

shall begin on the first full day of the first monthly billing period after the customer-generator's facility is interconnected and generating electricity.

(i) If any customer-generator has been net metering for one monthly billing period or more before it submits its annualized period selection, the following shall apply:

1. If the customer-generator has been net metering for more than 12 monthly billing periods, the time between the selection submittal and the end of the customer-generator's most recently ended annualized period shall be treated as one annualized period; and

2. If the customer-generator has been net metering for fewer than 12 monthly billing periods, the time between the selection submittal and the first day of the first full monthly billing period after the customer-generator's facility is interconnected and generating electricity shall be treated as one annualized period.

(j) A customer-generator shall retain its chosen annualized period permanently unless either of the following occurs:

1. The customer-generator switches electric suppliers. In such a case, the electric power supplier or basic generation service provider with whom service is terminating shall treat the end of the service period as if it were the end of the annualized period; or

2. The EDC or supplier/provider, at its discretion, chooses to accept a customer-generator request for a new annualized period.

(k) A customer-generator that is eligible for net metering owns the renewable attributes of the electricity it generates unless there is a contract with an express provision that assigns ownership of the renewable attributes. The customer-generator may trade or sell the attributes to another person, or may use the attributes as the basis for an application for one or more RECs.

(l) A supplier/provider or EDC shall provide net metering at non-discriminatory rates that are identical, with respect to rate structure, retail rate components, and any monthly charges, to the rates that a customer-generator would be charged if not a customer-generator, except that a supplier/provider or EDC may use a special load profile for the customer-generator, which incorporates the customer-generator's real time generation, provided the special load profile is approved by the Board.

(m) A supplier/provider or EDC shall not charge a customer-generator any fee or charge, or require additional equipment, insurance or any other requirement, unless the fee, charge, or other requirement is specifically authorized under this subchapter, or the fee would apply to other customers that are not customer-generators.

(n) Nothing in this subchapter shall abrogate any person's obligation to comply with all applicable Federal or State laws, rules or regulations.

Amended by R.2009 d.68, effective March 2, 2009.

See: 40 N.J.R. 5531(a), 41 N.J.R. 1094(a).

Added (f) through the introductory paragraph of (j); recodified former (f) as (j)1; in (j)1, substituted "The" for "If a" at the beginning, inserted ". In such a case" and substituted "; or" for a period at the end; added (j)2; and recodified former (g) through (l) as (k) through (p).

Amended by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was "Net metering general provisions". Rewrote the section.

Amended by R.2010 d.141, effective July 6, 2010.

See: 42 N.J.R. 52(a), 42 N.J.R. 1402(a).

Rewrote (a).

14:8-4.4 Meters and metering

(a) A customer-generator facility used for net metering shall be equipped with metering equipment that can measure the flow of electricity in both directions at the same rate. This is typically accomplished through use of a single bi-directional meter.

(b) A customer-generator may choose to use an existing electric revenue meter if the following criteria are met:

1. The meter is capable of measuring the flow of electricity both into and out of the customer-generator's facility at the same rate; and

2. The meter is accurate to within plus or minus five percent when measuring electricity flowing from the customer-generator facility to the electric distribution system.

(c) If the customer-generator's existing electric revenue meter does not meet the requirements in (b) above, the EDC shall install a new revenue meter for the customer-generator, at the company's expense within 10 business days after the interconnection is approved in accordance with N.J.A.C. 14:8-5.4 or (n), 5.5 or 5.6, as applicable. Any subsequent revenue meter change necessitated by the customer-generator, whether because of a decision to stop net metering or for any other reason, shall be paid for by the customer-generator.

(d) The electric distribution company shall not require more than one meter per customer-generator. However, an additional meter may be installed under either of the following circumstances:

1. The electric distribution company may install an additional meter at its own expense if the customer-generator consents; or

2. The customer-generator may request that the EDC install a meter, in addition to the revenue meter addressed in (c) above, at the customer-generator's expense. In such a case, the EDC shall charge the customer-generator no more than the actual cost of the meter and its installation.

