

**CHAPTER 4  
ENERGY COMPETITION STANDARDS**

**Authority**

N.J.S.A. 48:3-78 et seq.

**Source and Effective Date**

R.2001 d.46, effective January 9, 2001.  
See: 32 N.J.R. 4249(a), 33 N.J.R. 565(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 4, Energy Competition Standards, expires on January 9, 2006.

**Chapter Historical Note**

Chapter 4, Autobus and Trolley, was adopted and became effective prior to September 1, 1969.

Chapter 4, Autobus and Trolley, was recodified as N.J.A.C. 16:52 by an administrative change, effective November 3, 1995. See: 27 N.J.R. 4906(a).

Chapter 4, Energy Competition Standards, was adopted as new rules by R.1999 d.257, effective July 9, 1999. See: 31 N.J.R. 2228(a).

Subchapter 1, Interim Anti-Slamming Standards, Subchapter 2, Interim Licensing and Registration Standards, and Subchapter 3, Interim Retail Choice Consumer Protection Standards, were readopted as R.2001 d.46, effective January 9, 2001. See: 32 N.J.R. 4249(a), 33 N.J.R. 565(a).

Subchapter 4, Interim Environmental Information Disclosure Standards, Subchapter 5, Affiliate Relations, Fair Competition and Accounting Standards and Related Reporting Requirements, and Subchapter 6, Interim Government Energy Aggregation Program Standards, were adopted as new rules by R.2000 d.408, d.409 and d.410, effective September 11, 2000. See: 32 N.J.R. 3617(a), 3633(a), and 3642(a). See, also, Subchapter Historical Notes.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. INTERIM ANTI-SLAMMING STANDARDS**

- 14:4-1.1 Scope
- 14:4-1.2 Definitions
- 14:4-1.3 Change orders for gas or electric service
- 14:4-1.4 TPS billing
- 14:4-1.5 TPS change order procedures
- 14:4-1.6 Unauthorized service termination and transfer (slamming)
- 14:4-1.7 Enforcement

**SUBCHAPTER 2. INTERIM LICENSING AND REGISTRATION STANDARDS**

- 14:4-2.1 Scope
- 14:4-2.2 Definitions
- 14:4-2.3 Electric power supplier and gas supplier license application process
- 14:4-2.4 License renewal
- 14:4-2.5 Electric power supplier and gas supplier application requirements
- 14:4-2.6 Condition for maintaining a license in good standing
- 14:4-2.7 Energy agent registration process
- 14:4-2.8 Private aggregator registration process
- 14:4-2.9 Confidentiality
- 14:4-2.10 Enforcement

**SUBCHAPTER 3. INTERIM RETAIL CHOICE CONSUMER PROTECTION STANDARDS**

- 14:4-3.1 Scope
- 14:4-3.2 Definitions
- 14:4-3.3 Advertising standards
- 14:4-3.4 Marketing standards
- 14:4-3.5 Credit
- 14:4-3.6 Contracts
- 14:4-3.7 Customer bills
- 14:4-3.8 Customer information
- 14:4-3.9 Complaints
- 14:4-3.10 Termination

**SUBCHAPTER 4. INTERIM ENVIRONMENTAL INFORMATION DISCLOSURE STANDARDS**

- 14:4-4.1 Scope
- 14:4-4.2 Implementation schedule
- 14:4-4.3 Definitions
- 14:4-4.4 Requirements of the rules
- 14:4-4.5 Determining the fuel and emissions characteristics
- 14:4-4.6 Methodology for developing a disclosure label
- 14:4-4.7 Disclosure information updating and reporting requirements
- 14:4-4.8 Environmental disclosure distribution
- 14:4-4.9 Certification by an independent entity
- 14:4-4.10 Verification and penalties

**APPENDIX A. EXAMPLE LABEL BASED ON ACTUAL GENERATION DATA**

**APPENDIX B. EXAMPLE LABEL BASED ON ENVIRONMENTAL CLAIM**

**APPENDIX C. EXAMPLE LABEL FOR NEW PRODUCT BASED ON DEFAULT INFORMATION**

**APPENDIX D. ROLE OF THE PARTIES**

**APPENDIX E. DEFINITIONS OF FUEL TYPES**

**APPENDIX F. BENCHMARK AND DEFAULT VALUES**

**APPENDIX G. NEW JERSEY NON-UTILITY GENERATOR ENVIRONMENTAL DISCLOSURE DEFAULT METHODOLOGY**

**APPENDIX H. LABEL UPDATE AND DISTRIBUTION TIMING REQUIREMENTS**

**APPENDIX I. CONVERSION FACTORS**

**SUBCHAPTER 5. AFFILIATE RELATIONS, FAIR COMPETITION AND ACCOUNTING STANDARDS AND RELATED REPORTING REQUIREMENTS**

- 14:4-5.1 Scope
- 14:4-5.2 Definitions
- 14:4-5.3 Nondiscrimination
- 14:4-5.4 Information disclosure
- 14:4-5.5 Separation
- 14:4-5.6 Competitive products and/or services offered by a utility or related competitive business segments of a utility
- 14:4-5.7 Regulatory oversight
- 14:4-5.8 Dispute resolution
- 14:4-5.9 Violations and penalties

