

Linda Wetzel

From: inx-bounces@njcleanenergy.com on behalf of Teague, John
<John.Teague@bpu.state.nj.us>
Sent: Thursday, October 06, 2011 2:07 PM
To: INX@njcep.com
Subject: FW: Staff Draft/Straw Proposal
Attachments: Staff Draft - Straw Proposal - Net Metering Amendmentsfor Multiple Properties (10-5-11).doc; ATT709809.txt

CORRECTION!

The earlier notice listed the Clean Energy website as www.CleanEnergy.com, it should have read www.NJCleanEnergy.com. Sorry for the mistake.

John

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-----Original Message-----

From: Teague, John
Sent: Thursday, October 06, 2011 12:37 PM
To: 'INX@njcep.com'
Subject: Staff Draft/Straw Proposal

At Friday's September 16th Net Metering and Interconnection Stakeholders Meeting, participants made a number of suggestions and Staff incorporated those changes to the document. The updated document is attached for your comment. You may send your comments to OCE@bpu.state.nj.us. Please submit your comments by October 19, 2011. The above document will also be posted on the Clean Energy website, www.CleanEnergy.com, under Net Metering and Interconnection Standards Working Group notices.

If you have any questions you may contact me.

Thanks,

John

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October 5, 2011

Staff Draft/Straw Proposal

What does it mean to be “on the customer’s side of the meter” for net metering purposes?

For the purposes of this subchapter, class I renewable energy that meets all of the following criteria shall be deemed to be generated on the customer’s side of the meter:

1. The renewable energy generation facility is located either:
 - i. Within the legal boundaries of the property on which the energy is consumed (The legal boundary of a property is set forth in the deed for the property); or
 - ii. Within the legal boundaries of a property that is contiguous to the property on which the energy is consumed. The property on which the energy is consumed and the property on which the renewable energy generation facility is located shall be considered contiguous if they are geographically located next to each other, but may be otherwise separated by easements, public thoroughfares, transportation or utility-owned right-of ways and, but for that separation, would share a common boundary. The fact that a public or private thoroughfare may be encumbered by third party easements does not alter a determination as to whether two properties would be considered contiguous.
2. The renewable energy is delivered from the generation facility to the property on which the energy is consumed through wires and/or other equipment installed, owned and operated by an entity other than the EDC; the entity that owns and/or operates the equipment used to transport the renewable energy shall have the affirmative responsibility for complying with all applicable codes and other safety requirements set out in the Board’s rules, including but not limited to the requirements imposed upon underground facility operators at N.J.A.C. 14:2-4.
3. The renewable energy generation facility serves only one net metering customer of record, as defined in this section. If a property contains more than one generation facility, each facility shall:
 - i. Serve a separate net metering customer of record; and

- ii. Meet the requirement at N.J.A.C. 14:8-4.3(a) that the generation facility's capacity not exceed the electricity supplied to the customer over an annualized period.
4. The Board shall hold the net metering customer of record responsible for ensuring compliance with this subchapter. Noncompliance with this subchapter, whether due to the action or inaction of the net metering generator or the net metering customer of record, will be deemed a violation by the net metering customer of record.

"Customer-generator" means an electricity customer of record [~~such as an industrial, large commercial, residential or small commercial customer~~], as defined at N.J.A.C. 14:3-1.1, that generates electricity on the customer's side of the meter, using a class I renewable energy source. Within the limits at N.J.A.C. 14:8-4.1, the Board may deem a pair of entities acting together – that is, a net metering generator and a net metering customer of record – to constitute one customer-generator. Such a determination by the Board would not affect the ownership of SRECs.

"Net metering customer of record" means a customer of record, as defined at N.J.A.C. 14:3-1.1, that owns and/or operates electrical wires and/or equipment that is connected to the EDC's electric distribution system through a meter used for net metering. The net metering customer of record may or may not be the same entity as the net metering generator, and may or may not be located on the same property as the net metering generator, as these terms are defined in this section.

"Net metering generator" means an entity that owns and/or operates a renewable energy generation facility, the electricity from which is delivered to a net metering customer of record, as defined in this section. The net metering generator may or may not be the same entity as the net metering customer of record; and may or may not be located on the same property as the net metering customer of record, as these terms are defined in this section.