Amended by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

In (c), inserted “within 10 business days after the interconnection is approved in accordance with N.J.A.C. 14:8-5.4 or (n), 5.5 or 5.6, as applicable”.

14:8-4.5 Net metering reporting requirements for EDCs

(a) Each EDC with one or more customer-generators connected to its distribution system shall submit two net metering reports per year, one covering January 1 through June 30 and one covering July 1 through December 31. The EDC shall submit the reports by August 1 and February 1, respectively.

(b) The EDC shall submit the reports required by this section electronically, in PDF format, to oce@bpu.state.nj.us. In addition, the EDC may, at its discretion, submit a paper copy of the reports by hand delivery or regular mail to the Secretary, Board of Public Utilities, Two Gateway Center, Newark, New Jersey 07102. The EDC may, at its discretion, submit the net metering report together with the interconnection report required under N.J.A.C. 14:8-5.9.

(c) Each report required in (a) above shall include the following information regarding customer-generator energy input and output during the reporting period:

1. The estimated total kilowatt hours supplied to the distribution system by customer-generators and a description of the estimation methodology used; and
2. The estimated total kilowatt hours that were delivered to customer-generators through the distribution system.

(d) The report required in (a) above shall include the following information regarding credits and payments to customer-generators during the reporting period:

1. The total number of customer-generators that were paid for excess generation at the end of the customer-generators' annualized periods; and
2. The total dollar amount that the utility paid to customer-generators for excess generation at the end of the customer-generators annualized periods, separated by month.

(e) For purposes of the reporting required under this section, any estimates shall be made using Board-approved protocols unless no such protocol is available, in which case the estimates shall be accompanied by detailed calculations demonstrating how the estimates were made.

New Rule, R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Former N.J.A.C. 14:8-4.5, General interconnection provisions, was recodified to N.J.A.C. 14:8-5.2.

14:8-4.6 (Reserved)

Recodified to N.J.A.C. 14:8-5.3 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Certification of customer-generator facilities”.

14:8-4.7 (Reserved)

Recodified to N.J.A.C. 14:8-5.4 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Level 1 interconnection review”.

14:8-4.8 (Reserved)

Recodified to N.J.A.C. 14:8-5.5 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Level 2 interconnection review”.

14:8-4.9 (Reserved)

Recodified to N.J.A.C. 14:8-5.6 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Level 3 interconnection review”.

14:8-4.10 (Reserved)

Recodified to N.J.A.C. 14:8-5.7 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Interconnection fees”.

14:8-4.11 (Reserved)

Recodified to N.J.A.C. 14:8-5.8 by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Section was “Requirements after approval of an interconnection”.

SUBCHAPTER 5. INTERCONNECTION OF CLASS I RENEWABLE ENERGY SYSTEMS

14:8-5.1 Interconnection definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. Additional definitions that apply to this subchapter can be found at N.J.A.C. 14:3-1.1 and 14:8-1.2.

“Applicant” means a person who has filed an application to interconnect a customer-generator facility to an electric distribution system.

“Area network” means a type of electric distribution system served by multiple transformers interconnected in an electrical network circuit, which is generally used in large metropolitan areas that are densely populated, in order to provide high reliability of service. This term has the same meaning as the term “secondary grid network” as defined in IEEE standard 1547 Section 4.1.4, which is incorporated herein by reference as amended and supplemented. IEEE standard 1547 can be obtained through the IEEE website at www.ieee.org.

EDC shall inspect the customer-generator facility and shall arrange to witness any commissioning tests required under IEEE Standard 1547. The EDC and the applicant shall select a date by mutual agreement for the EDC to witness commissioning tests.

(j) Provided that the customer-generator facility passes any required commissioning tests satisfactorily, the EDC shall notify the applicant in writing, within three business days after the tests, of one of the following:

1. The interconnection is approved and the customer-generator facility may begin operation; or
2. The facilities study identified necessary construction that has not been completed, the date upon which the construction will be completed and the date when the customer-generator facility may begin operation.