**APPENDIX A**

**SUBCHAPTER 6. GOVERNMENT ENERGY AGGREGATION PROGRAMS**

- 14:4-6.1 Scope
- 14:4-6.2 Definitions

- 14:4-6.3 General provisions
- 14:4-6.4 Municipal and/or county energy aggregation programs
- 14:4-6.5 Establishing an Option 1 government-private energy aggregation program
- 14:4-6.6 Establishing an Option 2 energy aggregation program
- 14:4-6.7 LDC aggregation agreement for government-private energy aggregation programs
- 14:4-6.8 Advertising for bids, contract award
- 14:4-6.9 Price requirements for government-private programs
- 14:4-6.10 Contents of a contract between a government aggregator and the selected TPS
- 14:4-6.11 After an energy aggregation program has begun operating

SUBCHAPTER 7. (RESERVED)

SUBCHAPTER 8. INTERIM RENEWABLE ENERGY PORTFOLIO STANDARDS

- 14:4-8.1 Purpose and scope
- 14:4-8.2 Definitions
- 14:4-8.3 Minimum percentage of renewable energy required
- 14:4-8.4 Compliance with solar electric generation requirements
- 14:4-8.5 Compliance with class I renewable energy requirements
- 14:4-8.6 Compliance with class II renewable energy requirements
- 14:4-8.7 Requirements that apply to both class I and class II renewable energy
- 14:4-8.8 Renewable Energy Certificates (RECs)
- 14:4-8.9 Board issuance of solar RECs
- 14:4-8.10 Alternative compliance payments (ACPs and SACPs)
- 14:4-8.11 Demonstrating compliance, reporting and recordkeeping
- 14:4-8.12 Penalties

SUBCHAPTER 9. NET METERING AND INTERCONNECTION STANDARDS FOR CLASS I RENEWABLE ENERGY SYSTEMS

- 14:4-9.1 Scope
- 14:4-9.2 Definitions
- 14:4-9.3 Net metering general provisions
- 14:4-9.4 Meters and metering
- 14:4-9.5 General interconnection provisions
- 14:4-9.6 Certification of customer-generator facilities
- 14:4-9.7 Level 1 interconnection review
- 14:4-9.8 Level 2 interconnection review
- 14:4-9.9 Level 3 interconnection review
- 14:4-9.10 Interconnection fees
- 14:4-9.11 Requirements after approval of an interconnection

SUBCHAPTER 1. INTERIM ANTI-SLAMMING STANDARDS

14:4-1.1 Scope

The following standards are to protect against unauthorized changes in a customer's electric power supplier or natural gas supplier as required by "The Electric Discount and Energy Competition Act," P.L. 1999, c.23, Section 37. These standards also apply to the unauthorized switch of a customer away from basic generation service or basic gas supply service provided by an authorized electric or natural gas utility.

14:4-1.2 Definitions

The following words and terms, when used in these standards, shall have the following meanings unless the context clearly indicates otherwise.

"Act" refers to the "Electric Discount and Energy Discount and Energy Competition Act," (P.L. 1999, c.23).

"Board" means the New Jersey Board of Public Utilities or its successor agency.

"Change Order" means a request made by an electric power supplier or a natural gas supplier to an LDC to have the supplier of record of a customer changed.

"Customer" means any person that is an end user and is connected to any part of the transmission and distribution system within an electric public utility's service territory or a gas public utility's service territory within this State.

"Electric power supplier" means a person that is duly licensed pursuant to the provisions of the Act to offer and to assume the contractual and legal responsibility to provide electric generation service to retail customers, and includes load serving entities, marketers and brokers that offer or provide electric generation service to retail customers. The term excludes an electric public utility that provides electric generation service only as a basic generation service pursuant to section 9 of the act.

"Electric public utility" means a public utility, as that term is defined in R.S. 48:2-13, that transmits and distributes electricity to end users within this State.

"Gas public utility" means a public utility, as that term is defined in R.S. 48:2-13, that distributes gas to end users within this State.

"Gas supplier" means a person that is duly licensed pursuant to the provisions of the act to offer and assume the contractual and legal obligation to or provide gas supply service to retail customers, and includes, but is not limited to, marketers and brokers. A non-public utility affiliate of a public utility holding company may be a gas supplier, but a gas public utility or any subsidiary of a gas utility is not a gas supplier. In the event that a gas public utility is not part of a holding company legal structure, a related competitive business segment of that gas public utility may be a gas supplier, provided that related competitive business segment is structurally separated from the gas public utility, and provided that the interactions between the gas public utility and the related competitive business segment are subject to the affiliate relations standards adopted by the Board pursuant to subsection k. of section 10 of the Act.

"Local Distribution Company (LDC)" means an electric public utility or a gas public utility.

"Marketer" means a duly licensed electric power supplier that takes title to electric energy and capacity, transmission and other services from electric power generators and other wholesale suppliers and then assumes contractual and legal obligation to provide electric generation service, and may include transmission and other services, to an end-use retail customer or customers, or a duly licensed gas supplier that takes title to gas and then assumes the contractual and legal obligation to provide gas supply service to an end-use customer or customers.