaux note that our New Options Farms® Agrivoltaic concept involves very costly, cutting edge, custom designed greenhouses that are permanent structures built to produce significantly higher income from

significantly higher crop yields. Our Agrivoltaic Centers also have long term (30 to 45 years) leases. We therefore suggest amendment of these definitions to allow for New Options Farms® Agrivoltaics and similar concepts.

Page 11 Section 14:8-13.5 PILOT PROGRAM ELIGIBILITY

(b) May MASCEC-TATLEAUX assume that if we had 2 small, less than 5MW total, of projects adjacent to each other (that comply with the ADI co-location rules) each project will require a separate application <u>even if</u> each is adjacent to the series of greenhouses at our agrivoltaic "center?"

Page 12 (f)

Do dual-use solar energy projects therefore need to apply separately to BOTH the Dual-Use and one of the ADI or CSI programs? Is there a possibility that the ADI or CSI programs disapprove of a dual-use program project that has been approved by the Dual-Use Program? Please note that ADI program siting forbids solar projects on farmland.

Page 12 Section 14:8-13.6 Project Siting Requirements

(b) 4. MASCEC-TATLEAUX have encountered discrepancies between different wetland maps we have been provided. Does the BPU prefer certain wetland maps and how can we obtain these?

Page 13 (e).

In our experience many farms or portions of farms have not been farmed in any or all of the last 3 years because of poor economic conditions, such as low crop prices, and/or market labor shortages. We suggest this requirement be deleted especially because each agrivoltaic project requires a "Research Control Area" that MASCEC-Tatleaux will comply with.

Page 16. Section 14: 8-13.7 Pilot Program solicitation process

(a) 4.V. As we stated above in section 14:8-13.6(e), many farms or portions of farms have not been farmed in any or all of the last 3 years. All MASCEC-TATLEAUX New Options Farms® Agrivoltaic Centers are on zoned farmland. Shall we state this in the Dual-Use program application?

(a) 4. vii MASCEC-TATLEAUX Agrivoltaic Centers will be powered by the solar project at zero cost to the farmer, MASCEC. Thus, this portion of the electricity is defined as net metered by the BPU. Therefore, we suggest deleting the requirement of a utility bill.

Page 23 Section 14:8-13.9 Installation, Construction, and Operational Requirements

(b) 1. MASCEC- TATLEAUX Agrivoltaic Centers install fencing around the solar project(s) but may not install fencing around the greenhouses for greater ease of transport of plants/crops. May we assume this is acceptable?

(d) As we state in our comments on Section 14: 8-13.2, Definitions, MASCEC-TATLEAUX New Options Farms® Agrivoltaic Centers involve greenhouse farming utilizing multiple expensive, state of the art greenhouses that are economic because they will produce significantly higher amounts of crops in the long term. Thus, these greenhouses are permanent. We therefore suggest amending this section to allow for such greenhouses,

Page 24 (e) 6.

MASCEC-TATLEAUX's custom-designed greenhouses will need concrete for ease of crop transport and because MASCEC will conduct greenhouse farming training programs for disabled workers who will then be hired for our Agrivoltaic Centers, thus addressing the farm labor shortage problem. We request an amendment of this "concrete" rule.