

facilities and equipment, and approved by the Board pursuant to section 3 of P.L. 1999, c. 23 (N.J.S.A. 48:3-51).

“Wind energy zone” means property located in the South Jersey Port District established pursuant to the South Jersey Port Corporation Act, N.J.S.A. 12:11A-1 et seq., or as may be amended.

14:8-6.2 Offshore wind renewable portfolio standards requirements

(a) Each supplier/provider that sells electricity to retail customers in New Jersey shall ensure that the electricity it sells each reporting year in New Jersey includes at least the minimum percentage of offshore wind (OSW) energy required for that energy year as set by the Board following the approval of a qualified offshore wind project.

(b) The total OSW energy requirement for an energy year shall reflect the projected OREC production of qualified OSW projects, for the period covered by the granted ORECs, from the commercial operation start date of the qualified OSW projects.

(c) OREC obligations are a component of Class I renewable energy requirements, and satisfaction of OREC obligations shall be counted toward Class I renewable energy requirements.

(d) A Statewide OREC target will be determined by the Board based on projected OSW production. The total will be allocated among all suppliers/providers in proportion to their retail sales.

(e) A supplier/provider shall meet the requirements for OSW energy generation through:

1. Retirement of offshore wind renewable energy certificates through a renewable energy trading program approved by the Board; or
2. Submittal of offshore wind alternative compliance payments.

(f) Any offshore wind alternative compliance payments collected shall be refunded to the ratepayers.

14:8-6.3 Application process

(a) An entity seeking to receive ORECs in connection with an offshore wind project shall submit an application to the Board for approval as a qualified offshore wind project. The application must meet the requirements set forth in this section, as well as all applicable requirements of this chapter, and of other applicable State and Federal laws.

(b) The Board will announce the open and close dates for the annual application period, and may, at its discretion, allow additional application periods.

(c) The Board shall approve, conditionally approve, or deny the application within 180 days of the receipt of a completed application. The parties may consent to an extension beyond 180 days.

(d) The applicant shall meet with Board staff and representatives of the Division of Rate Counsel no less than 30 days prior to submission of an application to discuss all aspects of the application.

(e) All applications must be consistent with Board application standards as set forth in Title 14 of the New Jersey Administrative Code.

14:8-6.4 Determination of completeness of application

(a) Upon receipt of the application, Board staff will review the application for administrative completeness in accordance with the requirements set forth in N.J.A.C. 14:8-6.5.

(b) Board staff will notify the applicant within 30 days of the submission if the application is administratively complete or is deficient. If the application is deficient, the applicant will be advised which items must be remedied to correct the deficiency or deficiencies.

(c) Once Board staff notifies the applicant that the application is complete as filed, the 180-day period for the Board to approve, conditionally deny, or deny the application will commence on the date the complete application was filed.

(d) If Board staff has notified the applicant that a deficiency or deficiencies exist, the 180-day period will not commence until all deficiencies have been remedied and the filing is deemed by Board staff to be administratively complete.

(e) If Board staff notifies the applicant that the application with the remediation of the deficiency or deficiencies is now complete, the 180-day period for the Board to approve, conditionally deny, or deny the application will commence on the last filing date of the remediation of all deficiencies.

14:8-6.5 Application requirements

(a) Each application shall meet the requirements set forth in (a)1 through 16 below. The application shall include:

1. Full business information, including the developer's name, primary contact person, website, telephone numbers, e-mail address and street address;
 - i. The proposal must list all key employees and include resumes of employees that have an identifiable track record in construction and operation of power plants of similar size and scope;
 - ii. The applicant shall describe any work done to date by the key employees in developing projects of similar scope, especially any ocean-based energy project or New Jersey large scale energy project siting work;

iii. If the work described was not performed by the entire team, the applicant must delineate the experience or work performed by key employees;

iv. The applicant shall disclose, in detail, any prior business bankruptcies, defaults, disbarments, investigations, indictments, or other actions against either the applicant or any key employees identified in (a)1i above;

v. The applicant shall commit to certifying, after award, that its proposed key employees will remain the project team for the duration of the project, subject to any changes approved by the Board. Enforcement of this provision shall be a condition of the order granting ORECs;

vi. The applicant is not permitted to reallocate the personnel/resources or key employees they used to obtain the OREC, without prior approval of the Board; and

vii. To the extent that there is a claim, the applicant shall include, as appropriate, employment documentation, include letters of intent/commitment/contract that if an OREC award is granted, manufacturing services will be sourced from a New Jersey location;

2. A detailed description of the project, including maps, surveys and other visual aides. The description shall include, but need not be limited to: the type, size and number of proposed turbines and foundations; the history, to date, of the same type, size and manufacturer of installed turbines and foundations globally; and a detailed implementation plan that highlights key milestone activities during the permitting, financing, design, equipment solicitation, manufacturing, shipping, assembly, in-field installation, testing, equipment commissioning and service start-up.

i. The project developers shall:

(1) Demonstrate applicable experience in projects of the size and scope proposed;

(2) Demonstrate that the wind technology is viable, cost competitive, and suitable for use in New Jersey's offshore environment under varying and expected meteorological and climate conditions;

(3) Indicate the areas used for all aspects of the project including the location(s), the construction staging area(s), and port usage;

(4) Include a map with the location of the site(s) clearly marked by longitude and latitude and the Federal Bureau of Ocean Energy Management, Regulation and Enforcement block numbers;

(5) Describe any current uses, conflicts, or characteristics of the ocean and land areas identified pursuant to (a)2i(4) above;

(6) Specify whether the project is located at one site, or divided among several sites;

(7) Define the attributes which make the site(s) attractive and list any potential problems, constraints or limitations with siting an energy facility at that location or locations;

(8) To the fullest extent possible, indicate the major types of equipment that will be installed, and if not yet selected, indicate the candidate technologies and the characteristics specified;

(9) Indicate whether the project team plans to own or lease equipment;

(10) Describe the equipment candidate(s), the specifications, warranties, how long it has been commercially available, approximately how many are currently in service, and where they are installed;

(11) Include a description of the ability of the equipment to work in New Jersey's offshore and near shore climates and the basis for that conclusion; and

(12) Indicate the equipment's delivery time once an order has been placed;

ii. For actual construction, successful candidates are permitted to replace or update equipment identified in the proposal with more technologically advanced equipment that is equal to or better than the equipment identified in the proposal, subject to Board approval.

iii. Applicants shall describe construction plans in detail, identifying proposed subcontractors, with evidence of the capability of performing necessary tasks, as well as proposed time frames for completion of all necessary tasks.

iv. Applicants shall identify all applicable Federal and State statutes and regulations and municipal code requirements, with the names of the Federal, State and local agencies to contact for compliance, and a commitment to provide proof of all such compliance on an ongoing basis.

v. Applicants shall indicate the proposed nameplate capacity for the entire project and the anticipated number of individual units for the selected technology or for each candidate technology; and estimate the net yearly energy output for the project, accounting for losses and include any assumptions, such as the assumed capacity factor, that are the basis for the estimate.

vi. Applicants shall account for, to the fullest extent possible, the coincidence between time of generation for the project and peak electricity demand; provide an estimate, with support, of the amount of energy being generated over the term of the life of the turbines; and estimate, with support, the level of generation that their proposed project will be able to provide over the life of the equipment, assuming the project runs for the equipment's full life;