(k) If the commissioning tests are not satisfactory, the customer-generator shall repair or replace the unsatisfactory equipment and reschedule a commissioning test pursuant to (i) above.

(l) Each EDC shall include in any tariff or published procedures for level 3 interconnection review each element of an impact study, including a description of the review the EDC will undertake for each element. An impact study shall include the following elements, as applicable:

1. A load flow study;
2. A short-circuit study;
3. A circuit protection and coordination study;
4. The impact on the operation of the electric distribution system;
5. A stability study (and the conditions that would justify including this element in the impact study);
6. A voltage collapse study (and the conditions that would justify including this element in the impact study); and
7. Additional elements, if approved in writing by Board staff prior to the impact study.

Recodified from N.J.A.C. 14:8-4.9 and amended by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

In (a), deleted "has a capacity less than two megawatts and" preceding "does", and updated the N.J.A.C. references; and in the introductory paragraph of (c), updated the N.J.A.C. reference. Former N.J.A.C. 14:8-5.6, Standards and testing for low-voltage dry type distribution transformers, recodified to N.J.A.C. 14:8-7.6.

14:8-5.7 Interconnection fees

(a) An EDC or supplier/provider shall not charge an application or other fee to an applicant that requests level 1 interconnection review. However, if an application for level 1 interconnection review is denied because it does not meet the requirements for level 1 interconnection review and the ap-

plicant resubmits the application under another review procedure in accordance with N.J.A.C. 14:8-5.4(p), the EDC may impose a fee for the resubmitted application, consistent with this section.

(b) For a level 2 interconnection review, the EDC may charge fees of up to \$50.00 plus \$1.00 per kilowatt of the customer-generator facility's capacity, plus the cost of any minor modifications to the electric distribution system or additional review, if required under N.J.A.C. 14:8-5.5(o)3 or 4. Costs for such minor modifications or additional review shall be based on EDC estimates and shall be subject to case-by-case review by the Board or its designee. Costs for engineering work done as part of any additional review shall not exceed \$100.00 per hour.

(c) For a level 3 interconnection review, the EDC may charge fees of up to \$100.00 plus \$2.00 per kilowatt of the customer-generator facility's capacity, as well as charges for actual time spent on any impact and/or facilities studies required under N.J.A.C. 14:8-5.6. Costs for engineering work done as part of an impact study or facilities study shall not exceed \$100.00 per hour. If the EDC must install facilities in order to accommodate the interconnection of the customer-generator facility, the cost of such facilities shall be the responsibility of the applicant.

Recodified from N.J.A.C. 14:8-4.10 and amended by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Updated the N.J.A.C. references throughout; and in (a), deleted a comma preceding "and the applicant". Former N.J.A.C. 14:8-5.7, Standards and testing for exit signs, torchieres, traffic signals, and unit heaters, recodified to N.J.A.C. 14:8-7.7.

14:8-5.8 Requirements after approval of an interconnection

(a) Once the customer-generator has met all requirements for interconnection approval under N.J.A.C. 14:8-5.4, 5.5 or 5.6, the EDC shall notify the customer-generator in writing that the customer-generator is authorized to energize the customer-generator facility.

(b) An EDC shall not require an applicant whose facility meets the criteria for interconnection approval under the level 1 or level 2 interconnection review procedure required pursuant to N.J.A.C. 14:8-5.4 and 5.5 to install additional controls or external disconnect switches not included in the interconnection equipment, to perform or pay for additional tests, or to purchase additional liability insurance, except if agreed to by the applicant.

(c) An EDC shall not charge any fee or other charge for connecting to the EDC's equipment or for operation of a customer-generator facility for the purposes of net metering, except for the fees provided for under this subchapter.

