



Docket No. Q023090679 In the Matter of the Dual-Use Solar Energy Pilot Program

CleanCapital Comments

June 24, 2025

CleanCapital appreciates the opportunity to provide written comments on the preliminary draft rule for the Dual-Use Solar Energy Pilot Program (Pilot program).

CleanCapital is a diversified clean energy company focused on the middle-market solar and storage industry. Mission-driven to mitigate the climate crisis, CleanCapital leads the energy transition with strategic investments in early-stage, new construction, and operating renewables projects and development partners. To date, the company has invested \$1 billion in projects and companies, including the acquisition of BQ Energy, a national leader in landfill and brownfield renewable energy development. The company has successfully acquired and managed over 230 operating and new construction projects in 26 states and one U.S. territory, totaling 460 MW.

CleanCapital supports the general rule that a dual-use project will receive an “add-on” on top of a base incentive provided as an SREC-II within the Successor Solar Incentive Program. However, while this theoretically allows Dual-Use Projects to participate in either the Administratively Determined Incentive (ADI) Program or the Competitive Solar Incentive (CSI) Program, more clarity is needed to ensure that Dual-Use Projects can indeed participate in the ADI program.

For example, while the purpose of the Pilot Program is to encourage the development of dual-use solar facilities, also known as agrivoltaics, the current draft rules, by not amending underlying ADI rules, do not allow dual-use projects to participate in New Jersey’s Community Solar Energy Program (CSEP), which is a subset of the ADI program. As a result, CleanCapital strongly recommends that in addition to creating a new Subchapter 14:8-3 for the Pilot Program, the BPU simultaneously amend N.J.A.C. 14:8-9.5 so that the project siting restrictions for the CSEP provide an explicit exception for ADI CSEP projects if and only if those projects are participating in the Dual-Use Solar Energy Pilot Program or a permanent dual-use solar energy program that is a component of the SuSI program.

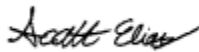
Specifically, this should allow ADI CSEP projects on farmland *if* the project is also participating in the Dual-Use Solar Energy Pilot Program or a permanent dual-use solar energy program that is a component of the SuSI program. Such a change will encourage the development of dual-use solar facilities that both demonstrate the compatibility of active agricultural or horticultural production and solar photovoltaic infrastructure on the same land/property, and further enable low-and-moderate income households that ordinarily would not be able to reap the benefits of solar power to do so through New Jersey’s nation-leading community solar program.

While the purpose of the N.J.A.C. 14:8-9.5 restrictions is to ensure community solar is on preferred sites and not open space, a dual-use pilot program that offers the option of compatibility with the existing CESP program offers an opportunity to demonstrate how a sustainable dual-use solar project can both preserve farmlands and enhance the overall mission and reach of the CSEP.

Additionally, CleanCapital supports the recommendation from CCSA, NJSEC, and SEIA to adjust the control plot requirements to allow smaller sites and more farmers to participate in the program without undue financial strain, land constraint, or changes to existing agricultural practices.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Elias". The signature is fluid and cursive, with the first name "Scott" being more prominent than the last name "Elias".

Scott Elias,
Vice President of Policy and Market Development
CleanCapital