

REPORTING YEAR 2010 RPS REPORTING INSTRUCTIONS

The Renewable Portfolio Standards at N.J.A.C. 14:8-1.1 apply to BGS suppliers/providers, electric power suppliers (aka Third Party Suppliers) and electric public utilities (aka electric distribution companies or EDCs). BGS suppliers must submit to each EDC for which they serve load the compliance documentation specific to the load served in that territory. The data reported to the EDC must be specific and relevant to the load served and the compliance sought by the BGS supplier for that particular EDC market. Each EDC must compile and summarize the reports provided by the BGS suppliers serving load in their market and submit this information under one cover to the Office of Clean Energy. Third Party Suppliers report directly to the OCE for their entire load regardless of where in New Jersey it was served. The RPS compliance reports are due by October 1, 2010.

Each BGS supplier must provide the following to each EDC for which they serve load. Third Party Suppliers report the same information directly to the OCE. Please note that any claims of confidentiality **must** be submitted in compliance with NJAC 14:1-12 – Procedures for Determining the Confidentiality of Submitted Information.

Current rules may be viewed at:

<http://www.lexisnexis.com/njoal>.

To see currently effective rules, log in and click on “search New Jersey Administrative Code”. The online New Jersey Administrative Code is updated quarterly.

Demonstrating and Reporting Compliance

The annual report shall contain the following basic information for Reporting Year 2010:

1. The total number of megawatt-hours of electricity sold to retail customers in New Jersey;
2. The total number of megawatt hours of electricity sold to retail customers in New Jersey that qualify as class I renewable energy;
3. The percentage of the supplier/provider’s total New Jersey retail sales that the amount set forth under (c)2 above represents;
4. The total number of megawatt hours of electricity sold to retail customers in New Jersey that qualify as class II renewable energy;
5. The percentage of the supplier/provider’s total New Jersey retail sales that the amount set forth under (c)4 above represents;

6. The total number of megawatt hours of electricity sold to retail customers in New Jersey that qualify as solar electric generation;
7. The percentage of the supplier/provider's total retail sales that the amount in (b)6 above represents;
8. The total amount of solar electric generation, class I renewable energy, and class II renewable energy represented by RECs or SRECs submitted with the annual report;
9. The total number of ACPs and/or SACPs submitted with the annual report. Documentation confirming Alternative Compliance Payment (ACP) and/or Solar Alternative Compliance Payments (SACP) payment, if needed, in the form of copies of checks for each ACP and/or SACP payment. ACP and SACP payments are to be made separately according to the attached instructions. A supplier's report should document the need to pay ACPs or SACPs and include a copy of each check or checks made payable to "Treasurer, State of New Jersey". PSEG has developed a template titled "RPS Report.xls" which satisfies the ACP/SACP obligation calculation and reporting requirement. The ACP and SACP payments must be mailed directly to NJBPU Office of Clean Energy as described in the attached procedure. (See attached, 2010 ACP SACP Payment Instruction.PDF)
10. A summary demonstrating how compliance with the requirements in Table A has been achieved; and
11. An accounting issued by PJM-EIS GATS that shows the number of RECs or SRECs purchased and/or held by the supplier/provider. (There is a report from PJM GATS that will eliminate the need to go to multiple reports to get this information. See below.)
12. Identification of each generating unit, including its location, fuel and technology type, and any unique State and/or Federal facility or plant identification number;
13. An affidavit from the operator of each generating unit that the specified amount of megawatt-hours from each renewable energy source was generated by and/or sold to the supplier/provider and that the supplier/provider has sole and exclusive title to the renewable energy and has not been used to meet the RPS energy requirements in any other state or jurisdiction; (see attached, 2010 RPS Compliance Instructions.PDF Forms)
14. An affidavit from the supplier/provider that the specified megawatt-hours were delivered into the PJM region and complied with PJM Interconnection energy delivery rules; and
15. For each SREC submitted, certification of compliance with the requirement that the SREC has not been used to satisfy another state's renewable energy requirements. The certification shall be in a form required by the Board, (see attached, 2010 RPS Compliance Instructions.PDF Forms)