(d) Once a net metering interconnection has been approved under this subchapter, the EDC shall not require a customer-

generator to test or perform maintenance on its facility except for the following:

1. An annual test in which the customer-generator's facility is disconnected from the electric distribution company's equipment to ensure that the facility stops delivering power to the grid;
2. Any manufacturer-recommended testing or maintenance; and
3. Any post-installation testing necessary to ensure compliance with IEEE 1547 or to ensure safety.

(e) When a customer-generator facility approved through a level 2 or level 3 review undergoes maintenance or testing in accordance with the requirements of this subchapter, the customer-generator shall retain written records documenting the maintenance and the results of testing. No recordkeeping is required for maintenance or testing performed on a customer-generator facility approved through a level 1 review.

(f) An EDC shall have the right to inspect a customer-generator's facility after interconnection approval is granted, at reasonable hours and with reasonable prior notice to the customer-generator. If the EDC discovers that the customer-generator's facility is not in compliance with the requirements of this subchapter, and the noncompliance adversely affects the safety or reliability of the electric distribution system, the EDC may require the customer-generator to disconnect the customer-generator facility until compliance is achieved.

Recodified from N.J.A.C. 14:8-4.11 and amended by R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Added new (a); recodified former (a) through (e) as (b) through (f); in (b), updated the N.J.A.C. references, and substituted "interconnection equipment" for "equipment package"; and in (d)1, substituted the second occurrence of "facility" for "inverter". Former N.J.A.C. 14:8-5.8, Certification, recodified to N.J.A.C. 14:8-7.8.

14:8-5.9 Interconnection reporting requirements for EDCs

(a) Each EDC with one or more customer-generators connected to its distribution system shall submit two interconnection reports per year, one covering January 1 through June 30 and one covering July 1 through December 31. The EDC shall submit the reports by August 1 and February 1, respectively.

(b) The EDC shall submit the reports required by this section electronically, in PDF format, to oce@bpu.state.nj.us. In addition, the EDC may, at its discretion, submit a paper copy of the reports by hand delivery or regular mail to the Secretary, Board of Public Utilities, Two Gateway Center, Newark, New Jersey 07102. The EDC may, at its discretion, submit the interconnection report together with the net metering report required under N.J.A.C. 14:8-4.5.

(c) Each report shall contain the following information regarding customer-generator facilities that interconnected

with the EDC's distribution system for the first time during the reporting period, listed by type of renewable energy technology:

1. The number of customer-generators that interconnected;
2. The estimated total rated generating capacity of all customer-generator facilities that interconnected; and
3. The total cumulative number of customer-generators that interconnected between June 15, 2001 and the end of the reporting period, including the customer-generators in (c)1 above.

(d) The information required under (c) above shall be listed by type of class I renewable energy, as set forth at N.J.A.C. 14:8-2.5(b), as follows:

1. Solar PV technology;
2. Wind technology;
3. Biomass; or
4. A renewable energy technology not listed at (d)1 through 3 above. In such a case, the report shall include a description of the renewable energy technology.

New Rule, R.2010 d.010, effective January 4, 2010.

See: 41 N.J.R. 2215(a), 42 N.J.R. 78(a).

Former N.J.A.C. 14:8-5.9, Enforcement, recodified to N.J.A.C. 14:8-7.9.

SUBCHAPTER 6. QUALIFIED OFFSHORE WIND PROJECTS

14:8-6.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. Additional definitions that apply to this subchapter can be found at N.J.A.C. 14:3-1.1 and 14:4-1.2.

"Key employee" means any individual employed by the applicant in a supervisory capacity or empowered to make discretionary decisions with respect to the project.

"Offshore wind energy" means electric energy produced by a qualified offshore wind project.

"Offshore wind renewable energy certificate" or "OREC" means a certificate issued by the Board or its designee, representing the environmental attributes of one megawatt hour of electric generation from a qualified offshore wind project.

"Qualified offshore wind project" means a wind turbine electric generation facility in the Atlantic Ocean and connected to the electrical transmission system in this State, and includes the associated transmission-related interconnection