

Special amendment, R.2011 d.130, effective March 30, 2011 (to expire September 30, 2012).

See: 43 N.J.R. 1206(a).

In definition "Alternative compliance payment", substituted "to comply with" for "in lieu of supplying" and "requirement in" for "required under"; added definition "Energy year"; rewrote definitions "Renewable Energy Certificate" and "Solar alternative compliance payment"; deleted definitions "Reporting year", "Total cost of solar incentives" and "Total retail cost of electricity"; substituted definition "'Solar renewable energy certificate' or 'SREC'" for definition "Solar REC"; and rewrote definition "'Solar renewable energy certificate' or 'SREC'".

Amended by R.2012 d.107, effective June 4, 2012.

See: 43 N.J.R. 1162(a), 44 N.J.R. 1703(a).

Rewrote definition "Qualification life"; deleted definition "Qualified renewable energy"; and added definition "Solar electric generating facility".

In accordance with N.J.S.A. 52:14B-5.1c, special amendment R.2011 d.130 expires on March 29, 2013.

See: 44 N.J.R. 2358(a).

<u>Energy Year</u>	Class I Renewable <u>Energy</u>	Class II Renewable <u>Energy</u>
EY 2011:	17.880%	2.50%
June 1, 2020 - May 31, 2021		

(b) The Board shall adopt rules setting minimum amounts of solar electric generation, class I renewable energy and class II renewable energy required for EY 2022 and each subsequent energy year. These minimum amounts shall be no lower than those required for EY 2021. The Board, in consultation with the NJDEP, EDCs, Rate Counsel, the solar energy industry and relevant stakeholders, shall periodically consider increasing the renewable energy portfolio standards beyond the minimum amounts set forth in this chapter, taking into account the cost impacts and public benefits of such increases including, but not limited to:

1. Reductions in air pollution, water pollution, land disturbance and greenhouse gas emissions;
2. Reductions in peak demand for electricity and natural gas and the overall impact on the costs to electricity and natural gas customers;
3. Increases in renewable energy development, manufacturing, investment and job creation opportunities in New Jersey; and
4. Reductions in State and national dependence on fossil fuels.

(c) Each supplier/provider's solar electric generation obligation shall be calculated in accordance with the requirements of P.L. 2012, c. 24. A supplier/provider shall meet the requirements for solar electric generation through:

1. Retirement of SRECs through a renewable energy trading program approved by the Board in consultation with the NJDEP; or
2. Submittal of one or more SACPs.

(d) A supplier/provider may meet the class I and class II renewable energy requirements in Table A above by retiring RECs in accordance with N.J.A.C. 14:8-2.8. Alternatively, a supplier/provider may comply with the class I and class II requirements of this subchapter by submitting the appropriate number of ACPs, in accordance with N.J.A.C. 14:8-2.10.

(e) (Reserved.)

(f) The following shall apply to the type of energy, and type of documentation, used for compliance with each of the requirements in this subchapter:

1. SRECs may be used to meet any requirement for solar electric generation, class I renewable energy, or class II renewable energy;
2. Class I RECs may be used to meet class I renewable energy requirements or class II renewable energy require-

14:8-2.3 Amount of renewable energy required

(a) Each supplier/provider, as defined at N.J.A.C. 14:8-1.2, that sells electricity to retail customers in New Jersey, shall ensure that the electricity it sells each energy year in New Jersey includes at least the minimum amount of qualified renewable energy, as defined at N.J.A.C. 14:8-2.2, required for that energy year, as specified in this section. Requirements for class I and class II renewable energy are set forth in Table A below:

Table A

What Percentage Of Energy Supplied Must Be Class I Or Class II Renewable Energy?

<u>Energy Year</u>	Class I Renewable <u>Energy</u>	Class II Renewable <u>Energy</u>
June 1, 2004 - May 31, 2005	.74%	2.50%
June 1, 2005 - May 31, 2006	0.983%	2.50%
June 1, 2006 - May 31, 2007	2.037%	2.50%
June 1, 2007 - May 31, 2008	2.924%	2.50%
June 1, 2008 - May 31, 2009	3.84%	2.50%
June 1, 2009 - May 31, 2010	4.685%	2.50%
EY 2011:	5.492%	2.50%
June 1, 2010 - May 31, 2011		
EY 2011:	6.320%	2.50%
June 1, 2011 - May 31, 2012		
EY 2011:	7.143%	2.50%
June 1, 2012 - May 31, 2013		
EY 2011:	7.977%	2.50%
June 1, 2013 - May 31, 2014		
EY 2011:	8.807%	2.50%
June 1, 2014 - May 31, 2015		
EY 2011:	9.649%	2.50%
June 1, 2015 - May 31, 2016		
EY 2011:	10.485%	2.50%
June 1, 2016 - May 31, 2017		
EY 2011:	12.325%	2.50%
June 1, 2017 - May 31, 2018		
EY 2011:	14.175%	2.50%
June 1, 2018 - May 31, 2019		
EY 2011:	16.029%	2.50%
June 1, 2019 - May 31, 2020		

ments, but shall not be used to meet solar electric generation requirements; and

3. Class II RECs shall be used only to meet class II renewable energy requirements, and shall not be used to meet solar electric generation requirements or class I renewable energy requirements.

