



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.nj.gov/bpu/](http://www.nj.gov/bpu/)**

**CLEAN ENERGY**

IN THE MATTER OF THE RENEWAL ENERGY BUSINESS ) ORDER TO SHOW CAUSE  
VENTURE ASSISTANCE PROGRAM: RECOVERABLE )  
GRANT AWARD TO EPV SOLAR, INC. (EPV) TO BE ISSUED )  
THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT )  
AUTHORITY ) DOCKET NO. EO08010010

EPV Solar, Inc.

James E. McGuire, Deputy Attorney General for the Board of Public Utilities

BY THE BOARD:

This Order memorialized action by the Board at its August 18, 2010 agenda meeting regarding the Board's Order to Show Cause approved at its April 14, 2010 agenda meeting in the above captioned matter.

The Board, by Order dated May 3, 2010 in the above captioned matter, issued an Order to Show Cause to EPV Solar, Inc. ("EPV") declaring: Events of Default; Suspension of the Award effective April 14, 2010; Withholding of further funding; and Disallowance of costs incurred by EPV during the Suspension. The Order to Show Cause is attached hereto and incorporated as if fully set forth herein. Pursuant to the terms of the Order to Show Cause EPV was provided with an opportunity to respond within thirty (30) days from the date issuance. No response was received from EPV to the Board's Order to Show Cause.

On May 21, 2010 the Board filed a *Motion for Determination that Automatic Stay Does Not Apply to Termination of Recoverable Grant Agreement* ("the Motion") seeking Bankruptcy Court authority to terminate the Agreement between the New Jersey Board of Public Utilities and EPV Solar, Inc. dated January 26, 2009 ("the Agreement"), In re: EPV, Solar, Inc., No. 10-15173 (Bankr. D.N.J. 2010). In response to the Motion, EPV consented to the termination of the Agreement and reserved its rights in connection with the Agreement except with regard to the termination of the Agreement as set forth in a Consent Order Approving (I) Termination of Recoverable Grant Agreement; and (II) Reservation of Rights, In re: EPV, Solar, Inc., No. 10-15173 (Bankr. D.N.J. 2010). ("Consent Order") A copy of the Consent Order is attached hereto.

Therefore, the Board, for the reasons set forth in its Order to Show Cause and consistent with the terms of the Consent Order HEREBY ORDERS that:

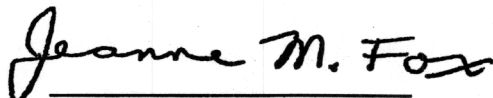
1. The Funding Agreement between the Board and EPV is Terminated effective July 13, 2010;
2. Payment of pending invoices submitted by EPV is disallowed; and
3. EPV shall repay of all Award monies disbursed to date under the Funding Agreement.

DATED: 8/20/10

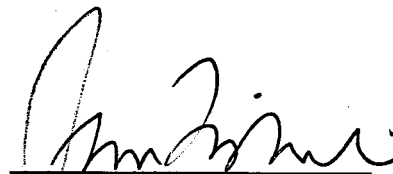
BOARD OF PUBLIC UTILITIES  
BY:



LEE A. SOLOMON  
PRESIDENT



JEANNE M. FOX  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER



NICHOLAS ASSELTA  
COMMISSIONER



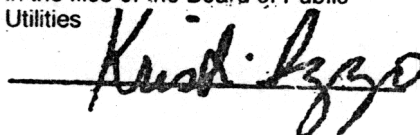
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:



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



**I/M/O: The Renewal Energy Business Venture Assistance Program: Recoverable Grant Award to  
EPV Solar, Inc. (EPV) to be issued through The New Jersey Economic Development Authority  
Docket No.: EO08010010  
Service List**

**For EPV Solar Inc.:**

EPV Solar, Inc.  
8 Marlen Drive  
Lawrenceville, NJ 08691  
Attn: General Manager,  
Photovoltaic Business

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EPV Solar, Inc.  
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**For NJBPU:**

New Jersey Board of Public Utilities  
44 South Clinton Avenue  
Trenton, New Jersey 08625  
Attn: Director Office of Clean Energy

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State of New Jersey  
Department of Law & Public Safety  
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124 Halsey Street  
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**For EDA:**

The NJ Economic Development Authority  
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Trenton, New Jersey 08625-0990  
Attn: Closing Services

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