



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu

CLEAN ENERGY

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| IN THE MATTER OF THE CLEAN ENERGY PROGRAM) | ORDER |
| AUTHORIZATION OF CUSTOMER ON-SITE) | |
| RENEWABLE ENERGY REBATES EXCEEDING) | |
| \$100,000) | DOCKET NO. EX04040276 |
| REQUEST TO CHANGE LOCATION –) | |
| OCEAN CITY AQUATIC CENTER) | DOCKET NO. EO07080587 |

(SERVICE LIST ATTACHED)

BY THE BOARD:

By Order dated August 22, 2007, Docket No. EX04040276, the Board of Public Utilities (Board) approved the CORE program rebate applications of a number of projects including a project proposed to be installed on the Ocean City Aquatic Center, Docket No. EO07080587¹. On or about April 30, 2008, a representative of WorldWater & Solar Technologies Corporation ("WorldWater"), the project installer, notified the Board's Office of Clean Energy (OCE) that the roof of the Aquatic Center was deemed insufficient to carry the load of the solar system proposed for installation. Ocean City and World Water requested authorization to relocate the system to an alternative Ocean City site, the 6th Street Fire House, which would support the same system size.

Staff of the OCE believes that granting permission for this relocation serves the State's interest in meeting its solar RPS targets. The policy concern raised by allowing changes to applications is the potential for encouraging applicants to submit ill-conceived or unrealistic projects for the purpose of securing a position within one of the CORE program queues. However, Staff does not believe that such a perverse incentive would be created in this instance. A site relocation is not at the discretion of the applicant; rather, it is permissible under limited circumstances. Staff

¹The Board's August 22, 2007 Order assigned individual docket numbers to each project considered in the order.

recommends approval of Ocean City's request to relocate the solar system from the Aquatic Center to a new Ocean City facility, the 6th Street Fire House, subject to the conditions set out below.

The site relocation of this approved project will be treated as a change to an existing application rather than a new application. Ocean City is the utility customer of record at both locations. In addition, the city owns all of the buildings on which installations will be situated. As Ocean City owns both buildings, moving the installation from one city-owned property to another does not constitute a significant change to this approved application. Since it is requesting a change to its existing application, Ocean City will be required to submit a revised rebate application form, utility consumption, and technical worksheet for the new location.

The Clean Energy Program Staff² will review the revised documentation to verify that installed capacity does not exceed consumption at the new site. If planned capacity would exceed consumption, the applicant will be required to reduce system size. If no such reduction is required, the rebate commitment and the expiration date set out in the original approval letter will remain. If system capacity must be reduced, a revised approval letter containing a new system size and rebate amount will be issued. The expiration date from the original approval letter will remain unchanged.

Staff further recommends a modification to the CORE Program policies and procedures to allow a local government to relocate from one government-owned location to another government-owned location without filing a new application. These locations must be owned and controlled by the local government, which must be the utility customer of record. In addition, the new site cannot require a system larger than the system originally approved. Staff recommends that, like Ocean City, any other local government seeking to modify its existing application by relocation would be required to submit a revised rebate application form, utility consumption, and technical worksheet for the new location.

The Board **FINDS** that Staff's recommendation that the Board permit Ocean City to relocate its planned solar system from the Aquatic Center to the 6th Street Fire House will allow Ocean City to proceed with a beneficial project that will reduce energy costs. The Board also **FINDS** that relocation, under the limited circumstances described by Staff, does not undermine the Board's policy of ensuring that only realistic projects are placed in the queue. Therefore, the Board **HEREBY APPROVES** Ocean City's request to relocate its approved solar project from the Aquatic Center to Ocean City's 6th Street Fire House, subject to the conditions delineated above, and

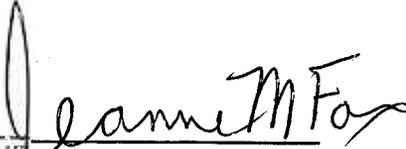
The Board **HERBY DIRECTS** Staff to modify the CORE Program policies and procedures to allow local governments to relocate a project without filing a new application, provided that (1)

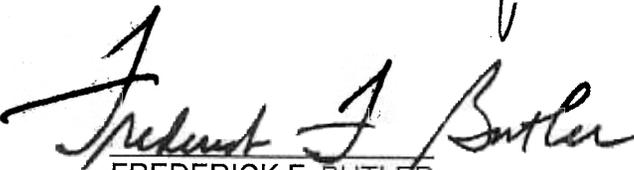
²Clean Energy Program Staff includes members of Board Staff and the Staff of vendors under contract with the Board of Public Utilities.

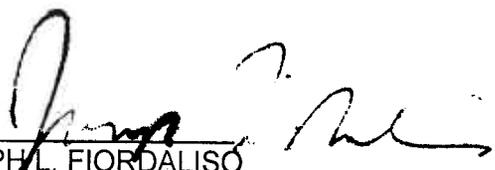
the local government owns both sites, (2) the local government is the utility customer of record, (3) the installation does not increase in size, and (4) the applicant submits a revised rebate application form, utility consumption, and technical worksheet for the new location.

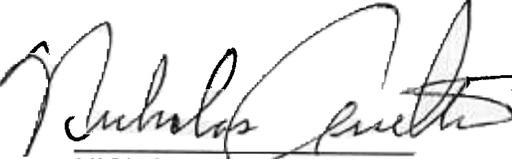
DATED: 8/19/08

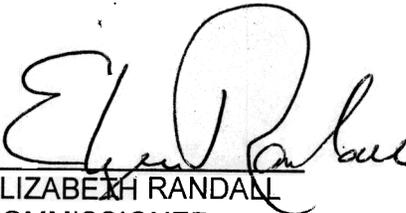
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KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