(g) A supplier/provider shall not demonstrate compliance with this subchapter using direct supply of any type of renewable energy.

(h) (Reserved)

(i) The same renewable energy shall not be used for more than one of the following:

1. Creation of an SREC under N.J.A.C. 14:8-2.9;
2. Creation of a REC under N.J.A.C. 14:8-2.8 or 2.9; or
3. Creation of a REC, or of any other type of attribute or credit, under authority other than N.J.A.C. 14:8-2.9 such as another state's renewable energy standards or any voluntary clean electricity market or voluntary clean electricity program.

(j) Each megawatt-hour (MWh) of retail electricity supplied in New Jersey by a supplier/provider subject to this subchapter carries with it an accompanying solar obligation. For Energy Year 2013, each supplier/provider shall calculate its solar obligation as set forth in (k) below. Subsection (k) below allocates the Table B Statewide solar obligation among all supplier/providers that are subject to this subchapter. All supplier/provider solar obligations, taken together, must equal the Statewide solar obligation set forth in Table B below for Energy Year 2013.

(k) - (n) (Reserved)

(o) For electricity supplied during EY 2013, a supplier/provider shall calculate its solar obligation as follows:

1. Determine the supplier/provider's market share of all electricity supplied Statewide during the applicable energy year, as follows:
 - i. Consult the Board's NJCEP website to determine the number of MWhs of electricity supplied Statewide during the energy year by all supplier/providers subject to this subchapter;
 - ii. Determine the number of MWhs of electricity the supplier/provider supplied during the energy year; and
 - iii. Divide (k)1i above by (k)1i above to obtain a fraction representing the supplier/provider's market share; and
2. Multiply the supplier/provider's market share from (k)1 above by the applicable Statewide solar obligation from Table B below. The result is the supplier/provider's

solar obligation for the electricity that it supplied during the energy year.

Table B
Total Statewide Solar Obligation
Starting June 1, 2010

Energy Year	Statewide Solar Obligation in GWhs
EY 2011: June 1, 2010 - May 31, 2011	306
EY 2012: June 1, 2011 - May 31, 2012	442
EY 2013: June 1, 2012 - May 31, 2013	596

Repeal and New Rule, R.2004 d.151, effective April 19, 2004.

See: 35 N.J.R. 4445(a), 36 N.J.R. 2053(b).

Section was "Implementation schedule".

Administrative correction.

See: 36 N.J.R. 4155(a).

Amended by R.2005 d.87, effective March 7, 2005.

See: 36 N.J.R. 1892(a), 37 N.J.R. 787(a).

Rewrote (a); in (d), deleted "GATS system is operational and the" following "shall be used only after the"; added (j).

Recodified from N.J.A.C. 14:4-8.3 and amended by R.2006 d.178, effective May 15, 2006.

See: 37 N.J.R. 3911(a), 38 N.J.R. 2176(a).

Changed internal references to conform to the recodification of provisions throughout; in (a), substituted "(i)" for "(j)" in the introductory paragraph and inserted entries for June 1, 2009 through May 31, 2021 in table A; in (b), substituted "2022" for "2009" and "2021" for "2008"; rewrote (c) and (d); deleted (e); recodified (f) and (g) as (e) and (f); rewrote (f); deleted (h); recodified (i) and (j) as (g) and (h); rewrote (g); updated Table B in (h); and inserted (i).

Amended by R.2009 d.91, effective March 16, 2009.

See: 40 N.J.R. 3586(a), 41 N.J.R. 1261(a).

In (a), substituted "(h), (j) or (k)" for "(i)"; in (b), inserted ", except as may have been adjusted as provided in (j) and (k) below"; and added (j) and (k).

Public Notice.

See: 41 N.J.R. 1532(b).

Special amendment, R.2011 d.130, effective March 30, 2011 (to expire September 30, 2012).

See: 43 N.J.R. 1206(a).

Section was "Minimum percentage of renewable energy required". Rewrote the section.

Amended by R.2012 d.107, effective June 4, 2012.

See: 43 N.J.R. 1162(a), 44 N.J.R. 1703(a).

In the introductory paragraph of (b), deleted a comma following the first occurrence of "energy", and rewrote the last sentence; added (b)1 through (b)4; in (c)1, substituted "NJDEP" for "Department of Environmental Protection"; and deleted and reserved (h).

In accordance with N.J.S.A. 52:14B-5.1c, special amendment R.2011 d.130 expires on March 29, 2013.

See: 44 N.J.R. 2358(a).

The following parts of R.2011 d.130 were not proposed for readoption and expired on September 30, 2012: N.J.A.C. 14:8-2.3(k), (l), (m), (n), and rows "EY 2014" through "EY 2027 and beyond" of Table B in (o)2.

14:8-2.4 Energy that qualifies for an SREC; registration requirement

(a) To be eligible to form the basis for an SREC usable for compliance with this subchapter, electricity shall meet all requirements in this section, as well as all other applicable requirements in this chapter. The registration process required in this section for construction of new solar electric generation facilities is intended to provide advance notice to the public and the renewable energy markets when increases in solar electric generation capacity in New Jersey are planned.