Requirement for Non-New Jersey Behind the Meter (BTM) Facilities

In lieu of PJM wholesale market settlement data to substantiate REC creation, Class I “behind-the-meter” (BTM) generators located outside of New Jersey but within the PJM footprint have been able to submit meter readings and affidavits (I/M/O the Renewable Portfolio Standards – Request for Board Action Regarding Renewable Energy Certificates, Docket No. EO07110886, January 2008 Order). The Board conditioned the waiver of the PJM settlement requirement for non-Jersey Class I renewable generators on the use of the affidavits with the expectation that an alternative would be developed. While originally available only through May 31, 2008, the waiver process was extended because an alternative to settling in the PJM wholesale market had not been developed. On December 8, 2009, the Board adopted amendments to N.J.A.C. 14:8-2.9(d) that allowed the use of an alternative, e-metering solution to REC verification for non-Jersey BTM facilities. To allow time for a transition to that alternative, the Board by Order dated May 15, 2009 extended the waiver process to continue for Reporting Years 2009 and 2010. This waiver process ended on May 31, 2010. The affidavit and billing statements must be sent to and received by the NJBPU Office of Clean Energy prior to October 1, 2010.

Beginning in Reporting Year 2011, all Class I “behind-the-meter” (BTM) generators located outside of New Jersey but within the PJM footprint will have to be recertified after choosing one of three ways to continue to have their RECs certified for use in the NJ RPS.

1. the renewable energy generator’s sale of the energy is settled in the PJM wholesale market;
2. the renewable generator can report its energy output to PJM-EIS electronically at least monthly via a meter that satisfies the requirements of American National standards Institute (“ANSI”) “Electric Meters Code for Electricity Metering,” C12.1-2008 (as amended or supplemented);
3. the renewable generator can report its energy output at least monthly to an electric distribution company which is a member of PJM, via a meter that satisfies the requirements of ANSI “Electric Meters Code for Electricity Metering,” C12.1-2008 (as amended or supplemented). The renewable generator could then earn RECs, provided that the electric distribution company then provides the generator’s report electronically no less frequently than monthly to PJM-EIS.

Thank you in advance for your cooperation in documenting your company’s compliance with New Jersey’s Renewable Portfolio Standard. Please direct questions or comments to ronald.jackson@bpu.state.nj.us.

GATS My RPS Compliance Report Information:

To All Company Account Managers~

New Jersey's RPS Reports are due by October 1, 2010 for the Reporting Year 2010.

If you serve BGS Load then the EDC's will be reporting directly to the BPU for you. You must transfer over your load obligation as well as the number of certificates that are needed for you to comply. Please contact your EDC as to the timing of when they would like this completed by.

If you serve Third Party Load you will be reporting directly to the NJ BPU.

If you are using certificates from your CEPS account please remember that you CAN NOT transfer them to your Retail LSE Subaccount. They must be transferred to Reserve with the RPS reason being selected.

PJM EIS has implemented a report in GATS, "My RPS Compliance Report", to make reporting easier. You can find the "My RPS Compliance Report" listed in the Account Holder Report section. This report consists of three tabs. The first tab is a Summary tab of what the obligations are in your Retail LSE Subaccount for that reporting year. You will also see a breakdown of the total certificates that are in your Retail LSE Subaccounts and your Reserve Subaccount. The second and third tab is a detailed break down of the certificates that were placed into either the Retail LSE Subaccount or the Reserve Subaccount. This report eliminates the need to go to multiple reports within GATS to obtain the data that is needed.

For more information regarding New Jersey Reporting Requirements, please review the rules at the New Jersey Office of Administrative Law (OAL) and Lexis/Nexis website at this link:
<http://www.lexisnexis.com/njoal>

You will have to register with the site before you can view the rules at Title 14: Board of Public Utilities, Chapter 8; Renewable Energy and Energy Efficiency; Subchapter 2: Renewable Portfolio Standards.

For questions directly pertaining to the New Jersey requirements please contact Ron Jackson at the NJ BPU. ronald.jackson@bpu.state.nj.us

Please feel free to contact PJM-EIS if you have any questions:

PJM-EIS GATS
GATS Administrator

Phone: 610-666-2245
GATSAdmin@pjm-eis.com.