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BOARD OF PUBLIC UTILITIES
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Procedure for Filing a Petition regarding NJCEP or Other Clean Energy Issues

Under the New Jersey Board of Public Utilities' ("Board") Rules of Practice, N.J.A.C. 14:1-1 to 14:1-12.18, you may file a petition, which is a formal request for the Board to grant the relief you seek. The petition should include the basic facts of your case and specify what you are asking the Board to do (for example, asking the Board to grant a waiver of a New Jersey Clean Energy Program ("NJCEP") requirement or a waiver of a Board rule at N.J.A.C. 14:8).

- The petition should be written in numbered paragraphs.
- The petition may be filed one of two ways:
 - Board Staff strongly encourages the use of E-Filing as the most rapid and efficient means of getting your petition acted upon. This is especially the case should quarantine measures to contain the COVID-19 pandemic be reinstated and Staff no longer reports regularly to the office. E-filing instructions may be found at <https://nj.gov/bpu/bpu/agenda/efiling/>.
 - As stated in the E-filing instructions, if E-Filing, please email a copy to board.secretary@bpu.nj.gov. In addition to those instructions, please also include the phrase "clean energy petition" in the title, descriptor, or subject line of your e-filed petition.
 - Petitions may also be filed in hard copy. The original petition, plus one copy, must be filed with the Secretary of the Board at the mailing address above.
 - If filing in hard copy, you must copy the Director of the Division of Clean Energy, at the same address.

Once the petition is filed with the Board, your petition will be given a Docket Number (case number). You should include this Docket Number on all future correspondence concerning your matter.

Below are some typical ways the Board or Board Staff may proceed on receipt of certain petitions:

- Request a response from the relevant utility if the petition references an issue with a utility, or the petition requests an extension of time to complete construction of a renewable energy project on the basis of delays the petition alleges were caused by the utility.
- Decide petitions regarding denials of NJCEP applications on the basis of the petition's own content and the record regarding the application.
- Proceed on a case-by case-manner and with reference to the applicable section of the law, rule, or Order as to petitions involving regulated matters.

The above are only examples; do not be concerned if your matter does not fit into one of the categories above.

The Board Secretary will serve your petition regarding an NJCEP matter on the NJCEP Program Administrator and any other respondent named in your petition, N.J.A.C. 14:1-4.5(a)(2). You will receive a copy of the answer, if any, filed by the Program Administrator or other respondent. If the Board determines that the matter is a "contested case" (a case in which the parties dispute important, relevant facts about the matter), either the Board or the Office of Administrative Law

("OAL") may hold evidentiary hearings. See <http://www.nj.gov/oal/hearings/guide/> for information on contested cases and <http://www.nj.gov/oal/about/about/> for information on the OAL. Petitions submitted on behalf of corporations must be prepared and submitted by a lawyer licensed to practice law in New Jersey, unless one of the exceptions set forth in N.J.A.C. 1:1-5 applies. Additionally, unless waived by the Board, the cost of a transcript plus the daily appearance fee for the court reporter is your responsibility, as a petitioner.

Be aware that it usually takes several months before a final resolution is reached. If your matter is a formal one to be resolved through a Board Order, a copy of the Order will be sent to you. In the meantime, if suitable, Staff may ask questions and/or hold meetings.

Please note that the above procedures do not apply if you file an informal complaint against a utility. Such complaints would be handled by the process set up to address a customer's dispute with its utility, pursuant to the requirements of N.J.A.C.14:1-5.13. You are advised to read through these rules prior to deciding whether they would be applicable to your particular situation.