

NEW JERSEY BOARD OF PUBLIC UTILITIES

Adopted Amendments to Net Metering and Interconnection Rules

N.J.A.C. 14:8-4.2 and 4.3
BPU Docket #: EX08070548

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BOARD OF PUBLIC UTILITIES

Renewable Energy And Energy Efficiency

Adopted Amendments: N.J.A.C. 14:8-4.2 and 4.3

Proposed: October 6, 2008, at 40 N.J.R. 5531(a).

Adopted: January 28, 2009, by the Board of Public Utilities, Jeanne M. Fox, President; Frederick F. Butler, Joseph L. Fiordaliso, Nicholas V. Asselta, and Elizabeth Randall, Commissioners.

Filed: January 29, 2009, as R. 2009 d. .

Authority: N.J.S.A. 48:3-87

BPU Docket Number: EX08070548

Expiration date: April 18, 2011

The New Jersey Board of Public Utilities is adopting amendments to its rules regarding Net Metering and Interconnection, found at N.J.A.C. 14:8-4. The Board published these proposed amendments in the New Jersey Register on October 6, 2008 at 40 N.J.R. 5531(a). These amendments will provide flexibility for customer-generators without imposing major burdens on EDCs and supplier/providers.

Summary of Public Comments and Agency Responses:

The following commenters submitted timely comments:

- Gregory Eisenstark, Public Service Electric & Gas Company (PSEG);
- Thomas D. Fisher, Manalapan, New Jersey (TDF);
- Margie and Rich Hollabaugh (MRH); and
- Lorrie and Art Smith, Blairstown, New Jersey (SMTH).

1. COMMENT: I am a New Jersey homeowner and customer-generator of solar power. I support the proposed rule changes. These changes correct a serious inequity in the current rules which has been costly to me and other homeowners who have invested money in our solar systems. I urge you to adopt the new rules as soon as possible. Also, I hope these new rules will be passed on to the state's power companies effective immediately so that we will be allowed by them to change our anniversary dates without delay. (TDF)

RESPONSE: The Board appreciates this comment in support of the rules. These amendments apply to New Jersey utilities immediately upon publication of this adoption in the New Jersey Register.

2. COMMENT: We do not oppose the intent of the rule amendment. However, we are in the midst of implementing a new customer care system, which has been configured with the existing net metering rules, and will begin using the new system in the first quarter of 2009. The Board's proposed rule amendments will require modifications to the new system. Given the near-term roll-out of the new customer system, an upgrade such as this will not be possible until sometime in the latter part of 2009. Accordingly, we request that the Board delay the implementation of the rule amendment to the third quarter of 2009. (PSEG)

RESPONSE: The Board does not believe that the application of this rule will result in significant difficulty and does not believe that delay of implementation is appropriate at this time. If the commenter believes it is unable to comply, a request for a waiver, as to that individual party, may be submitted.

3. COMMENT: The proposed amendments will require system upgrades to our new customer care system which will result in additional, incremental costs. Pursuant to N.J.S.A. 48:3-87(e)(2), "[t]he board shall allow electric public utilities to recover the costs of any new net meters, upgraded net meters, system reinforcements or upgrades, and interconnection costs through either their regulated rates or from the net metering customer-generator." We reserve the right to seek recovery of these incremental costs through an appropriate rate making mechanism. (PSEG)

RESPONSE: The Board is aware of the cited statutory provision, and will take appropriate steps upon the receipt of an appropriate request for recovery. The Board, at this time and absent a request for recovery, takes no position on whether or not recovery will be granted.

4. COMMENT: We are homeowners who have a < 10 Kwh system, and did not realize what this one little detail would do to our energy budget. We do not have air conditioning and thus build up our Kwh's during the summer. Unfortunately, we went on the grid in August a few years ago, and so that leaves us with no Kwh's to help with the heating cost in the winter. The passage of this rule change is imperative, so that all customers in the state will be treated equally. (SMTH)

RESPONSE: The Board appreciates the commenters' support for the rule.

5. COMMENT: I would like to thank staff for your efforts on the annualized period issue. This was the only problem in an otherwise wonderful program for

Note: This is a courtesy copy of the adoption. The official version will be published in the New Jersey Register on March 2, 2009. Should there be any discrepancies between this courtesy copy and the official version, the official version will govern.

homeowners to afford PV systems. And, admittedly, a small problem but one that needed to be addressed. The PV system we have is a key component in our efforts to have a house that generates all the power it needs. Between conservation and energy production we can now say that on an annualized basis we use no outside energy. Net metering has made this possible. And we have a PV powered chicken coop. (MRH)

RESPONSE: The Board appreciates the commenters' support for the rule.

Federal Standards Statement

Executive Order No. 27 (1994) and N.J.S.A. 52:14B-1 et seq. require State agencies that adopt, readopt or amend State rules that exceed any Federal standard or requirement to include in the rulemaking document a Federal Standards Analysis. N.J.A.C. 14:8-4 is not promulgated under the authority of, or in order to implement, comply with or participate in any program established under Federal law or under a State statute that incorporate or refers to Federal law, Federal standards, or Federal requirements. Accordingly, Executive Order No. 27 (1994) and N.J.S.A. 52:14B-1 et seq. does not require a Federal Standards Analysis for these proposed amendments.

Full text of the adoption can be found in the New Jersey Administrative Code at N.J.A.C. 14:8-4.2 and 4.3.

EDITOR'S NOTE: *rule adoptions published in the New Jersey Register do not show the text of any rules that did not change between proposal and adoption. Therefore, click [here](#) to see a courtesy copy of the amendments adopted herein, as they were proposed.*